

# Cle Elum residents challenge subdivision

## Question is whether to use 2007 land-use rules or those in place now

By **MIKE JOHNSTON**  
senior writer

A group of Cle Elum area residents is challenging a 14-lot rural subdivision claiming it should come under county land-use rules as they stand now, not those in place in 2007.

Kittitas County Community Development Services staff ruled the Big Buck Ridge plan comes under the regulations from 2007, when the plan was submitted.

Becky Andrus, the landowner seeking the plat, wants 14 one-acre lots and 11 acres kept as natural, open space, a provision allowed under the 2007 rules for performance-based cluster plats.

Property and homeowners north of Cle Elum calling themselves the Cle Elum Ridge Community say the proposed Big Buck Ridge cluster subdivision, planned on 25 acres a 1/2 mile north of Cle Elum city limits, must be reviewed using Kittitas County zoning and development rules as they were substantially changed in early 2013.

### Traffic analysis

The attorney hired by the ridge property owners, James Carmody of Yakima, said the county in 2007 required the developer to submit a traffic impact analysis with the original application.

Without the analysis,

which was submitted in February 2013, the entire application wasn't complete, Carmody said.

In addition, the traffic analysis must be deemed adequate or complete separately before the overall cluster subdivision preliminary plat request can be considered complete or ready for detailed staff or public review.

"The filed (traffic impact analysis) report is grossly deficient and fails to address specific elements required by (county ordinance)," Carmody wrote.

He also said rulings by the state growth management board and the state Supreme Court have indicated that

zoning allowing lots of three acres in size or smaller do not comply with the state's Growth Management Act.

County government did away with three-acre zoning in agricultural or rural zones in 2013 with action on Feb. 11, 2013, but the traffic analysis was submitted Feb. 20 of that year, Carmody said, based on the previous zoning.

He concludes the Big Buck Ridge application was not complete as of the date its analysis was filed based on the county's Feb. 11, 2013, ordinance change.

County Planner Jeff Watson said county officials maintain the subdivision comes under rules as of 2007

when it was first submitted.

He said Carmody will have an opportunity to argue his case against the plat before the county's land-use hearings examiner during a public hearing on the plat set for 6 p.m. April 9 in Room 109 at the courthouse in Ellensburg.

"We believe the legal status of the application is that it is vested under the former zoning regulations," Watson said. "The hearings examiner, an experienced land-use attorney, will hear both sides in this issue and make a ruling."

The ruling will be a recommendation that goes to county commissioners who will later make a final decision on the preliminary plat.

### EVENTS CALENDAR

Submit events to the Daily Record through our online calendar at [dailyrecordnews.com](http://dailyrecordnews.com) by email to [newsroom@kvnnews.com](mailto:newsroom@kvnnews.com). Events in this column are listed in space-available basis.

### Today, March 30

**Kittitas County Fair**  
Market membership meeting, 6-8 p.m., Holmes Center, 200 N. Ruby St., Ellensburg

**Al Anon Serenity Service**  
7 p.m., 306 N. Anderson St., Ellensburg

### Tuesday, March 31

**Weight Watchers**  
5:30 p.m., Ellensburg Activity Center, 500 N. St., Ellensburg

**Ribbon cutting ceremony**  
for the new Winegrowers' location, 1000