

## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

### AGENDA STAFF REPORT

**AGENDA DATE:** July 6, 2005

**ACTION REQUESTED:** Set closed record hearing for 2PM, July 19, 2005 for the Game Farm Cluster Preliminary Plat.

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**BACKGROUND:** Game Farm Cluster Preliminary Plat - (P05-07)  
Division of parcel numbers # 18-19-32010-0008, 18-19-32010-0009, 18-19-32058-0001, 18-19-32058-0002 and 18-19-32058-0003, totaling approximately 74.53 acres into 27 building lots at approximately 1.00 acre each in size and one residual lot at approximately 46 acres in size.

The subject property is located north of the Vantage Highway, south of Game Farm Road, west of Naneum Road and east of Wilson Creek Road, with two access points proposed off of Game Farm Road. Located within section 32 of T18N, R19E, W.M. in Kittitas County.

The Comprehensive Plan's Land Use Element designates the subject parcel as Rural.

The subject zoning is Agriculture 3, recently rezoned in 2004 from Agriculture 20. The purpose and intent of the Agriculture 3 Zone is: to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. Ag-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein.

The minimum lot size in the Agriculture 3 Zone is 3 acres, which would allow for 1 residence per 3 acres. The exception is cluster subdivisions, which meet the requirements of KCC 17.65.040 (Development Regulations). An applicant may be eligible for a 1-acre minimum lot size as denoted in KCC17.65.040.

This application is allowable under the provisions of KCC 17.65 (Cluster Subdivision). The purpose and intent of this section is to concentrate residences in agricultural areas without undue removal of potential agricultural lands from production and enhance the retention of all types of open spaces by concentrating development and reducing the consumption of land devoted to housing.

The subject property is not located within a regulated critical area. No restrictions will apply to this proposal pursuant to KCC 17A.

The Planning Commission finds that an open record hearing was held by the Planning Commission on June 27<sup>th</sup>, 2005 to consider this matter and that testimony was taken from those persons present who wished to be heard.

Testimony in opposition to the application was heard during the open record hearing on June 27, 2005 and the Planning Commission voted to forward with a recommendation to approve in a 4 – 1 vote with 2 members absent. Voting for the recommendation to approve were Commissioners Alberg, Sauerwien, Black and McClain. Voting in opposition was Doug Harris.

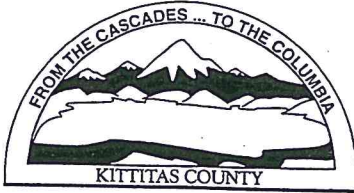
**INTERACTION:** Transmittal from Planning Commission to Board of County Commissioners.

**RECOMMENDATION:** Set closed record hearing.

**HANDLING:** Complete public record forwarded by staff.

**ATTACHMENTS:** Staff Report  
SEPA Documents  
Application  
Written Record  
Planning Commission Minutes are not available at this time but will be provided prior to the hearing.  
PC Audio Disks Available upon Request

**LEAD STAFF:** Jan Sharar, CDS Staff Planner



# Kittitas County Community Development Services

Darryl Piercy, Director

## STAFF REPORT

**TO:** Kittitas County Planning Commission  
**FROM:** Jan Sharar, Staff Planner  
Kittitas County Community Development Services  
**DATE:** June 27<sup>th</sup>, 2005  
**SUBJECT:** Game Farm Cluster Plat (P-05-07)

### I. BACKGROUND INFORMATION

**Proposal:** Preliminary Plat Application

Division of parcel numbers # 18-19-32010-0008, 18-19-32010-0009, 18-19-32058-0001, 18-19-32058-0002 and 18-19-32058-0003, totaling approximately 74.53 acres into 27 building lots at approximately 1.00 acre each in size and one residual lot at approximately 46 acres in size.

**Location:** The subject property is located north of the Vantage Highway, south of Game Farm Road, west of Naneum Road and east of Wilson Creek Road, with two access points proposed off of Game Farm Road. Located within section 32 of T18N, R19E, W.M. in Kittitas County.

**Land Use & Site Characteristics:** The proposed development site is located within a rural farming and residential area meeting the characteristics of Agricultural land. As shown on the preliminary survey, the property does have a slight slope with an approximate elevation difference of approximately 42' between the north and south property lines. The applicant is proposing to maximize density available under the cluster subdivision portion of the Kittitas County Zoning Code (KCC 17.65).

### II. POLICY & REGULATORY REQUIREMENTS

**COMPREHENSIVE PLAN:** The Comprehensive Plan's Land Use Element designates the subject parcel as Rural.

**Rural Residential Land Use**

*GPO 2.145 – Rural residential development must be in areas that can support adequate private water and sewer systems.*

*GPO 2.147 – Densities should be determined by water and sewage systems provided and by compatibility with existing and projected development in the vicinity. The proximity of fire protection facilities should be considered in addition.*

*GPO 2.149 – any policies with regard to development in agricultural areas should not be interpreted to preclude all further development in these areas. The possibilities and benefits of cluster residential developments located in agricultural land use areas should be retained.*

*GPO 2.150 – Agriculture has priority in matters dealing with conflicting land uses in agricultural areas. Farmlands in Kittitas County are the home sites for thousands of families and provide a very special quality of life for these families.*

**Zoning Code:** The subject zoning is Agriculture 3, recently rezoned in 2004 from Agriculture 20. The purpose and intent of the Agriculture 3 Zone is: to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. Ag-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein.

**Some of the uses allowed in the Agriculture 3 zone are as follows:**

**Agriculture, livestock, poultry or swine or mink raising, and other customary agricultural uses, community clubhouses, parks and playgrounds, commercial greenhouses and nurseries, existing cemeteries, etc.**

The **Minimum Lot Size** in the Agriculture 3 Zone is 3 acres, which would allow for 1 residence per 3 acres. The exception is cluster subdivisions, which meet the requirements of KCC 17.65.040 (Development Regulations). An applicant may be eligible for a 1-acre minimum lot size as denoted in KCC17.65.040.

**Subdivision Code:** This application is allowable under the provisions of KCC 17.65 (Cluster Subdivision). The purpose and intent of this section is to concentrate residences in agricultural areas without undue removal of agricultural lands from production and enhance the retention of all types of open spaces by concentrating development and reducing the consumption of land devoted to housing.

**Critical Areas:** An administrative site analysis was completed by the Community Planning Division of Community Development Services in compliance with Title 17A. The subject property is not located within a regulated critical area. No restrictions will apply to this proposal pursuant to this Ordinance.

**Issues raised during comment period:** Citizen comments regarding relocation of the lots for reasons of quality of soils for farming, impacts on existing homes in area, traffic and safety issues, noise reduction, etc. were submitted. In addition issues of impact to the aquifer, requirement of a traffic study, influx of new resident complaints about farming practice (right to farm), and the ability to split the residual parcel in the future and impacts to wildlife were mentioned.

### III. ADMINISTRATIVE REVIEW

**Notice of Application:** A complete application was submitted to the Community Development Services Department on March 31, 2005. A Notice of Application was issued on March 31, 2005. This notice was published in the official county paper of record and was mailed to jurisdictional

government agencies, adjacent property owners, and other interested parties.

**Written Testimony:** Written testimony has been received and is contained within the staff report packet. Any comments received after the staff report is forwarded will be copied and delivered to the KCPC for the public hearing.

**State Environmental Policy Act:** Based on correspondence received during this 10 working day comment period and other information submitted with this project permit application, a SEPA Determination of Mitigated Non-Significance (MDNS) was issued by Community Development Services on May 20, 2005.

Subjects addressed in the SEPA threshold determination of Mitigated Determination of Non-Significance were: environmental health (dust and emissions control and reduction), lighting, irrigation water, potable water and transportation.

**Suggested conditions:** although required by Kittitas County Code, staff suggests a condition be added that as a **plat note** the owner/developer include the "Right to Farm" Kittitas County Code 17.74 060 (A) Ord. #96-5 notification and disclosure statement. In addition, the recorded Covenants, Conditions and Restrictions (C C and R's) include the same statement.

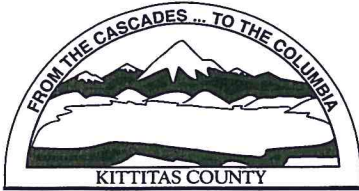
#### IV. SUGGESTED FINDINGS OF FACT

THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL, HOWEVER ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. The Planning Commission finds that Jeff Slothower, authorized agent for the landowner Laurin Mellergaard, submitted a complete application to Community Development Services March 31, 2005.
2. The Planning Commission also finds that said development application included a preliminary plat depicting the division of five parcels into 27 building lots each at approximately 1.00 acres in size with a residual parcel at approximately 46.00 acres.
3. The Planning Commission finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on March 31, 2005. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
4. The Planning Commission finds that Community Development Services issued a Notice of Action pursuant to KCC 15A.04 and Chapter 43.21C RCW on May 20, 2005. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies, parties of record and landowners within 300 feet of the subject properties as required by law.
5. The Planning Commission finds that an open record hearing was held by the Planning

Commission on June 27<sup>th</sup>, 2005 to consider this matter and that testimony was taken from those persons present who wished to be heard. The Planning Commission also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.

The Planning Commission finds that additional conditions are necessary to protect the public's interest and therefore reinstates the MDNS requirement that prior to final plat approval the landowner/developer must have proof of a valid water right from the Department of Ecology to obtain approval for a Group A water system through the Washington State Department of Health



# Kittitas County Community Development Services

Darryl Piercy, Director

## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

### AGENDA STAFF REPORT

**AGENDA DATE:** August 2, 2005

**ACTION REQUESTED:** Sign Resolution for the Game Farm Cluster Preliminary Plat.

**BACKGROUND:** Game Farm Cluster Preliminary Plat - (P05-07)

Division of parcel numbers # 18-19-32010-0008, 18-19-32010-0009, 18-19-32058-0001, 18-19-32058-0002 and 18-19-32058-0003, totaling approximately 74.53 acres into 27 building lots at approximately 1.00 acre each in size and one residual lot at approximately 46 acres in size.

The Board of County Commissioners conducted a closed record hearing on July 19, 2005 and requested that staff draft the enabling resolution for August 2, 2005 agenda.

**INTERACTION:** Chairman's signature on the Resolution approving the preliminary plat.

**RECOMMENDATION:** Sign Resolution.

**HANDLING:** Forward signed resolution to staff planner for Notice of Decision.

**ATTACHMENTS:** Draft Resolution.

**LEAD STAFF:** Jan Sharar, CDS Staff Planner

*A number of findings included the Prel. Plat to support the state laws & codes that it complies with. Plan & codes that it complies with. 2005-99  
3-0  
Cyril*

*GPO 2.147 – Densities should be determined by water and sewage systems provided and by compatibility with existing and projected development in the vicinity. The proximity of fire protection facilities should be considered in addition.*

*GPO 2.149 – any policies with regard to development in agricultural areas should not be interpreted to preclude all further development in these areas. The possibilities and benefits of cluster residential developments located in agricultural land use areas should be retained.*

*GPO 2.150 – Agriculture has priority in matters dealing with conflicting land uses in agricultural areas. Farmlands in Kittitas County are the home sites for thousands of families and provide a very special quality of life for these families.*

**Zoning Code:** The subject zoning is Agriculture 3, recently rezoned in 2004 from Agriculture 20. The purpose and intent of the Agriculture 3 Zone is: to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. Ag-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein.

**Some of the uses allowed in the Agriculture 3 zone are as follows:**

**Agriculture, livestock, poultry or swine or mink raising, and other customary agricultural uses, community clubhouses, parks and playgrounds, commercial greenhouses and nurseries, existing cemeteries, etc.**

The **Minimum Lot Size** in the Agriculture 3 Zone is 3 acres, which would allow for 1 residence per 3 acres. The exception is cluster subdivisions, which meet the requirements of KCC 17.65.040 (Development Regulations). An applicant may be eligible for a 1-acre minimum lot size as denoted in KCC17.65.040.

**Subdivision Code:** This application is allowable under the provisions of KCC 17.65 (Cluster Subdivision). The purpose and intent of this section is to concentrate residences in agricultural areas without undue removal of agricultural lands from production and enhance the retention of all types of open spaces by concentrating development and reducing the consumption of land devoted to housing.

**Critical Areas:** An administrative site analysis was completed by the Community Planning Division of Community Development Services in compliance with Title 17A. The subject property is not located within a regulated critical area. No restrictions will apply to this proposal pursuant to this Ordinance.

**Issues raised during comment period:** Citizen comments regarding relocation of the lots for reasons of quality of soils for farming, impacts on existing homes in area, traffic and safety issues, noise reduction, etc. were submitted. In addition issues of impact to the aquifer, requirement of a traffic study, influx of new resident complaints about farming practice (right to farm), and the ability to split the residual parcel in the future and impacts to wildlife were mentioned.

### III. ADMINISTRATIVE REVIEW

**Notice of Application:** A complete application was submitted to the Community Development



Services Department on March 31, 2005. A Notice of Application was issued on March 31, 2005. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.

**Written Testimony:** Written testimony has been received and is contained within the staff report packet. Any comments received after the staff report is forwarded will be copied and delivered to the KCPC for the public hearing.

**State Environmental Policy Act:** Based on correspondence received during this 10 working day comment period and other information submitted with this project permit application, a SEPA Determination of Mitigated Non-Significance (MDNS) was issued by Community Development Services on May 20, 2005.

Subjects addressed in the SEPA threshold determination of Mitigated Determination of Non-Significance were: environmental health (dust and emissions control and reduction), lighting, irrigation water, potable water and transportation.

**Suggested conditions:** although required by Kittitas County Code, staff suggests a condition be added that as a **plat note** the owner/developer include the "Right to Farm" Kittitas County Code 17.74 060 (A) Ord. #96-5 notification and disclosure statement. In addition, the recorded Covenants, Conditions and Requirements (C C and R's) include the same statement.

#### IV. SUGGESTED FINDINGS OF FACT

THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL, HOWEVER ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. The Planning Commission finds that Jeff Slothower, authorized agent for the landowner Laurin Møllergaard, submitted a complete application to Community Development Services March 31, 2005.
2. The Planning Commission also finds that said development application included a preliminary plat depicting the division of five parcels into 27 building lots each at approximately 1.00 acres in size with a residual parcel at approximately 46.00 acres.
3. The Planning Commission finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on March 31, 2005. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
4. The Planning Commission finds that Community Development Services issued a Notice of Action pursuant to KCC 15A.04 and Chapter 43.21C RCW on May 20, 2005. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies, parties of record and landowners within 300 feet of the subject properties as required by law.

5. The Planning Commission finds that an open record hearing was held by the Planning Commission on June 27<sup>th</sup>, 2005 to consider this matter and that testimony was taken from those persons present who wished to be heard. The Planning Commission also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.
6. The Planning Commission finds that additional conditions **are/are not** necessary to protect the public's interest...
7. The Planning Commission finds that due to the size of the proposed lots, the Game Farm Cluster Preliminary Plat will require a public water system. Proof of a valid water right from the Department of Ecology to obtain a Group A water system will be required prior to final plat approval. The landowner/developer will be required to submit proof a valid ground water right and a Class A water system approval from the State Department of Health prior to final plat approval.

# DRAFT

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**PRELIMINARY PLAT APPROVAL  
Game Farm Cluster Preliminary Plat (P- 05-07)**

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**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, according to Kittitas County Code Chapter 16, relating to the Subdivision of Land, adopted pursuant to RCW 58.17, an open record hearing was held by the Kittitas County Planning Commission on June 27, 2005 for the purpose of considering a preliminary plat known as the Game Farm Cluster and described as follows:

Division of one approximately 74.53 acre parcel into a total of twenty seven (27) building lots submitted by Jeff Slothower, authorized agent for the landowner Laurin Møllergaard, landowner. APN # 18-19-32010-0008, 18-19-32010-0009, 18-19-32058-0001, 18-19-32058-0002 and 18-19-32058-0003.

**WHEREAS**, testimony was taken from those persons present who wished to be heard; and,

**WHEREAS**, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such platting; and,

**WHEREAS**, the Planning Commission recommended approval of said proposed subdivision; and,

**WHEREAS**, a closed record public meeting was held by the Board of County Commissioners on July 19, 2005 to consider the Planning Commission's recommendation on this matter; and,

**WHEREAS**, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS AT LAW concerning said proposed preliminary plat:

1. Jeff Slothower, authorized agent for the landowner Laurin Møllergaard, submitted a complete application to Community Development Services March 31, 2005.
2. The preliminary plat is located in the Agriculture 3 Zone where the intent is to provide for an area here various agricultural activities and low density residential developments co-exist compatibly.
3. Lands within the Agriculture 3 Zone may be platted under the Cluster Subdivision provisions contained within the Kittitas County Zoning Code . The purpose and intent of this section is to concentrate residences in agricultural areas without undue removal of potential agricultural lands from production and enhance the retention of all types of open spaces by concentrating development and reducing the consumption of land devoted to housing.
4. The development application included a preliminary plat depicting the division of one parcel into 27 approximately one (1) acre building lots for a total of 28 acres including roads. Based on the Cluster Subdivision formula, the original parcel is eligible for up to 29 lots, which represents a 20% density bonus to the 24 lots which could be created under the Agriculture 3 zoning.
5. The Community Development Services Department issued a Notice of Application pursuant to KCC

15A.03 on March 31, 2005. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.

6. Community Development Services issued a Notice of Action pursuant to KCC 15A.04 and Chapter 43.21C RCW on May 20, 2005. Said notice solicited comments from jurisdictional agencies, parties of record and landowners within 300 feet of the subject properties as required by law.
7. The MDNS required mitigations in the following categories for approval of the preliminary plat: dust and emissions reduction and control; potable water; irrigation water; and transportation.
8. Inclusion of plat notes for final approval require proof of a valid water right from the Department of Ecology be obtained for approval for a Group A water system through the Washington State Department of Health.
9. The open record hearing before the Planning Commission was held on June 27, 2005, to consider this matter and that testimony was taken from those persons present who wished to be heard. Due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.
10. Prior to final plat approval, Kittitas County will require the roads to be built or be bonded for in compliance with Title 12 of the Kittitas County Code.
11. Kittitas County plans under the Growth Management Act of Washington State. In compliance with the GMA, Kittitas County developed an innovative development tool known as the "Cluster Plat" under RCW 36.70A.177.
12. A closed record hearing before the Kittitas County Board of Commissioners was held on July 19, 2005 to consider this matter. Due notice of this public meeting has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.

NOW THEREFORE,

**BE IT HEREBY RESOLVED** by the Board of County Commissioners of Kittitas County, Washington, that said preliminary plat designated as Game Farm Cluster Plat and the same hereby is, approved with the proposed development configuration and mitigation measures attached hereto.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2005, at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Perry D. Huston, Chairman

APPROVED AS TO FORM:

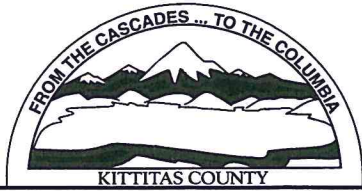
David B. Bowen, Vice-Chairman

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Gregory L. Zempel  
Prosecuting Attorney  
WSBA #19125

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Alan Crankovich, Commissioner



# Kittitas County Community Development Services

Darryl Piercy, Director

## KITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

### AGENDA STAFF REPORT

**AGENDA DATE:** July 19, 2005

**ACTION REQUESTED:** Conduct closed record hearing for 2PM, July 19, 2005 for the Game Farm Cluster Preliminary Plat.

**BACKGROUND:** Game Farm Cluster Preliminary Plat - (P05-07)  
Division of parcel numbers # 18-19-32010-0008, 18-19-32010-0009, 18-19-32058-0001, 18-19-32058-0002 and 18-19-32058-0003, totaling approximately 74.53 acres into 27 building lots at approximately 1.00 acre each in size and one residual lot at approximately 46 acres in size.

*24 additional platting*

The subject property is located north of the Vantage Highway, south of Game Farm Road, west of Naneum Road and east of Wilson Creek Road, with two access points proposed off of Game Farm Road. Located within section 32 of T18N, R19E, W.M. in Kittitas County.

The Comprehensive Plan's Land Use Element designates the subject parcel as Rural.

The subject zoning is Agriculture 3, recently rezoned in 2004 from Agriculture 20. The purpose and intent of the Agriculture 3 Zone is: to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. Ag-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein.

The minimum lot size in the Agriculture 3 Zone is 3 acres, which would allow for 1 residence per 3 acres. The exception is cluster subdivisions, which meet the requirements of KCC 17.65.040 (Development Regulations). An applicant may be eligible for a 1-acre minimum lot size as denoted in KCC17.65.040.

This application is allowable under the provisions of KCC 17.65 (Cluster Subdivision). The purpose and intent of this section is to concentrate residences in agricultural areas without undue removal of potential agricultural lands from production and enhance the retention of all types of open spaces by concentrating development and reducing the consumption of land devoted to housing.

The subject property is not located within a regulated critical area. No restrictions will apply to this proposal pursuant to KCC 17A.

The Planning Commission finds that an open record hearing was held by the Planning Commission on June 27<sup>th</sup>, 2005 to consider this matter and that testimony was taken from those persons present who wished to be heard.

Testimony in opposition to the application was heard during the open record hearing on June 27, 2005 and the Planning Commission voted to forward with a recommendation to approve in a 4 - 1 vote with 2 members absent. Voting for the recommendation to approve were Commissioners Alberg, Sauerwien, Black and McClain. Voting in opposition was Doug Harris.

*St. Howell requested  
changes 8/1/05*

DRAFT

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON

PRELIMINARY PLAT APPROVAL  
Game Farm Cluster Preliminary Plat (P- 05-07)

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, according to Kittitas County Code Chapter 16, relating to the Subdivision of Land, adopted pursuant to RCW 58.17, an open record hearing was held by the Kittitas County Planning Commission on June 27, 2005 for the purpose of considering a preliminary plat known as the Game Farm Cluster and described as follows:

Division of one approximately 74.53 acre parcel into a total of twenty seven (27) building lots submitted by Jeff Slothower, authorized agent for the landowner Laurin Møllergaard, landowner. APN # 18-19-32010-0008, 18-19-32010-0009, 18-19-32058-0001, 18-19-32058-0002 and 18-19-32058-0003.

**WHEREAS**, testimony was taken from those persons present who wished to be heard; and,

**WHEREAS**, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such platting; and,

**WHEREAS**, the Planning Commission recommended approval of said proposed subdivision; and,

**WHEREAS**, a closed record public meeting was held by the Board of County Commissioners on July 19, 2005 to consider the Planning Commission's recommendation on this matter; and,

**WHEREAS**, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS AT LAW concerning said proposed preliminary plat:

1. Jeff Slothower, authorized agent for the landowner Laurin Møllergaard, submitted a complete application to Community Development Services March 31, 2005.
2. The preliminary plat is located in the Agriculture 3 Zone where the intent is to provide for an area here various agricultural activities and low density residential developments co-exist compatibly.
3. Lands within the Agriculture 3 Zone may be platted under the Cluster Subdivision provisions contained within the Kittitas County Zoning Code . The purpose and intent of this section is to concentrate residences in agricultural areas without undue removal of potential agricultural lands from production and enhance the retention of all types of open spaces by concentrating development and reducing the consumption of land devoted to housing.
4. The comprehensive plan designation of the property is rural. The Game Farm Cluster Preliminary Plat (P-05-07) complies with and implements the Kittitas county comprehensive plan and specifically implements and carries out GPO 8.5, 8.9, 8.11, 8.13, 8.46, 8.48 and 8.51
5. Because the Game Farm Cluster Preliminary Plat (P- 05-07) is in conformance with te applicable zoning code and the comprehensive plan it satisfies the requirements of KCC 16.12040

4. The development application included a preliminary plat depicting the division of one parcel into 27 approximately one (1) acre building lots for a total of 28 acres including roads. Based on the Cluster Subdivision formula, the original parcel is eligible for up to 29 lots, which represents a 20% density bonus to the 24 lots which could be created under the Agriculture 3 zoning.
5. The Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on March 31, 2005. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
6. Community Development Services issued a Notice of Action pursuant to KCC 15A.04 and Chapter 43.21C RCW on May 20, 2005. Said notice solicited comments from jurisdictional agencies, parties of record and landowners within 300 feet of the subject properties as required by law.
7. The MDNS required mitigations in the following categories for approval of the preliminary plat: dust and emissions reduction and control; potable water; irrigation water; and transportation.
8. Inclusion of plat notes for final approval require proof of a valid water right from the Department of Ecology be obtained for approval for a Group A water system through the Washington State Department of Health.
9. The open record hearing before the Planning Commission was held on June 27, 2005, to consider this matter and that testimony was taken from those persons present who wished to be heard. Due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision. There was testimony in support of the plat and there was testimony in opposition to the plat.

10. Kittitas counties right to farm ordinance will protect and harmonize any conflicts between neighboring agricultural uses and the residential uses arising as a result of the plat.

10. Prior to final plat approval, Kittitas County will require the roads to be built or be bonded for in compliance with Title 12 of the Kittitas County Code.

11. Roads proposed with in the plat satisfy the requirements of KCC 16.12.050.

12. The lot configuration allows for development consistent with applicable county development and design standards which have been established to promote the public health, safety and general welfare of the county and its citizens.

13. based on the evidence presented and the record the appropriate provisions have been made for the public health, safety, and general welfare and the public interest will be served by the subdivision.

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11. Kittitas County plans under the Growth Management Act of Washington State. In compliance with the GMA, Kittitas County developed an innovative development tool known as the "Cluster Plat" under RCW 36.70A.177.

12. A closed record hearing before the Kittitas County Board of Commissioners was held on July 19, 2005



2005 to consider this matter. Due notice of this public meeting has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.

NOW THEREFORE,

**BE IT HEREBY RESOLVED** by the Board of County Commissioners of Kittitas County, Washington, that said preliminary plat designated as Game Farm Cluster Plat and the same hereby is, approved with the proposed development configuration and mitigation measures attached hereto.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2005, at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Perry D. Huston, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
David B. Bowen, Vice-Chairman

\_\_\_\_\_  
Gregory L. Zempel  
Prosecuting Attorney  
WSBA #19125

\_\_\_\_\_  
Alan Crankovich, Commissioner

Bowen - city densities in great areas  
fits code

P.H. - No FBRs yet  
GMA contradicts  
encourages tool  
does not like density

PH motion Aug 2 2 PM  
AC second Resolution

Alan - asked about  
history of cluster  
this one meets current code  
3 less lots  
26 less wells  
resolution whereas

P.H. - answered? re: history from Alan

- Schedule PC ASAP.

**KITTITAS COUNTY  
COMMISSIONERS AGENDA  
TUESDAY JULY 19, 2005 - 2:00 P.M.**

**Commissioners Auditorium  
205 West 5<sup>th</sup> – Room 109  
THE AGENDA STUDY SESSION WILL  
BE HELD ON MONDAY AT 10:30 A.M. IN THE COMMISSIONERS AUDITORIUM**

1. **Call to Order**
2. **Introduction of New County Employees**
3. **Proclamations**
4. **Awards and Recognitions**
5. **Approval of Agenda**
6. **CONSENT AGENDA**

All matters listed within the Consent Agenda have been distributed to each member of the Kittitas County Board of Commissioners for reading and study, are considered to be routine, and will be enacted by one motion of the Commissioners with no separate discussion. If separate discussion is desired, that item may be removed by request from the Consent Agenda and placed under Board Discussion/Decision Items.

- a. Approve Minutes
- b. Request to Set a Closed Record Meeting for Kelly & Long Preliminary Plat for August 2, 2005
- c. Request to Set an Open Record Hearing for August 16, 2005 to Consider the Plat Alterations for Little Creek Ranches (P-05-11)

7. **Correspondence**
8. **Administrative Matters**
9. **Citizen Comments on Non-Agenda Items**
10. **Board Discussion/Decision Items**

- a. Contract Program Agreement No. 0563-73248 with the Department of Social & Health Services, Division of Alcohol and Substance Abuse for Substance Abuse Prevention and Treatment Programs
- b. Contract between Kittitas County and Alcohol Drug Dependency Service (ADDS) for Substance Abuse Services for the 2005-2007 Biennium
- c. Request to Approve a Resolution Changing Petty Cash
- d. Collective Bargaining Agreement with Teamster Local 760 (Line Union)
- e. Resolution In the Matter of Updating the Personnel Policies Manual
- f. Set Monthly Rental Fees for Residential Property Located at 1105 ½ E. 8<sup>th</sup> Avenue, Ellensburg
- g. Signature on Final Mylars for Red Mountain Vistas Plat (P-04-09)
- h. Closed Record Hearing – Game Farm Cluster Preliminary Plat (P-05-07)
- i. Consider Draft Language to "Opt Out" of the Yakima River Basin Watershed Management Plan
- j. Consider Second Staffing Agreement for the Wild Horse Wind Power Project with Wind Ridge Power Partners, LLC
- k. Resolution to Award the 2006 Distressed Sales & Use Tax as Recommended by the Conference of Governments
- l. Agreement for Transfer of Federal Aviation Administration Entitlement Funds to Sanderson Field Airport, City of Brewster
- m. Resolution Rejecting All Bids to Furnish One New or Used with 1000 Hours or Less Vibratory Soil Compactor
- n. Change Order for the South Cle Elum Bridge Project
- o. Reappointment to the Kittitas County Alcohol/Substance Abuse Program Board
- p. Resolution Regarding the Funding Request for the Central Washington Parks Foundation for Soccer Fields

11. **Miscellaneous**
12. **Executive Session**
13. **Adjournment**

**TIMED ITEMS**

(All public hearings will be heard in the following order)

**4:00 P.M.**

**PUBLIC HEARING** continued from June 28, 2005 to review a new document relating to Granting a Franchise with Falcon Video Communications L.P. d/b/a Charter Communications for a County-Wide Television Franchise. (Record is closed).

**PUBLIC HEARING** to consider participating in ESSHB 2163 Homelessness Housing and Assistance Act effective August 1, 2005.

**PUBLIC HEARING** to consider a request to dispose and purchase Tax Title Property (Parcel #22-11-15020-0004). .79 acres located in Sec. 15, T22, R11, PTN. SE¼ NW¼ of the Old Milwaukee RR Tunnel.

**PUBLIC HEARING** to consider an Ordinance Amending Title 8 and Title 4 of the Kittitas County Code, Food Handling Standards for Kittitas County.

**PUBLIC HEARING** to consider Amending Kittitas County Code Chapter 10.08 Establishing a Speed Zone on Susan Road, Kittitas County.

**PUBLIC HEARING** to consider Amending Kittitas County Code Chapter 12 "Road Standards".