



EXHIBIT 4

Kittitas County CDS

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

This proposal is governed by the Rural Lands element of the Kittitas County Comprehensive Plan Chapter 8. Presently the rural land uses in Kittitas County are a mixture of diverse development patterns that have been developed in the past. The rural lands element is intended to preserve rural character through the adopted goals and policies designed to encourage and protect the types of uses that are characteristic to the rural area. The goals and policies are intended to accomplish this in part by reducing conflicting land uses within the County's rural area while providing a variety of rural densities, protecting agriculture land resources and activities, guarding the county's water resources for such environments.

The current Kittitas County Comprehensive Plan provides for GPOs that identify Goals and Policies for each element of the plan. I have addressed a number of these in the following to show how we are compliant with the Kittitas County Comprehensive Plan with this proposal.

RR-G16: Allow for residential opportunity with rural character and a variety of densities outside UGAs without population expecting all urban services.

>>The requested map change is consistent with this goal. This proposed map change will allow for a further variety of densities and housing types outside of the urban growth area without populations expecting all urban services.

RR-G17: Generally, provide services supporting rural development and lower population densities.

>>The requested map change is consistent with this goal. The land that this map change affects will be served by septic systems and a community water system that is already surrounded by 3-acre densities and a transition to urban character pursuant to CTED Reference (rural vs urban)

RR-G18: Designate areas where lots are generally less than 10 acres in size and have a common land use pattern.

>> The requested map change is consistent with this goal. The land that this map change affects contains parcels that are primarily less than 10 acres in size and have a common land use pattern consistent with the surrounding/adjacent lands.

RR-G19: Permit siting in areas generally without commercial activity.

>> The requested map change is consistent with this goal. The land that this map change affects doesn't not contain any commercial activity.

RR-G20: Protect residential activities from flooding areas and natural hazard areas.

>> The requested map change is consistent with this goal. Majority of this land that this map change affects doesn't not contain any floodplain or natural hazard areas. There is a sliver of floodplain that is located at the far eastern boundary of this proposal but does not affect this individual parcel.

RR-G21: Preserve views of open space while providing opportunity for variety of rural densities.

>>The requested map change is consistent with this goal. The land that this map change affects has the ability, with this land use designation, to preserve more views of open space and possible continuance of ongoing agricultural practices while at the same time providing for a variety of rural densities.

RR-P23: Municipal, or public urban services should not be extended outside of urban growth areas in Rural Lands.

>>The requested map change is consistent with this goal. The land that this map change affects is not extending urban types of services as provided by the City of Ellensburg.

RR-P25: New rural residential development shall provide adequate water for domestic use.

>>The requested map change is consistent with this goal. The land that this map change affects has existing water rights and an agreement with a Group A water system that can provide water for domestic use.

RR-P30: Clustering of development can only occur where it results in the protection of open space and protects against conflicts with the use of farming or other resource lands. When clustering of development is proposed on land that shares boundaries with public lands and provides existing public access to recreational uses on adjacent public lands, easements for public access connections shall be considered during development review. The open space portion of the cluster development shall be located to protect fish & wildlife habitat and migration corridors.

>>The requested map change is consistent with this goal. The land that this map change affects has the ability, with this land use designation, to preserve more views of open space and possible continuance of ongoing agricultural practices and other protections under the possible use of clustering future development.

RR-P32: Residential uses, where permitted, shall be located where farming and forestry activities and opportunities are not negatively impacted.

>>The requested map change is consistent with this goal. The land that this map change affects is in an area where farming has continually been reduced with a variety of densities, hobby farms etc. therefore this proposal is consistent with the surrounding area and protects larger acreages that do continue with agricultural practices.

RR-P33: Residences will be located to create the least interference with the movement of farm vehicles and farmlands.

>>The requested map change is consistent with this goal. The land that this map change affects is in an area where farming has continually been reduced with landowner deciding to not continue with farming practices due to the reduction of farming acreage and not being viable, therefore this change will create no interference with the movement of agricultural practices.

RR-P34: The benefits of cluster residential development will be explored with criteria for such to occur in rural areas. Criteria, such as limited density, open space minimums and lot size

maximums, will be developed to preserve the rural character existing in the area where clustering is proposed.

>>The requested map change is consistent with this goal. The land that this map change affects has the ability, with this land use designation, to preserve more views of open space and possible continuance of ongoing agricultural practices, minimum lot sizes all consistent with the surrounding and adjacent lands.

RR-P37: Innovative housing developments which preserve rural character will be encouraged.

>>The requested map change is consistent with this goal.

Rural Residential

Following are the goals of the Rural Residential designation:

RR-G16: Allow for residential opportunity with rural character and a variety of densities outside UGAs without population expecting all urban services.

RR-G17: Generally, provide services supporting rural development and lower population densities.

RR-G18: Designate areas where lots are generally less than 10 acres in size and have a common land use pattern.

RR-G19: Permit siting in areas generally without commercial activity.

RR-G20: Protect residential activities from flooding areas and natural hazard areas.

RR-G21: Preserve views of open space while providing opportunity for variety of rural densities.

The following are policies for activities on Rural Residential lands:

RR-P23: Municipal, or public urban services should not be extended outside of urban growth areas in Rural Lands. However, municipal services may be provided to a Master Planned Resort which is approved pursuant to County Comprehensive Plan policies and development regulations so long as all costs directly attributable to the extension of such services to the resort or community, including capacity increases, are fully borne by the resort or community.

RR-P24: Residential development near water will limit impervious surfaces to the size necessary to conduct the allowed use proposed on the site.

RR-P25: New rural residential development shall provide adequate water for domestic use.

RR-P26: Capital Facilities and Utilities may be sited, constructed, and operated by outside public service providers (or sited, constructed, and/or operated jointly with a Master Planned Resort (MPR), limited area of more intensive rural development (LAMIRD)) on property located outside of an urban growth area if such facilities and utilities are located within the boundaries of such resort or community which is approved pursuant to County Comprehensive Plan policies and development regulations.

RR-P27: Electric and natural gas transmission and distribution facilities may be sited in any areas of Kittitas County including "Rural" designated areas, municipalities, UGAs, Master Planned Resorts, and LAMIRDs.

RR-P28: Public services and public facilities established under RCW 36.70A.070(5)(d) are limited to just those necessary to serve the developed area boundaries and will not be allowed to expand into adjacent Rural Lands.

RR-P29: Essential public facilities as defined in RCW 36.70A.200 shall be allowed located in rural lands when:

- The nature of the facility requires spaces for operation not commonly found in UGAs
- Can be self-supporting and not depend upon services of municipalities

- Operational needs require use of rural lands

Operation of such facilities will not affect the activity or nature of rural lands.

RR-P30: Clustering of development can only occur where it results in the protection of open space and protects against conflicts with the use of farming or other resource lands. When clustering of development is proposed on land that shares boundaries with public lands and provides existing public access to recreational uses on adjacent public lands, easements for public access connections shall be considered during development review. The open space portion of the cluster development shall be located to protect fish & wildlife habitat and migration corridors.

RR-P31: County restrictions on free-running dogs shall be developed and enforced.

RR-P32: Residential uses, where permitted, shall be located where farming and forestry activities and opportunities are not negatively impacted.

RR-P33: Residences will be located to create the least interference with the movement of farm vehicles and farmlands.

RR-P34: The benefits of cluster residential development will be explored with criteria for such to occur in rural areas. Criteria, such as limited density, open space minimums and lot size maximums, will be developed to preserve the rural character existing in the area where clustering is proposed.

RR-P35: Cluster residential development in forested areas will be sited to maintain visual compatibility with the surrounding landscape and to limit the removal of natural vegetation and trees.

RR-P36: Planned Unit Developments (PUD) in rural areas will only be established where such developments will not result in high density environments which require urban services and reduce maintenance of rural character.

RR-P37: Innovative housing developments which preserve rural character will be encouraged.

RR-P38: Future amendments should consider placing more emphasis on public benefits that can be accessed and enjoyed by the general public, such as public access trails, publicly accessible formal and informal recreation features, and contiguous open space protected in perpetuity through conservation easements.

RR-39: Public benefits of cluster platting that are provided as Transfer Development Rights lots shall be specifically identified on recorded plats and maintained through easements, covenants, plat notes or other mechanisms.

Rural Working

Following are the goals pertaining to the designation of Rural Working lands:

RR-G22: Provide preservation of agriculture activities where producers can live and work on their own lands separate from Resource Lands.

RR-G23: Support the continuation, whenever possible, of agriculture, timber and mineral uses on lands not designated for long-term commercial significance.





Kittitas County Community Development Services

Darryl Piercy, Director

STAFF REPORT

TO: Kittitas County Planning Commission
FROM: Jan Sharar, Staff Planner
Kittitas County Community Development Services
DATE: June 27th, 2005
SUBJECT: Game Farm Cluster Plat (P-05-07)

I. BACKGROUND INFORMATION

Proposal: Preliminary Plat Application

Division of parcel numbers # 18-19-32010-0008, 18-19-32010-0009, 18-19-32058-0001, 18-19-32058-0002 and 18-19-32058-0003, totaling approximately 74.53 acres into 27 building lots at approximately 1.00 acre each in size and one residual lot at approximately 46 acres in size.

Location: The subject property is located north of the Vantage Highway, south of Game Farm Road, west of Naneum Road and east of Wilson Creek Road, with two access points proposed off of Game Farm Road. Located within section 32 of T18N, R19E, W.M. in Kittitas County.

Land Use & Site Characteristics: The proposed development site is located within a rural farming and residential area meeting the characteristics of Agricultural land. As shown on the preliminary survey, the property does have a slight slope with an approximate elevation difference of approximately 42' between the north and south property lines. The applicant is proposing to maximize density available under the cluster subdivision portion of the Kittitas County Zoning Code (KCC 17.65).

II. POLICY & REGULATORY REQUIREMENTS

COMPREHENSIVE PLAN: The Comprehensive Plan's Land Use Element designates the subject parcel as Rural.

Rural Residential Land Use

GPO 2.145 - Rural residential development must be in areas that can support adequate private water and

GPO 2.147 – Densities should be determined by water and sewage systems provided and by compatibility with existing and projected development in the vicinity. The proximity of fire protection facilities should be considered in addition.

GPO 2.149 – any policies with regard to development in agricultural areas should not be interpreted to preclude all further development in these areas. The possibilities and benefits of cluster residential developments located in agricultural land use areas should be retained.

GPO 2.150 – Agriculture has priority in matters dealing with conflicting land uses in agricultural areas. Farmlands in Kittitas County are the home sites for thousands of families and provide a very special quality of life for these families.

Zoning Code: The subject zoning is Agriculture 3, recently rezoned in 2004 from Agriculture 20. The purpose and intent of the Agriculture 3 Zone is: to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. Ag-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein.

Some of the uses allowed in the Agriculture 3 zone are as follows:

Agriculture, livestock, poultry or swine or mink raising, and other customary agricultural uses, community clubhouses, parks and playgrounds, commercial greenhouses and nurseries, existing cemeteries, etc.

The **Minimum Lot Size** in the Agriculture 3 Zone is 3 acres, which would allow for 1 residence per 3 acres. The exception is cluster subdivisions, which meet the requirements of KCC 17.65.040 (Development Regulations). An applicant may be eligible for a 1-acre minimum lot size as denoted in KCC17.65.040.

Subdivision Code: This application is allowable under the provisions of KCC 17.65 (Cluster Subdivision). The purpose and intent of this section is to concentrate residences in agricultural areas without undue removal of agricultural lands from production and enhance the retention of all types of open spaces by concentrating development and reducing the consumption of land devoted to housing.

Critical Areas: An administrative site analysis was completed by the Community Planning Division of Community Development Services in compliance with Title 17A. The subject property is not located within a regulated critical area. No restrictions will apply to this proposal pursuant to this Ordinance.

Issues raised during comment period: Citizen comments regarding relocation of the lots for reasons of quality of soils for farming, impacts on existing homes in area, traffic and safety issues, noise reduction, etc. were submitted. In addition issues of impact to the aquifer, requirement of a traffic study, influx of new resident complaints about farming practice (right to farm), and the ability to split the residual parcel in the future and impacts to wildlife were mentioned.

III. ADMINISTRATIVE REVIEW

Notice of Application: A complete application was submitted to the Community Development

Services Department on March 31, 2005. A Notice of Application was issued on March 31, 2005. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.

Written Testimony: Written testimony has been received and is contained within the staff report packet. Any comments received after the staff report is forwarded will be copied and delivered to the KCPC for the public hearing.

State Environmental Policy Act: Based on correspondence received during this 10 working day comment period and other information submitted with this project permit application, a SEPA Determination of Mitigated Non-Significance (MDNS) was issued by Community Development Services on May 20, 2005.

Subjects addressed in the SEPA threshold determination of Mitigated Determination of Non-Significance were: environmental health (dust and emissions control and reduction), lighting, irrigation water, potable water and transportation.

Suggested conditions: although required by Kittitas County Code, staff suggests a condition be added that as a plat note the owner/developer include the "Right to Farm" Kittitas County Code 17.74 060 (A) Ord. #96-5 notification and disclosure statement. In addition, the recorded Covenants, Conditions and Requirements (C C and R's) include the same statement.

IV. SUGGESTED FINDINGS OF FACT

THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL, HOWEVER ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. The Planning Commission finds that Jeff Slothower, authorized agent for the landowner Laurin Mellergaard, submitted a complete application to Community Development Services March 31, 2005.
2. The Planning Commission also finds that said development application included a preliminary plat depicting the division of five parcels into 27 building lots each at approximately 1.00 acres in size with a residual parcel at approximately 46.00 acres.
3. The Planning Commission finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on March 31, 2005. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
4. The Planning Commission finds that Community Development Services issued a Notice of Action pursuant to KCC 15A.04 and Chapter 43.21C RCW on May 20, 2005. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies, parties of record and landowners within 300 feet of the subject properties as required by law.

5. The Planning Commission finds that an open record hearing was held by the Planning Commission on June 27th, 2005 to consider this matter and that testimony was taken from those persons present who wished to be heard. The Planning Commission also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.
6. The Planning Commission finds that additional conditions are/are not necessary to protect the public's interest...
7. The Planning Commission finds that due to the size of the proposed lots, the Game Farm Cluster Preliminary Plat will require a public water system. Proof of a valid water right from the Department of Ecology to obtain a Group A water system will be required prior to final plat approval. The landowner/developer will be required to submit proof a valid ground water right and a Class A water system approval from the State Department of Health prior to final plat approval.

8 | RURAL AND RESOURCE LANDS

8.1 INTRODUCTION

Rural lands are characterized by a lower level of services; mixed residential, agricultural and open space uses; broad visual landscapes and parcels of varying sizes, a variety of housing types and small unincorporated communities. Rural lands often have an established land use pattern that inhibits urban character and are generally, and anticipated to continue to be, served by septic systems and individual wells or small community water systems.

The Rural and Resource Lands chapter of the Kittitas County Comprehensive Plan addresses unincorporated portion of the County outside Urban Growth Areas (UGA). The Land Use Element in Chapter 2 and the Rural and Resource Lands chapter together form the basis for future land use patterns within the County. They also form a basis for decision makers to make land use decisions in the unincorporated areas in Kittitas County. This Chapter is in two sections. The first section discusses land use designations for the County's rural lands and is the County's Rural Element. It outlines the goals, policies and objectives related to protecting rural character with a variety of densities as required by the Washington State Growth Management Act. (RCW 36.70A.070(5)) Rural lands are outside UGAs and commercial agricultural, commercial forest, and mineral lands.

The second section provides for goals, policies and objectives for the County's resource lands. Resource lands are considered the commercial agriculture lands, the commercial forested lands and mineral lands.

8.2 GOALS

The State of Washington Growth Management Act requires that the County "include measures that apply to rural development and protect the rural character of the area as established by the County." These measures must be used to control rural development, assure visual compatibility of rural development with surrounding areas, reduce sprawl and protect against conflict with the use of agricultural, forest and mineral resource lands (RCW 36.70A.070).

The definition of "Rural Character" is defined at RCW 36.70A.030(16) and is the basis for the following broad goals in this Element.

RR-G1: Open space and visual and natural landscape should predominate over the built environment

RR-G2: Opportunities should exist for traditional rural lifestyle and rural based economies.

RR-G3: Spaces and development should be compatible with fish & wildlife habitat

RR-G4: Undeveloped land should not be converted to development of sprawl and low density.



RR-G5: Activities generally should not require extension of urban governmental services.

RR-G6: Land use should be consistent with protection of surface and ground water flows and recharge/discharge areas.

“Rural development” refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element.” (RCW 36.70A.030(17))

“Rural governmental services” include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. (RCW 36.70A.030(18))

The Resource section of this Chapter refers to the commercial agriculture, forest, and mineral resources of long-term significance that are not characterized by urban growth. (RCW 36.70A.170)

8.3 POLICIES

Kittitas County planning policies help define rural and resource lands, appropriate land uses and service levels, and unique rural features. They also identify innovative land use techniques which may be used to protect these features.

Rural policies are intended to enhance and protect the County’s rural character, and to encourage appropriate rural land use patterns and service levels. As Kittitas County is a primarily rural area, many of the goals and policies listed in this and other elements are intended to be interpreted through a broad-spectrum rural lens. Rural Lands planning policies include:

RR-P1: The County shall promote the retention of its overall character by establishing zoning classifications that preserve rural character identified to Kittitas County.

RR-P2: In order to protect and preserve Resource Lands, non-resource development and activities on adjacent Rural lands shall require preservation of adjacent vegetation, existing landforms (e.g. ravines) or use of other methods that provide functional separation from the resource land use.

RR-P3: The use of cluster platting and conservation platting shall be encouraged in specific rural areas to lessen the impacts upon the environment and traditional agricultural/forestry uses and to provide services most economically. The use of other innovative land use techniques that protect rural character and resource land uses will be evaluated for future implementation.

RR-P4: A certain level of mixed uses in rural areas and rural service centers is acceptable and may include limited commercial, service, and rural industrial uses.

RR-P5: Protecting and preserving resource lands shall be given priority. Proposed development allowed and adjacent to resource lands shall be conditioned to protect resource lands from negative impacts from that development.

RR-P6: Allow for lands which offer adequate supply of rock and gravel resources located in areas compatible for such uses and conditioned so that operation does not negatively impact rural character.

RR-P7: Policies will be consistent with Kittitas County's "right to farm" ordinance, 17.74 KCC.

8.4 RURAL LANDS

8.4.1 Introduction

Kittitas County's rural land use designation consists of a balance of differing natural features, landscape types, and land uses. Rural land uses consist of dispersed and clustered residential developments, farms, ranches, wooded lots, and agricultural and recreational/commercial and industrial uses that serve local, national and international populations as customers. Rural landscapes encompass the full range of natural features including wide open agriculture and range land, forested expanses, rolling meadows, ridge lines and valley walls, distant vistas, streams and rivers, shorelines and other critical areas.

Rural lands exhibit a vibrant and viable landscape where a diversity of land uses and housing densities are compatible with rural character. "Rural character," as identified through scientific research over the past two decades, indicates that residents of rural communities, homebuilders, and planners see it in various ways depending upon the community and the rural area. This research demonstrates that "rural character" is not identical in all areas and must be determined by communities. Overall, the research shows that "rural character" is best determined by concepts existing within the community such as existing densities and building materials (Tilt, et. al., 2006), "nature-related areas" particularly having forest, not just trees, and open spaces related to the community (Kaplan, Austin, 2004, 2003, and 2001), and "natural amenities and perception of recreational and (individual community) residential development" (Mascouriller, 2002). Study shows that cluster development, when used not to increase density creating suburban or urban-like environments, are most marketable, and preserve "open spaces" desired by communities and potential residents most effectively of all development techniques at this time (Burney, 2006 and Lacey, 1990).

Kittitas County residents, through an extensive public involvement process in 2012, provided descriptions of "rural" that they wish to preserve. Such descriptions include many of the conclusions presented by scientific



research including, "natural open spaces and streams," "forests," "recreational opportunities and spaces," "agriculture lands and activities," "mountain views," and "development away from urban areas." These descriptions capture the essence of "rural character" in Kittitas County, and fall squarely within the broad definition in RCW 36.70A.030.

"Rural character" in Kittitas County is predominantly a visual landscape of open spaces, mountains, forests, and farms and the activities which preserve such features. It balances environmental, forest, and farm protection with a variety of rural development and recreational opportunities. Many sizes and shapes of



properties can be found in the Rural Lands as well as assorted economic activities and opportunities, small rural residential development, and recreational opportunities throughout the County. The Interstate and State Highway systems which traverse the length and width of the County introduce countless travelers and visitors to the County. The County's highways and byways provide access to opportunities and means to create and preserve agri-tourist activities. They also provide access to extensive outdoor recreation activities identified by State law and by residents of Kittitas County as being "rural." This rich mix of uses and transportation systems allows the variety of lifestyle choice, which makes up the fabric of rural Kittitas County community life.

The most common uses in rural lands are agriculture, recreation and logging, which have been basic industries historically and remain important in terms of employment, income and tax base. Kittitas County will strive to encourage and support these activities in areas they occur and are appropriate. Some choose a private, more independent lifestyle, or space for small farm activities. Others choose the more compact arrangement found in clustering, with its accompanying open space and close neighbors designed in ways that enhance and preserve rural character.

One of the main attractions of the rural residential lifestyle is the low intensity of development and the corresponding sense of a slower pace of living. Part of what creates that attraction is the rural-level facilities and services. This Comprehensive Plan supports and preserves this rural lifestyle by limiting service levels to those historically provided in the County's rural areas. Residents should expect County services, such as road maintenance and emergency responses to be limited and to decrease as the distance from a rural activity center or urban area increases.

8.4.2 Planning for Rural and Resource Lands

Present rural land uses in Kittitas County are a mixture of diverse development patterns stemming from trends established decades ago. The County has been characterized as having an abundance of rural uses including the strong recreational opportunities throughout the entire area. The existence of mountainous topography, intense forest lands, and large lakes in the Upper Kittitas County area draws large populations to skiing, camping, hunting, and hiking opportunities. Vibrant river and stream waters invite sports fishermen from around the State to the area. Hunting is prevalent in all areas of the County, including the middle portion of the region where sage and tall grasses are abundant for game bird and mammal habitat.

The Lower Valley of Kittitas County has extensive irrigation and rich soils which have been valuable for agriculture and vital to the economy. Many farms have existed over a century and are very characteristic of the County's dominant rural character. Small, unincorporated communities exist throughout the County. These communities provide distinct, yet small scale services which rural residents depend upon. Many of these communities are located within "Limited Area of More Intensive Rural Development" or LAMIRDs as defined with the Washington State Growth Management Act. Combined, this mix of rural densities and uses has created a landscape unique to Kittitas County's rural lifestyle.

The Rural and Resource element is intended to preserve rural character through adopted goals and policies designed to encourage and protect the types of uses that are characteristic to the rural area. The goals and policies are intended to accomplish this in part by reducing conflicting land uses within the County's rural area while providing a variety of rural densities, protecting agriculture land resources and activities, guarding the County's water resources and insuring appropriate services and facilities for such environments.

A variety of rural densities characteristic to a rural environment are encouraged through the adoption of goals and policies within this Element. This Element also provides for a variety of rural uses which are compatible with the County's rural character, and decrease the need for road and utility improvements, police and fire protection, schools in rural areas and other services often found in more urban environments. Without limiting these types of urban services, their existence can often contribute to "rural sprawl," or the scattering of development throughout rural areas which can be inconsistent with an identified rural character. The proper mix of rural uses and densities permits rural growth to be accommodated in a variety of areas where it is compatible with both resource and urban activities.

The goals and policies of this Element are also intended to provide for the preservation of viable and vibrant landscapes associated with rural character. At the same time, these policies seek to capitalize on the recreational characteristics while preserving the natural resources in the County.

Nonconforming Lots

Nonconforming lots, i.e. lots that do not meet the County's current zoning standards - present a challenge to the County's plans to preserve the rural character of the County outside Urban Growth Areas. A recent count yielded approximately 5,900 nonconforming lots that fall below the minimum lot size for the rural areas. These are legally created lots that were created prior to the current zoning and subdivision rules.

Because these lots were created legally, they are theoretically capable of being developed in the future. However, in practical terms, the majority of these lots are unlikely to be able to meet existing development standards, ranging from legal access (many are landlocked) to meeting the minimum lot size necessary for the provision of septic systems and a well (since neither public water nor sewer are available).

Addressing the issue of nonconforming lots is a challenge that the County recognizes will need long-term, incentive-based approaches. Over time the County may consider inclusion of those nonconforming lots most capable of future development for inclusion in a Transfer of Development Rights program or some similar incentive program.

8.4.3 Purpose of Rural Lands

Following are goals that relate to the general intent of Rural Lands:

RR-G7: The County should consistently work to preserve and maintain the rural character of Kittitas County for the benefit of its residents.

RR-G8: The County should strive to sustain and protect the westerly mountainous, recreational open space, and its easterly non-resource agricultural and rangeland activities.

RR-G9: The County should continue to explore ways to provide rural economic opportunity.

RR-G10: The County should look for opportunities for a variety of rural density and housing choices while maintaining rural character and protecting health and safety.

RR-G11: The County should provide for infrastructure and services necessary to rural development.



The *policies* outlined below are intended to reduce conflicting land uses within the entire County's rural area while providing a variety of rural densities, protecting open spaces, and insuring that appropriate services and facilities are provided for rural developed environments.

RR-P8: Incentive-based land use strategies will be examined and adopted to encourage land uses which are compatible to the rural environment.

RR-P9: Encourage development activities and establish development standards which enhance or result in the preservation of rural lands.

RR-P10: Allow for a variety of rural densities which maintain and recognize rural character, agricultural activities, rural community and development patterns, open spaces and recreational opportunities.

RR-P11: Only allow comprehensive plan amendments, rezones, bonus densities, and other measures that increase rural densities where adequate supplies of potable water are available that will not adversely affect surface and ground water and agriculture.

RR-P12: Set allowed densities based on the available water resources and reserve adequate resources to support the Kittitas County's economic base, including agriculture.

RR-P13: Development shall be located distances from streams, rivers, lakes, wetlands, critical areas determined necessary and as outlined within existing Shorelines Management Program, the Critical Areas Ordinance and other adopted resource ordinances in order to protect ground and surface waters.

RP-14: Uses common in rural areas of Kittitas County enhancing rural character, such as agriculture uses in Lower Kittitas and rural residential uses and recreation uses in Upper Kittitas shall be protected from activities which encumber them.

RP-15: Give preference to land uses in Rural designated areas that are related to agriculture, rural residential development, tourism, outdoor recreation, and other open space activities.

RR-P16: Land use development within the Rural area that is not compatible with Kittitas County rural character or agricultural activities as defined in RCW 90.58.065(2)(a) will not be allowed.

RR-P17: Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreation areas. Direct rural development to lands that have adequate public services.

RR-P18: Buffer standards and regulations should continue to be developed that will be used between incompatible rural uses.

RR-P17: Cottage and home occupations which are rural in nature are allowed within all rural land use designations and regulations. Impact upon surrounding environments and upon existing public services shall be considered when such industries are proposed.

RR-P18: Future "General Commercial" zones will not be allowed outside Urban Growth Areas and LAMIRDs.

RR-P19: Kittitas County will provide criteria within its zoning code to determine what uses will be permitted within rural zone classifications in order to preserve rural character.

RR-P20: Residential and commercial buildings outside Type 1 LAMIRDs will be located in areas buffered by vegetation to maintain Kittitas County's historic rural character.

RR-P21: Functional separation and setbacks found necessary for the protection of water resources, rural character and/or visual compatibility with surrounding rural areas shall be required where development is proposed.

RR-P22: Provisions will be made for roadside stands, farmers' markets, "U-pick," and customer share cropping operations.



8.4.4 Rural Designations

Rural Lands are divided by function of the uses intended. The purpose of placing certain lands in these land use designations is to accommodate these various functions. The following *goals* are intended to guide the designation of rural lands:

RR-G12: Permit residential development in rural areas which enhance and protect rural character.

RR-G13: Preserve and protect non-resource forests and agriculture lands which are dominant in Kittitas County.

RR-G14: Provide opportunity for development for recreational purposes which are consistent with rural character and protect public health and safety.

RR-G15: Provide opportunity for limited development of rural community.

8.4.5 Rural Land Use Descriptions

Rural areas provide a choice in living environments through a mix of large lots and existing smaller lots in rural centers and Limited Areas of More Intensive Rural Development (LAMIRDs).

Table 8-1 identifies the Rural Land Use designations within the Kittitas County rural areas and corresponding zoning classifications. The table also displays the estimated acreages of each designation and classification determined by the Geographic Information System (GIS) of the County. The land use designations are limited in number to reflect the functions within the rural areas of the County.

Four land use designations have been identified within the Rural Land Use Plan. **Rural Residential** lands are those which are adjacent or near UGAs or LAMIRDs. They generally have a lower population density than urban areas but higher than most rural areas. A limited level of government services usually exists, and they are often inside Fire Districts and are outside flood areas and most hazard areas. Rural Residential lands are characterized by activities generally associated with small-scale farms, dispersed single-family homes, and some types of recreational uses and open spaces. Lands are typically too far from the urban area to enable cost-effective provision of public services, and the typical uses do not require urban services.



The second rural designation within the Plan is the *Rural Working* lands. Uses within this designation generally encourage farming, ranching and storage of agriculture products, and some commercial and industrial uses compatible with the rural environment and supporting agriculture and/or forest activities. Areas in this designation often have low population densities with larger parcel sizes compared to Rural Residential areas. Agriculture and forestry activities are generally less in scope than in the Resource lands.

Rural Recreation is the third land use designation. These lands often include scenic roadways, vistas, ski and hiking areas, and recreational and seasonal recreation residences. They include resort activities and provide limited commercial services to tourists and seasonal residents where rural character is preserved. Rural Recreation lands may be located in flood or other hazard areas where fishing and outdoor activities are prevalent.

The final rural lands designation is *Limited Areas of More Intensive Rural Development*, or *LAMIRDs*. These areas are often small, rural communities where rural residents and others can gather, work, shop, entertain, and reside. Commercial and industrial development compatible with rural character may continue to locate and prosper in rural areas under limited conditions. LAMIRDs are typically areas that were developed prior to the enactment of the Growth Management Act.

Zone classifications shown in **Table 8-1** outline the zones designed to achieve the goals and policies outlined in the designations. There are relatively few classifications within the Rural Residential and Rural Working lands. Most zoning classifications exist within the LAMIRDs since they allow a broader and more intense mix of uses.

Rural Residential

Following are the goals of the Rural Residential designation:

RR-G16: Allow for residential opportunity with rural character and a variety of densities outside UGAs without population expecting all urban services.

RR-G17: Generally, provide services supporting rural development and lower population densities.

RR-G18: Designate areas where lots are generally less than 10 acres in size and have a common land use pattern.

RR-G19: Permit siting in areas generally without commercial activity.

RR-G20: Protect residential activities from flooding areas and natural hazard areas.

RR-G21: Preserve views of open space while providing opportunity for variety of rural densities.

The following are policies for activities on Rural Residential lands:

RR-P23: Municipal, or public urban services should not be extended outside of urban growth areas in Rural Lands. However, municipal services may be provided to a Master Planned Resort which is approved pursuant to County Comprehensive Plan policies and development regulations so long as all costs directly attributable to the extension of such services to the resort or community, including capacity increases, are fully borne by the resort or community.

RR-P24: Residential development near water will limit impervious surfaces to the size necessary to conduct the allowed use proposed on the site.

RR-P25: New rural residential development shall provide adequate water for domestic use.

RR-P26: Capital Facilities and Utilities may be sited, constructed, and operated by outside public service providers (or sited, constructed, and/or operated jointly with a Master Planned Resort (MPR), limited area of more intensive rural development (LAMIRD)) on property located outside of an urban growth area if such facilities and utilities are located within the boundaries of such resort or community which is approved pursuant to County Comprehensive Plan policies and development regulations.

RR-P27: Electric and natural gas transmission and distribution facilities may be sited in any areas of Kittitas County including "Rural" designated areas, municipalities, UGAs, Master Planned Resorts, and LAMIRDs.

RR-P28: Public services and public facilities established under RCW 36.70A.070(5)(d) are limited to just those necessary to serve the developed area boundaries and will not be allowed to expand into adjacent Rural Lands.

RR-P29: Essential public facilities as defined in RCW 36.70A.200 shall be allowed located in rural lands when:

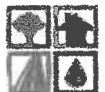
- The nature of the facility requires spaces for operation not commonly found in UGAs
- Can be self-supporting and not depend upon services of municipalities

Table 8-1 Rural Land Use Designations, Corresponding Zoning Classifications and Acreages

Type of Land Use	Land Use	Use Intensity	Description	Acres	Zoning Classification	Acres ¹
Resource	Commercial Agriculture	Resource Lands	Agricultural lands of long-term commercial significance	289,515.8	Commercial Agriculture	289,515.8
	Commercial Forest	Resource Lands	Forest lands of long-term commercial significance	800,275.0	Commercial Forest	800,275.0
	Mineral Lands	Resource Lands	Mineral lands of long-term commercial significance	5,690.7	Zoning Classification Varies ²	5,690.7
Section Total:						1,095,481.5
Rural	Rural Working	Low	Supports Ag, Timber and Mineral uses not in resource lands	328,754.3	Agriculture 20	111,226.4
					Forest and Range	217,527.9
	Rural Residential	Moderate	Residential opportunities with rural character outside of UGAs and LAMIRDS	29,900.9	Agriculture 5	11,921.6
					Rural 5	17,936.5
					General Commercial	0.7
					Planned Unit Development	42.1
	Rural Recreation	Moderate	Activities to support and enhance recreational opportunities	10,461.9	General Commercial	22.0
					Master Planned Resort	6,444.5
					Planned Unit Development	363.8
	LAMIRD	More Intense	Non-incorporated urban like development	1,210.4	Rural Recreation	3,681.7
					Agriculture 20	28.3
					Agriculture 3	42.4
					Forest and Range	77.6
					General Commercial	194.2
					General Industrial	4.7
Highway Commercial					45.2	
Light Industrial					36.3	
Limited Commercial					13.6	
Planned Unit Development					218.0	
Residential	412.3					
Residential 2	41.8					
Rural 3	42.4					
Rural 5	53.6					
Section Total:						370,327.6
County Total:				1,465,809.1	1,465,809.1	

¹ Acreages are approximate.

Note: The totals in this table are subject to change based on improved accuracy of GIS shapefiles and assessor's information.



- Operational needs require use of rural lands

Operation of such facilities will not affect the activity or nature of rural lands.

RR-P30: Clustering of development can only occur where it results in the protection of open space and protects against conflicts with the use of farming or other resource lands. When clustering of development is proposed on land that shares boundaries with public lands and provides existing public access to recreational uses on adjacent public lands, easements for public access connections shall be considered during development review. The open space portion of the cluster development shall be located to protect fish & wildlife habitat and migration corridors.

RR-P31: County restrictions on free-running dogs shall be developed and enforced.

RR-P32: Residential uses, where permitted, shall be located where farming and forestry activities and opportunities are not negatively impacted.

RR-P33: Residences will be located to create the least interference with the movement of farm vehicles and farmlands.

RR-P34: The benefits of cluster residential development will be explored with criteria for such to occur in rural areas. Criteria, such as limited density, open space minimums and lot size maximums, will be developed to preserve the rural character existing in the area where clustering is proposed.

RR-P35: Cluster residential development in forested areas will be sited to maintain visual compatibility with the surrounding landscape and to limit the removal of natural vegetation and trees.

RR-P36: Planned Unit Developments (PUD) in rural areas will only be established where such developments will not result in high density environments which require urban services and reduce maintenance of rural character.

RR-P37: Innovative housing developments which preserve rural character will be encouraged.

RR-P38: Future amendments should consider placing more emphasis on public benefits that can be accessed and enjoyed by the general public, such as public access trails, publicly accessible formal and informal recreation features, and contiguous open space protected in perpetuity through conservation easements.

RR-39: Public benefits of cluster platting that are provided as Transfer Development Rights lots shall be specifically identified on recorded plats and maintained through easements, covenants, plat notes or other mechanisms.

Rural Working

Following are the goals pertaining to the designation of Rural Working lands:

RR-G22: Provide preservation of agriculture activities where producers can live and work on their own lands separate from Resource Lands.

RR-G23: Support the continuation, whenever possible, of agriculture, timber and mineral uses on lands not designated for long-term commercial significance.



RR-G24: Provide some buffer between rural residential lands and resource lands.

RR-G25: Provide areas of low intensity land use activities within the agriculture and forest activities.

The following are policies for activities on Rural Working lands:

RR-P40: Conveyance instruments including plats and short plats, development permits and building permits, within 500 feet of land designated as Rural Working lands or Resource Lands shall contain a notice to potential buyers and residents as directed within RCW 36.70A.060(1)(b).

RR-P41: Right to farm ordinances will continue and new ordinances achieving the objective will be researched.

RR-P42: Irrigation delivery facilities should be managed and maintained to facilitate the unimpeded delivery of water to agricultural lands.

RR-P43: Kittitas County will continue to research new land use techniques such as Transfer Development Rights, Purchase of Development Rights and open space preservation tools to provide economic incentives to farmers to continue agriculture activities.



RR-P44: Planned Unit Developments (PUD) should be prohibited in Rural Working land zones.

RR-P45: Commercial/Industrial development in Rural Working lands shall be compatible to the rural environment, and must be developed as determined necessary to not significantly impact surface and groundwater.

RR-P46: Development standards for access, lot size and configuration, fire protection, water supply and dwelling unit location will be adopted for development within or adjacent to forest and agriculture lands.

RR-P47: Kittitas County will continue to research innovative incentive-based strategies – including tax incentives - that encourage and support farming activity.

RR-P48: Kittitas County will encourage voluntary farm conservation and agriculture preservation activities, and support activities engaged in agriculture preservation.

RR-P49: In addition to the notice requirements in RCW 36.70A.060(1)(b), non-farming residents should be informed on the practices of farming so that they are aware of the non-urban activities and impacts that occur in the agricultural environment.

RR-P50: Open ranges are a resource land not subject to nuisance complaints due to residential activity.

RR-P51: Where proposed residential development is determined in conflict with natural resource activities, all mitigation measures to make the development compatible with the activities shall be completed and cost borne by the developer.

Liberty Historic District

The Liberty Historic District is an historic mining town recognized by the National Register of Historic Places. Development in this district is subject to the Historic District Overlay Zone.

Liberty Historic Land Use Issues and Concerns:

- 1) The Liberty Historic District is a nationally designated historic district in the County.
- 2) The surrounding forested lands around Liberty are important to the natural historic character of the town site, including the four privately owned parcels.
- 3) The designation of the Liberty townsite as a special historical suburban classification would require the development of a community water system.
- 4) Liberty has a small finite number of buildable lots.

RR-P52: The Liberty Historic District is in the Rural Working land use designation. To ensure compatibility with the historic district, development in the adjacent forest lands shall conform to any standards that assure compatibility.

RR-P53: Future development in the historic district shall be primarily residential and be consistent with any existing or new design review standards.

Rural Recreation

Following are the goals pertaining to the Rural Recreation designation:

RR-G26: Maintain and enhance the extraordinary and expansive recreational opportunities in Kittitas County.

RR-G27: Provide safe opportunities to develop public and private recreational spaces while preserving rural character.

RR-G28: Increase rural tourist and rural recreational spaces while maintaining environments characteristic to rural areas.

RR-G29: Allow for and encourage commercial activities characteristic to recreational activity while maintaining rural character.

Substantial amounts of recreation lands in this County are owned by the public and private parties. These provide more than ample opportunities for water recreation, hunting, fishing, camping, hiking, trail riding, winter recreation and wildlife viewing. In addition to publicly-owned areas, many private businesses cater to the public in providing skiing, golfing, camping and trail riding on private lands.

Rural recreation in Kittitas County is also largely provided in the form of recreational residences, primarily in the upper western area of the County. These developments are often "second homes" for persons living in other parts of the State. These recreational residences are a significant contributor to the County's economy.



This Element of the Plan addresses the policies for these existing and future seasonal and full-time residential structures.

The County and the various cities have different roles regarding public and private recreation. Rural residents, with their larger acreage home sites, do not depend upon the neighborhood parks popular in cities to the same extent as the urban population. The residents of the County, as well as others throughout the State and Nation, depend upon the massive trail systems which provide hiking, horse riding, biking, and other exclusive recreational opportunities throughout the year.

The distribution of a wide variety of recreation areas over such a large expanse impacts County roads and public safety agencies. Kittitas County is a recreation destination for many out-of-County tourists, and while this benefits local businesses, it also increases the County's recreation related expenditures. Maintaining recreational lands access and safety, and the County's existing recreation facilities should be a key focus.

Following are the policies for activities on Rural Recreation lands.

RR-P54: Convenience and motorist services, when permitted near highway, freeway and major arterial intersections, shall be designed to be compatible with surrounding rural character.

RR-P55: The County should seek financial support from State and federal agencies to assist in providing for recreational area access and safety.

RR-P56: Developments located for commercial, residential/recreational purposes, such as Master Planned Resorts or Planned Unit Developments, shall have adequate water, septic and public facilities to service such development without over-burdening the County public services.

RR-P57: Commercial service proposals in Rural Recreation areas shall have provisions within any conditional use decisions to assure compatibility with adjacent rural environments.

RR-P58: Developers should be required to approach project design which provides a visual rural environment characteristic of Kittitas County including preservation of open spaces, adequate buffering between development and natural areas, and preservation of critical areas and forested lands.

RR-P59: Rural recreation development should be promoted where there is potential for limited infill of seasonal recreation structure, in areas where seasonal structures are not uncommon, and upon soils and geologic conditions which can support structural development.

RR-P60: Consider incentive programs that create active and passive open space.

RR-P61: Commercial uses proposed for development to service recreational tourists and residents will be permitted in spaces when found to be suitable to surrounding rural areas.

RR-P62: International Wildland-Urban Interface Code should be enforced when approving a recreational residential structure for greatest protection of life and property.

RR-P63: Specific natural hazards in rural recreation areas shall be considered before creation of habitable or residential structure.

Master Planned Resorts

The Master Planned Resort (MPR) designation applies to those lands that comprise a self-contained and fully integrated planned unit development. MPRs are typically destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities. A MPR may also include residential uses within its boundaries, but only if the residential uses are integrated into and support the on-site recreational nature of the resort. A MPR may constitute urban growth outside of urban areas as limited by these policies.

Kittitas County has a wide range of natural features, including climate, vegetation, water, resources, scenic qualities, cultural, and geological features, which are desirable for a wide range of recreational users to enjoy. MPRs offer an opportunity to utilize these special features for enjoyment and recreational use. MPRs can bring significant economic diversification and benefits to communities, while at the same time enhancing environmental values. MPRs can address these unique opportunities while maximizing retention of environmental features, critical habitats, resource lands, and other critical features. MPRs can be located and planned in ways that do not detrimentally affect projected growth scenarios in urban growth areas and limited areas of more intense rural development (LAMIRDs). MPRs should be designed to stand alone, by not requiring adjacent areas to develop land uses to support the resort use. Recognizing these factors, policies guiding the location and development of MPRs must consider varied and unique criteria.

MPRs may be approved in the County in accordance with: (1) RCW 36.70A.360 or .362 Master planned resorts, as amended; (2) County Comprehensive Plan policies; and (3) County Development Regulations. For general guidance purposes, the County MPR policies rely upon the June 1994 "Master Planned Resorts Draft Comprehensive Plan Policy Guidance" prepared by the Washington State Department of Community, Trade and Economic Development Task Force.

Following are the policies pertaining to Master Planned Resorts in Rural Areas:

RR-P64: MPRs should have a thorough review process prior to being located or designated and such review process should be phased, consistent, specific, and timely.

RR-P65: A MPR will be planned and designed by looking at the entire site or area and adjacent lands and communities.

RR-P66: A MPR should be designed in context with its surrounding environment, natural and man-made. A MPR should not adversely affect surrounding lands in any significant way.

RR-P67: A variety of urban residential densities should be included in a MPR site design, providing efficient, compact residential land use. Residential uses may include single-family detached lots and multi-family and attached residential structures. Clustering of residential units in a manner that preserves open space is strongly encouraged. Overall MPR density shall not exceed an average of one unit per acre. Non-urban residential densities are appropriate within a MPR if they promote and are linked to the on-site recreational features and value of the resort.

RR-P68: A MPR application should include a clear and detailed mapped description of how the development phases of the MPR fit together. Estimated timelines for site development, building construction and all necessary public and private capital facilities, utilities, and services should be provided.



RR-P69: A MPR should be physically and, for the most part, visually separated from the nearest developed area.

RR-P70: A substantial physical buffer should be included in a MPR's internal site design, allowing adjacent lands to be separated from the MPR so that activities within the MPR create no significant increases in ambient noise, reductions in air quality, or visual alterations outside the MPR. To the extent possible, natural features such as water bodies, vegetation cover, slopes, or existing man-made features should be utilized as the MPR's buffer. The actual width of a MPR's buffer should be evaluated to determine the appropriate separation from adjacent lands. The term "substantial physical buffer" is intended to mean more than one-hundred feet between a MPR's perimeter and adjacent lands.

RR-P71: A MPR should maintain and enhance the physical environment. Planning for a MPR should be based on natural systems, constraints, and opportunities. Design characteristics should consider the overall context of the MPR, maintaining a common character throughout the project, which blends with natural features on-site.

RR-P72: An application for a MPR, a sub-area plan for an existing resort, should include site plans depicting the locations and describing the attributes of all on-site and surrounding natural features, critical plant and animal habitats, and potentially hazardous areas. The plan should propose opportunities to integrate the site's natural amenities with the proposed built amenities.

RR-P73: Historic and archeological features are to be preserved. Serious consideration should be given to whether such features could be appropriately integrated into a MPR's proposed features as valuable attributes.

RR-P74: A design theme for a MPR may be appropriate but is not required. However, multiple discordant themes should be avoided.

RR-P75: Natural and man-made recreational facilities and opportunities shall be the central focus of a MPR.

RR-P76: Recreational facilities will be included with initial development phases of a MPR.

RR-P77: Recreational facilities and visitor accommodations should be phased along with other types of development within a MPR.

RR-P78: A MPR will include significant recreational areas and facilities on-site so that the use of off-site recreational areas and facilities by resort visitors and associated impacts are minimized.

RR-P79: A MPR will have a primary focus on short-term visitor accommodations, including vacation and second homes. Other residential uses may be permitted within a MPR if such uses are integrated into and support the on-site recreational nature of the resort.

RR-P80: Short-term visitor accommodations should constitute more than fifty percent (50%) of all resort accommodation units.

RR-P81: Short-term visitor accommodations, such as hotel rooms, should be included with the first and initial phases of a MPR development.

RR-P82: An adequate supply of affordable employee housing within a MPR, or within a reasonable distance of a MPR, should be demonstrated. If this supply cannot be demonstrated, steps should be taken to mitigate the lack of affordable housing supply, so that an unreasonable burden is not placed on the affordable housing markets of surrounding communities. A MPR's ability to hire local residents should be taken into account in determining whether an "adequate supply" of affordable housing is available.

RR-P83: Retail and commercial services should be designed to serve only the users of the MPR and should be limited in scope and location to serve only as ancillary uses within the MPR.

RR-P84: Retail and commercial services offered on-site by a MPR should not duplicate the full range of commercial services available in adjacent communities. Retail and commercial services offered on-site by a MPR should be designed to discourage use from outside the MPR by locating such services well within the MPR site rather than on its perimeter.

RR-P85: A full-range of commercial services should only be provided within the urban growth areas of the surrounding region.

RR-P86: Adequate security, fire suppression and first aid facilities and services should be provided on-site, taking into account the emergency facilities and levels of service available from the County sheriff and local fire and emergency medical districts.

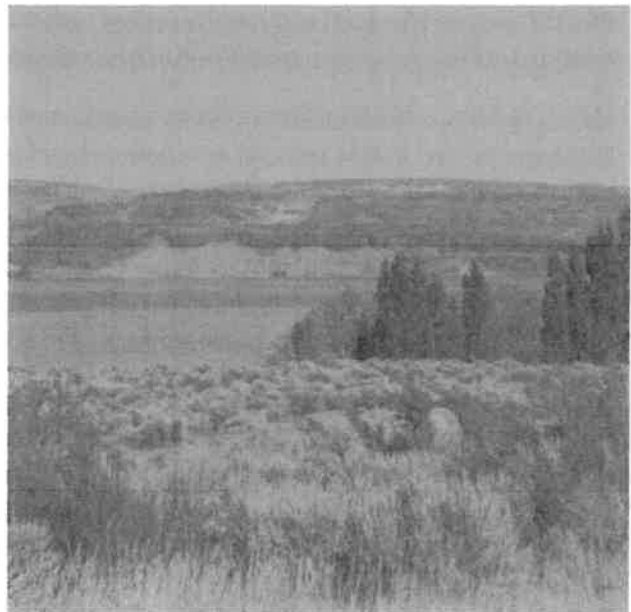
RR-P87: MPR community sewer, water and stormwater facilities (including associated treatment facilities) will be provided on-site and should be limited to meeting the needs of the MPR.

RR-P88: Public facilities, utilities, and services will be provided to the MPR so long as all costs associated with such extensions, capacity increases, and services are borne by the MPR. Such public facilities, utilities, and service providers may include the County, the cities and towns within the County, water and sewer districts, and owners of water systems.

RR-P89: MPR facilities, utilities, and services should be designed to accommodate only the projected needs of the resort users. Because a resort is fully occupied only occasionally, MPR facilities and utilities need not be designed to meet peak user occupancy demands and should rely in part on storage and other appropriate mechanisms and technology to meet peak demands.

RR-P90: Construction of a MPR and all necessary on-site and off-site capital facilities and utilities infrastructure will be concurrent, but may be provided in phases to meet the needs of development phases as constructed and utilized.

RR-P91: Impacts to public services should be fully reviewed and fair and proportionate mitigation provided by the MPR.



RR-P92: All school district facility and service impacts should be mitigated by the MPR on a fair and proportionate basis. Review and mitigation of impacts on affected school districts may take into consideration the relatively low student population typically generated by a MPR.

RR-P93: County road standards should be followed for on-site and off-site roadways and access points; provided, however that some flexibility with respect to on-site road design standards may be appropriate if the MPR's natural features and critical areas are to be maintained. Administrative variance procedures should be utilized for this purpose.

RR-P94: At all times, MPR road standards will meet the minimum safety standards adopted by the County Fire Marshal.

RR-P95: On-site roadway and access costs should be fully borne by the MPR, and off-site road impacts should be mitigated by the MPR in proportion to its demonstrated impacts, including secondary impacts.

RR-P96: Traffic impacts of the MPR, on-site and between the MPR and nearby areas of interest, should be mitigated by appropriate measures, e.g., transit/shuttle services, pedestrian and bicycle trails, etc.

RR-P97: All external road connection points with the MPR should be determined through review agreements with affected agencies and local governments in the region.

Limited Areas of More Intensive Rural Development (LAMIRDs)

Following are the goals pertaining to Limited Areas of More Intensive Rural Development:

RR-G30: Establish areas of community pattern that accommodate community activities without having to incorporate

RR-G31: Provide opportunity for residential infill which provides a variety of housing and yet maintains rural character

RR-G32: Provide for rural community settings which do not require urban level services and maintain existing rural development patterns that have existed for long periods

Many counties, including Kittitas County, contain historical rural settlements that pre-date the Growth Management Act (GMA) and that are characterized by higher density development and economic activity than the surrounding rural area. These areas may provide rural community identity, residential neighborhoods and goods and services, or provide rural employment opportunities. These are areas designated "Limited Area of More Intensive Rural Development" LAMIRD designation and is an optional tool provided by the GMA that is intended to recognize these pre-existing development patterns; provide for limited infill, development or redevelopment; and allow for necessary public services to serve the LAMIRD.

To be consistent with the requirements of the GMA, designated LAMIRDs must have clearly identifiable and logical outer boundaries delineated predominately by the built environment and/or physical boundaries, such as bodies of water, streets and highways, and land forms and contours. Although new development and redevelopment is allowed, development cannot extend beyond the established boundary and contribute to a new pattern of low density sprawl. Public facilities and services provided to LAMIRDs must not permit low density sprawl.

The “Limited Area of More Intensive Rural Development” (LAMIRD) designation has been assigned to Snoqualmie Pass, Easton, Ronald, Thorp, and Vantage. Other un-incorporated communities presumably designated as rural areas include: Liberty, Thrall, Lauderdale, Sunlight Waters, Fairview, Denmark, Badger Pocket, Elk Heights, Teanaway, Reecer Creek, and Sky Meadows, as well as others.

Based on the LAMIRD types established in RCW 36.70A.070(5), Kittitas County establishes three categories of LAMIRD designations. These are:

- *Rural Activity Center*– Rural development consisting of infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.
- *Rural Recreational Center*– Intensification of development on lots containing, or new development of, small-scale recreational or tourist uses that rely on a rural location and setting, but do not include new residential development.
- *Rural Employment Center*– Intensification of development on lots containing isolated nonresidential uses or new development of isolated small-scale businesses that are not principally designed to serve the rural area, but do provide job opportunities for rural residents.

The following policies provide guidance for designation and development within LAMIRDS generally, as well as more specific guidance for each type of LAMIRD.

RR-P98: The County should allow for designation of LAMIRDS in the rural area, consistent with the requirements of the GMA.

RR-P99: The following factors should be considered when designating a LAMIRD and establishing boundaries:

- a) Existing development pattern, potential for redevelopment and infill, and for Type 1 LAMIRDS the ability to establish a logical outer boundary;
- b) Rural character of the potential LAMIRD and surrounding area;
- c) Existing and potential mix of uses, densities and intensities and potential impacts to the surrounding area;
- d) Presence/location of infrastructure and other “man-made” facilities;
- e) Distance from other LAMIRD, UGA, designated resource land or other special land use designation. If in close proximity, consider the potential for sprawl, and/or land use conflicts;
- f) Feasibility, cost and need for public services;
- g) Significant natural constraints or features to be preserved; and
- h) Public input and comment.

RR-P100: Once boundaries are established, geographic expansion will not be permitted unless needed based on one or more of the following criteria:

- a) to correct for mapping errors, or
- b) to correct for other informational errors, or
- c) when otherwise consistent with the requirements of GMA.



RR-P101: Allow inclusion of undeveloped land in LAMIRDs for limited infill, development or redevelopment when consistent with rural provisions of the Growth Management Act.

RR-P102: Require that development or redevelopment harmonize with the rural character of the surrounding areas.

RR-P103: Recognize that public services will continue to be provided at a rural level of service. Public services and facilities will not be provided in a manner that allows low-density sprawl.

RR-P104: Development densities, intensities or uses that require urban level of services should not be allowed.

RR-P105: Continue to protect the long-term viability of designated forest, mineral and agricultural resource lands.

RR-P106: Strip commercial development along State and County roads will not be permitted in any LAMIRD.

8.5 RESOURCE LANDS

Kittitas County has utilized the standards set forth in RCW 36.70A.170 to designate resource lands, which may not currently be characterized by urban growth and must have long term commercial significance. In using these criteria, Kittitas County relied on the definitions found in RCW 36.70A.030 relative to resource lands, and to designates these lands into three categories: lands of commercial agriculture, lands of commercial forest and mineral resource lands.

A large portion of Kittitas County contains forested lands. Of these lands, 800,380 acres have been designated as forestlands of long-term commercial significance and are designated "Commercial Forest" lands within the Plan. Furthermore, 286,000 acres of the valley floor's agricultural land has been designated as "Commercial Agriculture" since it is agricultural land of long-term commercial significance. "Mineral" resource lands of long-term commercial significance have also been designated.

8.5.1 Planning of Resource Lands

As provided in the GMA, a primary purpose of this Rural and Resource Lands chapter is to implement a combination of techniques to preserve resource lands. In addition to the traditional large-lot zoning categories that limit the density of development and restrict or prohibit inappropriate uses of resource lands, Kittitas County is committed to implementing innovative land use management techniques in resource lands as permitted by the Growth Management Act including, but not limited to, transfer of development rights and conservation platting.

Such innovative techniques that allow development on one portion of land while leaving the remainder in resource or open space use will be carefully created in regulations to preserve and protect resource lands. Such innovative development activity will be properly managed and designed to assure conservation of resource lands and to encourage the continuation of the predominant agricultural and resource based economy of Kittitas County.

Commercial Agriculture lands are those that have been identified as lands with soils and location characteristics that suggest that they will be used for commercial agriculture use in perpetuity and are

considered a resource to the economy. Commercial Forest lands are those that have been identified as areas where logging has been the main source of activity in the past and where such lands can or will be preserved for that resource and activities associated with forests. Mineral lands that have long-term significance for extraction of minerals allow for the extraction of mineral resources, and occur in various zones.

Following are general policies for all Resource lands in Kittitas County.

RR-P107: Conserve important natural resource lands with the implementation of a Transfer of Development Rights program, a market-based tool in which land owners volunteer to sell the right to develop their land to areas where greater density is more appropriate, permanently conserving specified natural resource lands.

RR-P108: Development standards for lot size and configuration, fire protection, water supply and structure location will be adopted for land use activity within or adjacent to resource lands.

RR-P109: Kittitas County will continue to research innovative incentive-based ordinances that encourage and preserve resource land activity.

RR-P110: Open ranges are a resource land not subject to nuisance complaints due to residential activity

RR-P111: The County should research tax incentives that encourage the establishment and continuance of resource land protection and preservation.

RR-P112: Where proposed development is determined incompatible with natural resource activities, all mitigation measures to make the development compatible with the activities shall be completed at expense of the developer.

RR-P113: Forest land and agricultural land located within UGAs should not be designated by a county or a city as forest land or agricultural land of long-term commercial significance, unless the city or county has enacted a program authorizing transfer or purchase of development rights.

RR-P114: Lands designated commercial agriculture or commercial forest lands should not be used to expand an urban growth area or designated as future urban growth expansion areas.

RR-P115: Ongoing agriculture and forestry activities in rural working and resource lands should not be unduly restricted by development regulations.

8.5.2 Commercial Agriculture Land Use

The purpose and intent of this designation is to comply with the requirements of the GMA to guide adoption of regulations which assure that use of lands adjacent to agricultural lands of long term significance will not interfere with continued use of that land for agricultural purposes [RCW 36.70A.060]. In classifying and conserving the agriculture resource lands in Kittitas County, it has considered the minimum guidelines found in WAC 365-190 including:

- Lands not characterized by urban growth;
- Lands capable of being used for agricultural production based primarily on physical and geographic characteristics;



- Lands having long-term significance for agriculture which takes into account, among other things, the proximity to urban growth areas, public facilities and services, intensity of nearby uses and other things which might contribute to potential revision of use based upon marketing factors.

It is the County's intent to meet these agricultural resource requirements by establishing a "Commercial Agricultural" designation. Based on the review criteria established by Kittitas County, land located in the Commercial Agricultural Zone has been formally designated as "Agricultural Lands of Long-term Commercial Significance."

Comprehensive Plan Goals Regarding Designation of Agricultural Lands of Long-Term Commercial Significance

For purposes of designating Agricultural Lands of Long-Term Commercial Significance, and in considering any request for de-designation of such lands, Kittitas County has identified the following criteria:

Designation and De-designation of Agricultural Lands of Long-Term Commercial Significance

The purpose of this section is to identify the goals and policies in Kittitas County necessary to implement Goal 8 (RCW 36.70A.020(8)) of the GMA concerning Agricultural Lands of Long-Term Commercial Significance.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agriculture, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

All decisions dealing with the designation or de-designation of Agricultural Lands of Long-Term Commercial Significance shall be in support of that goal.

1. Definitions.

The County adopts and shall utilize the following definitions and considerations:

"Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.⁷



⁷ RCW 84.33.100 through 84.33.118 were repealed or decodified by 2001 c 249 §§ 15 and 16. RCW 84.33.120 was repealed by 2001 c 249 § 16 and by 2003 c 170 § 7.

“Long-term commercial significance” includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of the land.

In determining “the combined effects of proximity to population areas and the possibility of more intense uses of the land” upon agricultural lands, the County shall consider: (a) the availability of public facilities; (b) tax status; (c) the availability of public services; (d) relationship or proximity to urban growth areas; (e) predominant parcel size; (f) land use settlement patterns and their compatibility with agricultural practices; (g) intensity of nearby land uses; (h) history of land development permits issued nearby; (i) land values under alternative uses; and (j) proximity of markets.

2. Designation Criteria.

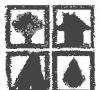
In order to be designated Agricultural Lands of Long-Term Commercial Significance in Kittitas County, the land must: (1) not be characterized by urban growth; (2) be primarily devoted to agriculture, and (3) have long-term significance for agriculture.

Land shall be designated Agricultural Lands of Long-Term Commercial Significance (referred to as Commercial Agricultural Lands in the Kittitas County Code) in accordance with the designation criteria and considerations set forth herein.

- A. **Land Grade Consideration.** Agricultural Lands of Long-Term Commercial Significance shall be prime and unique farmland soils as mapped by the United States Department of Agriculture Natural Resources Conservation Service and considered capable of agricultural use according to land capability criteria in Agriculture Handbook No. 210 or successor guide adopted by the federal agency.
- B. **Other consideration.** In determining whether land should be designated as Agricultural Land of Long-Term Commercial Significance, the County may also consider the needs and nature of the agricultural industry.
- C. **Designation.** Upon a determination that a tract qualifies as Agricultural Lands of Long-Term Commercial Significance (referred to as Commercial Agricultural Lands in the Kittitas County Code) under the definitions and considerations noted above, such lands shall be so mapped in the Comprehensive Land Use Plan map of Kittitas County and shall be zoned Commercial Agricultural lands under Kittitas County zoning code, section KCC 17.31. The County’s Commercial Agricultural zoning code, KCC 17.31, shall control uses, maintenance and enhancement of the agricultural industry and conserve productive agricultural lands consistent with the needs and best practices of the industry. Lands presently mapped as “commercial agriculture” shall retain that designation unless a specific de-designation request is filed by the owner for a review under the guidelines of this Ordinance.

3. De-designation criteria.

- A. **Definitions.** De-designation is a change of land classification from Agricultural Lands of Long-Term Commercial Significance to another GMA classification.
- B. **De-designation Criteria.** The considerations and criteria for de-designation are the same as the considerations and criteria for designation identified in sections 1 and 2 above. De-designation



requests may be initiated by the County or by individuals based on a request to consider (1) a mistake in the original designation or (2) that factors leading to the original designation have changed, rendering the site inappropriate for long-term commercially significant agricultural land designation.

- C. A de-designation request shall provide a legal description of the property subject to the request and map showing the agricultural land grades listed above for the property. The request shall specifically address each of the factors above deemed pertinent to the consideration of designation and de-designation.

4. Applications and Processing.

- A. Applications for the designation of Agricultural Lands of Long-Term Commercial Significance shall be docketed with the planning department for annual consideration by the Kittitas County Planning Commissioners and Board of County Commissioners as a change to the County comprehensive plan and map in accordance with Chapter 15.B of the Kittitas County Code. Applications for de-designations of Agricultural Lands of Long-Term Commercial Significance must be accompanied, and processed along with, a specific development application.
- B. In determining a request to designate or de-designate Agricultural Land of Long-Term Commercial Significance, the County may consider the needs and nature of the agriculture industry (*Lewis County v. Western Washington Growth Management Hearings Bd.*, 157 Wn.2d 488, 139 P.3d 1096 (2006)).
- C. In considering a request for de-designation, the County shall make the same considerations as in designating lands under the provisions of Section 2 above (*City of Redmond v. Central Puget Sound Growth Management Hearings Board*, 116 Wn. App. 48, 65 P.3d 337 (2003) (Benaroya II)).
- D. In addition to such considerations as may be undertaken by the County under these provisions, the County shall address in writing: (1) the factors that warrant the designation or de-designation, and (2) how the action meets the objectives of Goal 8 of GMA (RCW 36.70A.020(8)) to maintain and enhance a productive agriculture industry and to encourage the conservation of productive agricultural lands and to discourage incompatible uses when making a decision on designation or de-designation of Agricultural Lands of Long-Term Commercial Significance.

Following are policies to protect and ensure continued employment of Commercial Agricultural land use.

RR-P116: The County will oppose laws and regulations which restrict agriculture and support laws and regulations which enhance agriculture.

RR-P117: The County should develop a study area where the various Rural land use designations and the Commercial Agriculture designation interface occurs which may lead to the development of a Commercial Agriculture Transition Zone overlay. The study area should consider but not be limited to:

- Strategies that site land use activities within or adjacent to Commercial Agriculture lands that minimize conflicts with agricultural activities.
- Effectiveness of Transfer of Development Rights from Commercial Agriculture to Rural lands.
- Use of Cluster Development to minimize impacts.
- Use of open space to act as a “buffer” between Rural and Commercial Agriculture designations.

RR-P118: Continue and expand support for right-to-farm ordinances.

RR-P119: The County should promote the preservation of agricultural activities through programs that encourage long-term ownership and production on agricultural lands.

RR-P120: Kittitas County recognizes that new residents may not understand the rural living differences encountered in Kittitas County; therefore, the County supports the efforts of educational opportunities and agencies to educate on rural living and agricultural activities of long term significance.

RR-P121: The County should encourage development projects whose outcome will be the significant conservation of farmlands.

RR-P122: The County should identify and designate agriculture transportation corridors that facilitate farm use.

RR-P123: The County should participate in sound voluntary farm conservation or preservation plans (i.e., be recipients and overseers for conservation easements and/or assist with transferable development rights programs).

RR-P124: The County should look into additional tax incentives to retain productive agricultural lands.

RR-P125: The County should create a growth management agricultural advisory council comprised only of agriculture producers to review and make recommendations to the Board of County Commissioners on at least an annual basis over the coming 20 years on:

- a) the status of agriculture in Kittitas County,
- b) County agriculture policies and regulations,
- c) local agriculture marketing and economic planning, and
- d) review and make recommendations regarding zoning and development regulations.

RR-P126: Current agricultural uses in urban residential areas should continue to be allowed as the lands transition to urban residential uses.

RR-P127: The County should provide for flexible use of agricultural lands that are located in areas with limited or no irrigation.

RR-P128: The County will continue to support development and implementation of the Yakima Basin Integrated Management Plan to support water supply for agricultural lands.

Incentives for Commercial Agriculture Land Use

It is the policy of Kittitas County to encourage and support agricultural uses of lands within the Commercial Agricultural designation. The County will continue to explore additional incentives for conserving both rural and resource lands. These incentives may be developed through the Kittitas County Comprehensive Plan and subsequent implementation mechanisms.

RR-P129: The County should establish an agricultural advisory commission to advise the BOCC on agricultural issues.



RR-P130: The County should develop incentives for farming and ranching to continue as significant land uses, for example, innovative cluster platting, transfer of development rights, and planned unit developments, and agricultural commercial binding site plan for agriculture-supporting uses.

RR-P131: The County should work with landowners to ensure waters in naturally occurring ponds and springs (with no surface connection to a stream) are retained for stock water uses when they are on or adjacent to lands used as pasture or range for livestock.

RR-P132: Where appropriate, Kittitas County will exert its influence to help provide the delivery of water to all lands within the County.

RR-P133: Encourage all development to incorporate drought tolerant or native vegetation as a major component of their landscaping plan (i.e. xeriscaping)

RR-P134: To the extent possible the Board of County Commissioners shall promote processing facilities for the products produced upon those lands designated as Commercial Agricultural under this Chapter and WAC 365.190.050 (6).

RR-P135: All plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, shall contain a notice that states that: "The subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities and mineral operations may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities and/or mineral operations performed in accordance with County, State and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305)

8.5.3 Commercial Forest Land Use

Commercial forestland, approximately 800,380 acres, claims approximately half of the Kittitas County land area. A checkerboard pattern of private, State, and federal land ownerships characterizes the County forests. The primary land use activities in commercial forest areas are commercial forest management, forest recreation, agriculture, mineral extraction, sand and gravel operations and those uses that maintain and/or enhance the long-term management of designated commercial forest lands.

Traditionally forestlands in the County contributed regional economic value by providing employment and income from resource management, which includes: harvesting, fishing, hunting, mining, grazing and recreation. Even though revenue has diminished from forest products, it is recognized that forestlands provide other public benefits and values such as: watersheds, wildlife and fish habitat. It is recognized that the designation "Commercial Forest Lands" has been used to encompass all forested lands that do provide a variety of public benefits including non-productive and high elevation lands within ownerships.

It is clear that the Legislature intended that counties planning under the GMA should consider land characteristics and economic factors when designating commercial forest lands. As stated by the Washington Supreme Court, "the GMA is not intended to trap anyone in economic failure." *Lewis County v. Western Washington Growth Management Hearings Board*, 157 Wash.2d 488, 505 (2006).

For purposes of designating Forest Lands of Long-Term Commercial Significance, and in considering any request for de-designation of such lands, Kittitas County has identified the following criteria.

Designation and De-designation of Forest Lands of Long-Term Commercial Significance

The purpose of this section is to identify the goals and policies in Kittitas County necessary to implement Goal 8 of the GMA concerning Forest Lands of Long-Term Commercial Significance:

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

All decisions dealing with the designation or de-designation of forest resource lands shall be in support of that goal.

1. Definitions.

The County adopts and shall utilize the following definitions and considerations:

- A. "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance.⁸
- B. "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.
- C. In determining whether forest land is "primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production," the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

2. Designation Criteria.

In order to be designated Forest Lands of Long-Term Commercial Significance in Kittitas County, the land must: (1) not be characterized by urban growth; (2) be primarily devoted to the growing of trees for long-term commercial timber production on land that can be economically and practically managed for such production, and (3) have long-term significance for the commercial production of timber.

Land shall be designated Forest Lands of Long-Term Commercial Significance (referred to as Commercial Forest Lands in the Kittitas County Code) in accordance with the designation criteria and considerations set forth herein.

- A. Land Grade Consideration. In Kittitas County, the most common tree species are ponderosa pine and dry mixed conifer, including Douglas fir. Most of the forest lands in Kittitas County are composed of

⁸ RCW 84.33.100 through 84.33.118 were repealed or decodified by 2001 c 249 §§ 15 and 16. RCW 84.33.120 was repealed by 2001 c 249 § 16 and by 2003 c 170 § 7.



land grades 4 and 5 as mapped by the Department of Natural Resources. Forest Lands of Long-Term Commercial Significance shall include lands that have a predominance of land grades 3-6 (i.e., more than 60% of the site has requisite land grade) as defined in WAC 458-40-530.

- B. **Other Mandatory Factors.** In the designation of Forest Lands of Long-Term Commercial Significance, the County shall also consider and address in writing the effects of proximity to population areas and the possibility of more intense uses of the subject land as indicated by (WAC 365-190-060):
- 1) The availability of public services and facilities conducive to the conversion of forest land.
 - 2) The proximity of forest land to urban and suburban areas and rural settlements: Forest lands of long-term commercial significance are located outside the urban and suburban areas and rural settlements.
 - 3) The size of the parcels: Forest lands consist of predominantly large parcels.
 - 4) The compatibility and intensity of adjacent and nearby land use and settlement patterns with forest lands of long-term commercial significance.
 - 5) Property tax classification: Property is assessed as open space or forest land pursuant to chapter 84.33 or 84.34 RCW.
 - 6) Local economic conditions which affect the ability to manage timberlands for long-term commercial production.
 - 7) History of land development permits issued nearby.
- C. **Other considerations.** In determining whether land should be designated as Forest Land of Long-Term Commercial Significance, the County may also consider the needs and nature of the timber industry.
- D. **Designation.** Upon a determination that a tract qualifies as Forest Lands of Long-Term Commercial Significance (denominated Commercial Forest Lands in the Kittitas County Code) under the definitions and considerations noted above, such lands shall be so mapped in the Comprehensive Land Use Plan map of Kittitas County and shall be zoned Commercial Forest lands under Kittitas County zoning code, section KCC 17.57. The County's Commercial Forest zoning code, KCC 17.57, shall control uses, maintenance and enhancement of the forest products industry and conserve productive forest lands consistent with the needs and best practices of the industry. Lands presently mapped as "commercial forest" shall retain that designation unless a specific de-designation request is filed by the owner for a review under the guidelines of this Ordinance.

3. De-designation Criteria.

- A. **Definitions.** De-designation is a change of land classification from Forest Lands of Long-Term Commercial Significance to another GMA classification.
- B. **De-designation Criteria.** The considerations and criteria for de-designation are the same as the considerations and criteria for designation identified in sections 1 and 2 above. De-designation requests may be initiated by the County or by individuals based on a request to consider (1) a mistake in the original designation or (2) that factors leading to the original designation have changed, rendering the site inappropriate for long-term commercially significant forest land designation.
- C. A de-designation request shall provide a legal description of the property subject to the request and map showing the forest land grades listed above for the property. The request shall specifically

address each of the factors above deemed pertinent to the consideration of designation and de-designation.

4. *Applications and Processing.*

- A. Applications for the designation of Forest Lands of Long-Term Commercial Significance shall be docketed with the planning department for annual consideration by the Kittitas County Planning Commissioners and Board of County Commissioners as a change to the County comprehensive plan and map in accordance with Chapter 15.B of the Kittitas County Code. Applications for de-designations from Forest Lands of Long-Term Commercial Significance to another GMA designation may only be sought in conjunction with a specific development proposal.
- B. In determining a request to designate or de-designate Forest Land of Long-Term Commercial Significance, the County may consider the needs and nature of the timber industry (*Lewis County v. Western Washington Growth Management Hearings Bd.*, 157 Wn.2d 488, 139 P.3d 1096 (2006)).
- C. In considering a request for de-designation, the County shall make the same considerations as in designating lands under the provisions of Section 2 above (*City of Redmond v. Central Puget Sound Growth Management Hearings Board*, 116 Wn. App. 48, 65 P.3d 337 (2003) (Benaroya II)).
- D. In addition to such considerations as may be undertaken by the County under these provisions, the County shall address in writing: (1) all of the factors that warrant the designation or de-designation, and (2) how the action meets the objectives of Goal 8 of GMA (RCW 36.70A.020(8)) to maintain and enhance a productive timber industry, to encourage the conservation of productive forest lands and to discourage incompatible uses when making a decision on designation or de-designation of Forest Lands of Long-Term Commercial Significance.

Below are the policies for activities on Commercial Forest lands.

RR-P136: The County should promote active management of lands to create and maintain healthy forests through support of related infrastructure.

RR-P137: Classification and designation of Forest Lands of Long-Term Commercial Significance shall be made to maintain and enhance natural resource-based industries, including productive timber industries.

RR-P138: Any proposal for de-designation of commercial forestlands shall be subject to a cumulative impacts analysis, including the size and ownership of the commercial forestlands remaining in the County, the needs of the local forest products industry and impacts to those needs by the proposed de-designation, and the potential benefits that may result from the proposed de-designation including higher property taxes and economic stimulus.

RR-P139: The County should encourage incentives and alternatives to keep working forests viable by considering when feasible emerging markets such as carbon sequestration, Transfer of Development Rights, Bio-fuel and bio-energy production that offset the loss of the traditional log and special forest product markets.

RR-P140: Resource activities performed in accordance with County, State and federal laws should not be subject to legal actions as public nuisances.



RR-P141: The County should support and encourage the maintenance of commercial forest lands in timber and current use property tax classifications consistent with RCW 84.28, 84.33 and 84.34.

RR-P142: Kittitas County will support local forest landowners seeking regulatory relief in order to help them remain economically viable.

RR-P143: Land use activities within or adjacent to commercial forest land will be sited and designed to minimize conflicts with forest management and other activities on commercial forestlands.

RR-P144: Kittitas County will encourage rural developments in the Wildland Urban Interface (WUI) and the owners of adjacent commercial forest lands to develop Community Wildfire Protection Plans (CWPPs).

RR-P145: When appropriate, the County will encourage cluster developments on adjacent non-commercial forestlands so that open space buffers adjacent forestland from development.

RR-P146: Kittitas County will advocate active management of Federal and State forest lands to create and maintain healthy, fire-safe forests.

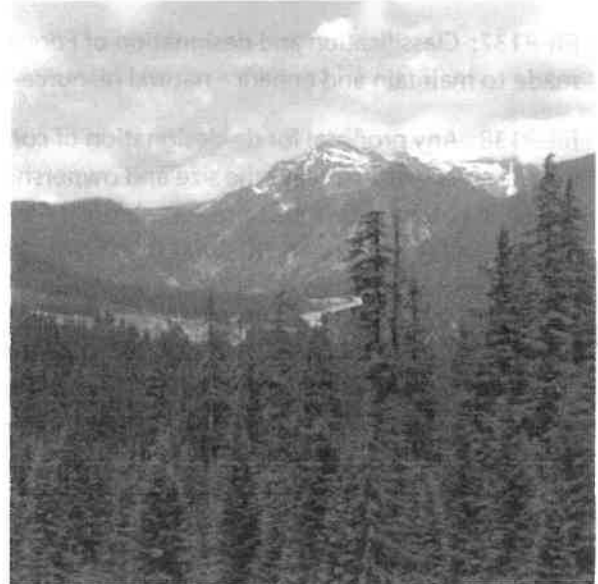
RR-P147: It is the policy of the County to encourage the continuation of commercial forest management by:

- a) supporting land trades that result in consolidated forest ownerships; and
- b) working with forest managers to identify and develop other incentives for continued forestry; and
- c) encouraging and supporting a local and regional infrastructure of manufacturing facilities that use wood products within an economically viable 100 mile circle.

RR-P148: The County shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as Commercial Forest lands contain a notice that states that: "The subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities and mineral operations may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities and/or mineral operations performed in accordance with County, State and federal laws are not subject or legal action as public nuisances."

8.5.4 Commercial Mineral Resource Lands

The Growth Management title of the Revised Code of Washington states that each County shall designate, where appropriate, "mineral resource lands that are not already characterized by urban growth and that have long-term significance for extraction of minerals"(RCW 36.70A. 170). The Act defines minerals as sand, gravel and valuable metallic substances, and states that each County shall adopt development regulations to assure the conservation of mineral resource lands (RCW 36.70A.060).



In classifying mineral resource lands, Kittitas County shall identify and classify aggregate and mineral resource lands from which the extraction of minerals occurs or can be anticipated. Areas for sand, gravel and other metallic substances of long-term commercial significance shall be identified by the County. Proposed land uses within these areas designated as mineral resource lands may require special consideration to ensure future supply of aggregate and mineral resource material will be available.

Classification of mineral lands shall be based on geographic, environmental, and economic factors, existing land uses and land ownership. Kittitas County shall also consider the combined effects of proximity to population areas and the possibility of more intense uses of the lands as indicated by:

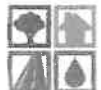
- a) General land use patterns in the area;
- b) The availability of utilities or public services;
- c) Relationship or proximity to urban growth area(s), which shall include areas of where historic growth has occurred
- d) Predominant surrounding parcel size, subdivision or zoning for urban or small lots, or land settlement patterns and their compatibility with mineral lands of long-term significance;
- e) Intensity of nearby land uses;
- f) History of land development, or permits issued nearby;
- g) Land values under alternative uses;
- h) Location of public roads, access or proximity to the point of use or markets;
- i) Availability and adequate water supplies;
- j) Physical and topographical characteristics of the mineral resource site;
- k) Depth of the resource;
- l) Depth of the overburden;
- m) Physical properties of the resource including quality and type;
- n) Life of the resource;
- o) Resource availability in the region;
- p) Long-term economic conditions which affect the ability to manage and/or maintain commercially viable mineral lands of long-term commercial significance, which should include consideration of the following market factors:
 - The location of manufacturing or processing facilities,
 - Equipment and transport costs,
 - Site productivity and production costs,
 - Taxes and administrative costs.

De-designation

Kittitas County, hereby adopts the following provision with respect to de-designation of mineral resource land:

- 1) Change in circumstances pertaining to the comprehensive plan or public policy;
- 2) A change in circumstances beyond the control of the landowner pertaining to the subject property;
- 3) An error in designation; or
- 4) New information on natural resources land or critical area status.

In considering any one of these elements, the criteria for designation should additionally be considered.



Areas meeting the criteria for Mineral Lands of Long- Term Commercial Significance and classified as such, including future discoveries, are designated on the final Comprehensive Plan map and included in the final Comprehensive Plan. The map shows the location of Mineral Lands of Long-Term Significance and will be updated and amended as new mining sites, meeting the designation criteria, are approved.

RR-P149: The County should allow for extraction of mineral resources where such extraction does not significantly impact other natural resources.

RR-P150: When the County reviews proposed new land uses that have the potential to conflict with commercial mining activities, such as residential subdivisions, consideration of both surface and mineral rights ownership should be included in the review.

RR-P151: New uses, such as residential and commercial uses, conflicting with existing commercial mining activities in designated mineral resource areas shall be required to locate away from such mining activities.

RR-P152: The County shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as mineral resource lands, shall contain a notice that states that: "The subject property is within or near designated mineral resource lands on which a variety of commercial activities and mineral operations may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities and/or mineral operations performed in accordance with County, State and federal laws are not subject or legal action as public nuisances."

RR-P153: The impact of potential residential/commercial development upon Mineral Resource Lands of Long-term Significance shall be considered when determining the compatibility of the proposed development within the Rural area.