

**FOWLER CREEK GUEST RANCH**  
**EXHIBIT 7A**  
**NOISE MANAGEMENT STATEMENT**

The proposed Fowler Creek Guest Ranch project is nestled within the southwest area of an 84.3-acre property, teeming with forests, wetlands, and plains. The guest ranch will feature 30 recreational vehicle lodging sites, a five-room bed and breakfast with en suite bathrooms, and a ranch house as a residential short-term rental. The guest ranch will also feature a 200-person small-scale event facility known as the Ranch Barn, which will host celebrations such as weddings, family reunions, and other special occasions. The proposed project site is situated in a forested area and surrounding hills sustain the noise within the area.

The proposed Fowler Creek Guest Ranch is designed to and will function in compliance with the Kittitas County Noise Ordinance (KCC 9.45), ensuring its operations adheres to the established noise regulations.

The proposed project will have a variety of facilities, opportunities, and activities, which will all create differing types and degrees of noise. Lodging at the RV park, bed and breakfast, and ranch house will emit sounds such as traffic, guest interaction, cooking, dining, and other activities. The Ranch Barn will host events that will include activities such as talking, dining, dancing, and amplified music. There will also be passive low-grade recreation allowed throughout the entire expansion of the property, which will result in recreational opportunities such as walking, biking, and horseback trail riding. Off-road vehicle usage is strictly prohibited and is listed as such in the official Code of Conduct.

During the winter months, when there is adequate snowfall, snowmobiling will be permitted within a designated area in the southwest portion of Fowler Creek Guest Ranch. The specific time periods for snowmobiling will be determined based on the season and will be allowed solely at management's discretion, provided there is a

minimum of 12 inches of snow on the ground and favorable weather conditions. Snowmobiling will be allowed between the hours of 8 a.m. and 6 p.m. These hours will be strictly enforced by onsite management. For more information, see Exhibit 14.

To address these noise emissions, a response to Kittitas County Code (KCC) 9.45 – Noise Control is included and demonstrates adherence to county noise guidelines. To ensure alignment with KCC 9.45, the designated ‘quiet hours’ have been revised to span from 10:00 p.m. to 8:00 a.m. This adjustment will mitigate potential additional activity during the hours from 10:00 p.m. to 12:00 a.m. Within the official Fowler Creek Guest Ranch Code of Conduct, Section 25 outlines the rules and regulations on peace and quiet, which includes the ‘quiet hours’ revision. Prior to using the premises, guests are required to read and sign the Code of Conduct. This Code of Conduct is based on Chapter 352-32 of the Washington Administrative Code – Public Use of State Park Areas which has been modified to fit the proposed Fowler Creek Guest Ranch facilities and is attached as Exhibit 6. Management will reside on site in order to ensure that all rules and regulations are adhered to.

Based on comments submitted to Community Development Services, Fowler Creek Guest Ranch has created mitigation strategies in order to enhance a positive experience for those within and outside of the property.

The original plan for the proposed project has since been revisited and certain facilities and activities that would increase noise emissions have been eliminated. The ten short-term cabin rentals and five recreational habitats will no longer be a part of the plan. The southern entrance has also been converted to be a gated emergency access only. Additionally, personal fire pits have also been removed and will be replaced by community fire pits that will be closely managed by guest ranch staff and extinguished during the established quiet hours. The use of fireworks is prohibited within Fowler Creek Guest Ranch. This is listed in the official Code of Conduct and will be strictly enforced.

One comment specifically addressed the inaccuracies of the calculations within the original noise exhibit submitted to Community Development Services. While the inverse-square law remains a valid principle for high-frequency noise, it does not fully address low-frequency sounds. Research has shown that conifer species, such as spruce, pine, and fir trees, are best for noise absorption, including the absorption of low-frequency sounds, and are native to the upper Kittitas County area. The guest ranch will source advanced nursery stock—young trees that have already undergone initial growth. This accelerates the establishment phase. Priority will be given to tree species known for rapid growth. These trees, such as the Douglas Fir with a fast growth rate of one to two feet per year, establish themselves more quickly and provide initial noise attenuation. When the trees are planted along the southwest border, they will be strategically placed, and factors such as their proximity to neighboring properties and their ability to intercept noise from RV engines and generators will be considered. By creating a staggered tree line, the effectiveness of sound attenuation will be maximized. This approach minimizes direct sound paths and encourages sound dispersion.

Many of the existing fir and pine trees throughout the proposed recreational vehicle park area will be kept for added privacy and decreased noise output. Each individual site in the park will be between 4000-8000 ft.<sup>2</sup>, which will create room for noise without consolidating a high number of vehicles within a single area.

All facilities within the guest ranch are planned to be in different areas. Due to this, all operations, activities, and maintenance will not be in a condensed space and sound throughout the guest ranch will be dispersed. The Ranch Barn, in its designated area, will be subject to the quiet hours enforced by the guest ranch. The building will be constructed in a position away from neighboring properties. There may be additional soundproofing constructed within and around the Ranch Barn, such as the installation of acoustic panels and/or planting a barrier of trees in necessary areas, which will further reduce noise impact.

Sound has a strong impact on wildlife, as a loud environment can disrupt animal behavior, breeding, and feeding patterns. The applicant of the proposed project has had meetings with the Department of Fish and Wildlife and the Department of Ecology to assess the effects on nearby wildlife, and concerns of noise impact have not been stressed by these agencies. Guests will likely spend most of their time near the lodging sites on the western 30 acres of the guest ranch and will not be near enough to endanger or disturb wildlife. In another area of the property, there are a series of wetlands that span over 20 acres. There will be no construction or heavy recreation allowed within these wetlands or their buffer areas. This allows ample room for wildlife to roam undisturbed. Possible activities involving wildlife will occur during non-quiet hours.

Fowler Creek Guest Ranch has been planned as a low-grade recreational area with the goal of pursuing a peaceful environment for guests to find respite. Due to this, guests will be educated about the importance of minimizing noise during quiet hours and will receive information about the ranch's noise guidelines and the importance of respecting quiet hours. Clear signage will reinforce this message. Staff training will emphasize responsible behavior to maintain a peaceful environment and will promptly address any noise complaints from guests or neighbors. Moreover, guest ranch management will periodically assess noise levels and compliance with the plan to evaluate the effectiveness of the implemented mitigation measures. By working to decrease the cumulative noise impact, Fowler Creek Guest Ranch aims to maintain a peaceful atmosphere that ensures a harmonious environment for guests, employees, and the surrounding community.

**FOWLER CREEK GUEST RANCH  
EXHIBIT 7B  
KCC 9.45 RESPONSE**

**Chapter 9.45  
NOISE CONTROL**

**Sections**

[9.45.010](#) Declaration of policy.

[9.45.020](#) Public disturbance – finding of special conditions.

[9.45.030](#) Public disturbance – noise unlawful when.

[9.45.040](#) Exemptions.

[9.45.050](#) Enforcement.

[9.45.060](#) Violation – penalty.

[9.45.070](#) Variances.

Prior ordinance history for Chapter 9.45: [Ord. 2014-010](#), 2014; Ord. 99-09, 1999; Ord. 95-14, 1995.

**9.45.010 Declaration of policy.**

It is declared the policy of the county to minimize the exposure of citizens to adverse effects of excessive noise and to protect, promote, and preserve the public health, safety and welfare. It is the express intent of the board of county commissioners to control the level of noise in a manner which promotes commerce; the use, value, and enjoyment of property, sleep and repose; and the quality of environment. ([Ord. 2016-009](#), 2016; [Ord. 2016-002](#), 2016)

*Fowler Creek Guest Ranch is committed to protecting the public health, safety, and welfare of guests, employees, and the surrounding community. Because of this, there are mitigation measures that are being proposed to the original conditional use permit application submitted to Kittitas County Community Development Services. This code response details certain mitigation strategies that will be implemented during construction and operation of the guest ranch. Additionally, the Noise Management Statement in Exhibit 7A has been drafted to further reduce noise impact.*

**9.45.020 Public disturbance – finding of special conditions.**

The making, creation or maintenance of excessive, unnecessary or unusual loud noises which are prolonged and unusual in their time, place and use, affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the people of the county. The board of county commissioners and the county sheriff's department have received numerous citizen's complaints regarding noise and believe such noise constitutes a public disturbance. Special conditions within the county make necessary any and all differences between this chapter and regulations adopted by the Department of Ecology. ([Ord. 2016-009](#), 2016; [Ord. 2016-002](#), 2016)

*Fowler Creek Guest Ranch will be located on approximately 85 acres with an abundance of open space and constructed facilities within the western area for general congregation. Because of this, sounds such as traffic, recreating, talking, and dining will have an abundance of room to disperse. Within the official Code of Conduct*

*created by the guest ranch and found in Exhibit 6, Section 25 details the guidelines for peace and quiet. Any guest wishing to use the premises will be required to read the entire Code of Conduct and sign it prior to entering or booking a lodging site. Furthermore, official quiet hours from 10:00 p.m. to 8:00 a.m. will be enforced.*

*It is the intent of the applicant to plant vegetation screening throughout select areas of the property and along the southern border. In addition, a large area of Fowler Creek Guest Ranch will be preserved to protect the environment and wildlife that is present throughout the property. Guests will be required to respect the habitats of the surrounding wildlife and will be prohibited to use off-road vehicles (ORVs), which will greatly reduce generated noise within the guest ranch. For more information on guest ranch ORV rules and regulations, see Exhibit 14 – Off-Road Vehicle Statement.*

**9.45.030 Public disturbance – noise unlawful when.**

1. It is unlawful for any person to make, continue, or cause to be made or continued or any person owning or in possession of property to make, continue, or cause to be made or continued or allow to originate from the property any sound which:
  - a. Is plainly audible within any dwelling unit which is not the source of the sound or is generated within two hundred feet of any dwelling unit, and;

*The closest dwelling unit is about 100 feet away from guest ranch property and about 200 feet away from the emergency access point, as can be identified on the map attached as Exhibit 7B-1 – Parcel 17436 Noise Mitigation Plan. As the map demonstrates, the applicant will remove all parked equipment and end parking in the identified area during Phase One. Then, the applicant will plant trees and bushes in order to create an extra buffer. In addition, a line of trees will be planted on the southern border for added noise protection. For more information on surrounding properties and their distance from the guest ranch, see Exhibit 16 – Surrounding Properties Plan.*

- b. Either reasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

*There are specific guidelines listed in the official Code of Conduct regarding the amount and type of noise that will be allowed within the confines of Fowler Creek Guest Ranch.*

2. Sound which is “plainly audible” is sound that can be understood or identified.

*The applicant will plant vegetation screening to minimize sounds that would otherwise be plainly audible.*

3. It shall be a rebuttable presumption that sounds created between 8:00 a.m. and 10:00 p.m. do not unreasonably annoy, disturb, injure, or endanger.

*Understood. The applicant will implement quiet hours from 10:00 p.m. to 8:00 a.m. in order to greatly reduce the amount of noise that would disturb the peace and quiet of other guests and the surrounding area outside of the acceptable hours.*

(Ord. 2016-009, 2016; Ord. 2016-002, 2016)

#### **9.45.040 Exemptions.**

The following sounds are exempt from the provisions of this chapter:

1. Sounds originating from aircraft in flight and sounds which originate at airports and are directly related to flight operations;
2. Sounds created by safety and protective devices, such as relief valves, where noise suppression would defeat the safety release intent of the device;
3. Sounds created by fire alarms;
4. Sounds created by emergency equipment and emergency work necessary in the interests of law enforcement or of the health, safety or welfare of the community;
5. Sounds created by the discharge of firearms in the course of lawful hunting or target practice activities;
6. Sounds created by natural phenomena;
7. Sounds originating from [lawful] forest harvesting and silviculture activity, and from agriculture and livestock (not including sounds created by dogs);
8. Sounds created by auxiliary equipment on motor vehicles used for highway maintenance;
9. Sounds created by off-highway vehicles while being used in officially designated off-road vehicle parks. Such off-road vehicles are nevertheless subject to the provisions of RCW Chapter 46.09;
10. Sounds created by warning devices not operated continuously for more than thirty minutes per incident;
11. Sounds created by the operation of equipment or facilities of surface carriers engaged in commerce by operating on the railroad;
12. Sounds created by construction between 6:00 a.m. and 10:00 p.m.;
13. Sounds created by refuse removal equipment or personal snow removal equipment;
14. Sounds originated from officially sanctioned parades and other public events;
15. Sounds created by motor vehicles while being driven upon public highways. Such motor vehicles are nevertheless subject to the provisions of WAC Chapter 173-62;
16. Sounds originating from motor vehicle racing events at authorized facilities;
17. Sounds created by unamplified human voices from 6:00 a.m. to 10:00 p.m.;
18. Sounds created by lawn and garden equipment from 6:00 a.m. to 10:00 p.m.;
19. Sounds created by lawfully established commercial and industrial uses;
20. Sounds created by commercial kennels, veterinaries, animal shelters, pet shops, grooming parlors, commercial dog breeders;
21. Sounds created in conjunction with military operations or training.

*Understood.*

([Ord. 2016-009](#), 2016; [Ord. 2016-002](#), 2016)

**9.45.050 Enforcement.**

The county sheriff and other law enforcement officers are authorized and directed to enforce the provisions of this chapter. The provisions of this chapter shall be cumulative, nonexclusive, and supplementary, and shall not affect any other remedy, including without limitation, the provisions of Chapter 70.107 RCW. ([Ord. 2016-009](#), 2016; [Ord. 2016-002](#), 2016)

*Understood. Fowler Creek Guest Ranch will be served by the Kittitas County Sheriff's Department.*

**9.45.060 Violation – penalty.**

Any person who violates the provisions of this chapter, shall, upon a finding of having committed the civil infraction thereof, be punished by a civil penalty in the amount of \$100 for the first offense, \$250 for the second offense, and \$500 for each offense thereafter. ([Ord. 2016-009](#), 2016; [Ord. 2016-002](#), 2016)

*If penalized, Fowler Creek Guest Ranch or the liable party will pay the necessary fines pertaining to any violations that are deemed to be an infringement upon the rules of this chapter.*

**9.45.070 Variances.**

From time to time, upon application to the board of county commissioners, further specific exemptions may be granted to this chapter on a fact and date specific basis. An example is the request for and granting of a festival permit. All such exemptions shall be made through proper application to the board of county commissioners and in conformance with existing provisions of the Kittitas County Code, as it now exists, or as amended in the future. All requests for exemptions to this chapter are subject to a nonrefundable \$25.00 fee, which must be paid at the time the request is made. All recipients of a variance must provide proof of notification of said variance (including dates and times of the variance) to all residents within 1,000 feet of the noise source property boundary. ([Ord. 2016-009](#), 2016; [Ord. 2016-002](#), 2016)

*The applicant currently does not have any additional exemption requests but if one does arise the applicant will pay the \$25 fee and go through the necessary process including the notification of all residents within 1000 feet of the property boundary.*



EXHIBIT 7B-1  
PARCEL 17436 NOISE MITIGATION PLAN

