

SECTION 4
ROSLYN RIDGE WEST PLANNED UNIT REZONE DEVELOPMENT
RESPONSE TO KITTITAS COUNTY CODE 17.36

STATEMENT OF APPLICANT

Blue Jay Land Company, LLC, through this application, is applying for a rezone of certain property to a Planned Unit Development Zone associated with a preliminary short plat on 164.32 acres located adjacent to the Roslyn Ridge Community. This is a Project Rezone and can be acted upon outside of the Kittitas County Comprehensive Plan review cycle.

The property is segregated into four areas as follows:

1. The South Section contains 1 parcel covering 21.10 acres.
2. The Center Section South contains 1 parcel covering 46.31 acres.
3. The Center Section North contains 1 parcel covering 33.91 acres.
4. The North Section contains 33 parcels covering 63 acres.

The allowed density for this project is 61 units. This includes a transfer of development rights. See Exhibit 9 – Density for calculations and Exhibit 12 – Transfer of Development Rights code response for additional information.

Note: Applicant has copied the current Kittitas County Code 17.36 into this portion of the application and has answered or commented upon each section as it relates to this planned unit development application. Applicant's comments are in italics and colored in blue as opposed to the code which is colored in black.

Chapter 17.36

PLANNED UNIT DEVELOPMENT ZONE*

Sections

17.36.010 Purpose and intent.

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17.36.010

17.36.010 Purpose and intent.

The purpose and intent of this chapter is to provide for departures from strict compliance with the zoning standards outlined in other sections of this Title for projects that can demonstrate that such departures will protect the public interest and accomplish one or more of the following objectives:

As noted below, this proposed planned unit development meets and exceeds the purpose and intent of section 17.36 (Planned Unit Development) as outlined in this section of the code (17.36.010). To meet this section of the code it is required to meet only one of the following objectives. This planned unit development proposal exceeds this requirement.

17.36.010(a)

- a. To encourage more innovative design than is generally possible under conventional zoning and subdivision regulations;

The design of this planned unit development is more innovative than generally possible under the current Rural Recreation zoning as it creates large parcels that will be used for various recreational opportunities including but not limited to off-road vehicles, off-road vehicle storage, and other recreational uses allowed by KCC 17.36.

17.36.010(b)

- b. To encourage more economical and efficient use of land, streets, and public services;

By reducing the size of the residential parcels within the boundaries of the proposed planned unit development, this development allows for shorter

roads and utility corridors. Therefore, this development makes more economical use of the land, streets, natural resources, and public services, thereby conserving land for future uses, disturbing less land, and requiring less asphalt and utility materials, making for a more ecological and greener development.

17.36.010(c)

- c. To preserve and create usable open space and other amenities superior to conventional developments;

The design of this planned unit development allows for the creation of a large parcel of land that will allow for many recreational uses including but not limited to the use of off-road vehicles for recreational purposes which would not be allowed in a conventional subdivision under the current zoning.

17.36.010(d)

- d. To preserve important natural features of the land, including topography, natural vegetation, and views;

The proposed planned unit development preserves the views that stretch to the southwest with visuals of Mount Rainier and the Cascades as there will be no buildings constructed in the upper view corridor of the Upper Ridgecrest Area.

17.36.010(e)

- e. To encourage development of a variety of housing types and densities;

This property is in Rural Recreation zoning which requires a minimum lot size of 5 acres. A conventional development for housing within the boundaries of this proposed planned unit development would be based on 5-acre parcels which would require a homogenized development of large expensive housing. This proposed planned unit development will call for parcels of land ranging from .18 acres to 2 acres that may include single- and multiple-family housing, thereby providing a variety of densities which will allow various housing types as smaller houses may be built on smaller parcels.

17.36.010(f)

- f. To encourage energy conservation, including the use of passive solar energy in project design and development to the extent possible;

Parcel layout and road development within this proposed planned unit development provide for the opportunity for constructed houses to have south-facing roof lines that would allow for passive solar energy panels to be placed on said roofs.

17.36.010(g)

- g. To encourage development of areas or site characterized by special features of geography, topography, size, shape; and/or

This proposed planned unit development will use the various types of topography located within the boundaries of said planned unit development to provide separate and mixed areas for housing, view corridors, and recreational areas.

17.36.010(h)

- h. To permit flexibility of design that will create desirable public and private open space(i); to vary the type, design and layout of buildings(ii); and to utilize the potentials of individual sites and alternative energy services to the extent possible(iii);

17.36.010(h)(i)

i. FLEXIBILITY OF DESIGN THAT WILL CREATE DESIRABLE PUBLIC AND PRIVATE OPEN SPACE:

The design of this planned unit development allows for a large parcel of land for recreational open space that will permit many different uses including but not limited to the use of off-road vehicles for recreational purposes that would not be allowed in a conventional development with the same allowable density. Therefore, this development concept creates private and public recreational open space that provides for many types of recreation within this proposed planned unit development.

17.36.010(h)(ii)

ii. VARY THE TYPE, DESIGN AND LAYOUT OF BUILDINGS:

Conventional development for housing within the county is now based on 5-acre parcels of land within the 5-acre zoning requirements. In many of these areas, there is no water for domestic water use or irrigation that can be legally accessed or is approved by the county. Upon final development of these 5-acre parcels, there could be approximately 20,000 square feet of land used for the development of a home and surrounding area with approximately 190,000 square feet of land left as a dry lot requiring weed control and creating a fire hazard. This planned unit development proposal will call for parcels of land ranging from .18 acres to 2 acres that may

include single- and multiple-family housing, thereby providing a variety of densities which will allow for differing housing types as smaller houses may be built on smaller parcels and multiple-family housing may be built on larger parcels. The various parcel sizes will allow the applicant to vary the type, design, and layout of the buildings within the boundaries of the planned unit development.

17.36.010(h)(iii)

iii. UTILIZE THE POTENTIALS OF INDIVIDUAL SITES AND
ALTERNATIVE ENERGY SERVICES TO THE EXTENT POSSIBLE:

Parcel layout and road development within this proposed planned unit development provide for the opportunity for constructed houses to have south-facing roof lines that would allow for passive solar energy panels to be placed on said roofs.

17.36.015

17.36.015 Applicability

17.36.015(1)

1. Inside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for any property over two (2) acres in size.

This proposed planned unit development is located outside of the Kittitas County Urban Growth Area and Rural LAMIRDs.

17.36.015(2)

2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for properties over twenty (20) acres in size,

except that PUDs are prohibited on Resource Lands and Rural Lands in the Rural Working Land Use Designation.

This proposed planned unit development is located outside of the Kittitas County Urban Growth Area and Rural LAMIRDs, is more than 20 acres in size, and is located in the Rural Recreation land use designation as shown on the Kittitas County Comprehensive Plan Land Use Designations Map. Therefore, this planned unit development meets the applicability test and is allowed to be developed under Section 17. 36 of the Kittitas County Code.

17.36.020

17.36.020 Allowed uses

17.36.020(1)

1. Inside the Urban Growth Area and Rural LAMIRDs, uses may include;

This section does not apply to the proposed planned unit development as said development is located outside of the Kittitas County Urban Growth Area and Rural LAMIRDs.

- a. All residential uses including multifamily structures;
- b. Manufactured home parks;
- c. Hotels and motels;
- d. Fractionally-owned units;
- e. Retail businesses;
- f. Commercial-recreation businesses, parks and playgrounds;
- g. Restaurants, cafes, taverns, cocktail bars;
- h. Electric vehicle infrastructure. pursuant to See KCC Chapter 17.66; and;

- i. The following uses where they are only serving a residential PUD and where all other applicable standards are met:
 - i. Community buildings;
 - ii. Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;
 - iii. Outdoor recreation facilities including swimming pools, sports courts or similar uses; and
 - iv. Recreation vehicle storage areas.

17.36.020(2)

- 2. Outside the Urban Growth Area, uses may include:

This section does apply to the proposed planned unit development as said development is located outside of the Urban Growth Area.

17.36.020(2)(a)

- a. The following residential uses;

17.36.020(2)(a)(i)

- i. Accessory dwelling unit; *the proposed planned unit development may include accessory dwellings.*

17.36.020(2)(a)(ii)

- ii. Accessory living quarters; *the proposed planned unit development may include accessory living quarters.*

17.36.020(2)(a)(iii)

- iii. Dwelling, single-family; *the proposed planned unit development may include single-family dwellings.*

17.36.020(2)(a)(iv)

- iv. Dwelling, two-family; *the proposed planned unit development may include two family dwellings.*

17.36.020(2)(a)(v)

- v. Dwelling, multiple-family; *the proposed planned unit development may include multiple-family dwellings.*

17.36.020(2)(a)(vi)

- vi. Special care dwelling; *the proposed planned unit development will not include special care dwellings.*

17.36.020(2)(a)(vii)

- vii. Parks and playgrounds; *parks, playgrounds and other recreational areas may be included within the proposed planned unit development.*

17.36.020(2)(b)

- b. The following uses where they are only serving a residential PUD and where all other applicable standards are met: *The uses identified below may be developed within the boundaries of this proposed planned unit development as follows:*

17.36.020(2)(b)(i)

- i. Community buildings; *The proposed planned unit development may include a community building as described herein as well as those that may be added prior to the approval of the final development plan.*

17.36.020(2)(b)(ii)

- ii. Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses; *The proposed planned unit development may include indoor recreation facilities as described herein as well as those that may be added prior to the approval of the final development plan.*

17.36.020(2)(b)(iii)

- iii. Outdoor recreation facilities including swimming pools, sports courts or similar uses; *The proposed planned unit development may include outdoor recreation facilities as described herein including but not limited to an off-road vehicle park in the northern portion of the proposed planned unit development as well as those that may be added prior to the approval of the final development plan.*

17.36.020(2)(b)(iv)

- iv. Electrical vehicle infrastructure, pursuant to KCC Chapter 17.66; and *The proposed planned unit development may include electric vehicle infrastructure.*

17.36.020(2)(b)(v)

- v. Recreation vehicle storage areas. *The proposed planned unit development may include indoor and outdoor recreational vehicle storage areas with units that may be owned separately by individuals, individual*

entities, or the applicant, and used by the residents of the Roslyn Ridge community.

17.36.25

17.36.25 Allowed density.

17.36.25(1)

1. Inside the Urban Growth Area (UGA): The county may approve an increase of dwelling unit density for residential PUDs of not more than three (3) times the density permitted in the underlying zone, provided development rights are transferred pursuant to KCC Chapter 17.13 and additional natural and social amenities beyond the required minimums are provided. *This section does not apply to the proposed planned unit development as said development is located outside of the Kittitas County Urban Growth Area and Rural LAMIRDs.*

17.36.25(2)

See Exhibit 9 – Density

17.36.030

17.36.030 Submittal requirements - Preliminary development plan.

Any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change, pursuant to KCC Chapter 17.98. The development plan application shall include the following:

17.36.030(1)

1. Application forms and fees required by the County;

Applications completed and attached in Sections 2 and 3. Fees paid on submission to Kittitas County Community Development Services.

17.36.030(2)

2. Legal description of the subject property including section, township, range, parcel numbers and number of acres;

Completed and attached in Exhibit 1 of this application.

17.36.030(3)

3. A vicinity map showing the location of the site and its relationship to surrounding areas and roads;

Completed and attached in Exhibit 2 of this application.

17.36.030(4)

4. A Development plan drawn to a scale no smaller than two hundred (200) feet to the inch with elevation contours of no more than twenty-(20)-foot intervals showing the following:

An 8.5" by 11" replica has been completed and attached in Exhibit 3 of this application. A printed drawing that exceeds the scale of 200 feet to the inch has been delivered to Kittitas County Community Development Services with this application.

17.36.030(4)(a)

- a. Existing buildings, roads, utilities and easements;

Completed as part of the development plan found in Exhibit 3 of this application.

17.36.030(4)(b)

- b. Arrangement of proposed land uses by type (residential, commercial, open spaces, etc.) with the approximate percentage of land in each category.

Completed as part of the development plan found in Exhibit 3 of this application.

17.36.030(4)(c)

- c. Proposed traffic circulation and parking;

Completed as part of the development plan found in Exhibit 3 of this application.

17.36.030(4)(d)

- d. Critical areas and natural features;

Completed as part of the development plan found in Exhibit 3 of this application.

17.36.030(5)

- 5. A Landscaping plan.

A written landscaping plan is attached in Exhibit 4 of this application.

17.36.030(6)

- 6. A Phasing plan with identified timelines.

A written phasing plan with identified timelines included as Exhibit 5 will be included with this application; this plan may be modified at the time of the

approval of the final development plan as provided for in this chapter of the Kittitas County Code.

17.36.030(7)

7. A Project narrative addressing the following:

A written project narrative is included as Exhibit 6 of this application.

17.36.030(7)(a)

- a. Adjacent natural areas;

See Exhibit 6

17.36.030(7)(b)

- b. The type, design and characteristics of the surrounding properties;

See Exhibit 6

17.36.030(7)(c)

- c. Developer's intent with regard to providing landscaping and retention of open spaces;

See Exhibit 6

17.36.030(7)(d)

- d. Future land ownership patterns within the development including homeowner's associations if planned;

See Exhibit 6

17.36.030(7)(e)

- e. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;

See Exhibit 6

17.36.030(7)(f)

- f. Documentation from the Director that environmental review (SEPA) has been completed or will be completed;

See Exhibit 6

17.36.030(7)(g)

- g. An explanation and specification of any nonresidential uses proposed within the project;

See Exhibit 6

217.36.030(7)(h)

- h. Planned residential densities expressed in terms of dwelling units per building and per net acre (total acreage minus dedicated rights-of-way);

See Exhibit 6

17.36.030(7)(i)

- i. The method proposed to insure the permanent retention and maintenance of common open space;

See Exhibit 6

17.36.030(7)(j)

- j. Proposed development standards, including an analysis of the public benefit provided in exchange for the deviations from the standards of the underlying zone;

See Exhibit 6

17.36.030(7)(k)

- k. Timing for the construction and installation of improvements, buildings, other structures and landscaping;

See Exhibit 6

17.36.030(7)(l)

- l. A master plan of the site, if the proposed PUD is to be developed in phases. The master plan need not be fully engineered, but shall be of sufficient detail to illustrate the property's physical features and probable development pattern. The master plan will serve as a guide in each successive stage of development until its completion;

See Exhibit 6

17.36.030(7)(m)

- m. If the proposed PUD rezone will result in an increase in unit density over the existing zone, include a narrative of the transfer of development rights in accordance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2013-001, 2013; Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

See Exhibit 6. The density of the proposed planned unit development will not exceed that which is allowed in the underlying zone and further defined in KCC 17.36.025 Allowed density.

17.36.045

17.36.045 Review criteria.

17.36.045(1)

1. Preliminary development plan: The Hearing Examiner shall evaluate a planned unit development application and other evidence and testimony submitted into the record and shall issue a recommendation based on the following considerations and criteria:

17.36.045(1)(a)

- a. Criteria applicable to all PUDs:

17.36.045(1)(a)(i)

- i. PUD complies with all amendment criteria in KCC Chapter 17.98;

The proposed planned unit development complies with all criteria contained in Kittitas County Code Section 17.98. See Section 5 for Kittitas Code Chapter 17.98 compliance information.

17.36.045(1)(a)(ii)

- ii. PUD makes economic and efficient use of land, streets, and public services;

The proposed planned unit development makes a very efficient economic use of the land, streets, and public services as Kittitas County Code Chapter 17.36 specifically permits the creation of smaller parcels that can be clustered together. This allows a more efficient use of the land and utilities for construction of the new parcels and ensures future maintenance. This will require the use of fewer fossil fuels and reduce the impact to the environment during construction and after construction is completed as well as during and after construction of the roads, water system, sewer system, power system, and data systems, all of which are privately owned. Kittitas County, which collects road taxes from each of the parcels, will not have to expand any manpower, equipment time, or investment into the roadways that serve the proposed planned unit development.

17.36.045(1)(a)(iii)

- iii. PUD preserves usable open space, important natural features, and other amenities;

The proposed planned unit development creates a large open space which will be used for recreational activities and will be designed in such a manner that the natural environment, the view corridors, and the natural features of the land will be preserved. In addition, there are corridors throughout the Roslyn Ridge Community that have been preserved for winter

recreation activity uses including snowmobiling and snowshoeing.

17.36.045(1)(a)(iv)

- iv. PUD provides site design features that reasonably mitigate off-site impacts; and

The proposed planned unit development has several design features that reasonably mitigate offsite impacts including the creation of a large recreational tract of land that allows the residents of the planned unit development to recreate within the Roslyn Ridge Community. These recreational features include a community swimming pool, community tennis courts, community basketball courts, community picnic areas, community areas to ride off-road vehicles, and community hiking trails. All these features are included on the site and do not impact any of the offsite recreation areas of the upper county area. In addition, all the roads are private and all maintenance, including snow, will be maintained internally by the Community and will not impact the Kittitas County Public Works Department. Domestic water is being provided by the Evergreen Valley Water System, Inc., which means that no new wells will be drilled into the aquifer to serve this community, thereby lessening the increased risk of well contamination and decreasing possible impacts to the aquifer.

17.36.045(1)(a)(v)

- v. Public benefits of PUD outweigh the effect of the modification of underlying zoning standards.

One of the main benefits that the proposed planned unit development provides for the community is the creation of a large recreational area that includes, but is not limited to, an area for recreational off-road vehicles. In addition, the planned unit zone (KCC 17.36) allows for the creation of various sizes of lots. In accordance with the code, this proposed project will cluster various sizes of lots in the southern portion of the property. This clustering of the proposed building sites allows for the development of shorter roads and shorter utility runs which greatly reduces the impact on materials needed for the development. In addition, placing the developed area in the southern portion of the property, which is at a lower elevation, reduces the amount of snow the property receives during the winter and reduces the amount of snow plowing required to maintain the roads, thereby reducing the use of fossil fuels and providing for a cleaner environment.

17.36.045(1)(b)

- b. Additional criteria applicable to PUDs on Rural Lands:

17.36.045(1)(b)(i)

- i. PUD is developed in a manner that maintains rural character;

This proposed planned unit development lies between the Roslyn Ridge and Evergreen Valley communities, located to the east, and the Pineloch Sun and Lake Cle Elum communities, located to the west. All of these residential communities are located in the Rural

Recreation land designation area and the Rural Recreation zone. The Rural Recreation land use designation and zoning has been ruled to be in compliance with the Growth Management Act by the Eastern Washington Growth Management Hearings Board. In addition, the Kittitas County Comprehensive Plan and Kittitas County Code has also been ruled to be in compliance with GMA by the Eastern Washington Growth Hearings Board. This portion of the Kittitas County Code, identified as Section 17.36, is in compliance with GMA. Therefore, by using the KCC Section 17.36 and meeting the density requirements of said code, this proposed planned unit development maintains rural character.

17.36.045(1)(b)(ii)

- ii. Non-residential uses within PUD are designed at a scale appropriate for rural area and intended to serve only the residents of the PUD; and
Only those uses allowed in the Kittitas County Code Section 17.36 are being proposed to be designed and constructed within this planned unit development. The non-residential uses of the proposed planned unit development are intended to serve only the residents of the Roslyn Ridge West Community.

17.36.045(1)(b)(iii)

- iii. PUD provides appropriate transitions to surrounding properties and land uses.
The transition from the proposed planned unit development, Roslyn Ridge West, and the eastern

Roslyn Ridge community will be seamless. The transition from the northern recreational space, which will be almost entirely left in its natural state, will be seamless to the north and east of the project. To the south of the proposed planned unit development lies the Evergreen Valley and Baker's Acres communities, separated by Highway 903, which have been developed in the same manner and densities as the proposed planned unit development without the same amount of open space. To the west of the proposed planned unit development lies the Pineloch Sun and Oddson Road communities which in total have been developed to a much higher density than that of the proposed planned unit development.

17.36.045(1)(b)(iv)

- iv. All new structures shall comply with the applicable standards contained in:

17.36.045(1)(b)(iv)(1)

(1) "Fire Safety Considerations for Developments in Forested Areas: Fire Hazard Severity Rating and Recommended Standards" (Northwest Interagency Fire Prevention Group) Washington Department of Natural Resources Severity Type Rating System;
The proposed planned unit development will meet or exceed these requirements.

17.36.045(1)(b)(iv)(2)

(2) standards adopted by Kittitas County Fire Protection Cooperative - "Recommendations For Fire

Safety and Prevention of Forest and Range Land in Kittitas County Including Rural, Commercial and Private Developments"; and/or

The proposed planned unit development will meet or exceed these requirements.

17.36.045(1)(b)(iv)(3)

(3) Urban Wildland Interface Code for structures outside a fire district.

The proposed planned unit development will meet or exceed these requirements.