



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT

TO: Kittitas County Planning Commission

FROM: Robert "Doc" Hansen

DATE: November 8, 2016

SUBJECT: 2016 Annual Kittitas County Comprehensive Plan and Code Amendments Public Hearing

This public hearing is being held to review and make recommendations on the items docketed for the 2016 Annual Amendment of the Kittitas County Comprehensive Plan and Kittitas County Code. This staff report summarizes each proposed amendment and includes relevant documentation and proposed policy for your consideration.

The record for each proposed docket item will eventually be presented to the Board of County Commissioners with the recommendations you make regarding approval or disapproval of the proposals. The record of this meeting and other information will be presented to the Commissioners in digital form.

The public has had access to the proposed docket items at the Kittitas County Community Development Services Comprehensive Plan web page, <http://www.co.kittitas.wa.us/cds/comp-plan/default.aspx>. One printed copy has also been available for viewing at the Community Development Services front desk at:

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There are seven (7) items being considered for amendment, primarily within the Kittitas County Code. There is one map correction and associated land inventory table amendment proposed to the Comprehensive Plan in this year's docket.

In summary, the proposed amendments include:

1. **Docket Item 1** – Kittitas County Public Works Staff proposes amending KCC Title 12 to reduce the lot threshold when a second access is required. After several years of negotiations and intensified discussions over the past ten years, staff recommends the following amendment to KCC 12.01.095 in order to be consistent with International Fire Code (IFC) standards. The number of lots permitted includes the total number of lots or units served by the entire private road. The current standard within Kittitas County Code Chapter 12.01.095 does not require a second access until the private/public road provides access to more than 40 lots. This amendment will require a second access to development exceeding 30 residential structures. Staff recommends approval of this amendment.
 2. **Docket Item 2** –The Board of County Commissioners proposes amending Kittitas County Code Chapter 14.04.020 to require the submittal of recorded easements with permit application
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documents. Currently, there is no requirement to record or present private easements related to building permit applications. This amendment would require an applicant of a building permit to record on a site plan any easement they wish to protect. This amendment would protect easements by requiring builders to recognize easements when constructing buildings. This responsibility remains with the developer so that if a private easement is not included in the site plan, the County will not be accountable for the absence. Staff has no recommendation for this proposal.

3. **Docket Item 3** – Reference to “administrative segregations,” no longer permitted as a land use action within the County, is cited in a number of places within Kittitas County Code Title 16, Subdivisions. This proposal removes these references.

Request has also been made by the Commissioners to add language to Title 16 requiring that open space proposed by a developer become the responsibility of the eventual land owners. Past developments with open space has sometimes resulted in vacant spaces which are not maintained or used for the purpose originally proposed. The language proposed within this docket item will require that eventual owners are responsible for the open space maintenance by making them owned in common. The language permits the County to foreclose on properties that do not maintain their open space so that these spaces do not become the responsibility of the County. Staff recommends approval of this proposal.

4. **Docket Item 4** – Several changes to definitions, allowable uses, and language are suggested by the staff and Commissioners. A “special care unit” is allowed in an “Agriculture 20” zone, but not in a “Forest and Range” zone. Both zones as currently written have the same intent in regards to the types of uses to be allowed. If the activity is allowed in the one of the zones, it should also be allowed in the other zone. If changed, the special care unit would require approval of the conditional use permit.

Staff recommends that a “dairy” not be permitted within the PUD zoning classification as currently noted on the tables. The purpose of the PUD is to address the density of a particular development. However, staff also recommends that an “RV Park” and “Campground” be allowed with the approval of a conditional use permit within an approved PUD. This will allow those within the PUD to store RVs or have guests when land owners have small abodes. The recommendation is for a conditional use so that any resulting development meets the character of the area.

Staff recommends providing a definition and allowing “Agricultural Enhanced Uses” or those types of uses which are accessory to agricultural activities enhancing the rural character and allow for creative economic uses within agricultural areas. The “Agricultural Enhanced Use” is proposed to be added in the Land Use Tables, KCC 17.15, in the Agriculture section of each of the tables, and would be permitted in the “Agriculture 20,” “Forest and Range,” and “General Commercial” zones. “Rural 5” and “Agriculture 5” zones are not considered appropriate since these are designated rural *residential* classifications within the Comprehensive Plan.

“Animal Boarding,” has been requested in the past. Given the equestrian character of the area, it appears that such a distinct use should be permitted outright in agriculture zones outside UGAs. Staff considered limiting the size of the boarding capacity of any such activity, but concludes that such boarding activity still enhances the rural character.

Not all of the uses allowed within the UGAs are permitted within PUDs of a LAMIRD. Staff recommends that uses such as hotels, restaurants, and retail sales be permitted in Type I

LAMIRD Planned Unit Developments. It is also suggested that a “manufactured home park” be permitted within a Type I LAMIRD since such a use is residential.

Proposal is made to amend the use tables to allow manufactured home parks in all zone classifications within the Urban Growth Areas with the approval of a conditional use permit. Increased housing prices in the urban areas and all areas of the County encourage the development of housing activity which decreases average housing costs. No design or location criterion is suggested at this time.

Staff discovered in the language of the Code that more than one dwelling unit per parcel is permitted in the Agriculture 20 and Commercial Agriculture zones (Sections 17.29 and 17.31 respectively) as currently written. This does not fulfill the intent of maintaining rural density established in all other zones.

Within Section 17.66.020 staff recommends that the word “private” be removed so that all property owners are subject to the criteria for regulation of electric Vehicle Charging Stations.

5. **Docket Item 5** – The BOCC recommends examining the change in KCC 17.13, Transfer Development Rights, that density credits not be required as a condition of approval when at least 30% of the homes within any housing project are dedicated towards affordable housing. This would allow developers to increase the density of the development without sometimes expensive purchase of development right certificates.
6. **Docket Item 6** – In response to the recent U.S. Supreme Court ruling *Reed v. Town of Gilbert*, the County Prosecuting Attorney recommends that political signs and real estate signs not be exempt from sign code provisions. Gilbert, Arizona had exemptions similar to those within the Kittitas County’s sign code, and it is suggested that such exemptions be removed from Kittitas County Code.
7. **Docket Item 7** – Mapping errors were discovered relating to the city limits of Cle Elum. Staff recommends correction of this minor error and correction to the land use allocation tables within the Comprehensive Plan. Upon final determination by the Board of County Commissioners with regard to all the edits described above, an official paper zoning map will be produced for approval and signature. The corresponding changes in acreages will be amended into Tables 2-1 and 8.2.4-1 of the Comprehensive Plan.

Staff suggests that the Planning Commission recommend approval of these items to the Board of County Commissioners.