



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

DISCUSSION STAFF REPORT

DATE: October 18, 2016

ACTION REQUESTED: Continuation of Big Creek Hearing and Discussion

BACKGROUND:

D.K. Professional Consultants, Inc. submitted a rezone application with associated site plan and project narrative to change the current zoning from Rural Recreation and Rural 5 to a Planned Unit Development (PUD) allowing 58 lots committing over 290 acres yet concentrating the development within an approximately 20 acre portion of the property.

An open public hearing was held on the project before the Hearing Examiner on July 14, 2016 at 6:00 p.m. at the Commissioners' Auditorium at 205 West 5th avenue in Ellensburg. Six people spoke at the hearing in addition the applicant and his representative. The Hearing Examiner recommended approval of the project with revised conditions for water storage for fire protection.

At the closed record hearing before the Commissioners on September 20, 2016, the record was presented and a number of issues and concerns were brought up including:

- **Fire Protection Conditions on Options.**
Conditions 9.3 and 9.4 were confusing and suggests it be re-written to state indicate that the land owner has the option to either provide a 30,000 gallon tank on the site with each house being sprinkled for fire suppression or have one 60,000 gallon tank with a fire hydrant system designed to IFC standards.
- **Ownership, Licensing, Dedication and Construction of the bridge over the KRD canal.**
The condition requires that the crossing be permitted, meet road standards and not be revocable. It will be a public bridge.
- **Public Works Conditions not Corresponding to the Conditions Listed in Mr. Cook's Letter Dated July 6, 2016.**
All suggested conditions within the letter are included within the recommended approval including the extension of Lund Lane to be built to public road standards, and the southerly most road extended to tie into Misty Mountain Way.

- **Open Space Clarification.**

The following language is suggested as a condition of approval.

The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation.

- **Shoreline and Wetland Regulation do not seem to be met.**

The proposed buffers do meet Shorelines regulations and Critical Areas Ordinance (CAO) regulations. The Shorelines buffers were determined by the old Shorelines program. The application for the plat SP-15-00003 was received for the project on July 16, 2015 which vests the applicant under the shorelines regulation existing at the time since the current Program was not accepted by the DOE until the following year. Therefore, the buffers shown on the application and draft PUD are accurate and within the requirements of Code.

Regarding wetlands, most of the wetland area on the property exist outside of the shoreline regulatory area, and are therefore subject to the buffers that exist within the CAO. Where wetlands exist inside the 200 foot boundary, no buffer is required. Where wetlands exist outside the 200 foot boundary, shorelines exists to the edge of the wetland and only buffers required by the CAO are required of the developer.

- **Reference to WDFW Letter as a Condition rather than listing each statement individually as a condition.**

The conclusions found within the February 8, 2016 letter have been combined and included as conditions for approval under “Environmental.” Those items that cannot be enforced by the County, such as covenants and use of BPA easements are not included as

- **Ownership and Declaration Records of the Lund Easement.**

The Kittitas County surveyor from Public Works inspected the site on September 23, 2016 and noted that a 60 foot easement exists from Nelson Siding Road, south over the bridge, to Lund Road as indicated within presentation to the Hearing Examiner.

INTERACTION: CDS, Public Works, Fire Marshall, Board of County Commissioners

ATTACHMENTS: Proposed Changes to the September 20, 2016 staff report on Big Creek Trails

STAFF

RECOMMENDATION: CDS Planning Official recommends to the Board of County Commissioners to approve the proposed Agreement with stated conditions.

HANLDING: Presentation to the Board by Kittitas County Community Development Services.

RESPONSIBLE STAFF: Robert “Doc” Hansen, Planning Official