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KITTITAS COUNTY HEARING EXAMINER

IN THE MATTER OF

APPEAL OF SE-22-00002 (CAPE SEPA MDNS) AND GP-22-00009 (CAPE GRADING PERMIT)

No. SE-22-00002 and GP-22-00009

WITNESS DISCLOSURE SUPPLEMENT

As requested by the Hearing Examiner, Kittitas County hereby submits additional information regarding the anticipated testimony of Public Works Director Mark Cook. Director Cook will be testifying as both an expert and a fact witness. Dir. Cook will be testifying live such that the opposing side has cross examination opportunity. It is the County’s anticipation that at the brief conference scheduled for 3:00 O’Clock on the 5th of April that the scheduling of that testimony and the resumption of the hearing will be discussed and settled upon.

Dir. Cook’s qualifications are as follows. He graduate from the University of Idaho with a bachelor of science degree in civil engineering in 1985. He is a licensed professional engineer with 18 years of county/city municipal experience. His license number is WA 33719. He has served as the Kittitas County Director of Public Works since May 5, 2015. Two of those years he also served as County Engineer. He has a wealth of experience with issues surrounding roads in Kittitas County and is familiar with the facts and decisions made in this matter.

A synopsis of the subjects he will be covering and his opinions on them are as follows:

1. How the county counts residences/lots for purposes of determining if something is a joint use driveway.

Public Works (PW) Access/Addressing staff begin by searching the county’s permit database system: SMARTGOV. Staff then utilizes the county’s parcel system (GIS based) to verify parcel information and obtain an aerial photo of the parcel and surrounding area. When staff

1 determines what appear to be structures along the proposed access that do not have a valid access
2 permit in SMARTGOV, staff conducts a site visit. Concerning the Cape application, we have
3 two valid permits in the system, two permits that have expired and two existing residential uses
4 that predate our permitting database. That is a total of four residential users – hence a driveway.
5 The two expired permits are associated with accessory dwelling units. Accessory dwelling units
6 do not require a certificate of occupancy. Our access permits require a final inspection prior to
7 the issuance of the final occupancy permit. The two expired permits aged out of validity.
8 Currently, Public Works is holding two valid residential access permits and acknowledge two
9 existing residential users of the access driveway.

8 2. How and when access permits expire.

9 The current duration validity of an access permit is one year. Recent code changes, a couple of
10 years back, now tie the access permit to a building permit – providing one is associated with the
11 access permit. The access permit is then closed upon final acceptance and prior to the issuance
12 of final occupancy.

13 3. How access permits relate to traffic concurrency.

14 KCC 12.10.040 stipulates that all development generating more than nine (9) peak hour vehicle
15 trips meets the standard for a concurrency evaluation. PW utilizes the Institute of Transportation
16 Engineers Trip Generation Manual, land use code 210 when assigning single family detached
17 housing peak hour trip generation demand – one (1) trip per PM peak hour. The four driveway
18 users are estimated to generate four (4) PM peak hour trips – five (5) below our concurrency
19 threshold.

19 4. How the number of residence/lots were counted in this matter.

20 Two (2) valid residential permits in our current database system and two (2) existing residential
21 users predating our permitting system. Total number of four (4) on a joint use driveway.

22 5. How and why the paving and width requirements were determined in this matter.

23 KCC Title 12.04.080 at Table 4-4B describes the paving and width requirements for driveways.
24 In considering the Cape application, the existing driveway has a short distance of grade
25 approaching 15 percent while the bulk of the driveway is less than 15 percent. Although our
26 standard requires 20 feet feet of width with one foot shoulders, the applicant is proposing to pave
27 the entire driveway length. Our estimation is that the paving proposal provides significant
28 benefits to all users, hence our decision accepting the applicant's paving offer at sixteen (16) feet
29 with two foot clear zones.

