

City of Kittitas
Council Meeting Special Session Minutes
April 22, 2006

The Special Session Meeting of the Kittitas City Council began at 2:00 p.m., April 22, 2006, at Community Hall. Mayor Cousart along with council members Gilmour, Simpson, and Huber were present.

Staff present was City Clerk/Treasurer Robin Newcomb, Utility Worker Bosch, and Office Assistant Kathy Jensen.

Planning Commission member Darryl Dees also attended along with Lisa Parks our Planner and several developers in the area.

Lisa Parks explained the Growth Management Act (GMA) and what it consists of listed below:

1. County wide policies
2. Designate resource lands and critical areas
3. Comprehensive Plans including land use, transportation etc.
4. Implement regulations such as zoning, subdivisions, critical areas etc.

Comprehensive Plans must consist of the following elements:

1. Land use – critical areas and resource land
2. Housing – needs to be affordable and not just low income
3. Capital Facilities
4. Utilities – privately owned also
5. Transportation

The City of Kittitas has until December 1, 2009, to amend the Comprehensive Plan. There are various ways to involve the public which include surveys, newsletters, open workshops, articles, and neighborhood groups.

Some definitions Lisa Parks gave were:

Subdivision – usually 5 or more lots and needs a public hearing

Short subdivision – usually 4 or fewer lots and does not require a public hearing

Boundary line adjustment – two lots together and the boundary lines are being adjusted

Development code – describes design and construction details for public improvements

Critical areas – wetlands, flooded areas, fish/wildlife habitat, geological hazard areas

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The Regulatory Reform Act in 1995 requires development of project permit procedures. It standardizes local land use permit processes so all are treated the same. The details on Regulatory Reform are as follows:

1. Determination of Completeness
2. Notice of Application
3. One “open” public hearing only
4. Decision must be in writing with findings of fact
5. Can have one “closed record” public hearing on an appeal

Lisa explained that the biggest issue the City of Kittitas has right now is not having a permit procedure code. If the correct process isn't followed then it can be challenged and force all parties to start over again.

Two components of the Comprehensive Plan are:

1. Procedural which includes proper notice, comment periods, and hearing procedures
2. Substantive which includes specific areas of the project

Quasi-Judicial (legal) decisions have two requirements:

1. State – GMA, SMA, Sepa, Regulatory Reform, subdivisions, open public meetings, appearance of fairness, and planning enabling acts. Two sources of information are the Revised Code of Washington (RCW's) and the Washington Administrative Code (WAC's).
2. Local – zoning, subdivisions, critical areas, shoreline master programs, and development standards.

Being in the Urban Growth Area (UGA) does not obligate the City to annex. The City has the right through policy and public process to allow utilities into the UGA. Outside the UGA there must be a public health issue in order to extend the utilities and it needs to be documented to be justified.

Lisa explained that City Council has broad authority on an annexation into the City from the UGA. There really aren't any criteria for a yes or no answer. Generally speaking residential annexations do not pay for themselves where commercial annexations do. She also explained that impact fees basically do not work for small cities because of the restrictions on them.

Mike Jackson of MD Jackson, a developer, is interested in having 300-400 acres of property south of Kittitas put into the UGA for commercial development.

Lisa also talked about the City having a moratorium put in place until we get our procedural code into place. Annexations would not have anything to do with a moratorium. Council was not too keen on this idea so other alternatives were discussed. Council agreed having a hearing examiner for planning and zoning issues would be a better alternative. A developer would take their idea to the hearing examiner and if denied could appeal to Superior Court. Lisa said she would have a hearing examiner code and permit procedure code ready for the May 9th meeting.

It was also suggested that we amend our Planning Commission code to allow residents outside of the City of Kittitas to be members on the Planning Commission.

Councilmember Simpson moved to adjourn the meeting of April 22, 2006, and it was seconded by Councilmember Gilmour.

The meeting was adjourned at 4:55 p.m.

Attest: Mayor Robert E Cousart _____

Clerk/Treasurer _____