



Stakeholder Early Outreach

Kittitas County Comprehensive Plan Compliance 2012

February 2012

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Stakeholder Early Outreach

Comprehensive Plan Compliance 2012 ■ Kittitas County ■ February 2012

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February 2012

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1. Introduction

1.1 Purpose

This report is intended to identify and define the rural character as seen from the perspective of a group of Kittitas County citizens. A questionnaire was developed in January 2012 by the staff of Kittitas County to aid in this task. The questionnaire, shown in Appendix A, provides a number of questions designed to assist the County in amending the “Rural Element” of the Comprehensive Plan as required by the Eastern Washington Growth Management Hearings Board.

Issues intended to be addressed from this early citizens outreach action include:

- Defining what citizens consider to be “rural,”
- Justifying why a policy or objective is included in the County’s “rural” element of the Comprehensive Plan, and
- Potentially identifying some of the options for plan and regulation amendment that are acceptable to citizens, and discovering those regulations that they understand and agree with.

1.2 Scope

“Stakeholders” in the context of this questionnaire and report are persons or organizations having some potential gain or loss with a particular action, such as the required Comprehensive Plan amendment. The stakeholders in the identification of the “rural” element of the comprehensive plan include those groups and individuals who have interest in the development of the Plan. These individuals and organizations were identified through past public meetings, public phone conversations, meetings with County staff and elected officials, and other events. Public agencies that review State Environmental Policy Act (SEPA) documents are often considered “stakeholders” and were asked to participate for this reason. Citizens with past involvement in planning and building issues are identified as stakeholders and are recorded within the County’s email list of contacts. Private interest groups, such as “Futurewise,” members of “Kittitas County Conservation Coalition,” “Ridge,” and Native American tribes, such as the Yakama Nation, are also identified as stakeholders.

The questions were developed by Kittitas County staff after hearing concerns from a number of interest groups and individuals participating in prior Comprehensive Plan compliance project public meetings and conversations. Over twenty questions were initially developed by staff in order to obtain responses from citizens about issues relating to Kittitas County in general, about the existing Comprehensive Plan, and about the regulations within the County all relating to rural character. The number of questions was reduced to ten in three different categories for easing potential time needed to respond. All issues brought out by the participating groups and citizens were planned to be addressed by those ten questions.

Once the questionnaire was developed, it was distributed to these stakeholders. A total of 317 groups, organizations, and private citizens were sent this questionnaire by mail or email. The stakeholders sent this questionnaire were representatives from local, State and Federal agencies, agricultural groups, conservation groups, fire districts, the media, tribes and residents. The questionnaire was also placed on the County’s website in order to permit other interested citizens the opportunity to respond.

1.3 Materials

All material that was presented to respondents for the Stakeholders' Questionnaire is located in Appendix A. In Appendix A there is a letter signed by Dan Valoff, planner with the County's Community Development Service, the questionnaire sent to the 317 stakeholders identified, the notice placed upon the website for the general public to obtain access to the questionnaire, and an introductory memo that was sent via email along with the questionnaire to identified stakeholders. This questionnaire was also placed on the County's website under the "Hot Topics" list for greatest observation and to allow citizens not identified as stakeholders the opportunity to answer the questionnaire that were.

2. Results

2.1 Summary of Participation

The Stakeholders' Questionnaire involved 18 respondents, all residing in Kittitas County. The average length of residence of those participating in the questionnaire was almost 34 years but varied from 3.5 years to almost 65 years. The median time of residence in the County from those responding was approximately 30 years, suggesting the length of residence in Kittitas County of the respondents varied but not significantly. The number of respondents living in the County fewer than 34 years was higher than the number living in the County more than 34 years. Three respondents of the questionnaire have resided in the County fewer than 10 years.

The exact responses made to the questionnaire are included in Appendix B.

2.2 Summary of Responses

It was clear from the responses received from the Stakeholders' Questionnaire that respondents fell within two groups. One group was pro-development within the "rural" environment. The other group was for little, if any, development within the "rural" environment. Following is a brief description of the responses.

2.2.1 General Questions

The purpose of the General Questions was to get an idea of the concept of the "rural" character as perceived by respondents and ways they thought such qualities should be protected. The questions were designed to obtain adjectives and common patterns of what the term "rural" meant to respondents.

The first question was designed to obtain some idea of the length of residency of respondents and obtain an idea of how long-time residents might view "rural" differently from newer residents. All of the respondents were residents of Kittitas County. As stated above, the average length of residency in Kittitas County of the respondents is approximately 34 years, which is lengthy when compared to more populated areas.

The second question was designed to obtain an idea of what people think of when someone suggests a "rural" environment – a characteristic that tells them that this is a "rural" environment. The purpose of such information is to get an idea of the things that people think are important and may be important to protect. The responses to this question can be broken into two groups - those who think that physical development

is part of being rural and those who believe that less development is relative to a “rural” environment. There were extreme answers to both sides, where one respondent felt that rural meant “more development” and another respondent felt that no development can be considered “rural.” A total of 33% of the respondents indicated that some type of development could be considered rural in nature, often indicating a need for cluster development, small towns, and smaller residential areas. Most respondents (56%) indicated that “rural” meant some form of agriculture, such as large and small farms, ranches and intensive agricultural activity. Almost half of the respondents indicated forest as something that suggested “rural” in Kittitas County. Twenty-two percent (22%) indicated that recreational activities were an indication of “rural” environment. Others provided descriptions such as “quiet,” “low density,” “low traffic,” and “small population” when describing rural environment.

The third question in the “General” section of the questionnaire was designed to obtain some idea of how the respondents thought their description of “rural” could be protected. Most of the respondents provided indications that more regulations were necessary, while approximately 33% indicated that some form of development was necessary to preserve the “rural” environment, directly correlated with those indicating that “rural” to them meant some form of development. Some were proposing that development be permitted in order to increase economic opportunity so that other rural lands were not in as much demand for development, while others indicated that it was necessary to provide farmers some opportunity to develop their land so that they could continue to farm. Most respondents suggested that some form of development is necessary to preserve “rural” environment indicated that the development would have to be controlled in some way, such as re-examining, or eliminating, cluster development and controlling all non-residential development in “rural” areas.

A larger group indicated that little, if any, development was needed to preserve the “rural” environment as they defined it. They suggested that existing ordinances and regulations needed enforcement, while others felt that new ones needed to be developed. Several wanted a “record of ‘rural’ definition” so that proposed new ordinances could be measured as to how “rural” environment was being protected and considered by future decisions. One indicated that development near “federal roads” needed to be limited in order to preserve the vision of “rural” to travelers. Several indicated that existing regulations that permitted administrative segregations, one-time splits, and cluster developments needed to be changed so that these land use actions were no longer permitted. A number of respondents suggested moratoria on development altogether or limiting development to areas adjacent to established UGAs until studies were conducted to indicate where development could be accommodated. Others suggested creating incentives for developers within County ordinances to encourage more open space.

A fourth question within the “General Questions” section was designed to obtain ideas from respondents suggesting ways to increase economic development. Specifically, respondents were asked what economic growth or development they would like to see “while preserving the rural character” of the County. There was a wide variety of suggestions received. Almost half of the respondents felt it was necessary to expand or encourage recreation activities and opportunities in Kittitas County for economic development, while preserving the rural environment, and just over 10% of the respondents felt it was necessary to decrease reliance on recreational activities and place more emphasis on sustainable industries, though few sustainable industries were actually identified. Approximately 22% of the respondents to the Stakeholders’ Questionnaire indicated it was important to make it easier for people to get to retail areas by improving

roads to such establishments, providing more parking, or providing more business opportunities at the Airport in order to capture potential economic benefit. Other comments included “attracting clean industries,” although no indication was provided as to what would be considered “clean.” Many suggested that greater fees be charged for businesses established in rural areas that were not rural in nature, or limiting commercial development to areas within or adjacent to defined and adopted Urban Growth Areas. A number of respondents suggested an easier permitting process for particular industries, such as wind farm expansion, use of commercial forests, and use of mineral resources, is necessary.

2.2.2 Comprehensive Plan

Questions within the questionnaire relating to the Comprehensive Plan were designed to obtain feedback from respondents regarding issues relating to the Growth Management Act and the Rural Element of the Comprehensive Plan. The issue of adequacy of water was also presented as a question within this section.

The first question directly related to the decision of the Supreme Court remanding the Growth Management Act compliance issues back to the Eastern Washington Growth Management Hearings Board, and the Board allowing the County to demonstrate how the rural character, however it is defined, is being protected. Many of the respondents did not or could not answer the question. Those that did respond offered a number of suggestions, many of which they had offered in previous questions. Suggestions including “determine lands suitable and unsuitable for development,” “permit development according to land suitability and water availability,” and “eliminate all 3 Acre and 5-acre zones” were dominant. It was suggested that the record of the Supreme Court’s decision be reviewed and that standards for development be created on the basis of that decision. One suggested the adoption of impact fees to mitigate impacts upon the rural area, and another suggested an update of the Critical Areas Ordinance and the Shoreline Management Program in determining those rural areas to not be developed.¹ On the side of the group favoring some development, some indicated that it was necessary to preserve the cluster and PUD concept in the preservation of rural character and could be done so in light of the Supreme Court decision.

The second question dealt with the City of Kittitas’ request to expand its Urban Growth Area (UGA) boundary in order to aid economic development. Few respondents answered this question. Those that did were again in two groups. The pro-development group indicated that they perceived no issue in expanding the City’s UGA and maintaining the rural character. Some indicated that the City should be allowed to do whatever it wanted. On the other side respondents indicated that there should be no expansion unless appropriate studies are provided to justify such expansion. Some indicated that it was already too large and that it should be retracted to preserve the agricultural ground.

The final question in this section of the questionnaire was intended to obtain respondents’ perception of whether water availability was an issue in preserving rural character. It was also intended to obtain some idea of whether they thought there was enough water for the types of development that had and could

¹Note: Kittitas County and the Cities of Ellensburg, Cle Elum, and the Town of South Cle Elum are currently participating in a multi-year process to develop a regional Shoreline Master Program (SMP), resulting in adoption of an independent SMP for each jurisdiction. In conjunction with the regional SMP update process, Kittitas County has initiated an update to its Critical Areas Ordinance (CAO).

occur within the County. Again, responses were generally divided into two groups. One group indicated that water was adequate and the other group felt water was limited for development and needed to be adequately monitored.

Respondents indicated that:

- more wells should be drilled,
- the public should be allowed to utilize permit exempt wells, and
- the opportunity for more Type A wells should be provided.

There were suggestions to provide incentives, not regulations, to conserve water at developments, and with such incentives, the market would take care of the water situation. There was a suggestion to permit 350-gallons per day for water consumption for single family-units, rather than requiring 5,000 gallons per day.

On the opposite side some indicated that no more drilling should be allowed before there was adequate study to indicate water availability in the County. Some indicated that all non-agriculture water consumption for development should occur only near existing cities. Others suggested that water metering should be required in rural areas to insure that water was not being over-consumed by residents. It was clear that this second group that desired non-agricultural development should pay the “true cost” of water, suggesting that they did not believe that the entire costs of water use was being considered in development proposals.

2.2.3 Development Regulations

The final section of the questionnaire included three questions designed to get an idea of what regulations were needed in order to preserve the rural character within Kittitas County. Again, the respondents to the Stakeholders’ Questionnaire were largely in two groups, those who suggested having fewer regulations and those suggesting having more regulations.

The first question asked respondents to consider what regulations were effective and which were non-effective in preserving rural character in the County. Several suggested that the existing land use codes were all that was needed. Some thought the codes were adequate but needed more strict enforcement. Several (22% of respondents) felt that the Fire Codes were adequate and protected the rural environment. The majority of the respondents to question 1 of this section indicated that most of the regulations in existence were ineffective in preserving the rural character and needed to be created, amended, or replaced. This group suggested cleaning up the cluster concept so that less development occurred in the rural area. Several indicated that there were too many lots allowed in Ag-20 zones that were less than 20 acres and wanted such development stopped. Several indicated that the subdivision and zoning ordinances were not effective and needed to be amended. Respondents indicated that the work conducted in 2009 should be reviewed to determine what ordinances were effective and ineffective at that time. There was one respondent who indicated that none of the regulations were effective and none were needed.

The second question was intended to obtain thoughts on needed regulations to preserve natural resources. Many of the responses were reiterations or expansions of the previous question’s responses. Several

again, approximately 28%, indicated that no new regulations were needed, just greater enforcement of existing ones. Several indicated that large buffers were necessary to preserve agricultural and forestry areas. Again, several indicated that the County's Critical Areas Ordinance and Shorelines Ordinance needed updating designed to adequately preserve existing resources. They suggested that no development occur in water areas or floodways. Some recommended not permitting any development in property zoned for 20-acre minimum lot sizes and others suggested requiring or encouraging creation of large open spaces to preserve natural resources. One respondent, again, indicated that no development should occur except near urban areas to preserve and protect natural resources in the County.

The final question of this section of the questionnaire was intended to obtain an idea of respondents' outlook on preservation of agriculture within the County and how to protect those endeavors. Many of the responses were very similar to the previous ones. There were a large number of respondents who did not answer the question. One respondent indicated that there existed too much agriculture in the County and additional incentives were not needed. Most of the respondents to this question indicated that existing agricultural uses should be protected through various means including:

- Requiring any agricultural land owner to preserve a percentage of their agricultural land to remain in agriculture use
- Providing large buffers around agricultural lands
- Eliminating all platting activity in agricultural lands
- Limiting trails near or upon agricultural lands and enforcing trespass laws
- Limiting development to 20-acre minimum lot sizes or improve cluster development criteria
- Placing a moratorium on rezoning of agricultural lands.

Respondents were permitted to provide final comments in the questionnaire and responses were generally in favor of guidelines protecting rural areas. Comments included statements to not be reluctant to make fundamental changes that were necessary to protect Kittitas County's rural character. One respondent indicated that real estate groups had too many influences upon land use decisions and wanted that influence to stop. Another indicated that housing development had become the County's main economic base and wanted the influence of the construction industry to be lessened in land use decisions. Another comment re-emphasized the importance of using incentive-based guidelines to preserve rural character rather than relying on use-restricting regulations. There was a comment from one respondent who indicated that it was necessary to attempt to control "new-incoming speculators," suggesting that existing problems were caused by those from "the western side of the mountains."

2.3 Consideration of Responses in Achieving Compliance

Responses to the Stakeholders' Questionnaire and the comments received at the upcoming Open House public meeting will again be evaluated in terms of the definition of "rural" for use within amendments to the Comprehensive Plan. The Washington Supreme Court seemed to make it clear that it was important for the County to provide some measurement of what "rural" means in the County before it can determine what ordinances or policies can be adopted to protect that characteristic. The answers to this public outreach will be key in this definition of "rural character" and will be the foundation for future work to present to the Hearings Board.

Responses from citizens of the County will continue to be accepted to aid in the definition of "rural" within Kittitas County. The questionnaire will remain available for public response and will be used throughout the amendment process. Responses will be utilized in outlining objectives and policies with the proposed amended plan and presented to the public for input on the resulting plan.

2.3.1 Open House Public Meeting

An Open House is tentatively planned to be held on March 27, 28 and/or 29, 2012, to display mapped data that has been obtained regarding land use development in Kittitas County. Such maps will show changes in land use within this decade, existing constraints on land development, and potential development opportunities. The public is going to be invited to this Open House for their comment on the information presented and for their concept of the rural character within Kittitas County needing protection and/or enhancement. This information will be provided in a report to assist in the action of the County in updating its Comprehensive Plan's "Rural" element and complying with the Growth Management Act.

2.3.2 Preliminary Analysis by County Staff

Upon review of the responses from the Stakeholders' Questionnaire, it is clear there is a difference of opinion as to what "rural" means to the citizens of Kittitas County and what they believe should be protected. Generally, respondents could be placed in one of two groups responding to the questionnaire, one being supportive of continued development while protecting the rural environment, and another leaning towards limiting and even eliminating development in the area in order to protect rural character. A large majority of respondents to the Stakeholders' Questionnaire identified "agriculture," "recreational opportunity," and "forests" as key to the "rural" environment, which merits consideration when creating changes to the "Rural" section of the Comprehensive Plan goals, objectives and policies. Many felt that these characteristics should be highly regarded when creating changes in our current ordinances designed to protect these values.

A portion of the respondents also suggested that "rural" to them also meant small development, housing in clusters and small-scale towns. While rural descriptions from both groups included "quiet," "open spaces," and "large lots with limited development," many respondents also indicated that responsible development was an integral part of the rural environment they appreciated.

2.3.3 Recommendations by County Staff

From the responses we received from the Stakeholders' Questionnaire, people find it important to preserve agriculture and to enhance recreational opportunities, while preserving the "rural" character of the area. A number felt it also important to permit some development opportunity.

Based on the limited number of responses received and in order to reach out and involve the public and other interested parties in amendment of the Comprehensive Plan, staff recommends conducting a broader public outreach, possibly using a simpler questionnaire. While the Stakeholders' Questionnaire responses are very important in defining and protecting "rural" character in Kittitas County, the Stakeholders' Questionnaire was designed to obtain an initial idea of what was on residents' minds in defining "rural" in the amendment of our Comprehensive Plan. The purpose of this and other questionnaires is to discover residents' perception of "What is 'rural'?" and ways to preserve or manage characteristics of the rural environment they value. The Open House questionnaire will be designed to have a more direct approach in discovering people's perception of "rural" and its value, with less emphasis upon ways to preserve it. Questions will be limited in number and should result in answers from a larger number of people who often attend Open House events. To more fully determine the value and meaning of "rural" by Kittitas County residents, it is suggested to reach a broader base of the County's population. This can be accomplished with personal interviews at public events, such as fairs and farmers' markets where simple questions to the public can be asked and answered quickly. It is recommended that this be done if time and resources permit this additional public participation outreach activity.

Appendix A

Stakeholder Outreach Materials



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"

January 18, 2012

Dear Interested Stakeholder,

RE: Stakeholder Early Outreach – 2012 Growth Management Act (GMA) Compliance

You have been identified as a stakeholder for participation in Kittitas County's GMA compliance efforts as a result of the Order Following Remand from Washington State Supreme Court in matters 07-1-0004c and 07-1-0015 dated November 7th of 2011. The County is asking a series of questions regarding appropriate rural development, effectiveness of existing development regulations and review of the City of Kittitas Urban Growth Area.

The questionnaire is attached. Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98926 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.

If you wish, following receipt of your answered questionnaire, stakeholders will also be provided an opportunity to schedule time with staff for personal interviews regarding these questions. If you are interested in participating in interviews by phone, in person or in a group panel, please contact Dan Valoff, CDS Staff Planner at 509-962-7637 or by e-mail at dan.valoff@co.kittitas.wa.us with a contact person or persons from your organization with phone number.

Thank you for your effort in this matter.

Sincerely,

Dan Valoff
Staff Planner

Dan Valoff

From: Dan Valoff
Sent: Wednesday, January 18, 2012 3:59 PM
Subject: Early Outreach for GMA Compliance
Attachments: Questions on Kittitas County 011812.docx

RE: Stakeholder Early Outreach for GMA Compliance

You have been identified by the County as a stakeholder for early participation in Kittitas County's GMA compliance efforts as a result of the Order Following Remand from Washington State Supreme Court in matters 07-1-0004c and 07-1-0015 dated November 7th of 2011. The County is asking a series of questions regarding appropriate rural development, effectiveness of existing development regulations and review of the City of Kittitas Urban Growth Area. This information is being gathered to assist in preparation for open house events in mid-March 2012.

These questions and a related cover letter are being mailed to stakeholders today. For your convenience, the questionnaire is attached to this email if you wish to respond via email. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012.** Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.

If you have any questions, or if following submittal of your answers are interested in participating in interviews by phone, in person or in a group panel, please contact Dan Valoff, CDS Staff Planner at 509-962-7637 or by e-mail at dan.valoff@co.kittitas.wa.us with a contact person or persons from your organization with phone number.

Thank you in advance for your participation.

Dan Valoff
Staff Planner

Kittitas County Community Development Services
411 N Ruby Street Suite 2
Ellensburg, WA 98926
dan.valoff@co.kittitas.wa.us
P: 509.962.7637
F: 509.962.7682



All e-mail sent to this address will be received by the Kittitas County e-mail system and may be subject to Public Disclosure under Chapter 42.56 RCW and is subject to archiving and review by someone other than the recipient.



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Community Development Services

- Community Dev home
- Building
- Inspection schedule
- Land use
- Environmental Health

Comprehensive Plan Compliance 2012

Welcome

Welcome to Kittitas County Comprehensive Plan Compliance 2012 project, the County's current effort to revise its Comprehensive Plan to meet state requirements.

What's This All About?

The County is seeking input to revise the current Comprehensive Plan and related Development Code. Some aspects of the County's current Plan and Code are not consistent with state laws that guide land use planning. This effort will make the County's Plan and Code consistent and provide a blueprint for future development.

Early Public Participation Outreach

As a result of the [Order Following Remand from Washington State Supreme Court in matters 07-1-0004c and 07-1-0015 dated November 7th of 2011](#)  372 KB, Kittitas County has initiated work on the Comprehensive Plan Compliance 2012 project for compliance with the Growth Management Act (GMA). As part of this project, the County is inviting the public to respond to a series of questions regarding appropriate rural development, effectiveness of existing development regulations and review of the City of Kittitas Urban Growth Area. This information is being gathered to assist in preparation for open house events in mid-March 2012.

If you wish to respond to these questions, please submit the answered [questionnaire](#)  370 KB to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6 to cds@co.kittitas.wa.us.

If you have any questions about this project, please contact Robert "Doc" Hansen, CDS Planning Official, at 509-962-7046 or by e-mail at doc.hansen@co.kittitas.wa.us.

Thank you in advance for your participation.

Schedule for Compliance

The County anticipates hosting open house events in mid-March. View the complete [schedule for compliance](#)  14 KB. To get email notice of the open house, [subscribe to get email updates](#).

[Community Development home](#) | [Building](#) | [Inspection schedule](#) | [Land use](#) | [Environmental Health](#)
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Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County?
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?
3. What do you think the County has to do to protect the rural character you just described?
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?



3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?
2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?
3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

Other

What other comments do you have for the County to observe in this matter?

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to [cgs@co.kittitas.wa.us](mailto:cds@co.kittitas.wa.us).**

[REDACTED]

From: no-reply@co.kittitas.wa.us
Sent: Monday, January 23, 2012 3:02 PM
To: [REDACTED]
Subject: Update Regarding Comprehensive Plan Compliance 2012 Project

You are subscribed to the Kittitas County website auto notification service for **Comprehensive Plan Announcements** and **Development Code Updates**. Thank you for your interest in the County's planning efforts. The County's website information has recently been updated in regard to initiating work on the Comprehensive Plan Compliance 2012 project for compliance with the Growth Management Act (GMA). The County is seeking your response to a series of questions regarding appropriate rural development, effectiveness of existing development regulations and review of the City of Kittitas Urban Growth Area. More information is available at:

<http://www.co.kittitas.wa.us/cds/compliance-2012/>

For more information, contact:

Robert "Doc" Hansen

Planning Official

Phone: 509-962-7046

Email: doc.hansen@co.kittitas.wa.us

Thank you for your participation.

Kittitas County Community Development Services

You have received this email message because you subscribed to Kittitas County's Email Notification Subscription service. If you wish to be removed from this notification service, please login at <http://www.co.kittitas.wa.us/opt/> to update your subscription. Every effort has been taken to ensure unwanted email is not sent to you. If you receive an email from a notification list to which you did not subscribe, please notify the [webmaster](#). Thank you.

Appendix B

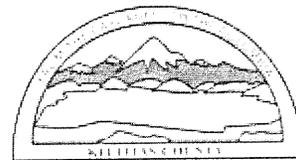
Comments Received

No.	Name	Response Type			Date
		LTR	EM	Q	
B-1	Miller, Jim		X	X	01/23/12
B-2	DeVaux, Dan		X	X	01/26/12
B-3	James, Paul		X	X	01/26/12
B-4	Williams, Mitch		X	X	01/26/12
B-5	No Name				01/26/12
B-6	Hallisey, Judy E.I.		X	X	01/30/12
B-7	Bland, Larry & Harriet		X	X	02/06/12
B-8	Clerf, Catherine		X	X	02/06/12
B-9	"Jim"		X	X	02/06/12
B-10	Watanabe, Anne		X	X	02/06/12
B-11	Weis, Nathan			X	02/06/12
B-12	No Name			X	02/06/12
B-13	No Name			X	02/06/12
B-14	Shara, Kurt		X	X	02/07/12
B-15	Schmidt, Andy		X	X	02/07/12
B-16	Tracy Rooney		X	X	02/08/12
B-17	No Name		X	X	
B-18	No Name		X	X	

From: CDS User
Sent: Tuesday, January 24, 2012 8:39 AM
To: Doc Hansen; Dan Valoff
Subject: FW: Questionnaire

Laura Wilson
Permit Technician

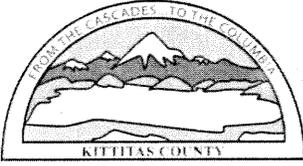
Kittitas County Community Development Services
411 N Ruby Street Suite 2
Ellensburg, WA 98926
laura.wilson@co.kittitas.wa.us
P: 509.962.7506
F: 509.962.7682



"Building Partnerships-Building Communities"

From: Jim Miller [<mailto:jbt@Fairpoint.net>]
Sent: Monday, January 23, 2012 7:00 PM
To: CDS User
Subject: Questionnaire

THANKS.



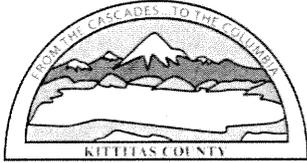
Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? 16 years
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?
I see Kittitas County as having a physical character that has attracted residents to the peaceful and natural beauty of agricultural and montaine settings. A critical part of the contentment of existing and prospective residents is the ability to continue to use their property in relatively unencumbered ways.
3. What do you think the County has to do to protect the rural character you just described?
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?



3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?
2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?
3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

Other

What other comments do you have for the County to observe in this matter?

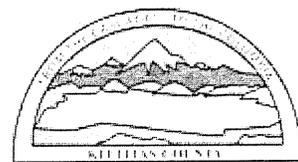
Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012.** Answers can also be emailed by February 6th to [cgs@co.kittitas.wa.us](mailto:cds@co.kittitas.wa.us).

From: CDS User
Sent: Thursday, January 26, 2012 9:16 AM
To: Doc Hansen; Dan Valoff
Subject: FW: GOOD LUCK KITTITAS COUNTY

Questionnaire is attached.

Laura Wilson
Permit Technician

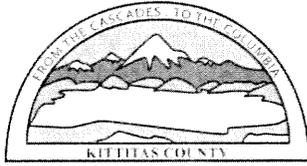
Kittitas County Community Development Services
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Ellensburg, WA 98926
laura.wilson@co.kittitas.wa.us
P: 509.962.7506
F: 509.962.7682



"Building Partnerships-Building Communities"

From: DANDEVAUX@aol.com [mailto:DANDEVAUX@aol.com]
Sent: Thursday, January 26, 2012 9:15 AM
To: CDS User
Subject: GOOD LUCK KITTITAS COUNTY

PLEASE FIND THE QUESTIONNAIRE



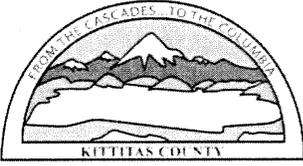
Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? 16 years part time
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?
deteriorating due to falling property values.
more development is needed.
3. What do you think the County has to do to protect the rural character you just described?
well let's see? Even Suncadia is bankrupt. doesn't the county realize the environmentalists and state dept. of ecology has pretty much ensured the county will be a backwater destination of poor people with no jobs?
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?
recreation and land use changes allowed not stopped.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?
4 years of lawsuits have made the lawyers rich and the citizens of the county poorer. i don't think there is anything the county can do.
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?
not familiar with



3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

every legally platted parcel should have the legal right to drill a well or hook up to a water service.. where practical, clustering and 4 party wells should be allowed.

i own 90 acres with two full time creeks and am told I can't drill a well? c'mon

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?
2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?
NONE. MOST OF THESE RULES NEED TO GO AWAY..
3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

Other

What other comments do you have for the County to observe in this matter?

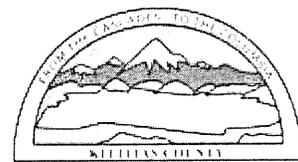
I HAVE WORKED IN KITITIAS COUNTY AND OWN A NUMBER OF PARCELS.
DUE TO ANTI-GROWTH ATTITUDE AND RESTRICTIVE LAND USE POLICIES, MY
COMPANY WILL NOT DO ANY MORE BUSINESS IN KITITIAS COUNTY.
WE ACTIVELY WORK WITH OTHER COUNTIES LIKE LEWIS COUNTY THAT ALLOW
DIVIDING FORESTLAND INTO 20'S FOR SALE TO SMALL TREE FARMERS. GOOD LUCK

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012.** Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.

From: CDS User
Sent: Thursday, January 26, 2012 12:04 PM
To: Dan Valoff; Doc Hansen
Subject: FW: Kittitas County's 2012 Comprehensive Plan Compliance Project

Laura Wilson
Permit Technician

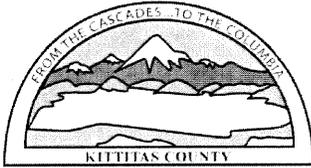
Kittitas County Community Development Services
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"Building Partnerships-Building Communities"

From: Paul James [<mailto:pdub51@hotmail.com>]
Sent: Thursday, January 26, 2012 11:01 AM
To: CDS User
Subject: Kittitas County's 2012 Comprehensive Plan Compliance Project

Please see attached document.



Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County?

20 years

2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?

Current Description: A mix of irrigated agriculture, non-irrigated rangeland, and private and public forests.

Ideal Description: Maintain current mix as described above, but confine future developments (housing, businesses) to existing population centers (Ellensburg, Cle Elum).

3. What do you think the County has to do to protect the rural character you just described?

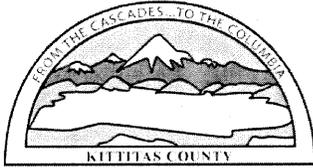
Enact and enforce county zoning laws to keep developments near existing developed areas. Do not allow commissioners to grant waivers of zoning rules unless public safety or other critical need is obvious.

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

The county should try to attract "clean" industries that have no potential to pollute (chemical, noise, light, etc.) or contaminate the rural environment. Customer service centers ("call centers") or light manufacturing/distribution businesses are some examples.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision



back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?

2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?

3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

Only allow developments in areas where necessary utilities (water, power, etc.) already exist.

Regulations Needed

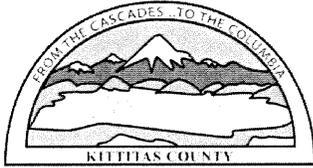
1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

The current Ag-3 and Ag-20 zoning regulations are good, but they need to be enforced and with the only exceptions being waivers for obvious reasons that affect the public good (not developer profits). The exceptions should be determined by a group/committee and not solely up to three commissioners.

2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?

No new regulations need to be made as the existing regs are adequate. The problem is not the regulations, it's that they are not enforced.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?



I would like to see more incentives to land owners to keep their lands in agriculture or natural areas (range, forest, etc.). These incentives could be tax reductions or high "fees" placed on land that is taken out of agriculture and developed for other commercial or housing uses.

Other

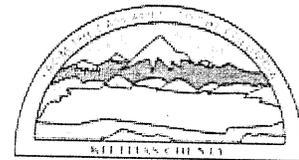
What other comments do you have for the County to observe in this matter?

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.**

From: CDS User
Sent: Thursday, January 26, 2012 10:51 AM
To: Doc Hansen; Dan Valoff
Subject: FW: Questions return for Comprehensive Plan Compliance

Laura Wilson
Permit Technician

Kittitas County Community Development Services
411 N Ruby Street Suite 2
Ellensburg, WA 98926
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"Building Partnerships-Building Communities"

From: Mitch Williams [<mailto:mitch@mfwilliams.net>]
Sent: Thursday, January 26, 2012 10:43 AM
To: CDS User
Subject: Questions return for Comprehensive Plan Compliance

Please accept the attached questionnaire for consideration. Thank you , Mitch Williams



Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General Prepared by Mitch Williams

1. How long have you lived in Kittitas County?

I moved here with my family in 1969. Attended Ellensburg High School and CWU. I have lived most of the time here in the valley with joint addresses in King County where I owned and operated a construction business. I have had a permanent residence here since 1989

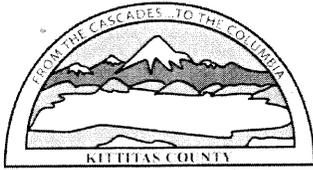
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?

Our valley is unique in its beauty, our upper county is characterized by the forest lands and dramatic mountain vistas and smaller valleys. Our towns are rural in character. We have a mixed community make up within the county from the agriculture community supported by our hay crops, fruit, and other crops. We have a large transient student population supported by the largest employer CWU. We are a recreational destination for the metropolitan areas within our state. We have vibrant river habitats supporting fish stocks and a robust recreational fishing industry.

It is important to maintain the rural characteristics. Farming practices are market driven businesses which generally support their continuation. Our valley is punctuated with rural development generally occurring on marginal farming grounds. Forest practices have diminished substantially within the county and have been offset by an influx of recreational land development within the upper county. These balances are at the crux of the issue to which our county finds itself in determining compliance issues.

3. What do you think the County has to do to protect the rural character you just described?

The community planning process articulated by the comprehensive plan and supported by zoning regulations and land use codes define the balance between what is rural and what may be developed. The processes in place provide the tools for which this discussion occurs. The process are required under GMA provides an obligation upon us to define a written record that supports our conclusion pertaining to rural character protection in all its forms. We need to reexamine these assumptions, define agreement with them or provide change as determined by consensus and importantly prepare a record in support of these findings.



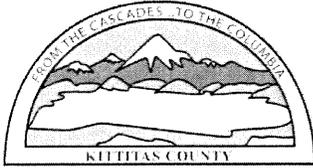
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

County growth patterns and economic development are linked to the overall health of the economy as a whole. Certainly strong commodity prices support the continuation of agricultural practices. Weak housing market demands have depressed the transfer of ag and forest lands into residential parcels. Market place demands generally define the best balance if augmented by a thoughtful comprehensive plan and zoning patterns. We presently have comprehensive plan which has undergone many thoughtful discussions and comments by our citizens. These plans have factored in the types of economic growth patterns and business interest that we wish to attract as a community. Our mission is to determine under the law where we have failed to support our conclusions, review and redefine these conclusion and determine the economic benefits or detriments from our actions.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?

The evaluation of the record that failed to support the conclusion of our community discussions on our growth patterns, zone types and densities is the first area of consideration. As a petitioner to this lawsuit I was not surprised that the court decided to NOT rule of the merits of the zoning regulation but rather focused on our failure to prepare a record necessary to justify our findings and conclusion. Undoubtedly discussion will occur on the merit of the actual zoning regulations but these decisions regardless of density, lot size, PUD rezones, and etc. will still need the same underlying justification. I think a good starting point is to examine the record first, determine what the court conclusion and GMA boards finding are and apply a different record standard. After this record review or concurrent with it decisions on remanding or changing our previous zone classifications can be viewed in the context of no matter what we decide, we still have the same record process. Again, no ruling on the merits of any single zone application was provided as a result of this litigation and ruling.



2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?

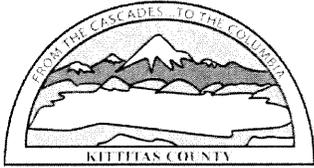
The crux of this issue is the overall size of the expansion and the transfer of ag lands of long term significance into commercial and residential zoning classifications. Justification to support an aggregate expansion failed to support the size of the boundary. No historical growth patterns exist which warrants the large expansion as evidenced within the record.

3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

On this issue the court provides clear orders. Mitigation water is required for all new growth. The court was very specific in determining the obligation of the county to make certain legal water exist as a condition of land use action approval. The question before the county is the impact this has on existing platted lots and the water availability certificates required by the county health department prior to the issuance of a building permit. Are all existing platted lots to be mitigated first when determining the collective impact as defined in Campbell/Quinn? It is clear new segregations require mitigation from my reading of the ruling. The question above asks about the connection of water mitigation standards "and" rural preservation. These issues may or may not be linked dependant largely on specific land use applications and the availability of mitigation water in a specific area. In theory any specific zone and density can obtain mitigation water. It is not water mitigation in and of itself that will define preservation of rural character. In may in fact result in a slowdown of rural development (thus preservation occurs) as land owner assess the process of obtaining mitigation water, the obligations of beneficial use standards under the mitigation rules, and the direct cost associated with purchasing mitigation water. These will to some extend be market driven impacts and not necessarily direct links between the two issues.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?



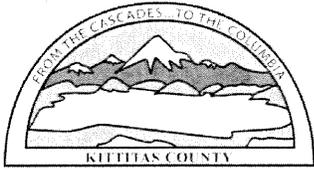
The extent of rezones on existing parcels has likely had the greatest impact on growth patterns within the county. On the one hand they have been effective in providing the logical transfer of large tracts of forest land into home sites for recreational use and permanent residences. At the same time these rezones are at the heart of the challenge in protection of large tracts of agricultural lands. In short these conversions into smaller parcels of less than 20 acres have fueled much of the controversy surrounding the challenges to the GMHB. Other changes are to better define the use of the cluster subdivision ordinance. This tool is specifically mentioned with the legislative intent for creative use in farm land preservation. It appears we have failed to define appropriate limitations on its use and have failed to document the benefit in obtaining preservation from its use from the perspective of the Growth Management Hearings Board.

2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?

Our regulatory modifications and/or justification are the likely objective of this task force under the orders issued by the court. We have undertaken a number of the above stated goals from shorelines, flood protection task forces and recent decisions with intent to form a taxing district for flood mitigation. We are behind on our critical areas update, this needs to be completed. We haven't determined the full extent of county compliance with ground water mitigations. The county needs to define the water mitigation policies to become responsive to the recent court ruling. The compliance or non/compliance issues of the topics listed in your question need identification, discussions, followed by appropriate modifications to our regulations.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

The county extensively identified agricultural lands of commercial significance over the course of the compliance study under GMA. We should examine our current zoning maps, soils considerations and other relevant factors to evaluate the extent to which conversion of agricultural use into non-commercial farm uses such as rural housing stocks or other nonfarm uses are compatible. There are clearly areas within our county where rural growth patterns occur that can continue at some level without jeopardizing the vibrant commercial agriculture. These balances are again at the heart of the decision processes. A review of the previous



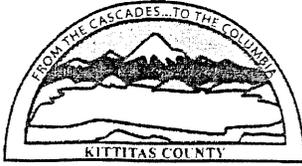
practices in both exempt segregations and rezone approvals will assist in defining the scope of the effected ag lands.

Other

What other comments do you have for the County to observe in this matter?

Keep an open mind. Start from the beginning of the record in question. Don't presume we need to reinvent the wheel, but don't be reluctant to undertake fundamental change in previous assumptions should there be an absence of credible justifications. Some fundamental regulatory process need to be completed, such as flood management, critical areas, and of course defining the record appropriately.

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.**



Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

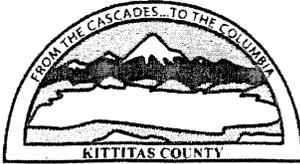
General

1. How long have you lived in Kittitas County? *30+ years*
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County? *It is a quite Area for most part, do not want to see it get over developed, but the Area is very stagnant - loss of grocery stores, taverns, there is room for some residential develop*
3. What do you think the County has to do to protect the rural character you just described? *It needs to be balanced approach, just a few things residents are controlling everything is things.*
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County? *Interchange 100 should be developed with more retail. Exit 101 should have a restaurant or 2, plus more off highway parking*

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision? *Allowing the 3 acre seg divisions years ago is what created the problem. That's what is going to ruin the rural areas - how do you address it, mitigate, slow it down*
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas? *None?*

1/24/12



3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

The biggest problem right now is, the city (Eburg) drilled new wells near Thors, that had a dramatic effect on Thors aquifer out here. It's taking water away from Thors, water levels drop dramatically.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

WUI ^{fire} code needs to be enforced, new development codes should have the provisions that the fire service has put forth. Due to past decisions, the present developments are facing catastrophic fires, especially in the upper county.

2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?

The county is better on reviewing things, but with the depts cutting back on manpower, things are going to get overlooked or mistakes made.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

A percentage of farmland should always be off limits to development, farming should always be encouraged, even assisted if need be. But there is farm ground that is very marginal - it should be utilized first.

Other

What other comments do you have for the County to observe in this matter?

I still think best estate developers still have way too much influence on codes & land action uses. Not everything has to be developed.

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012.

Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.

There should be more pre-application meetings with all parties involved to get everybody up to speed, things out in the open before application time.

From: Mandy Weed **On Behalf Of** CDS User
Sent: Tuesday, January 31, 2012 9:15 AM
To: Doc Hansen; Dan Valoff
Subject: FW: Questions on Kittitas County

Thanks,

Mandy Weed

From: Hallisey, Judy -FS [<mailto:jhallisey@fs.fed.us>]
Sent: Monday, January 30, 2012 2:19 PM
To: CDS User
Subject: Questions on Kittitas County

Please accept the attached as my response to your letter of January 18, 2012, seeking answers to a questionnaire about GMA compliance.

Judy E.I. Hallisey
Cle Elum District Ranger
Okanogan Wenatchee NF
Desk: 509-852-1020
Cell: 509-607-9951

Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

Answers from Judy Hallisey

General:

1. 3.5 years
2. Rural character differs from the eastern portion of the County which is comprised mainly of ranches and farms; typical agriculture influences with larger landholdings. The western portion is forestry and "urban" interface with private landholdings typically smaller than 10 acres. A large portion of the western county is in public land.
3. Strict zoning ordinances with fewer changes and exceptions would go a long way in protecting the rural values. In the upper western County area, continue to require both ingress and egress for safety. Also, do not allow development off Federal government roads.
4. Economic growth such as recreation should be dependent upon private land holdings and not built upon presumptions of public land offerings. Economic growth focused on natural resources such as biofuels and biomass industry and clean energy within the rural areas will protect its value. Economic growth within the larger cities would protect rural values by deflecting the impacts. Development of cluster housing while avoiding wildlife corridors and providing for hydrologic connectivity would preserve the natural setting of rural Kittitas County.

Comprehensive Plan Compliance:

1. Conduct foundational research into the cumulative effects of the regulations on wildlife migration and habitat fragmentation, altered hydrologic regimes and viewsheds and impacts to transportation infrastructure. Then forecast those effects into the near future. From what the science tells you, select areas where clusters are best suited and how small a split is allowed in others (maybe 3 acres, maybe larger). Use science to support the regulations, not politics.
2. I am not that familiar with the urban growth boundary for the City of Kittitas. But it seems reasonable to me that their growth should be directed toward I-90.
3. Allow and encourage conservation of water usage in irrigation and domestic consumption. Reward conservation; provide grants for covering irrigation conduits and flow reduction plumbing fixtures. Put a use ceiling on all domestic wells and monitor it (no grandfathering). Curtail development in subwatersheds that don't exhibit adequate free flows.

Regulations:

1. The practice of making new housing developments have ingress and egress and private address assigned has been recently effective. Fire safe regulations are effective in protecting surrounding rural and forest lands. Zoning regulations appear weak because they are often changed if a developer seeks a change. Regulations may not need a change, only adherence.
2. Buffers with no development should be enacted around water ways, floodplains and shorelines. Open space should be a requirement attached to any new development. Off-sets with new open space to mitigate new development. Fire safe regulations with enforced set backs will protect timberlands, along with development only allowed in transportation corridors and not secondary off federal administered roads. Protect timberlands as working forests – they do grow back and will be productive in the future for generations. Do not succumb to making the fast buck today.
3. Zoned commercial agricultural lands should be highlighted within ½ mile buffer of any proposed non-farm use. Accepted best agricultural management practices should trump any grievance

lodged if within this area and its buffer. Determine which non-farm use would not be compatible with agriculture practices and do not allow its presence – ie high tech manufacture sensitive to dust should not be located within this area; people with asthma should be aware at time of purchase/development that they may be exposed to dust and smoke. Keep only the minimum road level necessary for agriculture.

Other:

Good luck! Follow science and not politics. Rural values in Kittitas County are the best offering we can give our future generations.

From: Mandy Weed **On Behalf Of** CDS User
Sent: Tuesday, February 07, 2012 8:08 AM
To: Dan Valoff; Doc Hansen
Subject: FW: Questions on Kittitas County

Thanks,

Mandy Weed

From: Larry & Harriet Bland [<mailto:lhbland@fairpoint.net>]
Sent: Monday, February 06, 2012 4:18 PM
To: CDS User
Subject: Questions on Kittitas County

Dear Mr. Valoff,

Please find enclosed answers on the questionnaire that was sent out on a separate document.

Thank you,

Harriet Bland

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 41 69 RCW and to archiving and review.

Questions on Kittitas County's 2012 Comprehensive Plan Compliance Report.

GENERAL

- 1. Have lived in Kittitas County over 65 years.**
- 2. We have been in the agriculture business for 55 years. In the last ten years the farming and ranching just keeps getting suffocated by all the developing that has been permitted on farmable ground. Developers are purchasing farm ground with no intention of farming it and are allowed from 20 acre tracts to ten to three and clusters. So we as farmers or ranchers have to live with the headaches this creates and continue fighting to protect our rights plus all the costs this involves. Even though we never created it.**

The rural character of Kittitas County needs to stay rural and protect our agriculture lands as our fore fathers worked to develop this land into farmable land and made their living as we as farmers are trying to do today. The county needs to step back and recognize what it is doing to our agriculture needs as we do put dollars back into the county and food is a number one for all of us. Plus jobs for many and a lot of summer jobs for younger adults.

- 3. Would like to see the rural character kept as rural character. In other wards stop the 3acre or cluster. Have a protection for farm land that is farmable for farming or ranching. This has not seem to have been even noticed or thought about, but agriculture is a large commodity for Kittitas County which also creates jobs in the summer for the younger adult and employs some people year around. The county needs to do the home work and quite putting the farmable land into a developer's pocket. If farming is crowed out what does the county think the consequences would be? Some of the next generation is wanting to farm where they have**

been raised and went to school, what is this doing for them? How can they even survive if house development takes over? It will also affect the business in the Kittitas County.

- 4. All economic growth needs to be kept inside the city limits to eliminate the enormous problems that develop and are developing in the rural area such as; water #1, roads, traffic, sheriff and fire. There is a lot of area for development within the city limits and this should be addressed before even considering expanding outside the city limits. It would be easier to control all the problems that have risen in the rural at this time.**

COMPREHENSIVE PLAN COMPLIANCE

- 1. There has been so many tax dollars wasted and from our standpoint of few it is obvious as we have repeated and repeated, on many occasions there needs to be more homework done and it did not seem to matter every developer was granted what they wanted. In other wards anyone who was trying to make a living with their land was just forgot about and has been forgot about. The developers were and are pushing to develop this whole county into housing. Agriculture that is paying taxes, creating jobs, and returning income back to the business in Ellensburg does not seem to matter. What should be done, we need to stop and take a hard look at what we have created in the last seven years and address the issues and put impact fees on. Why keep letting this go on like it has?**
- 2. We have not really keep up about the GMA urban Growth Boundary for the city of Kittitas, if it is as bad as it is here then there needs to be foundation work done.**

- 3. It seems like we have mentioned this before. The most effective way for adequate provision of water is to keep the cluster housing and three acre in the city limits. This would help from anymore wells drilled for house's surrounding the agriculture land and also help the water table for those of us that have had to redrill wells since the development in the Manastash area which has been four wells for us in the last six years.**

REGULATION NEEDED

- 1. If you honestly look at everything, nothing has been effective in the rural area. It has gone from 20 acres to ten acres to three acres and clusters. In other wards whatever a developer wanted without looking at what it was creating to the adjoining land owner or others in the surrounding area they were granted the change. It in turn just sends off a message to others why not, there doing it I can to. It seems like impact has never been an issue. Impact fees should have been addressed to all developers. Water which is a #1 item in agriculture has never been thoroughly thought throw. If it had all the wells developed would not have been done and we would not have the monster that has been created today.**
- 2. Keeping the development in the city limits will help tremendously with the water table in the wells that already are drilled and the farmers will be able to irrigate their property without individuals thinking the water is theirs. The timberlands should be kept as timberlands with the DNR or Department of Natural Resources. Open space was created for farming only put seems to have allowed for 3acre parcels and ten acre parcels to be under it. If a house is built on a 3 acre parcel it or ten it should not be allowed as there is no way a person is going to farm a 3 acre or ten acre parcel. Anyone can claim they are making a profit off of it. The**

county is lousing a lot of tax dollars by allowing this to happen. If it is not connected to ranching or farming it should not be allowed. Flood plains should not be able to build around or near.

- 3. Non-farm uses again goes back to keeping the growth development within the city limits.**

OTHER

It seems so ironic to ask for any other comments, as we speak you are allowing a cluster of homes to be developed around farmable agriculture land. What does this create? A big mess!! Roads, Wells, irrigation water and problems. It is so hard to understand why this would happen. When you're not in compliance with the Growth Management why let something like this go on? About the time you think it is being taken seriously and the county is working to correct the actual problems something else is created and it gets worse instead of better. I guess when no one and I mean no one on the county board supports agriculture it is pretty hard to defend yourself. Our tax dollars are supporting the county so do a little home work. Houses in the rural area do not create jobs, nor do they support the business in our county. It is such a waste, costly and increase of theft and crime which should be left in the city not in the agriculture area for all of us to deal with. We have enough problems to deal with daily. The development in the rural area has gotten so far out of hand and no one seems to really want to do much about the problem until it is done and then there is nothing left to do. This was a great county why not stop the mess now and get it under control? Do we need to keep wasting the tax dollars for something that is understandable and can be fixed with an open mind? Water for agriculture is a number one priority and housing developments in the rural area with clusters, 3 acre or ten acre tract does not help this at all. Were not against housing development even though you will think other, it just needs to be keep within the city and a lot of the problems would be solved very easily.

From: Mandy Weed **On Behalf Of** CDS User
Sent: Tuesday, February 07, 2012 8:09 AM
To: Dan Valoff; Doc Hansen
Subject: FW: 2012 GMA Compliance - Stakeholder Early Outreach

Thanks,

Mandy Weed

From: Catherine Clerf [mailto:catherine.a.clerf@hotmail.com]
Sent: Monday, February 06, 2012 4:58 PM
To: CDS User
Subject: 2012 GMA Compliance - Stakeholder Early Outreach

To: Kittitas County CDS

Re: Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

In response to the request for stakeholder participation, I submit the following answers to the 2-page questionnaire:

1. How long have you lived in Kittitas County?

About 34 years; further, I am a fourth-generation cattle/ranching family member. Spent through age 18 here, so have perspective of 1950s, 1960s, and 1970s Kittitas County.

2.

a. If you were discussing where you live, how would you describe the rural character of Kittitas County?

Heart of commercial agriculture land SE of Ellensburg. Large land parcels by size; large tracts of irrigated contiguous fields. County residences on the sparse side and only right along county roads, as very few one-time splits in this immediate area ever utilized. Most inhabitants who live in the immediate area are active owners and managers of agricultural land with very few non-ag residents in a radius of +/- 2 miles. At night one can see while driving county roads very few outdoor lights, as very few from sparse residences and ag outbuildings. Immediate area county roads are heavily used for ag purposes, moving farm equipment, ag servicers (chemical/fertilizer companies, as an example), hay and other commodities trucks. Immediate area now has 2 rural fire district stations (new one added at east end of Tjossem Road and existing at No. 6 and Tjossem Road). Except for the predominating year-round Interstate-90 traffic noise, the area has only seasonally ag-related equipment and traffic noise on sporadic basis spring through fall. What few livestock are in immediate area (horses mostly, a small herd of sheep statically, occasional sheep herds moving through in fall, a few head of beef and dairy cattle) create minimal, if any, disturbing noise, and are expected and accepted as part of active ag use of land.

Note that at present there are no dense "rural residential developments," e.g, short plats, long plats, PBCPs, Planned Unit Developments, in 2+-mile radius; however, it needs to be noted that the county has allowed several rural residential developments of as little as 3-acre parcels to south and east (along Thrall Road and out into "Badger Pocket" proper) which has drastically increased non-ag traffic along county roads in this immediate Commercial Ag area.

b. How would you like to see the rural character of Kittitas County?

Important factors to describe rural character hinge upon these traits OUTSIDE of established UGAs:

--Light pollution to a minimum as natural land use-related predominate with sparse rural residences adding to outdoor lighting pollution.

--"Quiet" is a characteristic of rural and what little noise there is should predominantly come from noise related to natural resource land use-related activities (farm, timber, and mining equipment operation and traffic, livestock-related, etc.) and for those parts of the county that are deemed appropriate for recreation requiring the use of motorized equipment acceptable limits of noise following agreed-upon guidelines that do not interfere with residential population that may live in the area of usage.

--No longer "rural" if the level of service on county roads for traffic drops to less than B because of denser traffic created by rural residential development that has to travel out of area and through working resource lands to get to work, shop, etc.; succinctly, if level of service is C or less, then the county has created a dense urban oasis negatively impacting true rural area surrounding it. Another clue that the county has allowed too much rural residential development is when rural non-natural resource residents clamor for speed limits of less than 50 mph because of perceived (lack of) safety (pedestrians, bicycle riders, school-aged children, younger teenaged drivers, denser traffic, to name a few) reasons. Additionally, increased non-ag traffic on rural county roads negatively impacts air quality and increases water, soil, and air pollution that negatively impacts ag land for which the county does not mitigate.

--Maintain rural character means no rural residential growth allowed "universally" around the county in a completely haphazard manner. Solutions: Firstly, residential growth should be focused on fill-in of existing city limits of county's 5 incorporated towns and their respective UGAs to counter the negative effects of allowing rural residential development adjacent to Commercial Ag and Commercial Timber lands and the negative effects of allowing rural residential development interspersed in the midst of agriculturally zoned rural

lands (of varying parcel sizes) and F&R-20 (forest & range); secondly, rural residential development that is greater than 1 house per 20 acres (e.g., exceeds 1-time split of a 20-acre parcel) needs to be relegated to clearly defined geographic subportions of the county's rural land use following clearly defined criteria and clearly defined subtype of development. No longer anything everywhere. All the county has done to date is create tens of thousands of potential rural residential building lots in an effort to spur "economic development" of a type that does NOT return to the county any financial dividends. In other words, the county has created rural residential development that costs more to service than what is taken in in property taxes.

--The development of commercial-scale wind turbines, whether export-only wind farm type or distributed generation or net metering type, to allow natural resource lands to use naturally occurring phenomenon of wind that predominates throughout the entire county.

--Rural character in Kittitas County does not mean countless Class A and Class B water systems and shared community sewage disposal systems and unnecessary creation of impervious surfaces which create storm runoff as these necessarily condense and intensify the negative impacts to aquifers, nearby irrigation systems which eventually drain into the Yakima River, and surrounding farm land, timber land, and F&R lands. The county exposes rural residents to pollution of water, ground, and air with this level of development.

--Rural character means access by the public to public lands (federal and state). To date, the county has a pattern of approving rural residential development which cuts off access by the public to publicly owned lands. These land uses decisions are counterproductive and counterintuitive inasmuch as the county cannot promote outdoor recreational opportunities for its current in-county residents and part-time residents and tourists while simultaneously denying access.

--And, lastly, specifically, rural character is NOT defined by 3-acre lots with one house each, with or without shared wells and septic systems, contiguous to each other in a mass of urbanized rural gentrification. It is one thing to have an occasional tax parcel of less than 5 acres with a residence on it amidst larger tax parcels which are resource-based, with minimal, but NOT negligible effects on surrounding resource lands and quite another to have en masse 3-acre lots all over and everywhere without consideration of the negative effects on natural resource lands.

3. What do you think that the County has to do to protect the rural character you just described:

--Recognize that Kittitas County is geographically and climatologically in and part of a desert plateau with limited water resources and is at the headwaters of an already overallocated river basin and planning for the future with an increasing population necessarily requires more water storage and/or water creation (either desalination in Puget Sound and piped over the Cascades to Eastern Washington or through chemical means with pipeline here in Eastern Washington). Thus far, the county has been participating in such a plan and should continue.

--Until recently the county completely disregarded GMA and Western Water Law and the county's irrigation districts by approving through process of Final Plat rural residential developments resulting in thousands of tax parcels dependent upon exempt wells without the water, all under the banner of "economic development." The

--Recognize the limitations of transferring senior surface rights to mitigate exempt wells in the rural part of the county and focus on ensuring that the county's five (5) towns have adequate legal water for the future. Economically and financially, the county needs to depend on the economic development of population inside the towns and UGAs. The reason is simple math: Rural gentrification is the most expensive, least cost-effective, and least remunerative (in property taxes to offset use of services) to the county.

--Accept responsibility for the fact that the county has allowed rural residential development in flood plains and

floodways which only unnecessarily and completely avoidably puts lives and structures at risk due to flood events which costs ALL taxpayers (federal, state, and county) money on a recurring basis in perpetuity. Farm and range land flooding has always occurred in this county and it was an accepted risk on the part of the landowner who sensibly avoided putting permanent (and expensive to replace) structures in areas of known risk. The county needs to stop allowing inappropriate building of structures in areas where recurring flood events habitually cost all taxpayers..

--No more administrative segregations, lot-line adjustments, or other administrative-only (by director of Community Development Services/staff) that the county has allowed in the past to bypass public scrutiny and adherence to Growth Management Act, Western Water Law, and its own county comprehensive plan and county code.

--Update Critical Areas Ordinance (CAO) which the county has willfully and intentionally avoided doing, which has been one of the major loopholes for the county to allow rural residential growth and allow without mitigation.

--Note that Traffic Concurrence has finally been implemented as part of county code such that the county finally has legal basis that allows the Public Works Department to apply proper mitigation to all rural development, residential or otherwise. It should be noted that it was the action of county rural residents this past spring of 2011 to bring this issue to the the Eastern Washington Growth Management Hearings Board which sided with private citizens and forced the county to finally encode Traffic Concurrence.

--Update Road Standards to county code in a manner that befits the specific topography and geography of the county and takes into account the high probability of occurrence of natural events of flooding, landslides, earthquakes, and fires (range and forest), especially in the Upper County, and does not sacrifice the impact on health, safety, and welfare of the public (which in turn puts at risk the county and its taxpayers) in exchange for the alleged benefits of "economic development."

Amazingly, realtors and developers cite the livability and bucolic scenery of farm lands, orchard lands, range lands, and timber lands to entice prospective buyers to the county. If continued rural residential development is allowed to take place ALL OVER, the end result will be advancing and creeping urbanized development concurrent with the wholesale destruction of natural resource lands and the alleged selling points. To avoid this, the county must accept its responsibility in long-range planning of our entire country, the United States of America, on a microscale and inventory and protect the natural resources inherent to the county's political boundary lines:

--Firstly, irrigable farm land is irreplaceable globally and its preservation should be the hallmark of every country to preserve mankind's survival with regard to food production. The county needs to follow through on what has been previously ordered, identification of soils types throughout county, especially agricultural lands in Ag zones. Future rural gentrification needs to stay out of areas that are by soils types best suited to agricultural-related activities.

--Secondly, the western portion of the county is in a precipitation shadow, hence, the county has timber lands, much of it actively logged for over 100 years. Just because immediate past and present federal forest land policies have shut down logging and forced the abandonment of dozens of regional mills does not mean that this is a permanent situation. Timber is sustainable with a recurring revenue stream potential, as is ag land. Once obstructions to logging are put into place that are insurmountable, the county will have sealed off a sustainable source of taxes and revenue for the public benefit. The county needs to establish a sort of "buffer" zoning

--Thirdly, the county needs to inventory mineral lands, again, another action which the county has been intentionally avoiding.

When taking into consideration the real estate concept of "highest use," governmental policies need to reflect upon the fact that commercial-scale food production cannot occur just anywhere juxtaposed to the fact that housing for human beings can be put almost anywhere. Ditto timber-related industries and mining operations.

Precisely, agricultural, timber, non-irrigated grazing lands (shrub steppe/forest & range), and mineral lands, all natural resource lands, need to be protected by the county such that rural residential development encroachment and its deleterious effects are kept to a minimum and are properly mitigated at the expense of rural residential development, not the reverse.

--The county recently created a Limited Area of More Intense Rural Development (LAMIRD) at Vantage. The county needs to enhance and support this LAMIRD as the Eastern Gateway into Kittitas County in terms of focused economic development for recreational purposes where appropriate sewer and water services can be provided.

--The county needs to rework Snoqualmie Pass concept of LAMIRD (MPR will not work at this late stage of development, in my opinion) as in Vantage LAMIRD as above, as the Western Gateway into Kittitas County for recreational purposes. Again, have existing water and sewer services in place.

--Incorporate into county planning POLICIES and county comprehensive plan a complete inventory on an annual basis of cumulatively created rural residential tax parcels by zone and size and type of development (e.g., PUDs, MPRs, LAMIRDs, short plats, long plats, etc.), designate whether inside or outside an existing UGA, and designate geographic location (in proximity to nearest town or unincorporated town or LAMIRD) so that population projections and allocations through COG have substantiation and numerical analysis foundation.

--Allocate MORE population to City of Kittitas out of Rural Allocation by at least another 500 persons.

--Out of Rural Reserve population create a subreserve allocated to infilling of LAMIRDS in proportion to water rights available inside each LAMIRD not yet used.

--Rezoning should be only ONCE a year at time of annual comprehensive plan/code update.

--The county needs to follow the law, GMA, Western Water Law, county plan/code, etc., e.g., no illegal expansion of LAMIRDS, no rezoning without complete SEPA, to name a few.

--Create inventory of "recreational-related" areas by geography, topography, zone, and lot size, etc.

--Protect the county's airports from rural residential development in a manner that matches reality, e.g., there are plenty of places to have people live other than the at the foot of a runway or alongside a runway.

--Create a "buffer" zone as a perimeter adjacent to all natural resource lands (Comm Ag, Comm Forest, Comm Minerals) where this is the LEAST, if not nulled, dense rural gentrification to protect the natural resource lands in the first place.

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

--Create expanded wind farm overlay zone that at the very least parallels the high-voltage transmission lines in the county.

--Create distributed generation overlay zone for DG (non-net-metering) wind turbines, especially on

Commercial Ag, Commercial Forest, Commercial Mineral, and F&R-20 lands and all Ag-zoned lands, and publicly held lands. These are investments that create revenue steam and use very little in services in proportion to taxes paid.

--Commercial and Industrial (light and heavy types) development necessarily requires sewer and water and control of storm run-off and are best suited to the county's five towns or UGAs where there is possibility of extension into UGA of city services. There are instances where ag-, timber-, and mineral-related businesses are suited outside of reach of city services and need to be evaluated on a case-by-case basis and the criteria for their approval need to be evaluated first upon the negative and deleterious effects on natural resource lands, especially agricultural lands.

Dan:

This is as far as I have gotten.

I will send more, picking up on #4, tomorrow.

And, yes, I would like to schedule an interview also.

Respectfully submitted,

//ss

Catherine Anne Clerf
60 Moe Road
Ellensburg, WA 98926

TEL: 509-933-4751
CELL: 206-399-1341

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Mandy Weed **On Behalf Of** CDS User
Sent: Tuesday, February 07, 2012 8:10 AM
To: Dan Valoff; Doc Hansen
Subject: FW: 2012 GMA Compliance - Stakeholder Early Outreach Part II (continued)

Thanks,

Mandy Weed

From: Catherine Clerf [mailto:catherine.a.clerf@hotmail.com]
Sent: Monday, February 06, 2012 11:41 PM
To: CDS User
Subject: 2012 GMA Compliance - Stakeholder Early Outreach Part II (continued)

To: Kittitas County CDS

Re: Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

Continuation starting with question 4:

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

--As pointed out in answering question 3, the Snoqualmie Pass area and Vantage have been ignored by the county as already existing rural areas that have sewer and water services to offer full-time and part-time residents and businesses and attract seasonal tourists. More emphasis needs to be placed on these gateways to

the county. We have the Columbia River on our eastern boundary and there are few amenities to offer boaters, waterskiers, and jetskiers to take advantage of what the Columbia River has to offer north of Wanapum Dam. Because these 2 areas have been in existence for decades their respective owners have faded, it seems, in importance to county elected officials compared to the squeakier wheels of the much more recently arrived land developers/speculators in the "middle" of the county who focused on rural residential development of lower valley farm land and shrub-steppe F&R, upper county farm land and range land areas of Teanaway/Swauk, upper county farm land of Peoh Point Roads, and former forest land holdings of private timber companies. If no one is paying attention, the US is overbuilt in residences, there is a shadow inventory (of foreclosed-upon, but not-yet-put-on-the market by financial institutions holding them) of more than 14 million homes, lenders have returned to normal prudent protocols for underwriting mortgages, and the Baby Boomer generation started turning 65 years old as of the year 2011. The county needs to focus on practices that promote people who do not live or work here to visit, spend money, and return home on a seasonal basis which means redefining the county as a retirement haven for well-heeled retirees who are now fewer than ever before demographically. Public access to public lands needs to be resolved through mitigation, requiring public easements to access public land, or other legal solutions. It should be recognized that fewer and fewer people will be able to own and take care of expensive 4-legged pets called horses, so the county should be focused on supporting rural businesses which operate "horse-related activities" and/or own horses that tourists can ride on. Also, do not expect a privately owned riding arena to compete against a taxpayer-financed horse park in the Upper County and remain in business for long.

--Much has been made by near-present and present county commissioners of the concept to rebrand Kittitas County as a "green" county, to openly court "green" companies to locate/relocate here, to promote "green" energy projects being built here in the county, and other such "green-related" activities. Yet the unwritten caveat is that one has to be a newcomer or promise to be a newcomer with green in mind to meet the criteria, someone from somewhere else, completely ignoring the capacity of those who live here, especially larger land owners who are farmers and ranchers. It is now part of the code of the county through the incorporation of the TIPS report from 2009 that one of the economic pillars of the county's economic business plan is agriculture and ag-related businesses. So why does the county not support distributed generation for the local production of electricity from wind turbines on ag and range land owned by local citizens/taxpayers? The county has to stop speaking out of both sides of its mouth through its mouthpieces of county commissioners. Since 2009 the county has been sending a confusing message which acts as a powerful deterrent to business persons who read and observe these contrarian positions taken by the county officially through its elected officials.

--Biomass: The Yakama Nation has progressed to the farthest point thus far reached by any entity in Eastern Washington in regards to a biomass electricity generating facility. It would be prudent for the county to glean as much financial information from such a venture, once actually operating, as possible to understand the factors which define fiscal viability. Yes, this county has some feedstock available, but the question is what does it take to sustain such a facility and can it be done without taxpayers' footing the bill?

--Logging and wood products: Until the USFS returns to logging in our area on a scale that promotes and supports mills to recommence operation, it is difficult for local forest owners to harvest profitably without the underpinnings of USFS logging. The county and the state need to keep pressing at federal level to resolve issues that keep local timber harvest at a minimum or nil.

--The county once had 2 rail lines going through it. Because of unprofitability the Milwaukie line went out of business, railroads not being philanthropic organizations. I brought up an intermodal transportation hub in the county several times during the 2007-2008 Land Use Advisory Committee sessions wherein semitractor-trailers are offloaded off trucks and put onto rail and vice versa to bypass Snoqualmie Pass and its frequent closures. The only land of substantial size (at least 150 acres) left near the remaining rail line that meets criteria of being near interstate ramps and rail is the West Interchange area of Ellensburg (which is mostly commercially zoned for big-box stores that were never going to come) and the Thrall/South Canyon Road area near I-82.

Alternatively, BNSF would have to add rail spur to create another location somewhere in the rural part of the county, not impossible, but highly improbable. Either the county plans now for this to ever happen or say goodbye to it forever as Grant County has the flat cheap land next to rail in abundance and a short jump to I-90 on Grant County roads and interstate loops.

--Support Twin City Foods to stay in the county. As there are few companies the likes of TCF even in business any more, keeping this enterprise here is important. Keeping your current customers happy is a banker's motto. Same goes for county government of Kittitas County. Encourage other food-related processors to come here, whether for humans or animals; however, if they need urban level of services, then they will need to be in a city, not rural land of the county.

--Hay and ag-related products processors/shippers/exporters: Ditto as above. Keep your current customers happy. The world needs to eat and the world keeps expanding food markets demographically every day with paying customers. As one timothy grower likes to remind me, someone with a million-dollar race horse has no problem feeding it several hundred dollars of timothy annually. Forage crops have global shortages due to weather conditions and other events.

--Commercial-scale Agriculture and Stock: Ditto as above: Keep your current customers happy. Those who are in ag are fiscally tested every single year to cost-effectively produce, in the face of rising costs for fuel, fertilizer, oil/lube products, machinery, repairs, seed, chemicals, insurance, employees, and especially taxes, as everyone wants a piece of them because they are one of the few producing sectors of the nation's economy. The 21st century is going to witness a renaissance of agriculture globally as there are now 7 billion hungry human beings and 2 more billion were added to the "middle class" segment of the world's population with money to purchase 3 meals a day and at least one with meat protein. Support through county policies, comp plan, and county code agriculture that pays the county's bills. STRENGTHEN THE RIGHT TO FARM portion of county comp plan/code.

The county has created lots of smaller ag parcels wherein specialty/niche farming can take place, such as herbs, vegetables, fruits, wine grapes. Foster and support more niche ag growers.

Side note: The county's support by WSU Extension is being weakened due to decreased funding. County's voice needs to remain firm and clear to state legislature that Ag in Washington State needs the support of WSU and its extension services with state funding.

Side note: We have a "range" problem, as in not enough of it. Major concerns: Sheep being excluded from range land due to potential adverse impact on wild life species (mountain goats, for instance). Organizations (some of which are outside the state) contesting grazing practices being tested to solve/resolve elk encroachment onto farm land and orchards. County needs to continue working with federal and state entities to work on solutions for interface of domesticated animals with wildlife.

What the county should not support: Anything that requires taxpayers to foot the bill, specifically, no sports arena, convention centers, horse parks, or composting facilities, to name a few, and sadly, the county has already hooked taxpayers for a horse park and a composting facility. The fiscal mess of spending at the federal level cannot be denounced at the local county level while the county has its own hand out waiting for a handout from taxpayers for nonessential, make-believe, and contrived necessities.

Tourism: With the loss of the state tourism office it is important for the elected officials of the county and its five towns to work together in a cohesive group in conjunction with chambers to spend effectively what little monies are available for marketing of recreational opportunities and events and activities. BRANDING of Kittitas County or, more accurately, avoiding MISBRANDING, in positive terms is tantamount to any campaign to attract prospect purchasers (in this case prospective visitors). Refer to aforementioned "gateway"

remarks. Every time the county makes the headlines negatively, it impacts BRANDING and positive image of the county. The county needs to respect that more people will need cheaper recreational opportunities (camping, fishing, river rafting/tubing, hiking, biking, to name a few) that can be enjoyed over the course of a weekend or extended 3-day weekend due to economic impacts of necessary financial deleveraging nationally.

COMPREHENSIVE PLAN COMPLIANCE

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basis "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Board's decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?

AND

3. How should the County assure adequate provision of water for development while meeting the State regulations AND preserving the County's rural character?

Firstly, to address this, a few remarks on what should be obvious to Kittitas County taxpayers at this point in time of 2012, 3 years and 4 months after the collapse of Lehman Brothers, the takeover followed by declared bankruptcy of Washington Mutual Savings Bank (WaMu) by the FDIC, the implosion of Fannie Mae and Freddie Mac wherein the inferred implicit guarantee by American taxpayers became the EXPLICIT guarantee of American taxpayers, the implosion of AIG and its subsequent bailout by American taxpayers, etc., in September of 2008: The county (as embodied by successive trios of county commissioners) would never have created the "supply" of thousands of rural residential lots without the demand of a small number of rural land speculators to create them by whatever means, regardless of violations of the GMA, Western Water Law, county code et al. These few rural land speculators were making their demands predicated upon fiscal and monetary policies at the federal level that have now been proven to be devastatingly wrong and their combined gross misrepresentation or ignorance of a bellwether change in demographics wherein the first year's crop of the Baby Boomer generation reach 65 years of age in the year 2011. Now, with no immediate or near-term demand for the oversupply of existing built homes on rural residential lots, let alone the [il]legally created thousands of rural residential lots in inventory, the county (e.g., its taxpayers) is stuck with the legal mess and the financial negatives of the misappropriation of capital invested in the wrong sector.

Specific actions to address in order to comply with GMA:

A. The county (its commissioners, not its citizens) has endeavored to attempt to come up with a solution that would "cover" the thousands of rural residential lots [illegally] created WITHOUT water through the use of a Domestic Water Reserve Program (DRWP) which would be financed by [most] every rural household in the county. I disagree with this solution in its entirety until at least another 10 years to allow for free market forces to unwind (akin to deleveraging in the financial world) those developments that can not or do not choose to purchase senior surface water rights to mitigate exempt wells before they "age out" (see further explanation below) or they "market out". This simple solution does not cost, nor should it cost, county taxpayers any money out of their collective pockets until at least a decade of "unwinding" is allowed to take place.

--As in the case of "age out," e.g., because of a county code change in the 2009 annual comprehensive plan/code update, applicants/developers have 5 years plus five 1-year extensions for a total of ten years from Preliminary Plat to Final Plat, retroactively for all applicants, e.g., a Preliminary Plat of 2004 has until 2014 to meet requirements for Final Plat if all extensions have been annually requested and approved, 2005 until 2015, 2006 until 2016, etc. It is the legal and financial responsibility of all applicants/developers to mitigate water for

exempt wells. Let market forces work on their own. It can be rationally expected that market forces will force applicants/developers to repencil what are now the required true full costs of rural land use development and recalculate the return on investment and take into consideration the demographics that were ignored in the decade of 2000 and chose to "age out." The rural land of each particular application that ages out is returned to its original rural zoning before application.

--As in the case of "market out," those applicants/developers who were illegally awarded Final Plat status WITHOUT water, but have not yet sold a single lot in a development are faced with the same reality of the "age out" applicants/developers described above, mitigated water costs borne by applicant/developer and extremely lengthened time-line of return on investment. Again, let market forces work. Again, it can be rationally expected that there will be applicants/developers with Final Plat approval who will choose to retreat from rural land use gentrification because there is little or NO REI with this choice of development of rural lands.

None of the above requires taxpayers to bail out applicants/developers. Importantly, it needs to be pointed out that i that never was nor it is now or in the future the county's responsibility to bail out applicants/developers from their own land use decisions that proved to be unprofitable, unworkable, unattainable, unreachable. Bad ideas in free market capitalism need to die and stay dead. This is no different than purchasing stocks, bonds, precious metals, commodities, and other financial instruments: There is no guarantee of making a profit or of breaking even and no guarantee that you will not lose money.

B. No Final Plats for any development outside of city limits unless there is mitigated water.

C. The county needs to face the fact that its five towns need to have water to meet the growth demands of the future in the already overallocated Yakima River Basin. For the county to focus on rural residential development that requires mitigated water only drives up the market price of water for its five incorporated towns, all of which is counterproductive to the fiscal health and well-being of the county as a political entity. Those present and future businesses that are sited in the rural areas of the county that may need or will need water have to compete in the same market for as residential development. If it is businesses that the county wants to attract to the rural portions of the county for expansion of tax revenue and job creation, then why does the county overemphasize the mis-skewed importance of rural residential development at the expense of business promotion?

D. The County of Kittitas has proven itself to be exceptionally untrustworthy in following the law and is a poster child for what happens when a very small minority successfully manipulates a legislative body to achieve a calculated narrow-banded result with completely misrepresented public benefit. Therefore, I disagree with the county being in charge of exempt wells, especially if there are no meters on exempt wells to monitor actual consumption.

E. The County needs to:

- a. Enact updated code for Critical Areas Ordinance.
- b. Enact updated code for Shorelines Management.
- c. Strengthen the Right to Farm in county policies, comprehensive plan, and code.
- d. Do soils types analysis to differentiate ag-suitable land from nonsuitable, incorporate mapping into county code same way as land use and zoning maps and overlay maps, and reevaluate underlying zoning in ag lands dependent upon scientific data.
- e. Do mineral lands analysis and inventory county-wide, incorporate mapping into county code, same as (d) above.
- f. Revert to original county-docketed request to extend preliminary plats by only TWO years to match state legislation of 2009. Succinctly, if it was a bad idea at year 1, it is a worse idea at year 5, a worst idea at year 7, and a disaster at year 10. This county has many poster children to hold up as examples of failed rural developments that are injurious to the county's fiscal health and that of its cities. Lessons here should be

learned.

g. Strengthen county code so as to protect the county's airports from rural residential encroachment which is the number 1 reason why airports are forced to close, especially as entreaties from WSDOT Aviation Division, the FAA, pilots and other users of airports, and concerned citizens go unheeded as to importance of our nation's airports.

h. The county needs to execute Interlocal Agreements with each of its five towns so that control of growth and development of UGAs is done in such a fashion that creates the best plan for roads, water, sewer, gas, storm drains, as the county's practice of making land use decisions in these areas has a history fraught with poor decisions that thwart planning for the near-term and the future, in turn driving up the cost of development.

i. Finish Road Standards Update (see previous remarks made in Part I).

j. Develop a rural residential overlay that incorporates types of rural residential development, levels of density, required mitigation, etc., permitted in defined areas of the rural land use of the county (except for UGAs, see above, these should be in cities' control) that has taken into account agricultural, grazing lands, minerals, timber land, transportation corridors, and other relevant issues (see previous notes). End urbanized sprawl and urbanized creep that has haphazardly been allowed by the county.

k. Stop doing favors for anointed few when it comes to land use decisions by county commissioners in the name of and under the banner of "economic development" by ignoring laws and statutes.

l. End administrative segregations and other out-of-public eye, administrative-only land use decisions that evade SEPA, GMA, water requirements, etc.

m. Reevaluate all flood plains and floodways of the county's rivers and creeks and other waterways with federal and state agencies. In the interim, create and overlay map of flood plains and floodways as recognized now and incorporate into county code (see d and e above) for proper delineation and identification for land owners, current and prospective, and then update when needed/required.

n. Enforce existing code and law when it comes to development of flood plains and floodways, strengthen county code with regard to mitigation requirements.

o. With regard to population allocation, see previous remarks on this subject made in Part I.

p. Reevaluate all of the 5 towns UGAs areas with their population allocations. If the UGAs are too big, either reallocate population to them out of Rural Reserve to meet state law or shrink each UGA accordingly. No more ignoring state statute and common sense.

q. With regard to other suggestions I have already expressed, please refer to above remarks or remarks made in Part I.

2. What issues, if any, do you see in the GMA Urban Growth Boundary for the City of Kittitas?

See above remark in E.(p.). Unless the county allocates more population out of the Rural Reserve to the City of Kittitas, the current math does not support the expansion of the UGA of Kittitas. A city cannot expand out of proportion to its allocated population. Simple solution: Add more population. Or else stop wasting taxpayers monies at the county and city levels.

End of Part II.

More to follow for remaining questions.

Respectfully submitted,

//ss

Catherine Anne Clerf
60 Moe Road
Ellensburg, Washington 98926

-----Original Message-----

From: Mandy Weed On Behalf Of CDS User
Sent: Tuesday, February 07, 2012 8:08 AM
To: Dan Valoff
Subject: FW: questionnaire

Thanks,

Mandy Weed

-----Original Message-----

From: Jim [<mailto:jpb0901@gmail.com>]
Sent: Monday, February 06, 2012 1:38 PM
To: CDS User
Subject: questionnaire



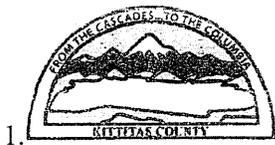
Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? 20 Years; 69 years (wife)
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County? (1) The rural character of upper Kittitas County is gradually disappearing due to the increase in 3 acre lots and high end residential construction being allowed when 5 acre minimum lots should be the rule. (2) If wishes could come true we would wish the county to return to its pre-Suncadia state, before the land speculators moved in and caused artificial inflation of land values. The county has wrongly encouraged rampant residential development to serve as an economic base. The crash of the housing market and the coming failure of Suncadia show how wrong they have been.
3. What do you think the County has to do to protect the rural character you just described? Increase the lot sizes to a five (5) acre minimum. Discontinue one time splits. A minimum of forty (40) acres should be required for a cluster plat with 10% used for residential structures. Eighty (80) acres should be the minimum required for a PUD. "Dark Sky" lighting should be a requirement for all Plats, PUD's, and any new construction in the rural areas. Access easements should be created for public access to all recreational/hunting lands. Developers have gated roads and trails preventing access to land that has traditionally used by the public, even when the land owned or controlled by the developer is only a small area over a road or trail that has been public accessible for generations. PUD's should not abut one another creating small urban islands. PUD's should be separated by several miles.
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County? Upper Kittitas County is economically dependent upon recreation. Businesses that are recreationally oriented should be encouraged there. Because agriculture is the economic base of the lower county, businesses oriented to agriculture should be directed to the areas around the cities of Ellensburg and Kittitas. Residential construction should be directed to the cities UGA's where utilities can be extended and fire and police departments can cope with the increased population. Using the rural lands of Kittitas County for second homes for wealthy non-residents should be discouraged.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision? The county has many times circumvented the GMA in favor of rampant development. The allowing of Re-Zones as "non-project" actions when the applicant for the re-zone knows that there is a project planned is unacceptable. Re-Zone applications should be scheduled once a year to coincide with the annual Comprehensive Plan amendments. They should be considered project actions and processed as such. Minimum lot size in rural areas should be five (5) acres. The items addressed in paragraphs 2; 3; and 4 above will go a long way toward correcting the county's past disregard of the GMA.
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas? The City of Kittitas enlarged their UGA boundary with the hope of broadening their tax base through enticing business to the city. This is understandable, but does not meet the requirements of the GMA. Kittitas can re-apply when their population reaches the number necessary to qualify for a UGA expansion. The EWGMHB was correct in opposing the expansion.



- 1.
3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character? It is not the duty or responsibility of the county to assure water availability for developers. It is the responsibility of the developer to assure legal water availability and quality to the project being developed. Whether that water availability is made through purchase or transfer of water rights it should never affect senior water rights holders. The water in the Yakima River valley has been fully allocated for many years. New development must recognize that senior water rights holders have priority and that water received from exempt wells draws down the water tables affecting the holders of senior water rights whether surface or groundwater rights.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective? I cannot bring to mind a single effective regulation that has helped to preserve the rural character of the upper county. It appears to us that regulations have been twisted and manipulated to favor the rampant development that occurred in the county prior to the exempt well moratorium was put in place. As to changing the regulations for more effectiveness: Minimum allowable size of rural lots should be five (5) acres. PUD's should be widely separated with an eighty (80) acre minimum. Cluster plats must be on at least forty (40) acres with only 10% used for residential housing. Access easements must be created for public access to traditional recreational land. New residential construction should be directed to the cities UGA's rather than rural areas. Time allocated for public testimony at county government hearings should be at least as great as that allocated for the applicants. Re-zones should be classified as "Project Actions" and allowed only once per year and incorporated into the annual Comprehensive Plan Amendment process.
2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines? (1) If the county, through a recently introduced bill in the Legislature, allows exempt wells to once again be drilled for development, stipulation of a maximum of 350 gallons per day must be enforced through metering of all exempt wells, similar to King County. A program of radio meter reading must be instituted and all meters must be uniform and installed by the well owner at the owners' expense. Radio read meters do not need meter readers to enter the property. They can be read remotely. (2) All above listed changes are recommended.
3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County? The portion of the county known as the "lower county" is economically dependent mainly on agriculture. Many people that have lived on the farms of the lower county are ageing and their descendents no longer wish to do the hard work associated with farming. These younger descendents want to sell their farm land to developers thus reducing the amount of land available for farming and creating conflict with new residents over the usual noises, odors, etc. produced in the natural course of farming. Regulations preventing the placing of residential cluster plats and PUD's in agricultural lands must be developed. Only single family accessory dwellings should be allowed on land that is commercially and economically important to the county. Perhaps a land bank program could be initiated to keep the farming land from being turned into urban land.

What other comments do you have for the County to observe in this matter? The county must stop relying on high end, short term, residential housing construction as an economic base. Action must be taken to attract other long term business to the area. There are many cities and counties in the Country that have solved their economic problems that can be used as examples if they were searched for. Additional water storage can help to alleviate the lack of water that is a drawback for some businesses that may otherwise come to Kittitas County. Many people are opposed to "big box" stores, but if allowed to come into the county they will increase the tax base greatly as well as creating employment for many county residents. Central Washington University has many bright students that can be put to work looking for opportunities for the county to use for economic growth outside of residential housing. The City of Roslyn has used these bright young people in providing suggestions for the city's future. They should be encouraged to take part in seeking solutions for the county.

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6 2012, Answers can also be emailed by February 6th to [cgs@co.kittitas.wa.us](mailto:cds@co.kittitas.wa.us).

-----Original Message-----

From: CDS User
Sent: Monday, February 06, 2012 3:36 PM
To: Doc Hansen; Dan Valoff
Subject: FW: Stakeholder Questions

Laura Wilson
Permit Technician

Kittitas County Community Development Services
411 N Ruby Street Suite 2
Ellensburg, WA 98926
laura.wilson@co.kittitas.wa.us
P: 509.962.7506
F: 509.962.7682

-----Original Message-----

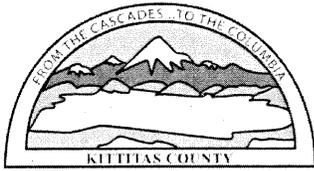
From: Anne Watanabe [<mailto:annew@inlandnet.com>]
Sent: Monday, February 06, 2012 3:06 PM
To: CDS User
Cc: Dan Valoff
Subject: Stakeholder Questions

Dan:
Attached are some brief responses to the questions which I hope will be useful. Thank you again for the opportunity to comment.

Anne

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcdbdac24bb8719d004a14



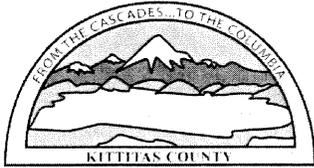
Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? 10 years
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?

Kittitas County meets the GMA's description for the rural element. I live in Upper Kittitas County where the landscape has both contiguous forestland and agricultural farmlands. The rural character of the County is visibly defined by larger contiguous areas of undeveloped open space and forestland on the perimeter of the built environment; and average low density development per square mile. Clustered housing occurs in somewhat isolated pockets separated by open space and other single family residences; but densities and designs of clustered development are not of a scale or type that feel like an urban subdivision. Undeveloped resource lands (public and private) dominate the viewshed around the valley. Incorporated and unincorporated towns are small with small-scale rural type commercial and industrial areas that serve the local population and the traveling public. Rural development abuts against natural resource and open space areas that predominate the landscape and wildlife, wild fowl and big game are often seen. Rural land use activities such as irrigated agriculture and livestock raising occurs on lands in varying size from hobby farms to commercial farms and these are visible from major and minor road networks that exude the feeling of being in a rural, wide-open space area that serves a small population. Traffic is low to non-existent and places are easy to get to. Dense urban services are not available outside UGAs or city centers.

3. What do you think the County has to do to protect the rural character you just described?
 - Maintain the current variety of rural densities, including the R-3 and AG-3 zones and code provisions for performance based cluster plats and Planned Unit Developments
 - Verify that the existing zoning and land use maps are accurate and up to date
 - Verify lands classified as resource lands of long term commercial significant.
 - Review and re-evaluate the previous recommendations from the LUAC to establish and designate areas where certain land uses and zones are allowed. Generally follow the natural growth pattern that has occurred to date, such that allowed densities become less as they move away from existing city limits and urban services.



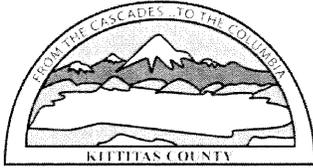
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

Economic development of almost any nature can occur within UGAs, LAMIRDS, city centers and areas already served by urban water and/or sewer services without destroying the rural character of the entire County. In rural areas of the County, economic development should be of the size, type, scale and commercial/industrial service that fits the landscape, economy, and demographics of the rural area; and can be served by rural services, including domestic water systems.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic “foundational work” justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards’ decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?
 - Do not re-invent the wheel. The majority of the “foundational work” has been done thru the LUAC (@2006-2008) and the Jones & Stokes compliance effort in 2009.
 - Maintain the current variety of rural densities, including the R-3 and AG-3 zones and code provisions for performance based cluster plats and Planned Unit Developments in rural areas
 - Verify that the existing zoning and land use maps are accurate and up to date
 - Review and re-evaluate the previous recommendations from the LUAC to establish and designate areas where certain land uses and zones are allowed. Generally follow the natural growth pattern that has occurred to date, such that allowed densities become less as they move away from existing city limits, LAMIRDS and urban services.
 - The explanation requested by the Supreme Court and Growth Board should and can be done to support the County’s existing zoning code.
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas? The only issue is why the work done in support of this effort is not good enough for the state. It should have been approved.
3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County’s rural character?

The County should continue to support the public’s use of permit exempt wells pursuant to RCW 90.44.050 as well as continue to find more “umbrella” solutions to mitigate for new groundwater uses in



the rural areas. The County and the State DOH and Ecology should seek ways to work with existing Group B and Group A water system owners to allow logical expansion of those systems (with mitigation) if future development occurs in reasonable proximity. This would prevent new wells from being drilled, centralize water supplies, and increase public health and safety with increased water quality testing requirements. In the Upper County, there is at least one existing Group A water system that has ground water rights that will likely never be put to full beneficial use because there are lots allocated water under the certificate that will never be built upon. For example, some lots now serve other purposes in that development such as a club house or other non-residential uses. The County and State should review some of these systems to get a better idea of true water use and potential impact to surface waters. While the recent AG Opinion clearly indicated that Ecology does not have the authority to partition the 5,000 gpd allowed under the exemption, the free market sales of water thru the water banks is having the same effect because lot owners are only buying mitigation water to support 350 gpd (of that only 105 gpd is consumptive): a fraction of the full amount allowed under the exemption. State regulation of ground and surface waters currently limit the amount of development in rural areas in Kittitas County, so the regulations themselves work toward preserving the County 's rural character. By designating specific areas where certain land uses, zones and a variety of rural densities are allowed, providing water to those areas should not impact the rural character.

Regulations Needed

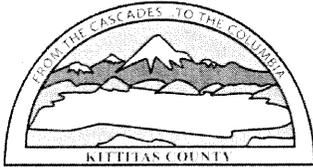
1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

The County's current regulations have been effective in preserving rural character. The County's Comprehensive Plan and development regulations allow for a variety of rural densities and planning options that reduce the development footprint, preserve open space areas and offer public benefits. The Supreme Court refused to rule on the issue of 3 acre zoning (and other zones that could result in greater densities, i.e., PUDs and PBCP) because the County did not adequately explain in narrative form how those zoning codes meet the goals of the GMA. This explanation can be done for the rural densities currently allowed under the Code; and can be done with thoughtful reconsideration and synthesizing of land uses analyses the County has already done thru the LUAC and 2009 Compliance work.

2. What regulations should be enacted to protect the County's natural resources, such as water timberlands, open space, flood plains, and shorelines?

There seems to be adequate local, state and federal regulations that protect these resources. The county is currently reviewing and updating its critical areas ordinance and shoreline master plan.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?



If the county has properly designated commercial ag lands of long-term significance , it would not be necessary to further regulate non-farm uses to preserve such ag lands. Limited non-farm uses, such as the creation of residential lots on such ag lands, can be allowed with strict acreage requirements and limitations and perhaps deed restrictions against further lot creation. Other tools, such as conservation easements, and TDRs can be used to provide farm families economic gain when farming is no longer an option or desire. However, the price paid for conservation easements and TDRs are not likely to meet or exceed fair market values. If the land is no longer going to be farmed, it does not necessarily follow that such ag lands should be removed from its long term designation. This would only harm continued surrounding ag uses. Non-farm land uses adjacent to existing commercial farming will have to accept the risk and possible inconveniences from living near a commercial operation.

Other

What other comments do you have for the County to observe in this matter?

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.**

-----Original Message-----

From: Mandy Weed On Behalf Of CDS User
Sent: Tuesday, February 07, 2012 8:09 AM
To: Dan Valoff; Doc Hansen
Subject: FW: GMA Questions

Thanks,

Mandy Weed

-----Original Message-----

From: Anne Watanabe [<mailto:annew@inlandnet.com>]
Sent: Monday, February 06, 2012 4:51 PM
To: Dan Valoff
Cc: CDS User; nathan
Subject: GMA Questions

Hi Dan:

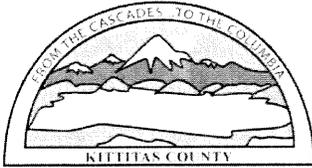
Nathan Weis asked me to forward his responses to the questions.

Thank you!

Anne

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14



Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? **42 years**
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?

3. What do you think the County has to do to protect the rural character you just described?

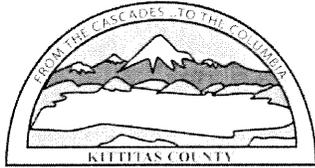
This is a response to General Questions #2 and #3. The County needs to maintain the current variety of rural densities, including the R-3 and AG-3 zones and code provisions for performance based cluster plats and Planned Unit Developments. In the forested areas in Upper County, it makes sense to allow small pockets of contained communities such as Pine Loch Sun, Sunlight Waters, and Elk Meadows, for example. These type of small rural communities, when properly located and served with rural services, can be established without destroying the rural character. These type of denser rural communities will reduce sprawl. Kittitas County has at least 60% of its land base in public lands and these resource lands create rural character. Clustered rural communities will also protect private resource lands from unnecessary sprawl.

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

The County needs to make it easier to locate and establish rural businesses and services that support rural communities. Not all commercial or industrial activities should be in the city limits or UGA.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?



The County should provide a good explanation of existing densities and should use existing data to determine where specific densities can occur. The County needs to keep the R-3 and AG-3 zones.

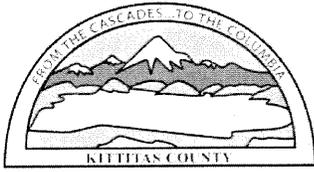
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?
3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

The County should continue to support the public's use of permit exempt wells pursuant to RCW 90.44.050 as well as continue to find more "umbrella" solutions to mitigate for new groundwater uses in the rural areas. The County and the State DOH and Ecology should seek ways to work with existing Group B and Group A water system owners to allow logical expansion of those systems (with mitigation) if future development occurs in reasonable proximity. This would prevent new wells from being drilled, centralize water supplies, and increase public health and safety with increased water quality testing requirements. In the Upper County, there is at least one existing Group A water system that has ground water rights that will likely never be put to full beneficial use because there are lots allocated water under the certificate that will never be built upon. For example, some lots now serve other purposes in that development such as a club house or other non-residential uses. The County and State should review some of these systems to get a better idea of true water use and potential impact to surface waters. While the recent AG Opinion clearly indicated that Ecology does not have the authority to partition the 5,000 gpd allowed under the exemption, the free market sales of water thru the water banks is having the same effect because lot owners are only buying mitigation water to support 350 gpd (of that only 105 gpd is consumptive): a fraction of the full amount allowed under the exemption. State regulation of ground and surface waters currently limit the amount of development in rural areas in Kittitas County, so the regulations themselves work toward preserving the County's rural character. By designating specific areas where certain land uses, zones and a variety of rural densities are allowed, providing water to those areas should not impact the rural character.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

The County's regulations need to make it easier to have small scale, neighborhood services in rural areas and should eliminate the 4,000 square foot limitation on commercial buildings outside city limits and UGAs.



2. What regulations should be enacted to protect the County's natural resources, such as water timberlands, open space, flood plains, and shorelines?

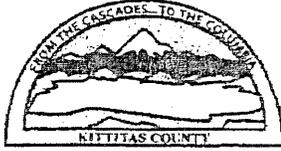
There seems to be adequate local, state and federal regulations that protect these resources.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

Other

What other comments do you have for the County to observe in this matter?

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.**



Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County?

Since 1953 - 4 years later on family farm that predates statehood.

2(a) If you were discussing where you live, how would you describe the rural character of Kittitas County? (b) How would you like to see the rural character of Kittitas County?

The real rural character is a almost gone - replaced by a rural wannabe. That means to those appearing through the... (b) slow speed roads, and the ability of families to earn a living from the land as its resources not "out of sources".

3. What do you think the County has to do to protect the rural character you just described?

- Protect what's left of local control -
- Roll back and avoid restrictions on natural resource use
- Listen to & respect the experience of generational farmers who tell you that the occasional sale of smallest lot possible may keep them in farm

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

Any that's needed and sustainable - less reliance on tourism that may require a lot of regulations to the detriment of authenticity, and which causes more loss of sustainable rural incomes.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Board's decision back to them to decide if the County met GMA requirements once this research was conducted.

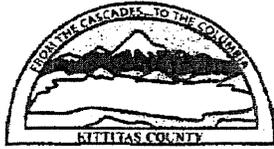
What do you think should be addressed in order to comply with GMA in light of this decision?

I'm confused by these rulings as I myself and others have spent hours, maybe years, of my life participating in the exhausting "foundational work" on some of these issues - It seems that everything that could be done, was done - Involved everyone

2. What issues, if any, do you see in the GMA Urban Growth Boundary for the City of Kittitas?

I don't live near that city - not even in same climate zone - Believing in local control, self-determination, residents rights etc. - I don't think I should have a voice in their issues - nor do I have requisite experience - My "market town" is Ellensburg so it's none of our business -

City of Ellensburg League of Women in Counties at hearings -



3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

How can the County function with so many erroneous actions from outsiders and state agencies? And why is it the County's responsibility to "provide" water? Treat all county residents equally not by area. Don't allow reduction of historical rights - Regulations Needed - why assume regulations (impediments) why not "incentives" encouragements or actions

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

wherever the county has held firm in the face of state land use regulators, it gives heart to locals who want stability + authentic. Writing regulations so that only speculators + developers can use them, instead of "ma + pa" locals, encourages rapid, large scale changes - Exemptions for locals with long records of stability would be better.

2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?

Wise use regulations rather than prohibitions + restrictions could allow those to continue in a healthy manner - Buffers, public access requirements, disregard for owners with experience will endanger and ruin them -

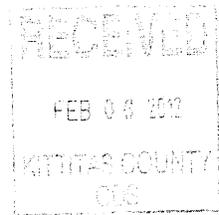
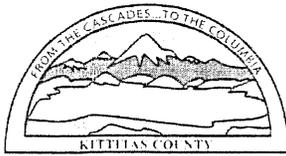
3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

County actions to preserve ag would include support for the Right to Farm ordinance, education + enforcement of trespass laws, opposition to trails near and through ag lands, better use of rural lands handbooks, avoiding taxes + taxing districts for urban uses (library, pools, trails, recreation) -

Other

Do all you can to maintain the notion of local control. What other comments do you have for the County to observe in this matter? Recognize residents rights over those of speculating newcomers - for instance - some zoning requires waiting periods before re-subdividing - (every 11 years) why not credit land undivided for decades with the right to a division for each decade of stability - Reverse the feeling that landowners must profit now or never - Respect property rights Resist state imperialism -

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Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? 40 years
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County? I would say the western Kittitas County along Snoqualmie pass, Ronald, Roslyn and Cle Elum areas is surrounded by mountains with lakes and outdoor recreation. The eastern portion has rolling hills and some farm land with sage brush and desert conditions further east.

I would like the character to grow. I believe the area is small enough in size that the rural character will be kept in tack. Id like to see a increased in mid to large commercial services/industries come to the county to support the already rural character of the county.

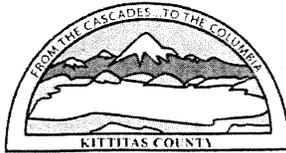
3. What do you think the County has to do to protect the rural character you just described?

Keep a balance of residential, commercial and recreational lands by allowing no larger than 3 acre zoning. Work with the local communities in planning ahead for the best place for commercial development and bring in the development community to work together along with passing ordinances/RCW to have a cap on purchasing water.

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?
Large commercial business like Lowes, target, industrial, and high tech surrounded with smaller retail and food establishments.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?



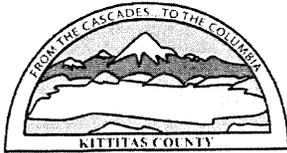
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?

I don't see any issue with Kittitas's UGA boundary

3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character? The county should allow up to 350 gallons a day for single residential use. The resident would apply for the permit thru the county and the county would get documentation from DOE. The resident would only have to prove that water was available thru the existing water availability form.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?
2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?
Existing regulations are in place to protect the natural resources.
3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County? With time some commercial agricultural lands that were thriving once, dwindle out and it's not economically feasible, therefore those lands need to be revaluated and rezoned to fit the area.



Other

What other comments do you have for the County to observe in this matter?

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to [cgs@co.kittitas.wa.us](mailto:cds@co.kittitas.wa.us).**

From: Kurt Shara [mailto:jkshar2@fairpoint.net]
Sent: Tuesday, February 07, 2012 3:48 PM
To: Dan Valoff
Subject: KC Conservation Coalition Response to Stakeholder Questionnaire

Dan,
Attached is the response from the KCCC to the stakeholder questionnaire. If there are any questions or you need clarification, please let me know.
Cheers!
Jan Sharar - KCCC Spokesperson

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

From the Kittitas County Conservation Coalition in WORD format.

Questions on Kittitas County's 2012 Comprehensive
Plan Compliance Project

General

1. How long have you lived in Kittitas County? N/A Submitted by a stakeholder land use planning advocacy group.

2. a. If you were discussing where you live, how would you describe the rural character of Kittitas County? b. How would you like to see the rural character of Kittitas County?
 - a. Much of the rural environment where many of our members reside is characterized by sparsely populated areas. Agricultural and resource focused activities also characterize this area. Abundant wildlife remains in many areas but numbers appear to be declining in some related to loss of habitat. We fear that the number of parcels created in these lands, 5 acres and less, will further negative impacts to the rural environment. b. We would hope the county addresses the urban densities allowed in rural lands through balancing the negatives associated with the 3 acre zoning and lack of separation of PUDs and PBC Plats, etc. with downzoning of large areas to save the best of what we have for the future.

3. What do you think the County has to do to protect the rural character you just described? PBC Plats and rural PUD's must be reined in through policies that separate them by long distances and number of lots allowed with continuity of open spaces required. In the case of PBC Plats, any bonus should be for those true public benefits included and not just for those who reside in the platted area. No 3 acre zoning in rural lands and 5 acre zoning only where it abuts an Urban Growth Area of a city. A thorough analysis of what should be commercial ag and commercial forest should be included in the next Comp Plan update at the latest. Non rural based uses should only be allowed in UGA's where public sewer and water is available.

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County? Encourage new business to locate at the airport and other areas designed to serve this type of use. We strongly support the preservation of agriculture (predominately in Lower County) and recreation (predominately in Upper County). Natural resource based business should be focused on through overlay policies where the natural resource is marketable. Because residential development in rural lands does not pay for itself in terms of revenues to the county coffers to cover associated costs, we believe the county should concentrate this development in the UGA's using policies like the TDR to provide incentives to do so.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?

Amend land use and zoning to conform to populations projections adopted through the Comp Plan update process. Much like a land capacity analysis, this process should begin now and incorporation of these policies should continue and be finalized by the next update. Recognize the total number of lots by size legally created and not fully developed as part of the baseline for new policies. Three acre zoning (densities) cannot be justified in rural lands, especially with the number of lots already created in these zones and the number in process of adoption. Any clustered densities must be few in size and justified as needed through population growth projections. A number of these have been created and are not fully built out at this time. Rezones should be heard only once a year and be accompanied by a plat. The criteria for rezone should be tightly applied to any proposal and population projections should be part of the justification. One-time splits should be repealed as they represent de facto upzones in ag lands. The densest zoning in rural lands should be one unit per 5 acres and only located next to UGA's.

2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas? It is very important that UGA's are only allowed to expand if they comply with the GMA standards. Kittitas desires expansion to develop the area between the city and the interstate and they believe this will allow them to attract large scale business. If this can be justified through the GMA process, it should be allowed.

3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character? The entire Yakima River Basin has been adjudicated for surface water rights by federal court action, the USGS has documented that the vast majority of this water in Lower County is connected to groundwater and the extension of that is being studied for application to Upper County and likely to be proven connected as well. Western Water Law and the Washington Water Code identify priority use of water to "first in time, first in right" and because the entire basin has been over allocated as shown in the USGS study at the gage readings downstream, Kittitas County must provide a public water market for further use of exempt wells for the entire county. Existing junior water right holders must be recognized as a priority to be consistent with WWC priority.

Regulations Needed

1. a. What regulations of Kittitas County have been effective in preserving rural character of the County? b. What regulations have not been effective and how should they change to make them effective? a. NONE. b. Rural PUDs, 3 acre zoning, Performance Based Cluster Plats, open space designations with no public benefit required (unfair taxation policy), lack of update of critical areas and shorelines ordinances, lack of adoption of transportation concurrency in the past, lack of recognition of the importance of wildlife corridors and lack of open space corridors to separate incompatible uses and to protect fragile areas, inappropriate uses allowed in ag zones, and the county's disregard for updates required by the GMA.
2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines? In addition to meaningful protections contained in the CAO and SMP, a floodplain policy based on best available science, overlay designation of marketable resource locations, mapping of aquifer recharge

areas, land use policies affecting working farms and forests mentioned earlier, application of buffer zones with advice from DFW and DOE for streams and other water bodies when part of a lot creation proposal, etc.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County? Enforce 20 acre minimum lot sizes. Allow only single family dwellings (no duplexes) and prohibit PUDs and PBCPs in all ag lands. If large numbers of 3 acre or smaller undeveloped lots exist in ag land, provide incentives for clustering to create open space.

Other

What other comments do you have for the County to observe in this matter? The Kittitas County Conservation Coalition was formed by citizens who were dismayed at the threats posed to the livability of Kittitas County in the future by clearly non GMA compliant county policies. We have always believed the county can do better and we still do. The beauty of this county remains and the livability is still good but it is incumbent on county government to do its part to keep it that way. The hearings board and the courts have supported our successful challenges to these failed policies and now is the time to reconcile our codes and Comp Plan and move on.

Thank you for this opportunity to be involved in the compliance process.

KCCC

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to cds@co.kittitas.wa.us.

From: Andy Schmidt [mailto:andy@wardrugh.com]
Sent: Tuesday, February 07, 2012 8:03 AM
To: Dan Valoff
Subject: Stakeholder Questions.docx

Thought this went out yesterday.

Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County?

44 Years

2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?

The County rural area's have become less rural during the last 10 years. I believe the County needs to stick with a minimum 20 acre lot in the 20 acre zoning area.

3. What do you think the County has to do to protect the rural character you just described?

I think the County needs to go back to Hard Line Zoning. They should also close the loopholes which allow the creation of smaller than 20 acre lots in to 20 acre zone. I don't think a 3 or a 5 acre lot is rural in the 20 zone.

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

I am for any economic development which is compatible within a specific zone.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?

20 acre zoning should mean 20 acre zoning. What used to be an 3 acre zoning area should move up to 5 acre zone. One time splits should be only allowed after a property owner has owned the property for 10 or possibly 20 years.

2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?

Not sure.

3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

I think it's a big mistake for the County to regulate ground water. D.O.E and U.S.G.S. has indicated to me that they aren't concerned about the availability of groundwater in the lower part of the County. For the County to propose charging a fee on new and existing lower county wells is not the correct approach. I think this approach would be charging well users in the lower part of the County just to subsidize the development of areas of the upper County where groundwater resources are very limited.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

The most effective tool is Hard-line Zoning . That is, let the zoning determine the minimum lot size within the zone. To make this work you must close all of the loopholes which are prone to abuse. Over the last thirty years I have watched the abuses of the 20 acre zone. They started in the 1980's with Non-Conforming lots, then boundary line adjustments and exempt segregations. It is my understanding that these loopholes no longer exist. However, one can still break larger parcels down to a 20 acre lot. This 20 acre lot can then be split one time. At this time 20 acre zoning means nothing.

2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?

I think if you want to protect the natural resources then stop the creation of the small parcels in the Ag 20 and Forest and Range.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

If you really want to preserve commercial agricultural change the minimum lot size to 40 acres.

Other

What other comments do you have for the County to observe in this matter?

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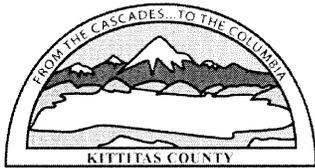
From: Tracy Rooney [<mailto:tracyr@msn.com>]
Sent: Wednesday, February 08, 2012 1:45 PM
To: Dan Valoff
Cc: Kirk Holmes
Subject: RE: Early Outreach for GMA Compliance

Dan,

Sorry to have missed the deadline... (Internet issues and I didn't want to drive into town.) Hopefully the comments will still be of assistance. Please note I'm not part of an organization but just someone who's made some comments in regards to prior planning issues with particular emphasis on the Teanaway area.

Thanks!

Tracy Rooney
13610 Teanaway Rd, NFrk
Cle Elum, WA 98922



Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

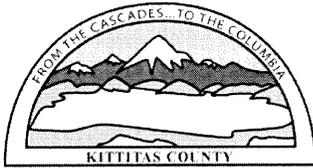
1. How long have you lived in Kittitas County?

I've owned property in the county since 1990. I built garage in '91 for weekend/vacation use and then a house in 2001 for ½ time use then transitioned it to a fulltime residence in the 2007 time period. I'm probably a good example of a person coming to the county for its recreation opportunities and deciding on a more permanent presence as a lifestyle decision.

2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?

I'm describing MY rural experience, not the county's at large. I bought into the valley for a quiet lifestyle and to pursue recreational activities. I live approximately 17 miles from the Cle Elum grocery store, schools and major services where the power and the landline telephone service ends in the North Fork of the Teanaway Valley. We have no cable or DSL internet service. Only one cell phone provider offers a semi reliable signal in the area. In 1990 when I purchased land, the road was only plowed to a turnaround ¼ mile further up the road to a designated snow parking area. (It is now plowed to the (~12 year old?) fish acclimation facility approximately another 4 miles up the road.) I purposely bought where parcel density was low and basic utility services ended in the hope that the area would not see much residential development and its impacts. The two major uses of the upper Teanaway were and still are for recreation and the forest service industry. Road traffic is predictable. Mainly campers, hikers, hunters and logging trucks. All seasonal. Thankfully, the Upper Teanaway area has not seen many new parcels created as has other rural areas in the county. It is very much the same as when I purchased in 1990 with one big exception. I now see salmon spawning in the river every fall! The logging trucks are silent on the adjacent ~46k acre private timberlands but still active on the forest service land farther out. Given time for the trees to grow, and the ebb and flow of economic changes I suspect these private timberlands will once again provide more than just recreation opportunity and the growth planning challenges that the county has faced the last several years given the land owner's desire to radically change the use and zoning of the land out of the forest service industry.

I would like to see the rural character of the Teanaway Valley be much as it is today with low parcel density, with ag and forestry industry given the opportunity to economically try and make a go of it. I'd also like to see recreational opportunities to continue to develop in a low impact manner. (I'm qualifying/limiting my answer here to the Teanaway Valley as I suspect that parcel density at 3 ac. as has been allowed elsewhere in the county no longer fits "my" definition of rural character as is still possible in the Teanaway Valley.)



I would also like rural character be a personal choice. To participate, you need to respect current zoning and density rules. If your neighbor is in the ag business, then expect, accept, and respect ag practices. If you're a neighbor to a commercial forest, then expect, accept and respect what those practices are. But we should require both of these industries and lifestyles to acknowledge, respect and not degrade the quality of the environment, its streams and their riparian areas. (I think we're doing pretty well on this but fine tuning should be welcomed...)

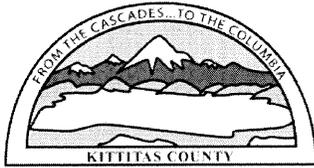
Rural character is not high density. It's expecting county and emergency services on a par with this lower density. It's expecting its roads to be a lower priority for the plows after a big storm. It means expecting longer response times for emergency services given the distances from these services and often challenging road and wildlife crossing conditions. And it also means knowing that some of these services are voluntary in nature and provided by your neighbors for the good of the community. It doesn't mean not expecting quality of services, just not volume and in some cases different timing than is the norm in the urban areas.

3. What do you think the County has to do to protect the rural character you just described?

Respect zoning! Zoning should be thought of as a two-way pact with very careful thought given to any change and their intended or unintended consequences. If you live next to a farm or commercial forest, you probably made a conscious decision to do so as typically farms are not moving into the neighborhood but new residences do. And if you are in an Urban Growth Area, you should expect change over time as that's what the underlying zoning indicates.

The economy often forces changes. An example being the current state of the forest services industry, it's transportation costs, the mill closures and changing needs for timber type, size and products. Are these changes permanent? Maybe. Maybe not. We've different property tax levels, excise taxes and open space regulations to account for the ebbs and flows of revenue from the lands that support these industries. If an investor bets on changing the cash flow from these zoned lands from timber or ag revenues to real estate development revenue flow then that's a calculated risk they are taking. The risk should be theirs alone to bear. The community at large should not be responsible for their risk and possible ill-advised investment. And certainly not for their stewardship practices. Zoning changes outside of the Urban Growth Areas should be far and few between.

Economic change is also true for those in the ag business. Demand for limited water is increasing, thus it's becoming more valuable. The types of crops grown over time will change to higher value crops as water becomes a more market valued commodity and water banks



become more common. There is also a danger of market distortion here in that some may buy ag lands for its associated water rights, find it more valuable or monetarily front loaded to sell these water rights for other than ag use and thus fallow land and place new pressures on these lands for rezones to other than ag use.

The county should take a good long and hard look at how the definition of "economic viability" plays a role in facilitating rezoning. (staute #???) Either stripping land of its timber or water or then claiming the land's "current use" is no longer economically viable for timber or ag use makes no sense. Particularly when these areas have been given favorable tax incentives in the past.

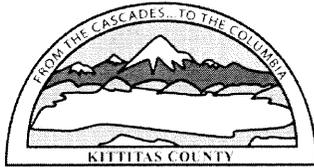
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

Continued use as ag and forest services with the ability for these uses to evolve over time into different higher value crops and potentially different forest service products.

Continued and expanded recreation use. As a snowmobiler, snowshoer, bicyclist and hiker I very much enjoy my "secret or less know routes" but realize that the state's population is going to continue expanding and that recreation opportunities now shared among just a few of us will need to expand. "Be sure to close the door behind you" just isn't realistic thinking. Nor is an "anything goes" attitude.

Using public dollars to help these activities expand will be difficult and require flexibility. Opportunities will need to be seized. An example being the Teanaway Road rebuild. Getting in front of this effort and trying to incorporate the needs of bicyclists, snow mobilers and those out for a country drive should be looked at. Something as simple as a wide gravel shoulder in selected areas might make a big difference. Are we trying to just rebuild a road or are we trying to improve a transportation and recreation corridor? I'd get behind combining the two with one effort and generous monetary support from the feds.

Another example that needs to be looked at is the Crystal Springs Snow park. Was recreation allowed to develop in and amongst a few residences or was it the other way around and the residences intruded upon the recreation area jump off point? Regardless of your opinion here, it is an example of how we need to prepare for the future needs of recreation in this county and balance the needs of many. Just as forestry and ag practices have negative impacts (odors, slash piles, etc.) so does recreation in regards to numbers of people, fire danger, noise, trash, etc.



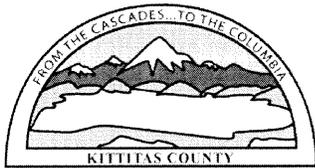
And one more possible no-cost opportunity the county should seize is the naming of the proposed Upper Yakima National Recreation Area. One of the big advantages to a National Recreation Area is the marketing/branding opportunity of such an area for economic benefit. The name association should be related to Kittitas County geography and not Yakima County or the city itself! All county folks should pay attention to this now and start referring to the proposed area as the Teanaway National Recreation or something that Kittitas County can claim as its own.

Another facet of recreation is the support infrastructure. For many, the jumping off point to recreation is going to be a hotel/motel/condo/second house in town where there's a grocery store and other services. For others it will likely be a camping spot somewhat more secluded that doesn't require restaurants and nightlife just down the street. Both are excellent opportunities for growth.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas? Transportation corridors are obvious location for commercial enterprises. It's unfortunate that the towns' central core is located away from where the major transportation link runs and I'm not sure what the solution for realignment is.
3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

Regulations Needed



1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

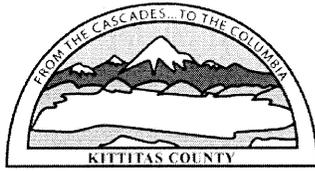
The amount of down-zoning into 3 acre parcels does nothing to respect the rural character that the original zoning was to mean to protect. And it places obvious stresses on water supplies.

I suspect that the state water laws written in 1945 allowing exempt wells were not intended for small rural parcels in the numbers that have been allowed. And local water regulations were not put into place when it became obvious that large timber and ag parcels were being divided up into a large number of 3 acre residential parcels. State law may have allowed exempt wells but the county could have put restrictions in place or limited the number of rezones which would have had the same effect. There just wasn't enough effort to sync local needs with state needs on both parties part resulting in dissatisfaction and no easy answers.

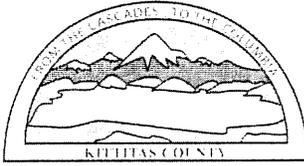
2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines? Updating the critical areas ordinances and associated flood plain maps would be a good start.
3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County? Allowing residential incursion into farmlands is akin to the issues that the checkerboard land grants of the past have left us with. It's going to cause issues. Dropping a few residences here, there and everywhere amongst ag lands will have a negative effect. I'm not an expert on the issues and am not quite sure how to rectify the problem where large ag lands run as one operation were allowed to be segregated into 3 acre parcels for potential future residential development. I'd look at whether open space in these areas is functioning as intended and whether tax collection resembles how the land will be used in the future.

Other

What other comments do you have for the County to observe in this matter?



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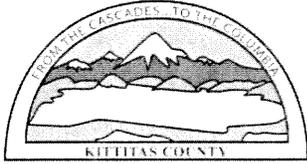
Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? 21 years
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?
It's a sparsely populated county being taken over by highend residential housing. I want to see ag land, timberland, watershed land, recreational areas protected from being turned into housing developments. I want to see the urban sprawl stopped and the housing contained to the UGAs around the cities.
3. What do you think the County has to do to protect the rural character you just described?
STOP slicing and dicing into 3 areas lots. NO more cluster plats, PUDs and master planned resorts. We currently have enough building lots to meet COG projections well into 2050. This would mean a moratorium on new rezones/plats until the county does its critical areas work, study ag land, timber and other resource land of long term significance
4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?
Help farmers explore more crop variation-grapes will grow in Kittitas County. Bring in Tech industry and light manufacturing. Help improve access to public lands that's being cut off by development in rural areas, tourist and recreation are a must for this county.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?
Look at the population projection figures, do the critical areas and resource lands of long term significance studies and then figure where you can actually build. STOP wasting tax payers dollars trying to figure out how to get around the GMA. Listen to the Land Use Advisory Committee and KCCC: stop trying to re-invent the wheel.
2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?
It's to big. Make it smaller and quit wasting tax payer dollars.



3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

No CAFOs. Meters on wells. Copy Walla Walla and limit the amount of withdrawal per day. Do some down zoning allow only further development around cities that can provide urban services.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

Pretty much none. Title 16 comes to mind.

2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?

Oh! Duh! The county has failed to do any of the studies necessary under GMA for critical areas, resource land and natural resources. . STOP listening to just the developers, Steven Lathrop, and the 3 stooges (otherwise know as the county commissioners) and do the work. Don't just put out this questionnaire to build a record to justify what has not been do

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

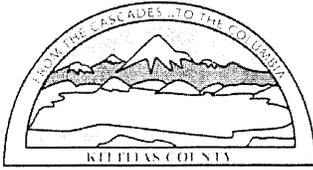
You do know farms and residential development are not compatible, right? No is a compleat sentence. No more rezoning. This county needs to preserve Ag land of long term significance.

Other

What other comments do you have for the County to observe in this matter?

This county needs to go back to square one; do the studies required under the GMA. This is plenty of answers to what is needed in the Land use Advisory Committee's suggestions and the KCCC. Quit trying to save the speculative land developers and wasting tax payer dollars looking for ways around the GMA.

Please answer the questions on the questionnaire or, if you wish to expand beyond the space provided, answer on separate paper. **Please submit the answered questionnaire to Community Development Services, 411 North Ruby Street, Ellensburg 98296 by the end of the business day of February 6, 2012. Answers can also be emailed by February 6th to [cgs@co.kittitas.wa.us](mailto:cds@co.kittitas.wa.us).**



Questions on Kittitas County's 2012 Comprehensive Plan Compliance Project

General

1. How long have you lived in Kittitas County? Over 50 years
2. If you were discussing where you live, how would you describe the rural character of Kittitas County? How would you like to see the rural character of Kittitas County?
Intensive farming and some cattle ranching in the lower county with smaller farms and "ranchettes" in the upper valley, with small residential parcels interspersed throughout.

The second question is awkward and obscure at best. Presumably, it seeks consensus on fostering or maintaining some vision of "appropriate rural character." This is absolutely the wrong approach. Market forces have been and will always be the primary driver of land uses—government has yet to learn that it cannot legislate against the law of supply and demand, it only screws thing up worse. (see rent controls, green zone and critical area set asides, etc.) The problem with comes with parcels in the country that are really just single residential lots too big to really care for but too small to be really useful within a rural context. Find the point of cross-over and rural character will be preserved.¹ The market place will handle the rest. Recognize, however, that the practical effect will be that some people will be priced out of buying in the country and some land owners will not be able to achieve the values that would come with higher densities.²

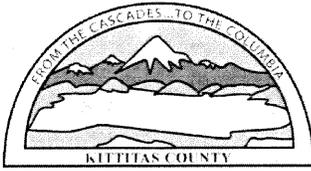
3. What do you think the County has to do to protect the rural character you just described?

While, the mandate of maintaining rural character us upon us, it is not the obligation of the owners of larger parcels to bear an unreasonable portion of the cost of doing so.³ Rural character exists, if at all, without regard to ownerships or legal boundaries, and, if a regulatory scheme is required to preserve it for the public good, then the public has to share in the cost.

¹ This is not a matter of reaching consensus. It is a matter of true rural use and, to a lesser extent, economics. How much land does it take to sustain livestock year round (winter feeding aside) or to grow something of practical use that is typical and consistent with historical local rural patterns? This can and should be a somewhat generous approach and not related to profit, but the parcel needs to have some rural relevance.

² Rural character has a price to both maintain and enjoy. The days of buying 3 acres, drilling a well and plunking down a mobile home because it is cheaper than buying a house in town are over. I might like to own 100 feet of Lake Washington waterfront but cannot afford it, either.

³ To be sure, the new order likely means that the window of opportunity to create smaller parcels and thereby achieve much higher per acre values has closed to some extent. Whether it is commodities, stocks, real estate, or any other type of asset class, markets rise and fall, and the value of acreage in Kittitas County may be gravitating toward being primarily related to agricultural uses rather than development potential.



This will be the great equalizer and actually act to protect both sides of the argument by imposing a market based mechanism that will foster fair value to public and private interests. It will no longer do for the public to regulate without compensation, and the greatest contribution county government can make to the issues at hand is to allow reasonable use on the one hand and require payment when such use is denied. In particular:

1. Institute the above process and inscribe "Free Market Forces Are Primary" at the top of every county regulation, policy and directive. Then order everyone in government to follow and promote that ideal.
2. Follow the law as established by statute and court decision. This will depend on obtaining competent counsel experienced in ag and Eastern Washington real estate matters (county has none right now), and all practicing west of Cle Elum are not qualified, by definition, to provide such.
3. Set minimum parcel size (it may be a performance standard, not just a fixed number), and you will prevail in future GMA attacks.
4. No more building permits can be granted without a showing of an adequate water supply (see RCW 19.27.097 and the recent Supreme Court decision referenced below). There is no more surface or ground water available to appropriate in the basin so an "exempt well" is no longer possible without a good deal more in the way of a legal right to withdraw water.⁴
5. The creation of smaller parcels has to end, and this would include density bonuses or cluster plats of any kind and only any basis. There is simply no way to preserve rural character and still allow higher densities—even when substantial open areas are set aside in the process. The problem is that to do it correctly, the lot size would need to be down to around a quarter to half an acre to avoid having lots too large to care for as a general proposition. Community water and sewer are certainly doable and are not the issue. Regardless of the ultimate number of units, the end result of any process to allow for higher densities is a residential subdivision in the country, and that is not in keeping with rural character.
6. Act now to fix the countywide planning policies, comp plan and zoning to make clear that industrial complexes (i.e. wind farms, non-ag warehouses or processors) are not allowed in or within a certain distance of irrigated lands. And, make the setbacks for turbines at least a mile from the boundary of the wind project, not the closest house.
7. State clearly that any form of economic development that is not directly involved with maintaining and supporting local agriculture is inconsistent with maintaining rural character.

4. What types of economic growth or development would you like to see in the County while preserving the rural character of Kittitas County?

⁴ The exemption relates only to an exemption from the permitting process, not from the requirement that there must be water still available and eligible for appropriation. There is no exemption from the priority rights of others or the restrictions against impacting other users. Basin groundwater is presently oversubscribed meaning that, in the event of a water shortage or aquifer impairment, most existing wells are already legally subject to curtailment. The county will certainly be derelict in approving building permits going forward without first confirming the availability of legally available water.



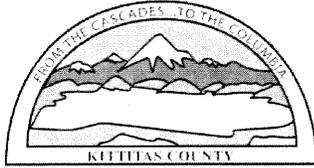
I have been directly and indirectly involved in economic development in this county since about 1979 and have firsthand knowledge of some such efforts dating from the late 1950's. The failure of meaningful success has been total, and I include the so called economic development group (which I started in the early 80's and the joke of an "incubator"). Government money and efforts to promote "economic development" (whatever that means) are, and will always be, a waste no matter how good it makes some people feel. The error in thinking continues to be the unrealistic view of what Kittitas County is and could be. Ellensburg is a government town; the upper county is recreation and second homes; and the irrigated areas are generally economically viable agriculture—at least at present. Ag is not likely to change much so long as it is encouraged and protected by not intermixing urban uses and densities and commercial and industrial complexes. (see above) But there are significant parts of the valley, good primarily for pasture, that are more marginal (present cattle market notwithstanding). As much as it may offend sensibilities, attracting people who can afford to maintain large acreages, long range and without a view to economic return certainly fits my definition of economic development. If we do not make it possible to and attractive for large ownerships to be maintained, they won't be. How willing would anyone be to buy a ranch in the Wilson-Nanum or Cooke Creek or Reecer Creek facing the very uncertain risk that a wind farm will get put down next door? What is the risk that intensive residential development will occur in the vicinity thus exacerbating irrigation supply issues and complaints on noise, dust, chemical use, and the like?

Simply put, using the common understanding of the term "economic development," it is a concept that is totally inconsistent with that of rural character.

Comprehensive Plan Compliance

1. Recently, the Washington State Supreme Court indicated that the Eastern Washington Growth Management Hearings Board had appropriately decided that Kittitas County had failed to conduct basic "foundational work" justifying its three-acre zones, PUDs, one-time splits, and clusters permitted in its existing County regulations. The Court remanded the Boards' decision back to them to decide if the County met GMA requirements once this research was conducted. What do you think should be addressed in order to comply with GMA in light of this decision?

See above. I freely admit that over the years I have supported the flexible if not open development of rural lands, challenged all restrictions, and exploited all avenues in the aid of landowner desire to enhance value and marketability. I have also read the above decision several times and am very familiar with the realities of present and future water availability and use. The music has stopped; the games are over. Just look at the elements cited in the question above as requiring foundational justification. Laid bare, they cannot be justified as compatible with rural elements because they are not, and we need to stop trying. Whether through specific designations or performance standards, a fix that will withstand successful challenge is simple:



Outline the local definition of rural character and preservation, and those become the elements for land use decisions.

What is not so simple will be the public education process as to the new order. This is where the county actually has a job and where the primary efforts of county government should be concentrated. While likely perceived as major, the actual dislocations to property owners should not happen if the program is properly managed. Once long range certainty is in place with rules and requirements greatly simplified, the market will take care of the rest. Value is both created and protected when the rural character is assured.

2. What issues, if any do you see in the GMA Urban Growth Boundary for the City of Kittitas?

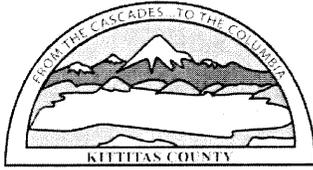
Kittitas has the advantages of a freeway interchange, low cost land and available infrastructure (recognizing the need for sewer extension). What it attempted was to grossly overstate the need for growth boundary expansion based solely on the anticipated needs and growth of the City of Kittitas alone. But, if viewed regionally, a good case can be made for some reasonable commercial/industrial expansion on the grounds that it has traffic capacity and freeway visibility and access for businesses that require large parcels at a lower price. Think a distribution center or other regional type business that can use the I-90, I-82, SR 97 cross roads and that will usually not consider a site that is less than 50-100 acres.⁵ There is no other interchange east of Preston or west of George (more than 100 miles apart) that has all the attributes of Kittitas. Certainly, the two Ellensburg interchanges will not work for such uses, and the long vacant Ace Hardware distribution facility in North Yakima shows why south is not competition. However, no argument will justify an overly large expansion with virtually no justification. That caused the present situation.

I have no comment on the residential element.

3. How should the County assure adequate provision of water for development while meeting the State regulations and preserving the County's rural character?

See above. It is not the county's responsibility to either provide or assure that water is legally available for anyone or any use—whether present or future. But, it is the county's responsibility to follow the law regarding the availability of water for the subdivision of property and the issuance of building permits and in keeping with the recent court decision. As much as the county (and the development and land owner community) has disagreed with the concept, the court has now ruled that the county has the duty to assure that, not only is water physically available, it must be legally available. The court did not say that the county authority or duty to make the actual determination if one holds a legal right to take water, just that it had to confirm

⁵ The Port of Pasco development close to Hwy 395 is a good example of what industrial and warehouse type users require.



the right exists. The court also did not say how this was to be done, and it is recognized that Ecology has not wanted to take on this burden, even though it is the only agency with the statutory authority to make such determination. The county needs to send applicants to Ecology and tell them to bring back something in writing that says they have the legal right to take water. The stock letter from Ecology regarding exempt wells is not sufficient and should not be accepted as meeting the requirement.

If one can demonstrate a water budget neutral use of water and the legal right to do so, then, by definition, other users and rights will not be adversely impacted and rural character is protected. Otherwise, water is simply being wrongfully taken from the one holding the right to use it, and rural character is diminished in the process.

Regulations Needed

1. What regulations of Kittitas County have been effective in preserving rural character of the County? What regulations have not been effective and how should they change to make them effective?

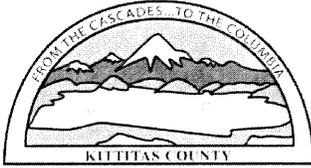
One only needs to read the Growth Board and court decisions regarding Kittitas County to see what has worked and what has not. Parameters have now been set on those needing changes. As stated above, the county still has the right to define rural character so long as it can justify the standards it set, and it should do so together with placing an at least equal burden on the public sector to compensate when reasonable use is denied.⁶

2. What regulations should be enacted to protect the County's natural resources, such as water, timberlands, open space, flood plains, and shorelines?

None. There are already too many. All resources are already over protected, and a critical review of all existing regulations should be made with an eye toward simplifying and reducing their affect where their impact is unreasonable or not practically warranted. At the very least, more protection and flexibility should be instituted to allow for exceptions and waivers on a case-by-case basis.

3. How should non-farm uses be regulated to preserve commercial agricultural lands in Kittitas County?

⁶ This is not the time or place to get into much detail on this process but it should be part of the discussion going forward. The State and certain radical interests have insisted upon a more restrictive interpretation of rural lands and their use. So be it. But, for example only, what argument against can prevail if the County concurrently adopts a simple process of appraisal where a more intensive use—still within the definition of maintaining rural character—is denied. County voters pre-authorize a levy upon themselves for a general fund to be used by the commissioners to pay for any lost value.



Possibly revise the Right to Farm ordinance to make clearer that, if you live in the country, you live by country rules. But I frankly cannot think of any more rules that are needed because, if some of the above concepts are adopted, further subdivisions and other type non-ag actions can no longer occur.⁷

Other

What other comments do you have for the County to observe in this matter?

It is disappointing that virtually all the above questions start and end with the concept of more and “better” regulations. Not all areas of government control are mandated. Some are optional or voluntary by county government. Some are due to unguided concerns about liability.⁸ The citizens are overregulated at all levels of government so cannot we at least start undoing some of it at the county level?

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⁷ If someone bought 9 acres several years ago, built a house, and had horses and now wants to create one or two more parcels to sell, it should not be allowed as it has no relationship to rural or ag uses.

⁸ Note the reference is to “unguided” rather than “misguided” as the former is meant to imply a total lack of substantive potential for liability and thus no basis for the regulation or requirement at all.