

SPRINGTREE RANCH PLANNED UNIT DEVELOPMENT
REVIEW AND RESPONSE TO
KITITAS COUNTY CODE
17.36 PLANNED UNIT DEVELOPMENT

APPLICANT STATEMENT

Presentation: To ensure that all elements, criteria, and items included within Kittitas County code 17.36 have been met the applicants have copied the entirety of the code into this document.

The applicants have responded to each section, subsection and or subsection item in writing directly below the preceding section, subsection and or subsection item. Each of the responses are in blue ink and begin with >>>>.

As the entire Kittitas County Code 17.36 has been copied into this document the applicants have grayed out those sections that are not applicable to this application.

The code, as presented herein, is copied from the official Kittitas County website as of the date of this application and is shown in black ink.

This response to the Kittitas County code 17.36 is in addition to the Planned Unit Development Application required by the county and accompanies said application and included with said application at the time of submittal.

REVIEW AND RESPONSE TO
KITITAS COUNTY CODE
17.36 PLANNED UNIT DEVELOPMENT

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:

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

>>>> The current zoning would require the allowed density of 1 unit to 5 acres with minimum parcel size of 5 acres. This would eliminate the ranching, farming, equestrian and recreational operations within the property. With this more innovative design the ranching, farming, equestrian, and recreational operations would continue into the future on a tract of land large enough to allow said operations.

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

>>>> The design of this proposed PUD will allow for the economical and efficient use of land by allowing for the continued operation of one of the last remaining ranching, farming, equestrian, and recreational operations located on the Nelson Siding Road. In the last 40 years the Nelson Siding Road area has turned from mostly ranching and farming to primarily more urban residential uses. This change in use has eliminated most of the previous ranching and farming operations located in the Nelson Siding Road Area. The design of this proposed PUD will not require any new streets and the property is already served by all the public serves. This proposed Planned Unit Development provides for more economical and efficient use of the land as it allows for the residential density, encouraged by the underlying zoning, which through this PUD will be clustered in areas which; (i) do not impact the ranching, farming, equestrian, and recreational operations; (ii) planned in such a way that no county streets are added; (iii) and is served with all of the services already located on site. The residential density is aligned along the Puget Sound Energy, water, and dry utilities easement corridor as shown on the Development Plan. This PUD will support the more rural nature of the Nelson Siding Road area.

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

>>>>This proposed PUD is designed to preserve the ranching, farming, equestrian, and recreational operations that has existed on the property for approximately 100 years. If developed under the current zoning the ranch and farming operations would be eliminated as each unit of density would be located on 5 acres thereby eliminating all the farm and ranch lands. This plan is the only way to preserve the ranching, farming, equestrian, and recreational operations.

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

>>>>The proposed PUD is the best and possibly the only way to develop the property while preserving the important natural features of the land, including topography, natural vegetation, and views. If developed under the current zoning: (i) all the ranching, farming, equestrian, and recreational operations would be lost; (ii) the forested area would be further disturbed as additional building sites would be located within forested portions of the land. The PUD process allows for the preservation of the important natural features of the land, including topography, natural vegetation, and views.

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

>>>>This proposed PUD will provide and increase the variety of housing types and densities by developing the residential units on smaller parcels than allowed under the current zoning thereby leaving a larger tract of land for the continued ranching, farming, equestrian, and recreational operations. As the Nelson Siding Road area continues to grow and develop as a residential area this PUD provides options for the variety of housing types and densities that are not allowed under the current zoning while enhancing the rural character of the Nelson Siding Road area.

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

>>>>Not applicable.

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

>>>>Not applicable.

- h. To permit flexibility of design that will create desirable public and private open space,; to vary the type, design and layout of buildings,; and to utilize the potentials of individual sites

and alternative energy services to the extent possible; [Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

>>>>The proposed PUD will create a private ranching, farming, equestrian, and recreational operations space that would not be possible under the current zoning.

17.36.015 Applicability.

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.

>>>>Not applicable.

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 property is outside of the UGA, is over 20 Acres in size (27.27 acres), and is not located on Resource Lands and Rural Lands in the Rural Working Land Use Designation. The property is located in Rural Residential Land Use.

17.36.020 Allowed uses.

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

>>>>Not applicable.

- 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.

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

- a. The following residential uses;
 - i. Accessory dwelling unit; >>>> This project may include this use.
 - ii. Accessory living quarters; >>>> This project may include this use.
 - iii. Dwelling, single-family; >>>> This project may include this use.
 - iv. Dwelling, two-family; >>>> This use is not planned to be included.
 - v. Dwelling, multiple-family; >>>> This use is not planned to be included.
 - vi. Special care dwelling; >>>> This use is not planned to be included.
 - vii. Parks and playgrounds; and >>>> This project may include this use.
- b. The following uses where they are only serving a residential PUD and where all other applicable standards are met:
 - i. Community buildings; >>>> This project may include this use.
 - ii. Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses; >>>> This project may include this use including an indoor arena.
 - iii. Outdoor recreation facilities including swimming pools, sports courts or similar uses; >>>> This project may include this use including, but not limited to, an outdoor arena, round pens, trails as well as space for recreational vehicles for overnight stays.
 - iv. Electrical vehicle infrastructure, pursuant to KCC Chapter 17.66; >>>> This project may include this use. and
 - v. Recreation vehicle storage areas. >>>> This project may include this use including, but not limited to, storage of horse trailers and other types of recreation vehicles. (Ord. 2016-023, 2016; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.025 Allowed density.

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.

>>>>Not applicable.

2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The density of the underlying zone or existing density within the boundaries of the proposed PUD shall not be exceeded by a PUD. For Rural LAMIRDs, the density shall be consistent with the character of the existing area as required by RCW [36.70A.070\(5\)d](#).

([Ord. 2021-015](#), 2021;; [Ord. 2013-001](#), 2013)

>>>>The proposed density for this proposed PUD is as shown on Exhibit 20 as allowed by Kittitas County Code 17.13 Transfer of Development Rights.

[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 all of the following:

1. Application forms and fees required by the County

>>>> Attached as Exhibit 1

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

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

>>>> Attached as Exhibit 3

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:

>>>> Complete Development Plan containing all the items listed below is attached as Exhibit 4

a. Existing buildings, roads, utilities and easements

- b. Arrangement of proposed land uses by type (residential, commercial, open spaces, etc.) with the approximate percentage of land in each category.
- c. Proposed traffic circulation and parking;
- d. Critical areas and natural features;
- 5. A Landscaping plan. >>>>Attached as Exhibit 5
- 6. A Phasing plan with identified timelines. >>>>Attached as Exhibit 6
- 7. A Project narrative addressing the following: >>>>All items listed below are included in the Project Narrative attached as Exhibit 7
 - a. Adjacent natural areas;
 - b. The type, design and characteristics of the surrounding properties;
 - c. Developer's intent with regard to providing landscaping and retention of open spaces;
 - d. Future land ownership patterns within the development including homeowners associations if planned;
 - e. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;
 - f. Documentation from the Director that environmental review (SEPA) has been completed or will be completed;
 - g. An explanation and specification of any nonresidential uses proposed within the project;
 - h. Planned residential densities expressed in terms of dwelling units per building and per net acre (total acreage minus dedicated rights-of-way);
 - i. The method proposed to insure the permanent retention and maintenance of common open space;
 - j. Proposed development standards, including an analysis of the public benefit provided in exchange for the deviations from the standards of the underlying zone;
 - k. Timing for the construction and installation of improvements, buildings, other structures and landscaping;
 - 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;

>>>>The elements identified to be included in the master plan are included within the Springtree Ranch PUD Development Plan in Exhibit 4.

- 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)

This PUD rezone will result in the addition of four (4) units on the property. See Exhibit 8H for a full response to Kittitas County Code 17.13.

17.36.040 Submittal requirements - Final development plan. Following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board which shall include all of the following as listed below. Submittal shall be consistent with the process as outlined for final plat development in KCC Chapter 16.20.

>>>>Not applicable for the preliminary application for this proposed PUD.

1. A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval;
2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:
 - a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;
 - b. Arrangement of all buildings which shall be identified by type;
 - c. Preliminary building plans including floor plans and exterior design and/or elevation views;
 - d. Location and number of off-street parking areas including type and estimated cost of surfacing;
 - e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans;
 - f. The location and total area of common open spaces;

- g. Proposed location of fire protection facilities;
- h. Proposed storm drainage plan;
- 3. Certification from state and local health authorities that water and sewer systems are available to accommodate the development;
- 4. Provisions to assure permanence and maintenance of common open spaces;
- 5. Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting;
- 6. Certification by the county of transfer of the required density credits in compliance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

17.36.045 Review criteria.

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:
 - a. Criteria applicable to all PUDs:
 - i. PUD complies with all amendment criteria in KCC Chapter 17.98;
 >>>>Response Attached as Exhibit 8A through 8H
 - ii. PUD makes economic and efficient use of land, streets, and public services;
 >>>>Response Attached as Exhibit 9
 - iii. PUD preserves usable open space, important natural features, and other amenities; >>>>Response Attached as Exhibit 10
 - iv. PUD provides site design features that reasonably mitigate off-site impacts;
 >>>>Response Attached as Exhibit 11 and
 - v. Public benefits of PUD outweigh the effect of the modification of underlying zoning standards. >>>>Response Attached as Exhibit 12
 - b. Additional criteria applicable to PUDs on Rural Lands:
 - i. PUD is developed in a manner that maintains rural character; >>>>Response Attached as Exhibit 13

- 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>>>>Response Attached as Exhibit 14
- iii. PUD provides appropriate transitions to surrounding properties and land uses.
>>>>Response Attached as Exhibit 15
- iv. All new structures shall comply with the applicable standards contained in: (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; (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 (3) Urban Wildland Interface Code for structures outside a fire district.
>>>>Response Attached as Exhibit 16

2. Final development plan: The Director shall evaluate and the Board shall approve final development plans for the PUD, provided the conditions imposed on the preliminary PUD approval, if any, have been satisfied. (Ord. 2013-001, 2013)

>>>>Not applicable to this preliminary application

17.36.050 Permit issuance and conditions. Building permits and other permits required for the construction or development of property under provision of this section shall be issued only when, in the opinion of the Director, the work to be performed substantially conforms to the final development plan approved by the Board. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Ord. 90-6 (part), 1990; Res. 83-10, 1983) >>>>Not applicable to this preliminary application

17.36.060 Required improvements. All improvements including parking lots, driveways, landscaping, which are a part of the approved plan, but which do not otherwise require building permits, shall be completed or bonded before occupancy permits are issued by Community Development Services. The amount of the bond shall be determined by Community Development Services on the basis of information presented with the final development plan.

(Ord. 2013-001, 2013; Ord. 90-6 (part), 1990; Res. 83-10, 1983) >>>>Not applicable to this preliminary application

17.36.070 Inter-jurisdiction review. Proposed projects occurring within the Urban Growth Area shall be jointly reviewed with the associated city. (Ord. 2007-22, 2007) 17.36.080 Planned Unit Development Alterations. Proposed alterations to approved Planned Unit Developments shall be processed as follows: >>>>Not applicable to this preliminary application

1. Minor alterations: Minor alterations are those which, in the opinion of the Director, alter the dimensions, location, or type of facilities but maintain the basic character of the approved PUD application and do not alter the proposed uses or density. Minor alterations may be approved by the Director. >>>>Not applicable to this preliminary application

2. Major alterations: Major alterations are those which, in the opinion of the Director, substantially change the basic design, density, open space or other requirement of the Planned Unit Development. Major adjustments require a new application. (Ord. 2013-001, 2013; Ord. 2007-22, 2007) >>>>Not applicable to this preliminary application

17.36.090 Extensions and expiration. >>>>Not applicable to this preliminary application

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to 17.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140. >>>>Not applicable to this preliminary application

2. Filing of final development plan - Phased PUDs. Applicants may develop a Planned Unit Development in phases, provided a phasing plan is approved as part of the initial application. In such cases, a final development plan shall be submitted for phases in the time limit established in the approved phasing plan, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD phase is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140. >>>>Not applicable to this preliminary application

3. One-(1)-year extension. An applicant who files a written request with the Director prior to the end of the five-(5)-year expiration period (or applicable timeline established in an approved phasing plan) shall be granted a one-(1)-year extension upon showing a good

faith attempt to complete the requirements necessary for submittal of the final development plan. >>>>Not applicable to this formulary application

4. Additional extensions. Upon written request from the applicant, the Board may grant two (2) additional one-(1)-year extensions beyond the extension authorized in subsection 3 if they find there is reasonable justification for the granting of additional extensions. The Board may take into consideration changes in rules and regulations that occurred since the original PUD approval and may condition the extension to require compliance with any such rules and regulations, or portions thereof. >>>>Not applicable to this formulary application
5. Expiration. Planned Unit Developments which do not obtain final approval and implementing permits within the time frames established in this section shall expire without prejudice. For phased PUDs the expiration shall apply to all portions or phases of the PUD that have not applied for or been granted final approval. All future permits shall be subject to the requirements of the underlying zone unless a new application for a Planned Unit Development is submitted and approved. >>>>Not applicable to this preliminary application
6. Timeframe for implementing permits. Implementing permits, including land divisions for lot sales or building permits when there is no associated land division, shall be submitted within two (2) years of final development plan approval. >>>> As discussed in other portions of this application there is an extended timeline which is shown in the phasing plan included herein as Exhibit 6. The phasing plan for this proposed PUD extends the timeline established in this subsection.
7. PUDs approved prior to 2007. Planned Unit Developments with preliminary development plans approved prior to adoption of the expiration standards contained in Ordinance 2007-22 shall have until December 31, 2017, to submit final development plans and shall be subject to the timeframes established in subsection 6 above for implementing permits. Undeveloped PUDs with final development plans approved prior to 2007 shall have until December 31, 2015, to complete land divisions for lot sales or building permits when there is no associated land division. Failure to obtain final plan or permit approvals or make substantial progress toward such approvals within the time frames in this subsection shall result in expiration without prejudice. >>>>Not applicable to this preliminary application

8. Lapse of zoning. If the Planned Unit Development is not completed within the time periods in this section, the rezone to Planned Unit Development Zone is void for the area not completed, and the official zoning map shall be amended to the underlying zoning. (Ord. 2013-001, 2013; Ord. 2007-22, 2007>>>>As stated throughout this application the time periods established shall be those that are approved as shown with the phasing plan as included herein as Exhibit 6 specifies.