

July 26, 2024

Sent via Email Only (cds@co.kittitas.wa.us; jamey.ayling@co.kittitas.wa.us)
Kittitas County Community Development Services

Attn: Jamey Ayling, Staff Planner & Kittitas County Community Development Services
411 N. Ruby St. Suite 2
Ellensburg, WA 98926

RE: Fowler Creek Guest Ranch (CU-23-00003)
Applicant: Fowler Creek Trails, LLC (Owner)

I am writing to express my strong and ongoing opposition to the proposed Fowler Creek Guest Ranch project, as outlined in application CU-23-00003. This project represents a dramatic shift from the low-density rural residential development that this area has been designated for. Its approval would not only disrupt the peaceful nature of our community but also pose significant risks to the safety, health, and well-being of its residents.

Failure to Meet Mandatory Review Criteria

The application for Fowler Creek Guest Ranch does not meet the essential review criteria outlined in KCC 17.60A.015, specifically:

1. **Public Convenience and Safety:** The proposed use of this land is neither essential nor desirable for public convenience. On the contrary, it is detrimental and injurious to public health, peace, safety, and the character of the surrounding neighborhood.

Impact on the Neighborhood

1. **Property Values:**

The relationship between noise pollution and property values is well-documented. According to a [2018 analysis by Collateral Analytics Research](#), "noise is a very significant factor influencing the values of any given site and property." The introduction of a commercial facility with high noise levels will inevitably devalue neighboring properties. It is unacceptable for Kittitas County to impose such financial burdens on its tax-paying citizens. The increased noise from this development will erode property values and impose a significant economic penalty on the community.

2. **Noise and Nuisance:**

Washington State's noise control regulations, outlined in WAC 173-60-040, specify permissible noise levels for residential areas. For properties classified as EDNA Class A, the maximum permissible noise levels are:

- **Daytime (7 a.m. - 10 p.m.):** 55 dBA
- **Nighttime (10 p.m. - 7 a.m.):** 45 dBA

The Fowler Creek Guest Ranch proposal includes features that will exceed these limits. RV generators can produce noise levels ranging from 50 dB(A) to over 100 dB(A) from just 50 feet away, which is a direct violation of Chapter 70.107 RCW Noise Control Dispositions. Furthermore, the noise generated by snowmobiles, ongoing traffic, live events, and multiple RV units will exacerbate the problem.

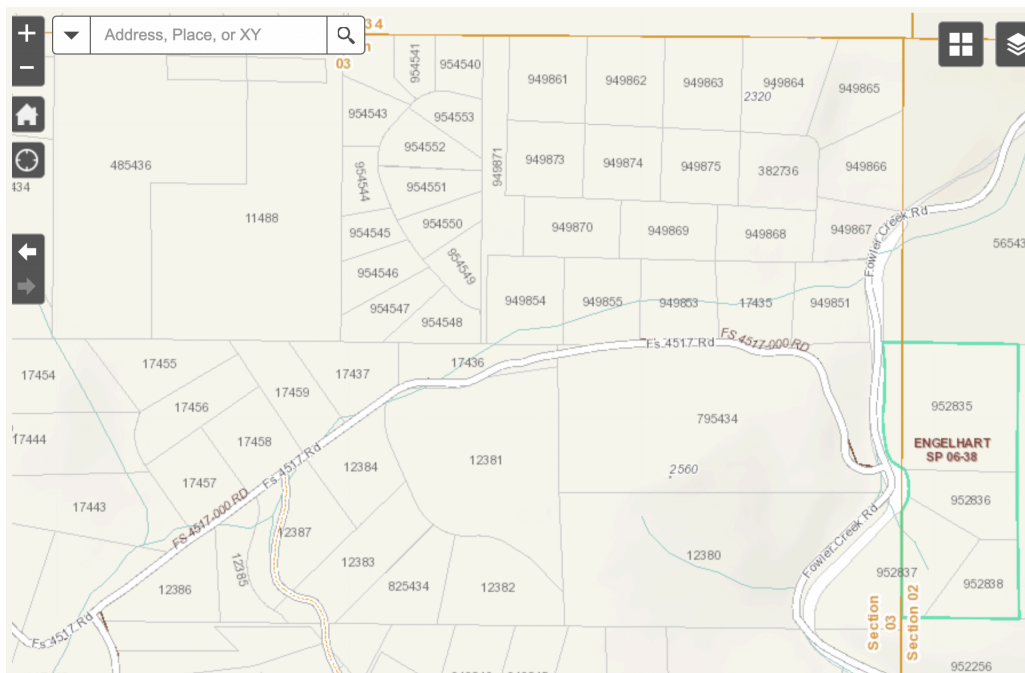
The applicant's noise management plan, detailed in Exhibit 7, claims that the forested area will contain the noise. However, this assertion is misleading. The proposed vegetative buffer, consisting of trees, will not be sufficient. The US Forest Service notes that an effective noise buffer must be at least 100 feet wide with evergreen species to reduce noise by more than 3 to 5 dBA. This is not feasible in the context of the proposed development ([source](#)).

Additionally, under Section 9.45.030 of the Public Disturbance Code, it is unlawful for any sound to be plainly audible within a dwelling unit if it reasonably annoys, disturbs, or endangers the comfort and safety of others. The projected noise levels from this development will clearly violate this provision and disrupt the rural residential character of the neighborhood, significantly degrading residents' quality of life.

Impact on Adjacent Homes

The RV sites, emergency access roads, pedestrian trails, and snowmobile trails directly border residential homes, further intensifying the noise and disruption. The constant noise from RVs, the movement of emergency vehicles, and the activity on the pedestrian and snowmobile trails will greatly infringe upon the peace and privacy of these households. Exhibit 16, Adjacent Properties Review, misleadingly presents the distances between the proposed sites and surrounding properties, underestimating the proximity and direct impact on these homes.

Please see the below map, over 60 homes exist directly to the West of this proposed development, with many more to the East and South.



3. Off-Road Vehicle Use:

Forest Service Road 4517 is already in a state of disrepair and heavily utilized by off-road vehicles. Many of these vehicles are operated illegally, contributing to noise pollution, safety risks, and increased fire danger. Off-road vehicles are the third leading cause of wildfires, and this project will undoubtedly increase their presence in the area. Although the applicant claims to prohibit off-road vehicles on-site, guests will likely unload and cause disturbances in the surrounding neighborhood. The only viable solution is to permanently ban all ORVs and their trailers from the premises.

4. Unsuitable Roadways:

The applicant's proposal to gate Forest Service Road 4517 for emergency vehicles only does not address the fundamental issues with the road. Fire Chief Low of Fire District 7 has stated that all adjacent roads, including Forest Service Road 4517, must be upgraded to meet safety standards. Tom Hansen, a Professional Engineer and former Public Works Director, has identified significant problems with Fowler Creek Road, including inadequate sight distance, road width, and a challenging intersection with Westside Road. The addition of RVs and trailers will only exacerbate these issues, leading to severe safety hazards. The applicant's traffic analysis, which excludes peak-hour traffic and makes arbitrary assumptions, is misleading and fails to account for the true impact on local roads.



5. Fire Danger:

The proposed site is located in a high-risk fire zone, with the National Park Service estimating that over 85% of wildfires are caused by human activity and are preventable. The property sits at the base of the

sole emergency evacuation route for over 60 homes in the Granite Creek community, as well as others in Fowler Creek and Pasco Road. This development will block evacuation routes and exacerbate fire risks. The concerns of Fire District 7, including the need for infrastructure upgrades, have not been adequately addressed by the applicant. In the event of a wildfire, the increased density of RVs and trailers will create a catastrophic situation, impeding evacuation efforts and endangering lives.

Conclusion

The Fowler Creek Guest Ranch project is fundamentally incompatible with the designated land use and poses severe risks to the community's safety, health, and quality of life. Given the numerous and substantial issues with this proposal, this Application should be summarily denied. The well-being of the residents must be prioritized, and this project's potential harm far outweighs any proposed benefits.

Thank you for your review and consideration.

Kathryn Podobnik
841 Forest Service Road 4517
Cle Elum, WA