

# KIT TITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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## NOTICE OF DECISION

**TO:** Applicant  
Interested Parties (KCC 15A.06)

**FROM:** Dan Valoff, Staff Planner

**DATE:** February 11, 2008

**SUBJECT:** Notice of Decision  
**Gigstead PUD rezone (Z-07-14) &  
Mission View Meadows Preliminary Plat (P-07-45)**

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that the Kittitas County Board of County Commissioners denied the Gigstead PUD Rezone (Z-07-14) and the associated Mission View Meadows Preliminary Plat (P-07-45) on February 5, 2008. Proponent: James and Laurie Gigstead, landowners. The subject property is located east of the City of Ellensburg off of Judge Ronald Road, Ellensburg, WA 98926, located in a portion of Section 32, T 18N R 19E W.M. in Kittitas County. Map numbers 18-19-32061-0001, 0002 & 0003.

Copies of the Kittitas County Board of Commissioners Resolution 2008-17 and related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506.

Issuance of this land use decisions may be appealed by parties with standing, by filing a land use petition in Superior Court, and serving said petition on all required parties pursuant to RCW 36.70C and KCC 15A.08, within twenty-one days of the issuance of the land use decision.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

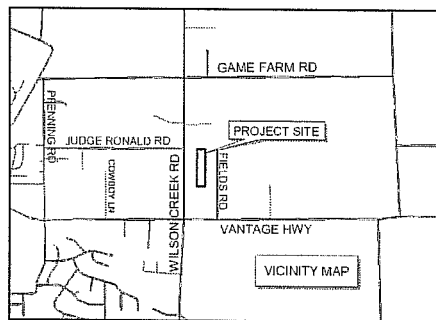
**Notice of Decision**  
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**& Mission View Meadows Preliminary Plat (P-07-45)**

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Dated: February 11, 2008

Publish Daily Record: February 13, 2008



**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**RESOLUTION NO. 2008- 17**

**GIGSTEAD PUD REZONE (Z-07-14)  
MISSION VIEW MEADOWS PRELIMINARY PLAT (P-07-45)  
IN THE MATTER OF AMENDING THE KITTITAS COUNTY ZONING ATLAS  
FOR A PORTION OF SECTION 32, TOWNSHIP 18 N., RANGE 19 E., FROM  
AGRICULTURE-3 TO PLANNED UNIT DEVELOPMENT (PUD) AND THE  
MISSION VIEW MEADOWS PRELIMINARY PLAT**

**WHEREAS,** according to Kittitas County Code Chapters 15A, 16, & 17, relating to the zoning and subdivision of land, adopted pursuant to RCW 36.70A, 36.70 and 58.17, a closed record hearing was held by the Kittitas County Board of Commissioners on January 2, 2008 for the purpose of considering a rezone from Agriculture-3 to Planned Unit Development known as the Gigstead Rezone and the associated nine (9) lot Preliminary Plat known as Mission View Meadows and described as follows:

Proponent: James and Laurie Gigstead, landowners. Location, east of the City of Ellensburg off Judge Ronald Road, Ellensburg, WA 98926, within portions of Section 32, T18N, R19E, WM, Kittitas County, WA. Map numbers 18-19-32061-0001, 0002 & 0003; and

**WHEREAS,** due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such change of zone; and

**WHEREAS,** the following FINDINGS OF FACT have been made concerning said proposed rezone:

1. The Board of County Commissioners finds that James and Laurie Gigstead, landowners, submitted a complete application requesting a zone change of approximately 10.10 acres from Agriculture-3 to Planned Unit Development and the associated nine (9)-lot Preliminary Plan to Community Development Services on July 31, 2007. The applicant's address is P.O. Box 584, Ellensburg, WA 98926.
2. The Board of County Commissioners finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on September 21, 2007. Said notice solicited comments from jurisdictional agencies and landowners within 500 feet of the subject property as required by Kittitas County Code.
3. The Board of County Commissioners finds that a SEPA Determination of Non-Significance was issued by Community Development Services on October 23, 2007. Notice of said determination was provided to all existing parties of record via United States Mail and was published in the official newspaper of record as required by State Statute and County Code.

4. The Board of County Commissioners finds that an open record hearing was held by the Planning Commission on November 13, 2007, to consider this general rezone and associated preliminary plat request. Notice of said public hearing was provided to all parties of record via United States Mail and was published in the official county paper of record as required by State Statute and County Code. Testimony was taken from those persons present at said hearing that wished to be heard and the necessary inquiry has been made into the public interest to be served by this project action. The Planning Commission recommended denial of said proposed rezone in a 5-1 vote and a recommendation for denial of the Mission View Meadows Preliminary Plat by a vote of 3 to 2 with one abstention.
5. The Board of County Commissioners finds that a closed record hearing was held on January 2, 2008 for the purpose of considering the rezone from Agriculture-3 to Planned Unit Development and the associated Mission View Meadows Preliminary Plat. A motion was made and seconded that the rezone and preliminary plat request be denied. The motion carried with a vote of 2 -1 with Commissioner Crankovich and Commissioner Bowen voting in favor of the motion and Commissioner McClain voting against.
6. The Board of County Commissioners finds that the proposed requested zone change **does not** meet all seven criteria as listed in KCC 17.98.020 (E):

*A. The proposed amendment is compatible with the comprehensive plan.*

The Board of County Commissioners finds that the Comprehensive Plan's Land Use Element designates the subject property as Rural, and that the proposed rezone and associated preliminary plat is compatible with this designation.

*B. The proposed amendment bears a substantial relation to the public health, safety or welfare.*

The Board of County Commissioners finds that the proposed rezone and associated preliminary plat does not bear a substantial relationship to the public health, safety or welfare. Specifically the concerns over increased density and lack of public open space.

*C. The proposed amendment has merit and value for Kittitas County or a sub-area of the County.*

The Board of County Commissioners finds that the proposed rezone does not have merit or value for Kittitas County or this sub-area of the County. There was no evidence submitted into the record to substantiate this claim.

*D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.*

The Board of County Commissioners finds that the proposed rezone and associated plat is not appropriate for reasonable development of the property. The property can be reasonably developed in the existing Agriculture 3 zone.

- E. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone.*  
 The Board of County Commissioners finds that the subject property is in conformance with the existing Agriculture 3 zone on the east side of Wilson Creek Road and that changing the zone to PUD and approving the associated plat would undermine orderly and contiguous development..
- F. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.*  
 The Board of County Commissioners finds that the proposed rezone allowing for the increased density would be materially detrimental to properties in the immediate area.
- G. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.*  
 The Board of County Commissioners finds that the proposed rezone and associated plat will not adversely impact irrigation water deliveries to other properties.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby deny said zone change of 10.10 acres, from Agriculture-3 to Planned Unit Development, known as the Gigstead Rezone (Z-07-14) and the associated Preliminary Plat know as Mission View Meadows (P-07-45).

ADOPTED this 5<sup>th</sup> day of February 2008.

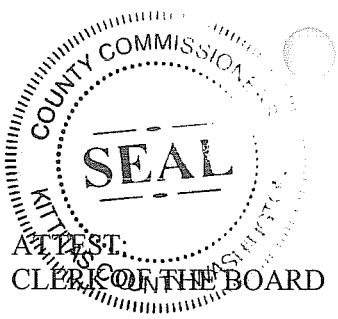
BOARD OF COUNTY COMMISSIONERS  
 KITTITAS COUNTY, WASHINGTON

**OPPOSED**

\_\_\_\_\_  
 Mark McClain, Chairman

*Alan A. Crankovich*  
 Alan A. Crankovich, Vice Chairman

*David B. Bowen*  
 David B. Bowen, Commissioner



ATTEST.  
CLERK OF THE BOARD

*Julie A. Kjorsvik*

Julie A. Kjorsvik  
Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_

Greg Zempel, Prosecuting Attorney  
WSBA#12686