

## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

# RECEIVED COMPREHENSIVE PLAN AMENDMENT DOCKETING

JUN 28 2013

Updated January 6, 2011

To Whom It May Concern:

KITTITAS COUNTY  
CDS

Please find attached the application for Comprehensive Plan Amendment Docketing. This application is to be used by the public, officials or staff to submit recommended amendments to the Kittitas County Comprehensive Plan. These applications will be listed on a "Docket" or list of times to be considered by the legislative bodies of Kittitas County during emergencies or during the annual comprehensive plan review. Comprehensive Plan or Land Use Map amendments requires SEPA Environmental Checklist and appropriate fees.

The deadline for submitting amendments to the Kittitas County Comprehensive Plan is 5:00 PM, June 30 of each year with a review of these docketed amendment subjects to begin on July 1 of the same year. If June 30 falls on a weekend, then docketed items must be submitted on the Friday before the deadline at 5:00 PM. Any action taken by the legislative bodies of Kittitas County on the docketed items will take place no later than December of this same year.

Many topics may be docketed for amendment including textual corrections, plan deficiencies, new subareas or elements (i.e. recreation plan) or the addition and deletion of text. The following is a summary of the amendment process to the Kittitas County Comprehensive Plan and includes deadlines, process and amendment procedures:

The Kittitas County Comprehensive Plan, elements thereof, and development regulations shall be subject to continuing evaluation and review by Kittitas County. Any change to development regulations shall be consistent with and implement the comprehensive plan as adopted pursuant to RCW 36.70A.

- A) *If, during project permit review, Kittitas County identifies deficiencies in county plans or regulations, the project permit review shall continue, and the identified deficiencies shall be docketed for possible future amendments. For purposes of this section, a deficiency in a comprehensive plan or development regulation refers to the absence of required or potentially desirable contents of a comprehensive plan or development regulation. It does not refer to whether a development regulation addresses a project's probable specific adverse impacts that the permitting agency could mitigate in the normal project review process.*
- B) *Any interested person, including applicants, citizens, county commission and board members, and staff of other agencies may suggest plan or development regulation amendments. The suggested amendments shall be docketed with the Planning Department and considered by Kittitas County Planning Commission and Board of County Commissioners on at least an annual basis, consistent with the provision of RCW 36.70A.130 and the regulatory reform act ESHB 1724.*
- C) *Proposed amendments or revisions of the comprehensive plan are considered by the Board of County Commissioners no more frequently than once a year except that amendments may be considered more frequently under the following circumstances:*
  1. *The initial adoption of a subarea plan; and*
  2. *The adoption or amendment of a Shoreline Master Program under the procedures set for the in RCW 90.58.*
- D) *All proposals shall be considered by Kittitas County concurrently so that the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation Kittitas County may adopt amendments or revisions to its comprehensive plan whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with a growth management hearings board or with the court.*

CP-13-00001

- E) *For map amendments and related rezones to be considered together in public hearings, the Request to Rezone application shall be received on or prior to June 30 in the same docket year as the map amendment application*
- F) *For the purposes of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan or development regulations in the Planning Department in a manner that will ensure such suggested changes will be considered by Kittitas County and will be readily available for review by the public. Docketing for the calendar year shall be from January 1 to June 30 of each calendar year. Amendments docketed after June 30 shall be considered in the following calendar year.*
- G) *Amendments to the comprehensive plan or development regulations docketed by June 30 shall be approved or denied by the Board of Kittitas County Commissioners on or before December 31 of that same calendar year.*
- H) *In order to facilitate public participation Kittitas County shall maintain and provide for the following procedures when considering amendments to the comprehensive plan and development regulations:*
1. *Broad dissemination of proposals and alternatives. The docket shall be available for public review in the Planning Department during regular business hours. Alternatives to a proposal may be submitted by any party prior to the closing of the written testimony portion of the public hearing before the Planning Commission.*
  2. *Opportunity for written comments. Written testimony shall be allowed from the date of docketing up to the date of closing of the written testimony portion of the public hearing.*
  3. *Public Meetings. Study sessions and hearings shall be held only after effective notice has been distributed.*
  4. *Provisions for open discussion. Hearings shall allow for sufficient time allotments in order that all parties that wish to give oral or written testimony may do so.*
  5. *Communication programs and information services. A newsletter that summarizes amendments docketed and projected meeting and hearing dates should be provided by the Planning Department for distribution to all parties that have requested to receive it by mail. Copies of proposed amendments shall be available at cost of reproduction.*
  6. *Consideration of and response to public comments. Planning Commission and the Board of Kittitas County Commissioners members should review the testimony submitted in their findings.*
  7. *Notice of decision. Publication in the paper of record shall be made, which gives notice that Kittitas County has adopted the comprehensive plan or development regulations or amendments thereto, and such publication shall state that all petitions in relation to whether or not such actions are in compliance with the goals and requirements of RCW 90.58 or RCW 43.21C must be filed within 60 days after the publication date.*

Please contact our office if you have any questions at (509)962-7506.

Sincerely,

***Kittitas County Community Development Services***





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COMPREHENSIVE PLAN AMENDMENTS DOCKETING

(Proposing a text or map amendment as part of annual docketing, pursuant to KCC 15A.10 and KCC 17.98)

CHECK THE APPROPRIATE BOX(ES) SHOWING WHICH TYPE OF AMENDMENT IS REQUESTED:

COMP PLAN MAP [checked box]

COMP PLAN TEXT [empty box]

NOTE: If the amendment you are applying for is within an URBAN GROWTH AREA or you are proposing a UGA expansion of the Ellensburg, Cle Elum, or Roslyn UGA you are required to docket your item with that City as well. You must contact the appropriate City for filing deadlines, fees, application, and costs.

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.

REQUIRED ATTACHMENTS

- Site plan of the property with the following features (as applicable): all buildings, points of access, roads, parking areas, septic tank, drainfield, drainfield replacement area, areas to be cut and/or filled, natural features such as contours, streams, gullies, cliffs, etc.
SEPA Checklist (if not exempt per KCC 15.04 or WAC 197-11-800)
Project Narrative responding to Questions 9-12 on the following pages.

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APPLICATION FEES:

- \$2,140 TEXT AMENDMENT: Kittitas County Community Development Services (KCCDS) -OR-
\$2,140 MAP AMENDMENT: Kittitas County Community Development Services (KCCDS)
\$560 SEPA Checklist: Kittitas County Community Development Services (KCCDS)
\$2,700 Total fees due for this application (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature): [Signature] DATE: 6/28/13 RECEIPT #: 17964 PAID JUN 28 2013 KITTITAS CO CDS DATE STAMP IN BOX

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT

GENERAL APPLICATION INFORMATION

1. Name, mailing address and day phone of land owner(s) of record:  
*Landowner(s) signature(s) required on application form.*

Name: Columbia Plateau Wind Energy Facility LLC.  
Mailing Address: 3207 159<sup>th</sup> Place SE  
City/State/ZIP: Mill Creek, WA. 98012  
Day Time Phone: 425-248-4999  
Email Address: N/A

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:  
*If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.*

Agent Name: Doug Mitchell  
Mailing Address: 605 E 4<sup>th</sup> Ave  
City/State/ZIP: Ellensburg, WA  
Day Time Phone: 509-899-0011  
Email Address: jdm.homes@clltel.net

3. Name, mailing address and day phone of other contact person  
*If different than land owner or authorized agent.*

Name: Keun Ryo  
Mailing Address: 3207 159<sup>th</sup> Place SE  
City/State/ZIP: Mill Creek, WA. 98102  
Day Time Phone: 425-248-4999  
Email Address: N/A

4. Street address of property:

Address: The parcel has no mailing address  
City/State/ZIP: \_\_\_\_\_

5. Legal description of property (attach additional sheets as necessary):

see attached sheet

6. Tax parcel number: see attached sheet

7. Property size: 3077.3 acres (acres)

8. Land Use Information:

Zoning: Forest/Range Comp Plan Land Use Designation: Rural-Working Land

**PROJECT NARRATIVE**

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

- 9. Narrative **project description:** For **all** proposed Comp Plan amendments, provide the following information:
  - a. Why is the amendment needed and being proposed?
  - b. How does the proposed amendment consistent with the County-Wide Planning Policies for Kittitas County?
  - c. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan?
  - d. How have conditions changed that warrant a comprehensive plan amendment?

10. **Transfer of Development Rights:** According to KCC 17.13.080.2 some comprehensive plan amendments require a transfer of development rights. This process is described in KCC 17.13. Please describe whether this amendment will require transferred development rights, and if they are required, describe how this requirement will be met.

11. For **map amendments** attach the following additional information for **each** parcel involved:

a. Parcel Information

- i. Tax parcel number(s)
- ii. Total Acreage
- iii. Site Address
- iv. Owner
- v. Mailing Address
- vi. Owner's Home Phone Number

b. Land Use Information

- i. Current and proposed comprehensive plan designation
- ii. Current and proposed zoning designation
- iii. (Note: Rezone requests require separate Rezone application and fee).
- iv. Present use of the property
- v. Surrounding land use

c. Services:

- i. Whether the site is currently served by sewer or septic
- ii. Name of sewer purveyor (if on public sewer system).
- iii. Whether the site is currently served by a public water system or well
- iv. Name of water purveyor (if on public water system)
- v. Whether the site is located on a public road or private road.
- vi. Name of road
- vii. Fire District

12. For **text amendments**, attach the following additional information

- a. Identify the sections of the Comprehensive Plan and Zoning Ordinance that you are proposing to change and provide the proposed wording.

**AUTHORIZATION**

13. Application is hereby made for A COMPREHENSIVE PLAN AMENDMENT to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:  
(REQUIRED if indicated on application)

X J. Douglas Mitchell

Date:

6/28/13  
6/29/13 J. DM

Signature of Land Owner of Record  
(Required for application submittal):

X LEAH BOO KAWA  
STARBUCKS INC  
PRIC

Date:

6/26/13



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## Comprehensive Plan Amendment Narrative

### 9a. Why is the Amendment needed and being proposed? KITTITAS COUNTY CDS

The proposed amendment seeks to partially rectify the divergence between the intent of the Kittitas County planning policies regarding wind farms and the physical characteristics and ownership patterns in the Wind Farm Resource Overlay Zone (overlay zone) as it was implemented in KCC 17.61A.

In adopting the overlay zone ordinance Kittitas County sought to align itself with the Washington State Energy Independence Act (RCW 19.285, WAC 480-109, and WAC 194-37), which requires that fifteen percent of Washington's power come from renewable sources by the year 2020. The intent of the County was to designate an area "suitable for the location of wind farms" (17.61A.010), land that is conducive to wind farms and whose other uses would not be impaired by the presence of wind farms. In order to evaluate whether this legislative intent was successfully implemented it is useful to look at the history of wind farm applications in the County.

Two projects have been built in the overlay zone. The Wild Horse Wind Farm and the Vantage Wind Farm occupy land north of the Yakima Training Center and adjacent to the BPA 500kv transmission lines. However, four other wind farm applications have been made for Kittitas County, and all four applicants chose locations outside the overlay zone. Kittitas Valley Wind Farm went through the state EFSEC permitting process for a location along the BP transmission lines in the western part of the valley. The Swauk Valley Ranch Wind Farm successfully applied to the County for a discontinuous addition to the overlay zone on land that lies to the West of the Kittitas Valley Wind Farm and is contiguous with the BP and the PSE transmission lines. The Desert Claim Wind Farm has been approved through the EFSEC process for land to the East of the Kittitas Valley Wind Farm that also includes the BP transmission lines.

Columbia Plateau Wind Energy Facility is seeking an extension of the overlay zone for land that is contiguous with the current overlay zone, and is adjacent to the Wild Horse Wind Farm.

It is notable that four out of six Kittitas County wind farm applicants have sought locations outside the overlay zone, a zone that encompasses 338,450 acres. To understand why this might be, it is useful to look at the characteristics of land that is "suitable" (17.61A.010) for wind farms. All six of the locations described above share the following features.

1. Land with close proximity to high voltage transmission lines.
2. Land that is not forested.
3. Land that is privately owned or publicly owned by institutions whose objectives are consistent with the presence of wind farms, and who are amenable to leasing very large parcels of land for wind farms.
4. Land with adequate wind.

When these four criteria are applied to the overlay zone -see attached maps- it is immediately apparent that the overlay zone contains very little land that is "suitable" (17.61A.010) for wind farms. In fact, the two existing projects reside on



about 75% of the land that satisfies all four criteria. Both are built predominately on private land or, in the case of Wild Horse, land that is owned by the utility that owns the wind farm. They are adjacent to, or within a mile of, 500 KV transmission lines. They have strong winds, and they are not forested. All of the other portions of the overlay zone have problems with at least one of the four criteria. The Yakima Training Center (YTC) occupies 138,729 acres, or about 41% of the zone, but its large armored vehicle maneuvers and artillery target practice are clearly not compatible with wind farms. The private land to the west of the YTC is separated from the transmission lines by the Yakima River, public land, the border of the overlay zone, and the border of Kittitas County . The Washington Department of Fish and Wild Life (WDFW) own the public land in this area. The nearest power lines are in Yakima County, creating permitting problems. The area in the northeast corner of the overlay zone might be suitable for a wind farm because it has a transmission line and is not forested. However, the great majority of the land in this area is owned by WDFW, making leasing problematic in light of the amount of land that would need to be leased. Road building and trucking costs to this area would also be very high. The other potential wind farm site in the overlay zone is in the Southeast corner. It lies along the Columbia River, is in private ownership, and includes 500 KV transmission lines on its southern end. In summary, only one site remains in the existing overlay zone that clearly meets the necessary criteria for a wind farm.

Given a sufficiently high price of electricity, these considerations do not mean that wind farms cannot be built in other parts of the overlay zone. However, the history of wind farm applications in the county for the last ten years clearly demonstrates that the current economies of the industry are generally not conducive to placing wind farms in the overlay zone, with the exception of the two locations that are occupied by the Wild Horse and Vantage wind farms.

Kittitas County recognized the need to expand the overlay zone when it permitted the Swauk Valley Ranch Wind Farm on land that lies about twenty miles from the original overlay zone. Washington State also saw land outside the zone, and discontinuous to the zone, as being needed and suitable for wind farms when it approved, through the EFSEC process, the Kittitas Valley Wind Farm and the Desert Claim Wind Farm.

In summary, our proposed amendment would fulfill the intent of the Wind Farm Resource Overlay Zone Ordinance (KCC 17.61A) by adding land to the existing overlay zone. This amendment is needed for the continued expansion of the wind energy industry in Kittitas County. The land being proposed is suitable for inclusion in the overlay zone because it is contiguous to the overlay zone, very similar in topography, identical in underlying zone designation, identical in land use designation, very similar in habitation, and equally suited to wind farms.

**9b. How is the proposed amendment consistent with County Wide Planning Policies for Kittitas County?**

The proposed amendment is compatible with the Kittitas County 's June 2013 Comprehensive Plan as stated in the following goals, policies, objectives and strategies.

*GPO 2.21A Designate sufficient available land for specialized industrial uses that are by their nature compatible with residential, agricultural, recreational, and other general land use types.*

As stated in 9a, the current Wind Farm Resource Overlay Zone does not provide sufficient suitable land for the wind farms, which are compatible with the traditional agricultural use of the proposed expansion area, grazing.

*GPO 2.3 The County should diversify economic development by providing broader employment opportunities.*

Wind farms provide jobs that require a specialized expertise not found in jobs traditionally available in the County. Thus, they expand the range of jobs open to County residents.

*GPO 2.7 Kittitas County will maintain a flexible balance of land uses which will protect, preserve, and enhance the rural character, historical forest lands, agricultural industries, mineral lands, and high quality environment.*

If not developed into a wind farm, the land in the proposed expansion could most profitably be sold in twenty acre parcels, which would break up the traditional agricultural use of the land. However, wind farms allow for continued use of the land for grazing.

*GPO 2.8 Kittitas County will cooperate with the private sector and local communities in actively improving conditions for economic growth and development.*

The adoption of this amendment would facilitate the economic growth of the County through the jobs, tax payments, and the payments to local businesses that a wind farm would generate.

*GPO 2.14 Kittitas County will continue to explore incentives for farming and ranching to continue as significant land uses, for example, innovative cluster platting, transfer of development rights, and planned unit developments.*

Wind farms are compatible with agricultural practices. They also provide an income stream that enhances the economic viability of ranching and farming.

*Policy 10.1 recognizes that economic development "plays a key role in maintaining the quality of life in Kittitas County. ... Economic development can be defined as public and private initiatives that promote job creation and business retention and recruitment,*



*increase goods and services to residents and businesses, and provide job training programs, all of which contribute to a strong tax base”.*

The Columbia Plateau Energy Facility will create an estimated 58 direct jobs and create another 50 indirect and induced jobs during the construction phase. The operational phase will create an estimated 17 direct, indirect and induced jobs. In addition, construction costs are estimated to be \$249,600,000. The majority of this money will be spent in Kittitas County supporting local businesses and contributing an estimated \$625,600 to taxing districts in Kittitas County.

The proposed amendment is also consistent with the following Economic Strategies proposed in Chapter 10. These strategies are *“related to the implementation of the Economic Development Element, and (are intended) to address future issues that may arise”.*

*Economic Strategy 10.6 “Consider economic development in the process of land use planning,...”.*

*Economic Strategy 10.10 “... pre-zone land that can support business activities...”*

These strategies recognize the importance of using zoning to promote economic development.

### **9c. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan?**

*GPO 2.21C Encourage an adequate inventory of developable property to accommodate the siting of new, and the expansion of existing industrial uses.*

The expansion is needed to supply adequate land that is suitable to wind farms.

*GPO 2.15 The development of resource based industries and processing should be encouraged in all areas of Kittitas County. When such uses are located in rural and resource lands, criteria shall be developed to ensure the protection of these lands to ensure compatibility with rural character...*

The adoption of the proposed amendment would encourage the building of a resource-based industry. Additionally, wind farms, while changing aspects of the visual aesthetics of traditional rural areas, help to maintain traditional rural agricultural practices and inhibit the division of agricultural land into residential parcels, a practice that also changes the visual aesthetics of working agricultural lands.

*GPO 10.1 Be a county that supports the varied needs and demands of the community and surrounding area through the understanding and creation of a supportive and active environment for economic development in the community.*

The adoption of the proposed amendment is consistent with the active support of economic development that is stated in GPO 10.1.

*GPO 10.2 Support the retention and expansion of existing local businesses/industries and recruitment of new businesses/industries in order to maintain a strong job and wage base.*

The adoption of this amendment will promote investment in alternative energy industries. Columbia Plateau Energy Facility LLC's investment partners are part of a broader consortium of Korean companies seeking to advance the wind energy industry through new designs and technologies. This consortium is actively seeking locations in the Washington State for high tech hubs that will prove to be conducive to future research, development, and production. Columbia Plateau Energy Facility and its investors regard the placement of state of the art wind turbines in Kittitas County as the first step in attracting future research and development investment, as well as production facilities for renewable energy products. These green energy industries would not only be compatible with the rural character of the County, they would directly and indirectly support the county's existing businesses, schools, fire districts, and municipalities.

*GPO 10.4 Encourage economic growth while protecting the rural character of the County.*

The adoption of this amendment would promote economic growth in the County while enhancing the economic viability of the traditional agricultural use of the land in the proposed expansion.

*GPO 10.8 Promote and encourage the establishment and expansion of educational, research and other related activities that support existing local industries and businesses.*

Columbia Plateau Energy Facility (COPEF) seeks to promote research in renewable energy in Kittitas County. In accordance with Samsung Heavy Industry's traditional support for the communities in which it locates, COPEF is currently discussing with Central Washington University (CWU) ways in which COPEF can promote CWU's educational mission. COPEF and its investment partners are working to help CWU acquire a wind turbine that can be used both for electrical power and in educational programs. Additionally, by recruiting new research and development facilities to Kittitas County, COPEF and its investment partners hope to provide CWU students, county residents, and local businesses with new educational and commercial opportunities.

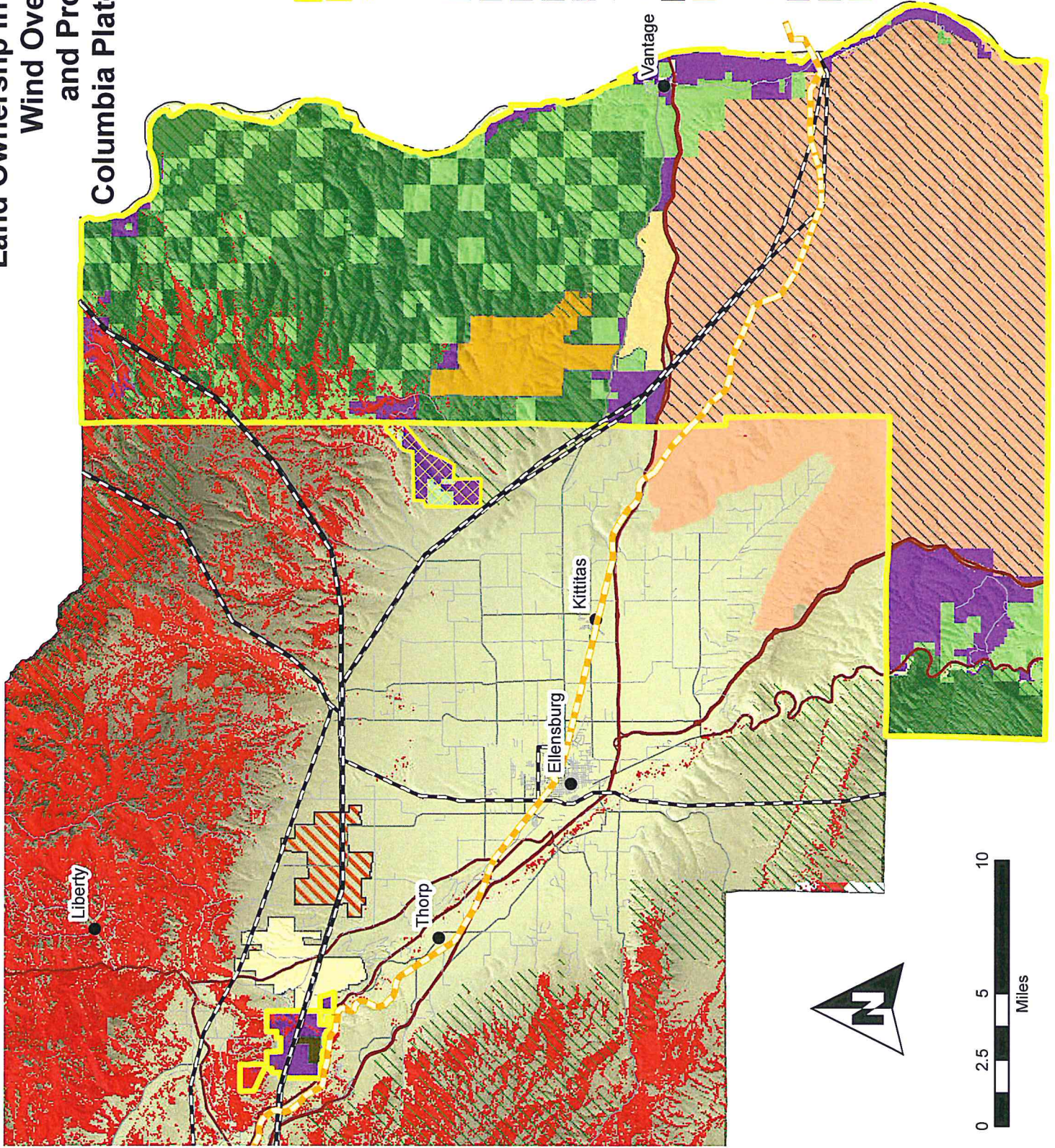


**9d. How have conditions changed that warrant a comprehensive plan amendment?**

Since the original text was adopted two wind farms have located in the majority of the area in the overlay zone that is suitable for wind farms. Four wind farm applications have demonstrated that the available land in the overlay zone is not economically viable for wind farms and additional suitable land near the 500 KV transmission lines is needed. This amendment seeks to add that land to the overlay zone, land that is contiguous with the overlay zone and similar in topography, use, zoning, and habitation to the original overlay zone.



# Land Ownership in the Kittitas County Wind Overlay Zone and Proposed Columbia Plateau Expansion



- Wind Power Overlay Zone
- Overlay Zone Extension
- PSE Transmission Line
- BPA Transmission Lines

### Wind Farms

- Swauk Valley Ranch
- Kittitas Valley Wind Farm
- Vantage Wind Farm
- Wild Horse Wind Farm
- Desert Claim (Approved)

### Wildlife Areas

- Forested
- Yakima Training Center
- YTC in Overlay Zone

### Land Ownership in Overlay

- Private
- WDFW
- Other Public Land

