

KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

Yard Requirements

Front Setback: 25 feet

Side Setback: 15 feet

Rear Setback: 15 feet

Subdivision Code: Per Kittitas County Code Subdivision is defined as the division of land into 5 or more parcels (KCC 16.04.010 b (1)).

KCC 16.09 allows for **Performance Based Cluster Platting** to assist in the implementation of Kittitas County's policy to provide tools to foster appropriate densities, while making development economically feasible, benefits to the greater community through an effort to conserve water resources by minimizing the development of exempt wells by encouraging group water systems, to protect public health by reducing the number of septic drain fields, by concentrating urban densities in urban growth areas and by minimizing the impact of "Rural Sprawl" in rural lands, as designated in the Kittitas County Comprehensive Plan, Kittitas County finds that this "Performance Based Cluster Platting" technique would foster the development of urban and rural designated lands at appropriate densities, while protecting the environment and maintaining a high quality of life in Kittitas County.

Public Benefit Rating System (PBRS) elements are items that are not already required by code. When a public benefit is demonstrated then bonus density points will apply. The density bonus is limited to use in the rural designations with a 100% bonus in the Rural -3, Agriculture -3, Rural -5 and Agriculture - 5 zones. There is no limit to density bonus within the Urban Growth Areas and the Urban Growth Nodes. A minimum of twenty five percent (25%) of the area within the project boundary must be set aside in open space prior to application of the Public Benefit Rating System contained in KCC 16.09.090.

The applicant has demonstrated the Public Benefit Rating System (PBRS) with the following elements. The Planning Commission can further condition these elements as necessary to meet the intent of the Ordinance for Performance Based Cluster Platting. These elements will be conditions of approval for Evergreen Park Plat in order to qualify for the density bonus allowed through Performance Based Cluster Platting.

Element	Points	
Place 25% of the land, 6.25 acres, in Open Space for perpetuity	25	
25 Yr Historic Use of Open Space as Forestry	14	
Develop a Class B Water System	25	
Connectivity of Transportation	35	
Multi-Modal Access for Transportation	25	
Provide for active recreation via a trail system with connectivity to public trails on USFS lands.	20	
Provide for passive recreation via parking area for the SnoPark	35	
	169	Total Points

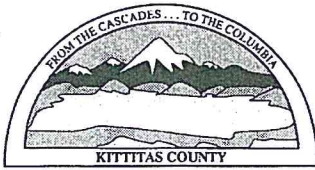
Total bonus density points = 169 points → Total bonus density percentage = 169%

Density bonus limit in the Rural-3 zone for this proposal is 100%.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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Calculations for project:

Current zone for project is Rural-3 (R-3)

Allowed density for the R-3 zone is 1 unit per 3 acres.

Subject parcel is a total of 45.00 acres.

Lots allowed under current zoning = $45.00 \text{ acres} / 3 \text{ acres} = 15$ (approximate lots allowed under current zoning)

Number of lots allowed with density bonus of 100% = 15 (lots allowed under current zoning) + 15 (lots for 100% density bonus) = 30 lots (total for Performance Based Cluster Plat)

Critical Areas: An administrative site analysis was completed by the staff planner in compliance with Title 17A. There are no critical areas on the site.

III. ADMINISTRATIVE REVIEW

Notice of application: A complete application was submitted to Community Development Services on March 30, 2006. A Notice of Application was issued on April 12, 2006. 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 comments were solicited and the final date to submit written comments and letters of appeal was on May 16th, 2006 at 5:00 p.m. Written comments were received from Kittitas County Department of Public Works, John Wilson and Darrel Blalock.

State Environmental Policy Act: Based on the review of the submitted application materials (including an environmental checklist), correspondence received during this comment period and other information on file with our office, a Mitigated SEPA Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on June 1st, 2006. The SEPA MDNS was issued with the following mitigations:

I. Water and Septic

- a. The applicant will develop a Class "B" water system for the project. The Group B water system will be designed by a licensed engineer and approved by the Washington State Department of Health.
- b. The Group B water system shall be in place prior to final plat approval. Approval shall include drilling of the well along with demonstration that adequate water supply to support the proposed use.
- c. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.
- d. Flow meters must be installed both at the well head and each individual lot.

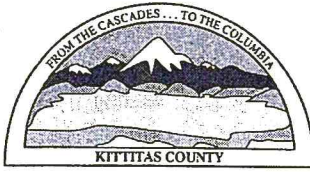
II. Land Use and Recreation

- a. The applicant will place 25% of the land, 6.25 acres, in Open Space for perpetuity and designate the open space area on the final Mylar.
- b. Prior to final plat approval the applicant will provide a forest management plan for the proposed open space forestry use to be reviewed, approved and recorded as appropriate for consistency with the applicant's proposal and KCC 16.09 for final approval.
- c. The applicant will place 5.0 acres as a sno park. The location will be designated on the final Mylar. Prior to transfer of the property to any individual or entity, a conditional use permit for the sno park must be acquired and approved.

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- d. To discourage pedestrians from trespassing onto adjoining properties, a vegetative buffer or fence shall surround the proposed sno park boundaries, except where the connectivity to the trailhead is proposed.
- e. The applicant will provide active recreation activities such as trails throughout the designated open space area and showing connectivity with the internal road system.
- f. The applicant will provide a trail easement to be placed adjacent to the roadways for connectivity to the USFS system.
- g. Proposed Restrictive Covenants (CCRs), Homeowner's Association Bylaws and applicable documents, and proposals related to roads, Group B Well System, On Site Sewage, recreation and open space need to be reviewed, approved and recorded as appropriate for consistency with the applicant's proposal and KCC 16.09 for final approval. Any conditions of approval of the Group B Well System and On Site Sewage shall be a condition of the final plat approval and included as a plat note as appropriate.

III. Transportation

- a. The project will be subject to the rules and regulations of the Kittitas County Road Standards.
- b. The applicant will provide a safe location and passageway for a school bus stop.
- c. Access to the proposed preliminary plat shall not exceed 12% in grade and will meet all Kittitas County fire standards.
- d. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.

IV. Cultural

- a. If any items of possible cultural or historic significance are encountered during construction activities, work shall be immediately halted with the area and a large enough perimeter established in order to maintain the integrity of the site. Kittitas County Community Development Services, the State Historic Preservation Office and the Yakama Nation, as relevant, shall be immediately consulted.

V. SUGGESTED FINDINGS OF FACT

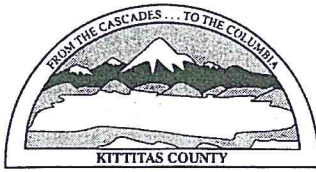
THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL,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

1. The Planning Commission finds that Wayne Nelson, authorized agent for Green Canyon LLC., landowners, submitted a complete application on to the Kittitas County Community Development Services Department on April 10, 2006. The property is located south of Woods & Steele Road and east of Forest Service Road 4510, Cle Elum, WA 98922 located in SW ¼ Section 7, T. 19N. R. 15E, W.M., in Kittitas County. Tax Parcel number 19-15-07000-0028.
2. The Planning Commission also finds that said development application included a preliminary plat depicting the division of one parcel 45 acres in size, to 13 lots of one acre each, one lot 20.75 acres and 11.25 acres of open space as depicted on the preliminary plat map.
3. The Planning Commission finds that the Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on March 30, 2006. 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 based on the review of the submitted application materials (including an environmental checklist), correspondence received during this comment period and

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other information on file with our office, a Mitigated SEPA Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on May 4th, 2006. 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.

5. The Planning Commission finds that an administrative site analysis was completed by the staff planner in compliance with Title 17A.
6. The Planning Commission finds that an open record hearing was held on June 27th, 2006 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.
7. The Planning Commission finds that conditions mentioned in the recommended conditions will be conditions of final plat approval.
8. The Planning Commission finds that additional conditions are/not necessary to protect the public's interest.

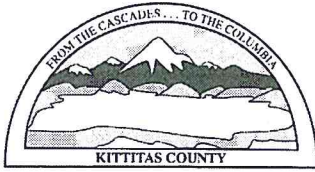
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BOTH

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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STAFF REPORT

TO: Kittitas County Planning Commission

FROM: Scott Turnbull, Staff Planner
KCCDS

DATE: June 20, 2006 for June 27, 2006 Public Meeting

SUBJECT: EVERGREEN PARK PRELIMINARY PLAT (P-06-13)

I. BACKGROUND INFORMATION

Proposal: Proposed Preliminary Plat Application

GeoDatum, authorized agent for Back Country Resources LLC, landowner, submitted an application for a 14-lot Performance Based Cluster Plat pursuant to Kittitas County Code 16.09 on approximately 45.00 acres of land that is zoned Rural-3.

Location: The subject property is located south of Woods & Steele Road and east of Forest Service Road 4510, Cle Elum, WA 98922 located in SW ¼ Section 7, T. 19N. R. 15E, W.M., in Kittitas County. Tax Parcel number 19-15-07000-0028.

Land Use and Site Characteristics: The proposed development site is located within a rural area zoned Rural-3, within agricultural, residential and natural resource areas.

II. POLICY AND REGULATORY REQUIREMENTS

Comprehensive Plan: The Comprehensive Plan's Land Use Element designates the subject parcel as Rural. Lands that can support residential development, but also farming, mining and forestry generally characterize such areas. Consequently, particular precaution must be taken to minimize conflict between new residential developments and natural resource activities. The economy of our rural community has traditionally been based on natural resource activities and Kittitas County encourages and supports their continuation in Rural Lands.

Zoning Code: The subject zoning is Rural 3 (R-3). The purpose and intent of the Rural-3 zone is to provide areas where residential development may occur on a low-density basis. A primary goal and intent in siting R-3 zones will be to minimize adverse effects on adjacent natural resource lands.

The Minimum Lot Size in the Rural-3 zone is 3 acres, which would allow for 1 residence per 3 acres.

Some permitted uses include single-family homes, mobile homes, cabins, forestry, and agricultural use.

Some conditional uses include campgrounds, guest ranches, retreat centers, and golf courses.

The minimum lot size in the Rural 3 zones is three acres. The overall density of any residential development should not exceed 1 dwelling for each 3 acres.

Yard Requirements

Front Setback: 25 feet

Side Setback: 15 feet

Rear Setback: 15 feet

Subdivision Code: Per Kittitas County Code Subdivision is defined as the division of land into 5 or more parcels (KCC 16.04.010 b (1)).

KCC 16.09 allows for **Performance Based Cluster Platting** to assist in the implementation of Kittitas County's policy to provide tools to foster appropriate densities, while making development economically feasible, benefits to the greater community through an effort to conserve water resources by minimizing the development of exempt wells by encouraging group water systems, to protect public health by reducing the number of septic drain fields, by concentrating urban densities in urban growth areas and by minimizing the impact of "Rural Sprawl" in rural lands, as designated in the Kittitas County Comprehensive Plan, Kittitas County finds that this "Performance Based Cluster Platting" technique would foster the development of urban and rural designated lands at appropriate densities, while protecting the environment and maintaining a high quality of life in Kittitas County.

Public Benefit Rating System (PBRs) elements are items that are not already required by code. When a public benefit is demonstrated then bonus density points will apply. The density bonus is limited to use in the rural designations with a 100% bonus in the Rural -3, Agriculture -3, Rural -5 and Agriculture - 5 zones. There is no limit to density bonus within the Urban Growth Areas and the Urban Growth Nodes. A minimum of twenty five percent (25%) of the area within the project boundary must be set aside in open space prior to application of the Public Benefit Rating System contained in KCC 16.09.090.

The applicant has demonstrated the Public Benefit Rating System (PBRs) with the following elements. The Planning Commission can further condition these elements as necessary to meet the intent of the Ordinance for Performance Based Cluster Platting. These elements will be conditions of approval for Evergreen Park Plat in order to qualify for the density bonus allowed through Performance Based Cluster Platting.

Element	Points	
Place 25% of the land, 6.25 acres, in Open Space for perpetuity	25	
25 Yr Historic Use of Open Space as Forestry	14	
Develop a Class B Water System	25	
Connectivity of Transportation	35	
Multi-Modal Access for Transportation	25	
Provide for active recreation via a trail system with connectivity to public trails on USFS lands.	20	
Provide for passive recreation via parking area for the SnoPark	35	
	169	Total Points

Total bonus density points = 169 points → Total bonus density percentage = 169%

Density bonus limit in the Rural-3 zone for this proposal is 100%.

Calculations for project:

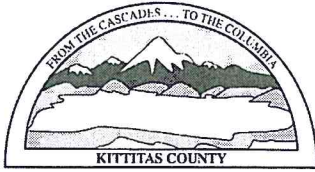
Current zone for project is Rural-3 (R-3)

Allowed density for the R-3 zone is 1 unit per 3 acres.

Subject parcel is a total of 45.00 acres.

Lots allowed under current zoning = **45.00 acres/3 acres = 15**(approximate lots allowed under current zoning)

Number of lots allowed with density bonus of 100% = **15** (lots allowed under current zoning) + **15** (lots for 100% density bonus) = **30** lots (total for Performance Based Cluster Plat)



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Critical Areas: An administrative site analysis was completed by the staff planner in compliance with Title 17A. There are no critical areas on the site.

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State Environmental Policy Act: Based on the review of the submitted application materials (including an environmental checklist), correspondence received during this comment period and other information on file with our office, a Mitigated SEPA Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on June 1st, 2006. The SEPA MDNS was issued with the following mitigations:

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- g. Proposed Restrictive Covenants (CCRs), Homeowner's Association Bylaws and applicable documents, and proposals related to roads, Group B Well System, On Site Sewage, recreation and open space need to be reviewed, approved and recorded as appropriate for consistency with the applicant's proposal and KCC 16.09 for final approval. Any conditions of approval of the Group B Well System and On Site Sewage shall be a condition of the final plat approval and included as a plat note as appropriate.

III. Transportation

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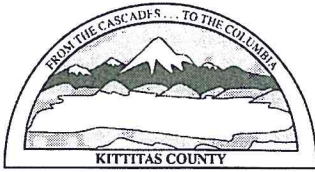
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- a. If any items of possible cultural or historic significance are encountered during construction activities, work shall be immediately halted with the area and a large enough perimeter established in order to maintain the integrity of the site. Kittitas County Community Development Services, the State Historic Preservation Office and the Yakama Nation, as relevant, shall be immediately consulted.

V. 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.

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2. The Planning Commission also finds that said development application included a preliminary plat depicting the division of one parcel into 13 lots ranging in size from 3.00 to 20.75 acres.
3. The Planning Commission finds that the Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on March 30, 2006. 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 based on the review of the submitted application materials (including an environmental checklist), correspondence received during this comment period and other information on file with our office, a Mitigated SEPA Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on June 1st, 2006. 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.
5. The Planning Commission finds that an administrative site analysis was completed by the staff planner in compliance with Title 17A.
6. The Planning Commission finds that an open record hearing was held on June 27th, 2006 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



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the necessary inquiry has been made into the public interest to be served by this proposed subdivision.

7. The Planning Commission finds that conditions mentioned in the recommended conditions will be conditions of final plat approval.
8. The Planning Commission finds that additional conditions **are/not** necessary to protect the public's interest.

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