

October 19, 2023

Jamey,

My name is Diane Berge and my husband and I own property at 1061 FS Rd 4517 in the Granite Creek Neighborhood. I strongly disapprove of the Fowler Creek Guest Ranch proposal, CU-23-00003, for many reasons, but these Comments are in response to their response to KCC 17.60A.015, the Review Criteria for granting of Conditional Use.

***Criterion 1) The proposal is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.***

**Comment 1:** The developer has failed to meet these criteria. The detrimental effects of the project to the Community and Environment outweigh by far any benefits. The developer has failed to do a rigorous analysis of these negative impacts. The proposal is very vague and they are missing and likely have concealed information about the true impacts of this project, undercounting the expected number of people, and vehicles, and amount of sewage generated for example. The project will be detrimental or injurious to the community in multiple ways. I've listed a few here:

- A) Noise: It will increase noise to the surrounding community by increasing vehicular traffic, many of which will be trucks and RV's. It will also add a lot more noise by ATV's, motorcycles, and snowmobiles on local roads & trails and within the 84-acre parcel. This will be a constant source of noise. The egress from the site to FS 4517 is on an easement through someone's property, in close proximity to the home on the parcel as well as the nearby neighbors. There will also be loud music from events, and from just having a lot more people in the area. Sound carries very far up here. Please reference my more detailed comments that I submitted previously on NOISE.
- B) Traffic: It will increase traffic on roads not designed for truck/RV traffic of this type, cause damage to existing roads & damage to trails (motorcycles, ATV's etc), it will increase the risk of accidents at intersections, on these narrow roads, and for example on the steep & dangerous section of FS Rd 4517 and at the dangerous Intersection of Westside Road and Fowler Creek Road. Please reference my more detailed comments that I submitted previously on Traffic and Safety.
- C) Fire & Safety Risk: This development will greatly increase fire risk by having so many additional people in the area, most of which will be unfamiliar with the extreme fire danger we face during the dry season. They estimated 116 people at maximum capacity, I estimated 520. It will increase the number of vehicular accidents and for Fowler Creek Road & FS Rd 4517, there is only one way in and out. A blockage of these roads by an RV could prevent people from getting into and out of their properties. It would also prevent emergency services from accessing the area. This could be a life-or-death situation for residents. This development will be detrimental to safety. Please reference my more detailed comments previously submitted related to Fire and Safety, as well as on Estimated Quantities.
- D) Environment: It will also have a detrimental effect on wildlife by reducing their habitat, increasing noise etc. With year-round use of this facility, these 84 acres will be avoided by many of these animals due to the presence of people and noise. The developer plans to add viewing platforms for wildlife, but in reality, this development isn't about viewing wildlife, if it was, they wouldn't allow all the motorized recreational vehicles that will scare wildlife away. It will decrease the peacefulness to the community. See my previously submitted comments on Traffic. Also, we have a very dark night sky now, but with this development, it's

unlikely that will continue. There is also danger to the wetlands, due to construction, the close proximity of these Residential Habitats which appear to be small cabins in relation to wetland areas. There is also a lot of sewage being generated, which could also endanger wetlands & nearby creeks.

- E) Water & Sewer: Water scarcity is becoming a much bigger issue recently and that is expected to continue with the increase in population and of course climate change. The developer plans to get water from a “green zone” area since this 84-acre parcel doesn’t have additional water they can get through the OTC water bank. Any piping or hauling of water from a “green zone” needs to be evaluated by a subject matter expert taking into account water rights of existing residents. The number of people they are planning to bring to the site will require a lot of water, and also sewage disposal. The effects from both these items could be detrimental to the community and should be studied. Please reference my previously submitted and more detailed comments regarding the number of people, quantity of water and sewer quantities, and the significant discrepancies between the developer estimates and what I have estimated.
- F) Peaceful Character – This project will negatively impact the peaceful character of this area. Please reference my more detailed comments on Traffic & Safety where I also addressed this topic.

The developers essentially claim that the negative effects of this project on the surrounding community will be more than offset by the betterments in other areas of Kittitas County. They offer no proof of this, not one specific example. As noted above, they are adding a constant stream of new people to the area that for the most part will not be familiar with the area, and the severe fire danger. While most of these people may comply with rules, we know some will not be responsible. The effect of the added traffic and the huge number of motorized recreation vehicles like Quads & snowmobiles, will ruin the peaceful character of this area.

The developers’ comments about needing limited short-term lodging in this area are unsupported by any evidence and don’t appear to be accurate.

***Criteria 2: The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that***

- A. The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or***
- B. The applicant shall provide such facilities; or***
- C. The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.***

**Comment:** The applicant has failed to meet these criteria, and has downplayed any impacts from this project, including severely undercounting the number of people, vehicles and sewage that is expected. This development will greatly increase the fire risk in the area. There are a number of ways the costs to Kittitas County could be increased due to this development. Many wildfires are sparked by people, either deliberately or accidentally. Bringing so many transient visitors into the area greatly increases the risk of fire. The cost of just one wildfire due to this development could cost Kittitas County huge sums of money, and also devastate homes and the natural habitat for wildlife in this region. There are also the BPA Electrical Transmission Lines about a mile up the road from the

proposed development. We have high winds in this area and when you walk under the Transmission Lines, it can feel like a wind tunnel. A fire in this area could cause extensive damage to these lines, and disrupt power to the greater Seattle area. Also, current residents may no longer be able to buy home insurance due to the fire risk. This could decrease property values, and decrease tax revenue for the County. In the case of a fire that damaged homes, the County would experience a tax revenue decrease.

Also, we know with Climate Change, the fire danger will only increase. The County should not only consider the fire danger of today, but evaluate the risk in 10, 20, and 50 years. Also, future years could bring less snow and more heavy rain events. About 10 years ago we had heavy snow late in the spring, then a quick warming. FS Rd 4517 washed out in the area near the Transmission lines, and also the large culvert across the Granite Creek hiking Trail was washed out and never replaced. A heavy rain event could impact the creeks & wetland. This development, by increasing impervious area, will negatively contribute to that impact, and having a large drain field in close proximity to wetlands and the creek could create contamination.

The County should also expect an increase in calls to police for things like disorderly conduct, vehicular accidents, people illegally shooting guns etc. Road Maintenance will also increase for Golf Course Road, Westside Road, Fower Creek Road and other roads. FS Rd 4517 although not maintained by the County, is substandard for use by vehicles & trucks/RV's.

The existing roads and intersections present a safety concern. They are not adequate or safe. Please reference my previously submitted comments on Traffic and Safety.

The developer has not demonstrated there will be sufficient economic benefit to outweigh the many risks and economic public detriment.

***Criteria 3: The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.***

**Comment:** The proposed development does not comply with Zoning for Rural Residential, R-5. The developer is seeking conditional use based on it being a Guest Ranch or Guest Farm. The Purpose and Intent of R-5 Zoning and the definition for the guest ranch as follows:

***7.30A.010 Purpose and intent.***

*The purpose and intent of the Rural-5 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting R-5 zones will be to minimize adverse effects on adjacent natural resource lands. (Ord. 2005-05, 2005)*

***17.08.270 Guest ranch or guest farm.***

*"Guest ranch or guest farm" means a business or an organization providing overnight lodging, dining and recreational facilities in a rural setting. The purpose of a guest ranch or guest farm shall relate primarily to vacation, recreation and similar pursuits, and does not include rehabilitation centers, group homes, clinics, nursing homes, churches and church camps, and other similar uses. Events such as auctions, barbecues and similar gatherings which do not provide overnight lodging or which are not conducted on a continuous basis shall not be considered as guest ranches or guest farms. Enhanced agricultural sales are allowed. (Ord. 2014-015, 2014; Ord. 93-21 (part), 1993; Ord. 83-Z-5, 1983)*

My understanding is that the intent of a Guest Ranch or Guest Farm was a connection to livestock, horses or farming. This development has no connection to that. While they are calling it a Guest Ranch, and are constructing a “Barn”, it’s in name only. The development is not a RANCH and the BARN is really an Event Center for weddings and large events for up to 200 people.

Even setting aside this fact, the development does not meet the above definition of a Guest Ranch. For example, for the RV sites, they do not provide overnight lodging or dining, they don’t even provide water for their guests. Guests would need to bring their own lodging, dining and water.

Also, weddings and an event center are not related primarily to vacation, recreation or other pursuits and should not be permitted. Per 17.15.060.1, Meeting Facilities are not permitted in R-5 settings.

Cabins and Residential Habitats also do not meet this requirement since dining is not being provided. A retail store is not allowed per the zoning criteria. These uses do not meet the criteria for a guest ranch and as noted elsewhere, it does also not meet the criteria for conditional use to be granted.

The RV Park portion of the project appears to meet the definition of a Campground. The definition of Campground:

**17.08.155 Campground.**

*"Campground" means any parcel or tract of land under the control of any person, organization, or governmental entity wherein two (2) or more recreational vehicle, recreational park trailer or other camping unit sites are offered for the use of the public or members of an organization. Typically the length of stay for a majority of the guests will range from one (1) to fourteen (14) days. The purpose of a campground use shall relate primarily to vacation, recreation and similar pursuits, and is not a place of permanent residence for the campers. A single-family residence may be allowed for the owner or caretaker. Very limited service commercial activities may be allowed which are intended for campers of the campground and must be approved as part of a conditional use permit. Youth Camps may offer additional education and child-care assistance elements as secondary uses to the Campground. These secondary uses shall comply with all applicable Federal, State and local regulations. ([Ord. 2021-015](#), 2021; [Ord. 2013-012](#), 2013; [Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)*

Campgrounds are conditional use Note 12 in Table 17.15.060.1. These conditions are as follows:

***In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:***

- a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;***
- b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;***
- c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;***
- d. Adequate and convenient vehicular access, circulation and parking should be provided;***
- e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).***

If this RV portion of the project was considered as a Campground, it doesn’t meet these conditions for the following reasons:

- a) The buildings and RV sites are not a sufficient distance away from nearby residences. It will create excessive noise for nearby residents and its likely guests from the development will trespass on private property as they explore the area. The developer is directing them up FS Rd 4517 through the Granite Creek Community and into Forest Lands. There are not many fences up in Granite Creek. Guests would not know what is private property and what is public. Residents should not have to put fences up. See my previously submitted comments on Noise.
- b) Traffic Volumes & number of Trucks & RV's will be a nuisance and interfere with normal traffic flow. The existing roads and intersections can't safely accommodate the increased traffic and type of traffic. See my previously submitted comments on Traffic and also on Fire Risk.
- c) The Site Plan shows buildings and RV sites in close proximity to nearby residents. The developer has an 84-acre parcel. They shouldn't put them so close to nearby residents. Can Landscaping & Screening even be provided given the fire risk? See my previously submitted comments on noise, and the included graphic that shows the egress from the development to FS RD 4517 runs though private property via easement, just feet from the person's home. There are other homes also in close proximity to this egress for both vehicles and recreational motorized vehicles. The developer likely tried to obscure this information. The site plan doesn't show this easement, and also doesn't show the dangerous section of FS Rd 4517 traffic would need to travel to exit the development.
- d) Adequate & convenient vehicle access – See my previously submitted comments on Traffic. The dangerous FS Rd 4517, Fowler Creek Rd, and dangerous intersection of Westside Rd & Fowler Creek Rd. are just a few examples.
- e) Public Health – There will be increased fire risk, and increased risk in case of an evacuation for any reason. FS Rd 4517 & Fowler Creek Rd are the only way in and out. People using the Guest Ranch may get injured due to being in a mountain environment without experience. They could get lost, run out of gas or get stuck snowmobiling in a remote area, their RV could run off the road on FS Rd 4517 in snow and icy conditions. Current residents could get injured due to fire risk, get injured due to the increased risk of vehicular accidents due to the increased volumes of Traffic and type of traffic. Water availability is a big concern in this area. The development may reduce the amount of available water, by drawing down the aquifer and infringing on water rights. A study should be done to ensure this will not happen. The noise generated from this development will disrupt the peaceful community setting, and overall be a nuisance to the community.

Bed & Breakfasts are allowable under 17.15.60.1, with Administrative Conditional Use, but the Conditions are not specified.

Stepping back and looking at the big pictures, the developer is proposing an RV Campground, Bed & Breakfast, a Rentable House, 10 Rental Cabins, about 10 Residential Habitats (ie small cabins) for overnight lodging, a large Barn aka a 200 person Event Center, and a Store, all in an environmentally sensitive area with wildlife, limited water, inadequate road and intersection infrastructure and high fire risk within Rural Residential R-5 Zoning. When reviewing this proposal, I feel the approval authority has a responsibility to look at the entirety of the proposal and not just the individual parts. This proposal appears to better fit the description of a Commercial Resort. A resort that would not be allowed in Rural Residential R-5 Zoning.

In conclusion, the answer is no. The development does not comply with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas

County Code. And it is contrary to the purpose and Intent stated in 7.30A.010, the goal being to minimize adverse effects on adjacent natural resource land. This development increases adverse effects on adjacent natural resource lands, and a particularly large increase in fire risk.

***Criteria 4: The proposed use will mitigate material impacts of the development, whether environmental or otherwise.***

**Comment:** The developer has failed to provide any examples to support their statement that this development will reduce negative consequences elsewhere on the I-90 corridor and upper county area. The proposed development is not in compliance with the allowed zoning. They reference providing additional recreation “on-site” but in reality, they are directing much of that recreation off-site to the neighboring community. They are limiting use of ATV’s, motorcycles etc. on their site, and sending them to FS Rd 4517, trails, areas under the BPA Transmission Power Lines, and in the surrounding neighborhoods which will have a detrimental effect on wildlife, and the community. Please reference my previously submitted comments on Traffic and Safety, and on Fire Risk, Noise, and also on their severe undercounting of people, vehicles and Sewage.

***Criteria 5: The proposed use will ensure compatibility with existing neighboring land uses.***

**Comment:** This development is not compatible with existing neighboring land uses. This is a Rural Residential R-5 zoned area. Please reference my previously submitted comments and the information above. The developer has likely purposefully downplayed the impacts from this project.

Please see my previously submitted comments on Noise and the specific example and graphic where I showed the huge impact the development would have on the parcel where traffic from the development has egress to FS Rd 4517 through an existing easement. All traffic exiting from the development, and in addition, a steady stream of noise from recreational motorized vehicles leaving and entering this easement, just feet from the neighbor’s house was deemed by the developer as “not detrimental”. While I have not had time to research each of the surrounding Properties, I have no confidence that the impacts stated for each parcel are in any way accurate.

***Criteria 6: The proposed use is consistent with the intent and character of the zoning district in which it is located.***

**Comment:** Please see my previously submitted comments as well as the comments I’ve made above. The proposed use is not consistent with the Rural Residential R-5 zoning, and does not meet the requirements of a guest ranch. It is in actuality a RESORT. It also does not meet the criteria of 17.60A as we have detailed.

The Developer references the “Eastern Washington Growth Hearings Board” and similar developments being judged as compliant, but cite no specific examples. For the community in general, how are we to review such a statement when no details are provided? The public has a right to know what they are specifically referencing so that we can determine if it is in fact consistent. Their proposal lacks detail and should be rejected.

***Criteria 7. For conditional uses outside of Urban Growth Areas, the proposed use:***

- A. Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;***

- B. Preserves "rural character" as defined in the Growth Management Act (RCW [36.70A.030\(20\)](#));**
- C. Requires only rural government services; and**
- D. Does not compromise the long term viability of designated resource lands. ([Ord. 2019-013, 2019](#); [Ord. 2013-012, 2013](#); [Ord. 2013-001, 2013](#); [Ord. 2012-009, 2012](#); [Ord. 2007-22, 2007](#); [Ord. 88-4 § 11 \(part\), 1988](#); [Res. 83-10, 1983](#))**

I will not specifically address each of the responses the Developer has provide in response due to time constraints. Based on my comments above and my previously submitted comments, this development does not meet the conditions above. The Developer has failed to do a rigorous analysis and review of the huge impact from this RESORT on the Community and Natural Environment, the Rural Character, and long-term viability of resources such as water and the health and safety of the aquifer, and wetlands.

I expect this development to more than double the amount of traffic that is there now. There will be less wildlife due to all the additional people, & noise. Campfires and people cooking outside their RV's are a risk, as well as the risk from off road vehicles igniting dry grass and starting fires. In the past, there have been people that come into the area to shoot guns. This also poses a fire risk. Note that this development is phased over 12 years. As climate change worsens, and the fire risk becomes even more extreme, the risk from this development increases.

This proposal indicates an event could host 200 people plus staff. For example, they could host a wedding each weekend, then during the week have 150 people staying for 4 nights. A total of over 300 new people/week, over 15,000 in a year, most unfamiliar with the roads, fire danger, etc. This is a huge impact to this community that is zoned Rural Residential. This is a huge impact to the wildlife and wetlands/ creeks in this area. This is dangerous.

I strongly urge the Approval Authority deny this application for a Conditional Use Permit.

Given the lack of information and lack of accurate information in the application, a Traffic Study, Noise Study, Environmental Review including hydrological review of the water supply & aquifer and assessment of the fire risk, should be done prior to any approval.

If a permit is granted, which I sincerely hope it is not, I would recommend severe restrictions be placed on the development: These Conditions would include:

- Severely restrict the size of this RESORT.
- Allow Tent camping instead of RV's.
- No Egress to FS Rd 4517
- No use of the existing easement for egress to RS Rd 4517 above the volume that is occurring now.
- Upgrade the existing roadways and intersections to meet safety requirements prior to any guests arriving.
- Limit the size of the RV's and size of trailers to the site
- Limit the number of extra vehicles and people to the site
- Restrict the number of both wheeled and tracked recreation vehicles to the site to near zero.
- No dogs

- No loud music, no noise after 10pm
- No propane tanks and no outdoor cooking
- No generators.
- Restrict use of Snowmobiles within the 84-acre site as well as wheeled motorized recreational vehicles like dirt bikes and quads.
- Provide additional setbacks, the perimeter trails shouldn't be just feet from neighbor's property.
- Don't allow Residential Habitats to be scattered throughout the site
- Require a new safety exit to be provided for residents in case of emergency since Fowler Creek Road and FS Rd 4517 are the only way in and out.

Thank you for the opportunity to comment on this project and for considering my comments.

Respectfully,

Diane Berge, PE

Professional Civil Engineer, Retired