



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships - Building Communities"

REZONE APPLICATION

(For requested amendments to the zoning map, KCC 17.98 & KCC 15B.03)

A pre-application meeting is required for this permit. To schedule a pre-application meeting, complete and submit a "Pre-Application Meeting Scheduling Form" to CDS. Notes or summaries from pre-application meetings should be included with this application.

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.

REZONE TYPES

Please check the box next to the type of rezone this application is requesting:

- Site-specific rezone\*
General rezone using docketing process\*

\*Rezone requests for Planned Unit Developments (PUDs), must use the PUD application form.

REQUIRED ATTACHMENTS

- Site plan of the property with all proposed 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)
Legal description of property to be reclassified Farm/Range
Requested Zone Change: from Existing to Wind Farm Resource Overlay Zone Expansion
Project Narrative responding to Questions 9-11 on the following pages.

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JUN 28 2013

KITTITAS COUNTY
CDS

APPLICATION FEES:

Table with 2 columns: Amount and Description. Rows include Kittitas County Community Development Services (KCCDS), Kittitas County Department of Public Works, Kittitas County Fire Marshal, and Total fees due for this application (\$3,765.00).

FOR STAFF USE ONLY

Form section for staff use containing signature, date (6/28/13), receipt number (179123), and a PAID stamp with date JUN 28 2013.

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

FORM LAST REVISED: 1-6-2011

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RZ-13-00002

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: jdmhowes@elltel.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)

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 (include as attachment):** Please include at minimum the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description.
- 10. **Describe how this proposal will provide for the transfer of any required transferrable development rights:** According to KCC 17.98.020.7.h, petitions for rezones must comply with KCC 17.13 Transfer of Development Rights. Development rights must be transferred to the rezone area at a rate proportionate to the size of the project area (see 17.13.080.6). These rights must be transferred prior to final approval. Please describe how this requirement will be met by the proposed rezone.
- 11. **Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):**
  - A. The proposed amendment is compatible with the comprehensive plan.
  - B. The proposed amendment bears a substantial relation to the public health, safety or welfare.
  - C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.
  - D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.
  - E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
  - F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
  - G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.
  - H. The proposed amendment is in full compliance with Chapter 17.13 KCC, Transfer of Development Rights.

**AUTHORIZATION**

12. Application is hereby made for permit(s) 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 J.D.M. 6/28/13

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

X KEATYPOC LAND  
HC #774 INC  
[Signature]

Date:

6/28/13

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**Rezone Application Narrative**

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9. The project comprises up to 58 2.5 MW towers that will be placed in the corridors designated on the site plan. The current tower placements are approximate and will vary when the towers are micro-sited. The tower hub will be 80 meters from the ground and the diameter of the hub and blades will be 104 meters. The tip of the blade will extend 134 meters from the ground when vertical. The towers will sit on concrete pads containing about 200 yards of concrete. A circle around each tower, 200 feet in diameter, will be graveled. The roads will have a 28' roadbed. There will be about 6 miles of road in the project. The total cut and fill from road construction will be between 75000 and 150000 yards. A lay down area will be located as indicated on the site plan. A monitoring/maintenance building will be constructed. It will be powered by electricity from a vault located as indicated on the site plan. Water to the building will run in the same trench as the power. The building will have a septic system as indicated on the site plan. Project access will be from Fox Road. The power feed will probably be to the BPA high voltage lines adjacent to the site, but may also run to the transformer on the Wild Horse Wind Farm. These locations are shown on the site plan.

10. N/A

11.A. The proposed amendment is compatible with Kittitas County's June 2013 Comprehensive Plan as stated in the following Comprehensive Plan 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 the 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.

*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 counties 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.

**11.B.** The proposed amendment bears a substantial relation to the welfare of the residents of Kittitas County by promoting the siting of a major alternative energy production facility in the County that will provide jobs and tax revenues while also supporting local businesses, Central Washington University, and traditional agricultural activities.

**11.C.** The proposed amendment will not only directly promote economic growth in the County, it will also enhance the prospects of the County attracting other clean energy industries, while preserving the traditional agricultural use of the area.

**11.D.** 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.

**11.E.** The subject property is similar in topography, habitation, underlying zoning, and designated land use to the property immediately adjacent to it on the eastern border. The two properties are equally suitable for wind farms while also providing land for grazing.

**11.F.** The proposed zone will not affect the use of the surrounding properties. The only impact it will have is to alter some intermediate and distant views, as would be the case with other changes in land use that are currently permitted.

**11.G.** The proposed amendment will have no effect on irrigation water deliveries.

**11.H.** Chapter 17.13, Transfer of Development Rights is not applicable to this proposed amendment.