



**GENERAL APPLICATION INFORMATION**

**1. Name, mailing address and day phone of land owner(s) of record:**

*Landowner(s) signature(s) required on application form.*

Name: Fiorito Brothers Inc.  
Mailing Address: 1110 NW Ballard Ave  
City/State/ZIP: Seattle, WA 98107  
Day Time Phone: 206-789-6110  
Email Address: randy@fioritobrothers.com

**2. Name, mailing address and day phone of authorized agent, if different from landowner of record:**

*If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.*

Agent Name: Joshua Brower  
Mailing Address: 1111 Third Ave, Suite 3000  
City/State/ZIP: Seattle, WA 98101  
Day Time Phone: 206-498-1804  
Email Address: josh@browerlawps.com

**3. Name, mailing address and day phone of other contact person**

*If different than land owner or authorized agent.*

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Day Time Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**4. Street address of property:**

Address: No. 6 Road  
City/State/ZIP: Ellensburg, WA 98296

**5. Legal description of property (attach additional sheets as necessary):**

PTN SE1/4 (PTN PARCEL E2, B21/P208-210); SEC 30, TWP 17, RGE 19  
Comment: BLA WITH 17-19-29000-0027, 17-19-30040-0009, 17-19-30040-0005  
\_\_\_\_\_  
\_\_\_\_\_

**6. Tax parcel number:** 12311

**7. Property size:** 27.20 (acres)

**8. Land Use Information:**

Zoning: AG 20                      Comp Plan Land Use Designation: Rural Working

**PROJECT NARRATIVE**  
(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

9. Narrative project description: For all proposed Comp Plan amendments, provide the following information:
- a. Why is the amendment needed and being proposed?
  - b. How does the proposed amendment consistent with the County-Wide Planning Policies for Kittitas County?
  - c. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan?
  - d. How have conditions changed that warrant a comprehensive plan amendment?
10. Transfer of Development Rights: According to KCC 17.13.080.2 some comprehensive plan amendments require a transfer of development rights. This process is described in KCC 17.13. Please describe whether this amendment will require transferred development rights, and if they are required, describe how this requirement will be met.
11. For map amendments attach the following additional information for each parcel involved:
- a. Parcel Information
    - i. Tax parcel number(s)
    - ii. Total Acreage
    - iii. Site Address
    - iv. Owner
    - v. Mailing Address
    - vi. Owner's Home Phone Number
  - b. Land Use Information
    - i. Current and proposed comprehensive plan designation
    - ii. Current and proposed zoning designation
    - iii. (Note: Rezone requests require separate Rezone application and fee).
    - iv. Present use of the property
    - v. Surrounding land use
  - c. Services:
    - i. Whether the site is currently served by sewer or septic
    - ii. Name of sewer purveyor (if on public sewer system).
    - iii. Whether the site is currently served by a public water system or well
    - iv. Name of water purveyor (if on public water system)
    - v. Whether the site is located on a public road or private road.
    - vi. Name of road
    - vii. Fire District
12. For text amendments, attach the following additional information
- a. Identify the sections of the Comprehensive Plan and Zoning Ordinance that you are proposing to change and provide the proposed wording.

**AUTHORIZATION**

13. Application is hereby made for A COMPREHENSIVE PLAN AMENDMENT to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:  
(REQUIRED if indicated on application)

X Joshua Brower

Date:

06/16/2022

Signature of Land Owner of Record  
(Required for application submittal):

X President

Date:

6-22-2022

**FBI PROJECT NARATIVE—REZONE APPLICATION**  
**Proposed Rezone from AG-20 to Commercial Agriculture**  
**APN 12311**  
**No. 6 Road, Ellensburg, WA**

**9.a:** The property owner/applicant, Fiorito Brothers, Inc. (FBI) is seeking a rezone of its real property located at No. 6 Road, Ellensburg, APN 12311, from its current zoning, AG-20, to Commercial Agriculture because doing so will make the zoning consistent with surrounding properties and because rezoning the FBI property would make its use and development more consistent with the nature and intensity of existing and potential future development. The amendment is needed because currently FBI's property is an "island" (i.e., "spot zoning") of AG-20 surrounded by properties zoned Commercial Agriculture. Washington State law disfavors "spot zoning." And, based on the history of this property, which includes being zoned commercial at one time, and then being rezoned as part of the County's efforts to come into compliance with a decision from the Growth Board and Courts, there is no clear reason why it was zoned AG-20 instead of Commercial Agriculture. The amendment will make the zoning consistent in this area.

**9.b:** FBI's property is surrounded on all sides by Commercial Agriculture zoned properties. See attached zoning map. FBI's property is an island of AG-20. Rezoning FBI's property will make the zoning in this area consistent which is consistent with the County's County-wide planning goals because State law disfavors spot zoning.

**9.c:** The proposed amendment is consistent with the County's Comprehensive Plan because FBI's property is surrounded by Commercial Agriculturally zoned property and is not located in an area nor of the size to "support Ag, Timber and Mineral uses not in resource lands" as is the stated overall goal for "Rural Working" classified lands in Table 2-1 of the Comprehensive Plan. Instead, due to its location and size, FBI's property is better suited to be zoned for "long-term commercial significance" as stated in Table 2-1. Lastly, rezoning FBI's property to Commercial Agriculture is consistent with the policies stated in Section 2.5.1 of the Comprehensive Plan to "encourage farming, ranching, and storage of agriculture products and some commercial and industrial uses compatible with rural environment and supporting agriculture...activities." Rezoning FBI's property also will make its eventual development consistent with the intensity and character of surrounding uses. The AG-20 zone is intended for ranching, farming and large-lot (i.e., 20-acre) rural life-style development. KCC 17.29.010. Despite this, the surrounding properties are not developed for those types of uses. Instead, the property to the north is largely small lot residential development. And FBI's property is surrounded on its other sides by Interstate 82 and No. 6 Road and the other side of both are properties zoned Commercial Agriculture. Again, rezoning FBI's parcel will make its zoning consistent with surrounding zoning.

**9.d:** The history of the zoning of FBI's property supports the proposed amendment. FBI's property was rezoned from rural/ag to commercial approximately 5 decades ago. In response to a GMA challenge and decisions, the County rezoned FBI's property to come into compliance with the GMA. In doing so however, FBI's property was "spot zoned" as an island of AG-20 surrounded by Commercial Agriculture. Moreover, FBI owns an adjacent parcel that is zoned Commercial

Agriculture. The proposed rezone would make the zoning in this area consistent and consistent with FBI's adjacent property.

**10.** No transfer of development rights is required for the proposed rezone.

**11.** The following criteria are met as follows:

a. Parcel Information

- i. APN 12311
- ii. 27.20 acres
- iii. No. 6 Road, Ellensburg, WA.
- iv. Fiorito Brothers, Inc.
- v. 1110 NW Ballard Ave, Seattle, WA 98107
- vi. 206-789-6111

b. Land Use Information

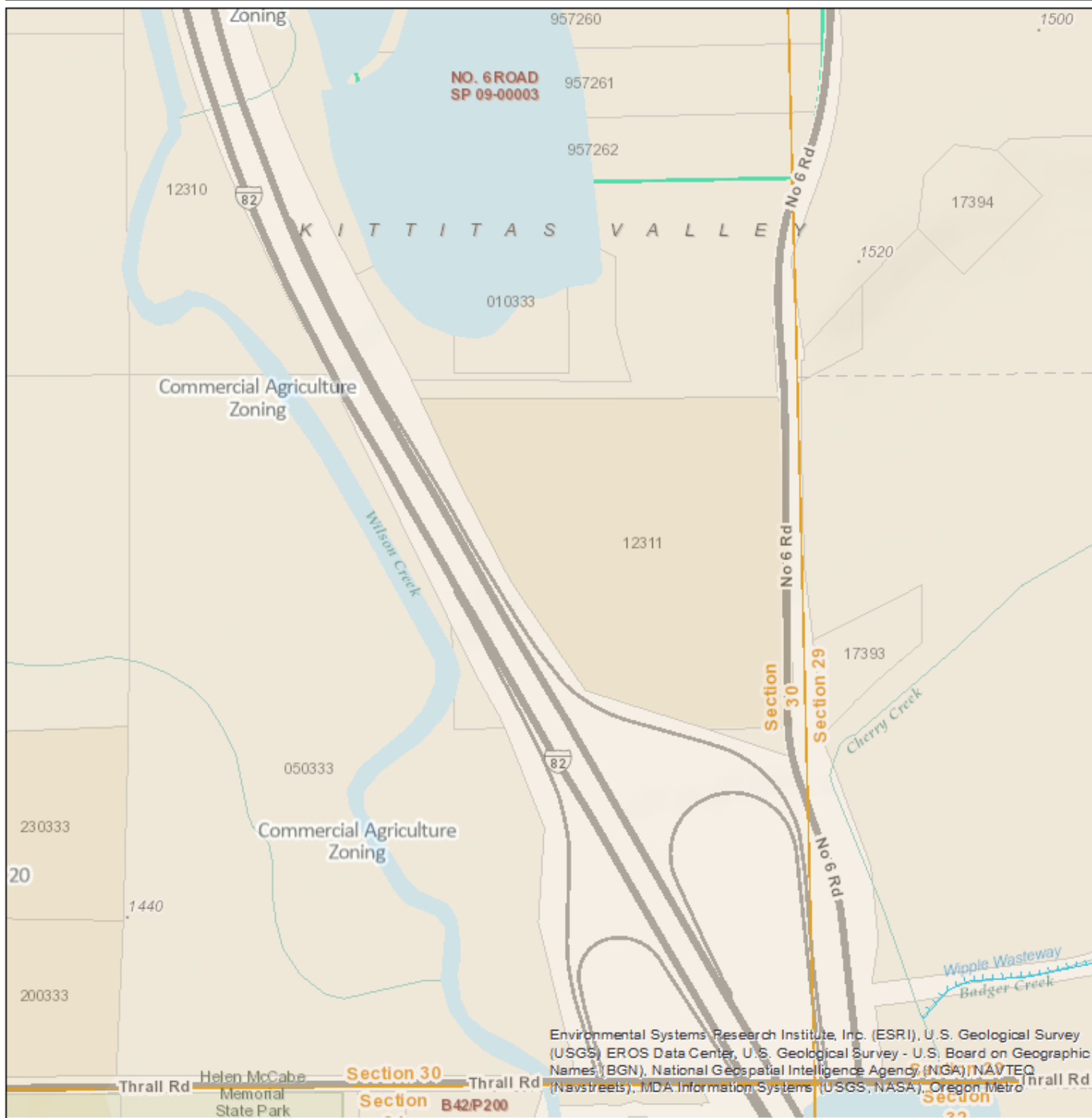
- i. Current is "Rural Working" and proposed is "Commercial Agriculture."
- ii. Current is "AG-20" and proposed is "Commercial Agriculture."
- iii. Separate rezone application and fee are being submitted.
- iv. FBI's property is currently undeveloped, not served by water nor sewage disposal, is grass and pasture bisected by a dry, unused irrigation ditch.
- v. FBI's property is surrounded by Commercial Agriculturally zoned properties. The property to the north is largely small-lot residential development and on its other sides is surrounded by Interstate 82 and No. 6 Road.

c. Services

- i. The property is not currently served by sewer or septic.
- ii. N/A
- iii. The property is not currently served by public water or a well.
- iv. N/A
- v. The property is located on a public road.
- vi. No. 6 Road.
- vii. Kittitas County F.P.D. No. 2.

**12.** N/A. Not a text amendment.

# Kittitas County COMPAS Map



Environmental Systems Research Institute, Inc. (ESRI), U.S. Geological Survey (USGS) EROS Data Center, U.S. Geological Survey - U.S. Board on Geographic Names (BGN), National Geospatial Intelligence Agency (NGA) NAVTEQ (Navstreets), MDA Information Systems (USGS, NASA), Oregon Metro

Date: 6/1/2022

1 inch = 752 feet  
Relative Scale 1:9,028

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