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IN OUR VIEW

County needs to comply with the GMA

The state Supreme Court ruled last week that Kittitas County remains out of compliance with portions of the state Growth Management Act. It hit the county particularly hard for its lack of management of water resources, but also took it to task on land-use issues.

By a 6-3 decision the court ruled that the county must consider whether a developer has legal access to well water before building. The court cast a particularly harsh eye on allowing multiple separate projects from one developer to be processed without considering the accumulated impact of the water withdrawals.

The court said by allowing this, the county was enabling developers to evade state water laws.

In the county's defense, it has changed its policies since this case started winding its way through the system in 2007. The county now has policies in place to determine if a developer has ties to multiple projects, and to determine if a developer has legal availability to groundwater.

While the county is making commendable progress in meeting state requirements for managing the water resource, it remains remarkably tone deaf when it comes to figuring out what the state wants in terms of land-use regulations.

A portion of the case also focused on land use policy and the use of three-acre zoning in rural areas. The court said the county has not justified rural three-acre zoning.

In response to the ruling, county commissioners said they still lack clarity from the state, or direction on whether or not the county can have a three-acre zone in the rural area.

From the commissioners'

From the commissioners' viewpoint the Eastern Washington Growth Hearings Board has never explicitly stated, "give us a five-acre" zone. It has ruled the three-acre zone preferred by the county is not justified.

Here's a suggestion to the commissioners: try a five-acre lot minimum in the rural area.

It seems like a silly dance, but is does not take a tarot card reader to fathom that a five-acre lot size minimum in the rural area will probably satisfy the hearings board.

County officials know this. They've known it for years. Every time the hearings board has kicked back the plan, county officials have hemmed and hawed and complained but have not significantly altered their planning documents.

Why? What is it about a three-acre zone that makes it worth spending taxpayer money and years of county resources to defend? It's not a residential zone. It does not provide affordable housing for county residents. It's a second-home, retirement property, zone. That is not a small market — in fact it was once the primary driver in this county's housing boom.

But it does not warrant the commitment it has garnered not only from this board of county commissioners but from commissioners going back for nearly two decades.

The county has to resubmit its plan to the hearings board. If the board rejects a plan that reflects a five-acre rural zone then the county has a legitimate argument for claiming confusion.

There is case to be made for standing up for your beliefs — and the county has steadfastly stood by its right to set zoning code. But there is also the matter of picking your fight. A three-acre rural zone does not benefit county residents enough to warrant another dollar of taxpayer money or minute of prosecutor staff time.

The county has other issues to tackle. It is time to move on.