

APPLICATION QUESTION 11 E



The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

The following shows the Planned Unit Zoning Code in italics while the **Bold** shows how the subject property is suitable for development in general conformance with zoning standards for the proposed zone as is shown below:

17.36.010 Purpose and intent.

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

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

Under the current zoning of the Property, which is primarily Rural Recreation with a small portion of the Project zoned Rural 5 the minimum parcel size is five acres leaving no area for large open spaces and large recreation areas. If development of the Project property would proceed under the Rural Recreation and Rural 5 zoning there would be fifty-seven 5-acre parcels created with no identification of large open spaces for recreation use or for protection of wetlands or shorelines. By developing the property under the Planned Unit Development zone large Open Space will be established, Wetlands and shore lines will be protected, and recreation uses will be improved and developed.

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

By developing the property under the Planned Unit Development zone the residential development will proceed with more efficient land use. As can be seen by the site plan, attached hereto, the roads, utilities, and services in the residential development are clustered in an area dedicated to residential use. This allows for the infrastructure to be developed much more efficiently. In addition long term maintenance of the project's infrastructure will be easier to maintain as (i) there will be less roads to be plowed than there would be if the project was developed under the current zoning; (ii) there would be less area and distance where there would be underground utilities thereby reducing the chances for future maintenance.

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

By developing the property under the Planned Unit Development zone Open Space will be established, Wetlands and Shorelines will be protected. Recreation facilities will be improved or developed. If the property is developed under the current zoning the land would be divided into 5 acre parcels and sold thereby eliminating the possibility for the identification and long term protection of open spaces and the creation of other amenities and there would be limited if any recreation improvements.

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

As shown on the site plan, attached hereto, it is shown that the natural features, the wetlands, and the shorelines including view points are being protected through the establishment of open spaces and protection of the wet lands and shore lines. If the property is developed under the current zoning the land would be divide into 5 acre parcels and sold thereby eliminating the possibility for the identification, preservation of important natural features of the land, including topography, natural vegetation, and views and long term protection these features.

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

This Planned Unit Development will provide additional and needed housing for the second home recreation market. The county has established a limited number of Rural Recreation zoning areas and the Project lies within the only Rural Recreation zone between Easton and Cle Elum therefor developing this property through the Planned United Development zone and creating additional homes that meet the recreation market meets the requirements of this section of the Kittitas County Zoning Code.

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

The development using the Planned Unit Development zone will meet or exceed all State of Washington energy codes thereby meeting the requirements of this section of the Kittitas County Zoning Code.

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

There are two sites with in the property that provide special vistas of the eastern portion of the Cascade Mountains. As is show on the attached site plan both of these sites are placed in Open Space and will be protected through specific restrictions placed on the property. These vistas will remain open for all of the residents of the Project. Therefor developing this property through the Planned United Development zone and creating Open Space that preserves these vistas for all of the residents of the Project. The protection of these vistas meet the requirements of this section of the Kittitas County Zoning Code.

- h. To permit flexibility of design that will create desirable public and private open space,; to vary the type, design and layout of buildings,; and to utilize the potentials of individual sites and alternative energy services to the extent possible; (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)*

As is shown by the site plan attached hereto the Planned Unit Development has allowed flexibility in the design of the Project and will allow the development of open space and variety in the design of the Project. In this way the design of the Project meets this portion of the Kittitas County Zoning Code.

17.36.015 Applicability.

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

The Project is outside of the any UGA and rural LAMIRD

2. *Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for properties over twenty (20) acres in size, except that PUDs are prohibited on Resource Lands and Rural Lands in the Rural Working Land Use Designation.*

This Project is outside of the Urban Growth Area and Rural LAMIRD and the Project is over 20 acres in size therefore meeting the requirements of # 2 above.

(Ord. 2013-001, 2013)

17.36.020 Allowed uses.

1. *Inside the Urban Growth Area, uses may include (**Project is not within the Urban Growth Area**)*
 - a. *All residential uses including multifamily structures*
 - b. *Manufactured home parks;*
 - c. *Hotels, motels, condominiums;*
 - d. *Fractionally-owned units;*
 - e. *Retail businesses;*
 - f. *Commercial-recreation businesses, parks and playgrounds;*
 - g. *Restaurants, cafes, taverns, cocktail bars;*
 - h. *Electric vehicle infrastructure. pursuant to See KCC Chapter 17.66; and;*
 - i. *The following uses where they are only serving a residential PUD and where all other applicable standards are met:*
 - i. *Community buildings;*
 - ii. *Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;*
 - iii. *Outdoor recreation facilities including swimming pools, sports courts or similar uses; and*
 - iv. *Recreation vehicle storage areas.*

2. *Outside the Urban Growth Area, uses may include:*
 - a. *The following residential uses; **ANY OF THESE USES MAY BE INCLUDED WITHIN THE PROJECT.***
 - i. *Accessory dwelling unit;*
 - ii. *Accessory living quarters;*
 - iii. *Dwelling, single-family;*
 - iv. *Dwelling, two-family;*
 - v. *Dwelling, multiple-family;*
 - vi. *Special care dwelling;*
 - vii. *Parks and playgrounds; and*
 - b. *The following uses where they are only serving a residential PUD and where all other applicable standards are met:*
 - i. *Community buildings;*
 - ii. *Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;*
 - iii. *Outdoor recreation facilities including swimming pools, sports courts or similar uses;*
 - iv. *Electrical vehicle infrastructure, pursuant to KCC Chapter 17.66; and*
 - v. *Recreation vehicle storage areas. (Ord. 2013-001, 2013; Ord. 2011-013 , 2011; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)*

17.36.025 Allowed density.

1. Inside the Urban Growth Area (UGA): The county may approve an increase of dwelling unit density for residential PUDs of not more than three (3) times the density permitted in the underlying zone, provided development rights are transferred pursuant to KCC Chapter 17.13 and additional natural and social amenities beyond the required minimums are provided. (Project is NOT WITHIN the Urban Growth Area)

3. *Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The density of the underlying zone shall not be exceeded by a PUD. For Rural LAMIRDs, the density shall be consistent with the character of the existing area as required by RCW 36.70A.070(5)d).*

Project is OUTSIDE the Urban Growth Area and will not exceed the density allowed by the underlying zoning.