

## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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# Kittitas County Planning Commission

## Development Code Update May 1, 2007 Hearing

### Sign-in Sheets Submitted Exhibits

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DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

# Kittitas County Planning Commission

SIGN IN SHEET - Date: 5/1/07

  
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This Public hearing is an opportunity for citizens to express their views to the Planning Commission for consideration in their decision-making process. If you wish to speak, please PRINT your name clearly below. When you are recognized by the Chair:

- Step to the microphone and give your name and address.
- If other speakers have made the same point, simply indicate your support or disagreement unless you have new information.
- State if you are representing yourself or someone else.

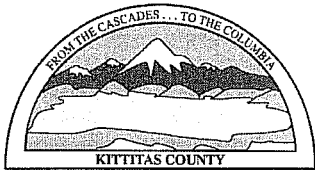
\*PLEASE PRINT CLEARLY\*

PLEASE PRINT NAME CLEARLY	ADDRESS	DO YOU WANT TO TESTIFY?
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Karen Hoban	2351 Pasco Rd	
Melissa Bates	120 Elk Haven Rd CE	(yes)
Dedre Link	5605 Hawk Haven Rd Cleburn	(yes)
MAK KIRKPATRICK	404 E 2 <sup>ND</sup> ST. CE ELEM	?
MIKE FAIOLA	505 N POPLAR ST. E-BURG	NO THANKS
LILA HANSON	1302 Swank Prairie Rd 98922	maybe
JOHN HANSON	11	11
Paul Thompson	551 Corder Rd The P	(yes)
WILLIAM D. SCHMIDT	310 MISSION VIEW DR ELLENBUR	MAYBE
CATHERINE CLERF	600 Mae Road Ellensburg	NOT TODAY
URBAN EBERHART	1601 Lawrence Rd Ellensburg WA 98926	
Art Sinclair	2912 Faust & Magogon 98920	
Jean Sharon	390 Cattail Rd E Burg 98926	
DAVID WHITMAN	211 W. NET HOOD CT E-BURG 98926	(yes)
Breanne Hendrickson	Willow St Ellensburg	(yes)
John R. Jansen	P.O. Box 602 Easton	
Ted Wilson	6491 cove Rd. #200	





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# Planning Commission Development Code Update May 1, 2007

Submitted Maps included in the attached CD\*

### CD Contains:

1. Staff Maps- Exhibits A to F
2. Maps submitted by the public:
  - a. Submitted by Jan Sharar: Exhibit I
  - b. Submitted by Melissa Bates: Exhibits J to M
  - c. Submitted by Deidre Link: Exhibits II to NN

\*Copies of CD are available at the CDS office.

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2007 Land Use

Nov 2005

Exhibit No. 6

Hearing: Dev. Code Update

Date: 5-1-07

Submitted by: Melissa Bates

120 Elk Haven Rd  
Cle Elum, WA 98922

Thank you for putting out the maps - albeit 6 months late.

We hope to have additional information later this evening regarding maps

I wish to show you a sample project that was approved ~~at~~ the initial stage through Watson Cutoff

Due to much pressure and a legal appeal this project was withdrawn but not before all the exempt wells (4) were approved.

The issue is adjacent projects. The law is very clear here, according to DOE vs Campbell Guinn ~~the law~~, adjacent projects must be reviewed in a cumulative manner. The County, in theory, agrees with this. There is, however, a gigantic loophole. In the issue of different names (ie LLCs) on different parcels the County allows this to be considered as sep. unrelated projects. As W.C. clearly shows,

this was easily outmaneuvered by putting a different principal or contact on each LLC. As the W.C. case showed, all those "different" LLCs in actuality contained all the same 4 people.

To solve this problem, ~~the~~ when an application is submitted require all corporations to list all members, not just the principals.

~~this~~ this is part of the public record, ~~information~~ information available to

Anyone contacting Sec. of State.

I was informed by Mr. <sup>Mr. Piercy of SOS</sup> ~~Huson~~ of KC Legal depart. that

KC does not know the names on an LLC, and that there is "legal precedence" not to know.

→ for intentional or inadvertent misinformation

3 attempts over a period of 4 months

yielded no answers to my query of what legal precedence they were using.

make a perjury clause - such as ~~perjury clause~~ a hold on the application for 6 months.

seems as though this should fall under 15A, 01, 040

Rules + responsibilities

May 1, 2007

Kittitas County Planning Commission

Good evening. The following are comments relevant to the county's administrative code Title 15 on behalf of the Kittitas County Conservation Coalition.

We begin by endorsing the changes made to 15A.03.030 Application and accompanying data, 15A.03.060 Notice of application and 15A.03.110 Posting sites. We are glad to see the inclusion of many of these recommendations from the "Upper County Vision Plan" submitted to the county commissioners in 2004 by volunteer citizens after a lot of meetings and hard work.

15A.03.030 (3) add "Disclosure of individual members of any limited liability corporation (LLC) shall be required when identified as the applicant or the property owner being represented by an authorized agent."

While it is true that LLC's' are treated as single entities for purposes of taxation, the KCCC has asked numerous people, including the Secretary of States Office and a county deputy prosecutor where divulgence of this information is legally prohibited when applied to a land use application. We have never received an answer to this question that precludes this information from this use. At a recent hearing before the BOCC, state Department of Health staff said the state Department of Ecology uses this information when applying it to infrastructure projects.

We request the Planning Commission to explore this issue and make the suggested change (or equivalent) to the code if there is no reason given by staff attorneys not to.

Thank you for your volunteer public service and this opportunity to testify.

Sincerely,  
Jan Sharar – KCCC Spokesperson

