

Kittitas County Community Development Services

Darryl Piercy, Director

COMPREHENSIVE PLAN AMENDMENT DOCKETING FORM

I. CHECK THE APPROPRIATE BOXES

COMP PLAN MAP

COMP PLAN TEXT

NOTICE: If the amendment you are applying for is within an URBAN GROWTH AREA or you are proposing a UGA expansion of the Ellensburg, Cle Elum, or Roslyn UGA you are required to docket your item with that City as well. You must contact the appropriate City for filing deadlines, fees, application, and costs.

II. GENERAL INFORMATION

A. APPLICANT'S NAME: Thomas W. Mahre & Lynne Mahre
MAILING ADDRESS: 1260 Orchard Road
Ellensburg, WA 98926

E-MAIL ADDRESS: _____
BUSINESS PHONE: 509/962-2107 HOME PHONE: 509/962-2107

B. AGENT'S NAME: _____
MAILING ADDRESS: _____

E-MAIL ADDRESS: _____
BUSINESS PHONE: _____

C. LIST OF 300 FOOT ADJOINERS – PLEASE ATTACH.
(Required on all applications for notification purposes)

RECEIVED
MAY 31 2006
KIT TITAS COUNT
CDS

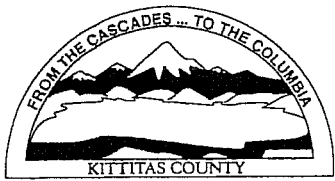
RECEIVED
MAY 30 2006
KIT TITAS COUNTY
CDS

III. FOR MAP AMENDMENTS

A. TAX PARCEL NUMBER(S): (1) P064433 and (2) P168836
ACREAGE: (1) 27.7 Ac (2) 26 AC
SITE ADDRESS: (1) end of Perry Road (2) end of Dodge Road
OWNER(S): Thomas W. & Lynne Mahre
MAILING ADDRESS: 1260 Orchard Road
Ellensburg, WA 98926
HOME PHONE: 509/962-2107

(Additional sheets may be attached if more than one parcel is involved)

50.00 5/31/06 046473



Kittitas County
Community Development Services

Darryl Piercy, Director

B. EXISTING COMPREHENSIVE PLAN DESIGNATION:

Commercial Ag

C. EXISTING ZONING:

Commercial Ag

D. PROPOSED COMPREHENSIVE PLAN DESIGNATION:

Rural

E. PROPOSED ZONING DESIGNATION *:

N/A

F. THE PRESENT USE OF THE PROPERTY IS:

Tree Fruit/Orchard

G. SURROUNDING LAND USE:

Rural, Commercial Ag, Housing

H. SERVICES

Please provide the following information regarding the availability of services.

The site is currently served by sewer _____; septic _____ (check one)

Sewer purveyor (if on public sewer system): _____

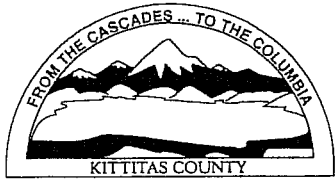
The site is currently served by a public water system _____; well xx _____

Water purveyor (if on public water system): _____

The site is located on a public road Perry Rd & Dodge Rd. private road _____ (check one)

Name of road: (1) Perry Rd (2) Dodge Rd

Fire District #: 2



Kittitas County Community Development Services

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IV. FOR TEXT AMENDMENTS

Identify the sections of the Comprehensive Plan and Zoning Ordinance that you are proposing to change and provide the proposed wording (attach additional pages if necessary)

Request land use designation of the two parcels from Commercial

Ag to Rural.

V. FOR ALL AMENDMENTS

A. Why is the amendment needed and being proposed? There has always been an inadequate water supply to these parcels. Last year, 2005, resulted in no apple crop production on either parcel. The USDA Natural Resources Conservation Svc has declared these parcels as "Highly Erodible Land" as stated in a letter dated 10/12/96 (attached). The two parcels are too small for large commercial orchard operation consideration.

B. How does the proposed amendment consistent with the County-Wide Planning Policies for Kittitas County?

GPO 2.6 GPO 2.119 GPO 2.129 GPO 8.12

GPO 2.113 GPO 2.124 GPO 8.5 GPO 8.25

GPO 2.114B GPO 2.125 GPO 8.7

GPO 2.118 GPO 2.126 GPO 8.11

C. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan? Lack of water does not make the two parcels economically productive. With neighboring housing developments, the KRD right-of-way and our orchard have become a trail and playground for motorcycles, four wheelers, four-wheel drive trucks, jeeps, horseback riders and hikers. Vehicles have torn up access roads inside and outside the orchard; broken pipe and sprinkler lines, knocked down trees and branches and damaged fruit from shotgun pellets. The parcel is bordered on the south by I-82 (see attach)

D. How have conditions changed that warrant a comprehensive plan amendment?

The fruit industry has changed in the past 10 years from small orchardists to being dominated by a few large conglomerates. Small growers are being phased out and will soon be history. Right to farm laws have been challenged in court recently in Yakima County and in each case the farmers have lost. A president has been set in the (see attach)

VI. SUPPORTING INFORMATION (ATTACH THE FOLLOWING)

Continuation Sheet; COMPREHENSIVE PLAN AMENDMENT DOCKETING FORM

Applicants: Thomas W. & Lynne Mahre
1260 Orchard Rd.
Ellensburg, WA 98926

To: Kittitas County Community Development Services, Darryl Piercy, Dir.

V. FOR ALL AMENDMENTS

C. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan? Continued:

which is considered Rural; a deep sagebrush canyon on the East (Rural); another deep sagebrush canyon on the West (Rural); the KR D right-of-way canal and housing development and a vacant parcel on the North. Therefore both parcels fit Kittitas County's rural definition rather than the Commercial Ag definition.

D. How have conditions changed that warrant a comprehensive plan Amendment? Continued:

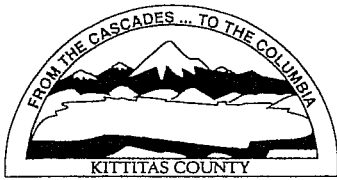
court system which now opens the way for anyone that has a complaint against an agricultural grower can win in court.

I am now in my mid 70's and would like to retire. The comprehensive plan makes it impossible for me to do so as long as the parcel remains in Commercial Ag. Yet, GPO 8.7 states: "Private owners should not be expected to provide public benefits without just compensation."

Referring to the Kittitas Co. Comprehensive Plan, pages 176 and 177, paragraphs 3, 4, 5, and 6; the author(s) state that comprehensive planning may only work in a "totalitarian society". Yet, that is just what the plan is dictating to the citizenry and landowners. Every County Commissioner, Planner and citizen of Kittitas County should read, digest, and give some soul searching on where the county is heading with such a document.

On pages 7 and 8 of the Kittitas Co. Comprehensive Plan 2.2(B) Private Property Rights under RCW 36.70A.020(6) "property rights of landowners shall be protected from arbitrary discriminatory actions."

There are no provisions for older farmers or for those in poor health who want to retire. The comprehensive plan assumes the farmer will farm forever. It further takes away rights as landowners to sell their land as they see fit. It dictates what the property owner can do, devalues his life long building of assets and his property below market value and is a taking in what I understood to be, a free democratic society.



Kittitas County Community Development Services

Darryl Piercy, Director

- A. **SITE PLAN OF THE PROPERTY WITH THE FOLLOWING FEATURES:** buildings; points of access, ABUTTING roads, and parking areas; septic tank and drainfield and replacement area.
- B. 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.

Thomas Mahre
Signature of Authorized Agent

Lynne Mahre

May 30, 2006
Date

Thomas Mahre
Signature of Land Owner of Record (required for application submittal)

Lynne Mahre

May 30, 2006
Date

* Rezone requests require separate Request to Rezone application and fee.

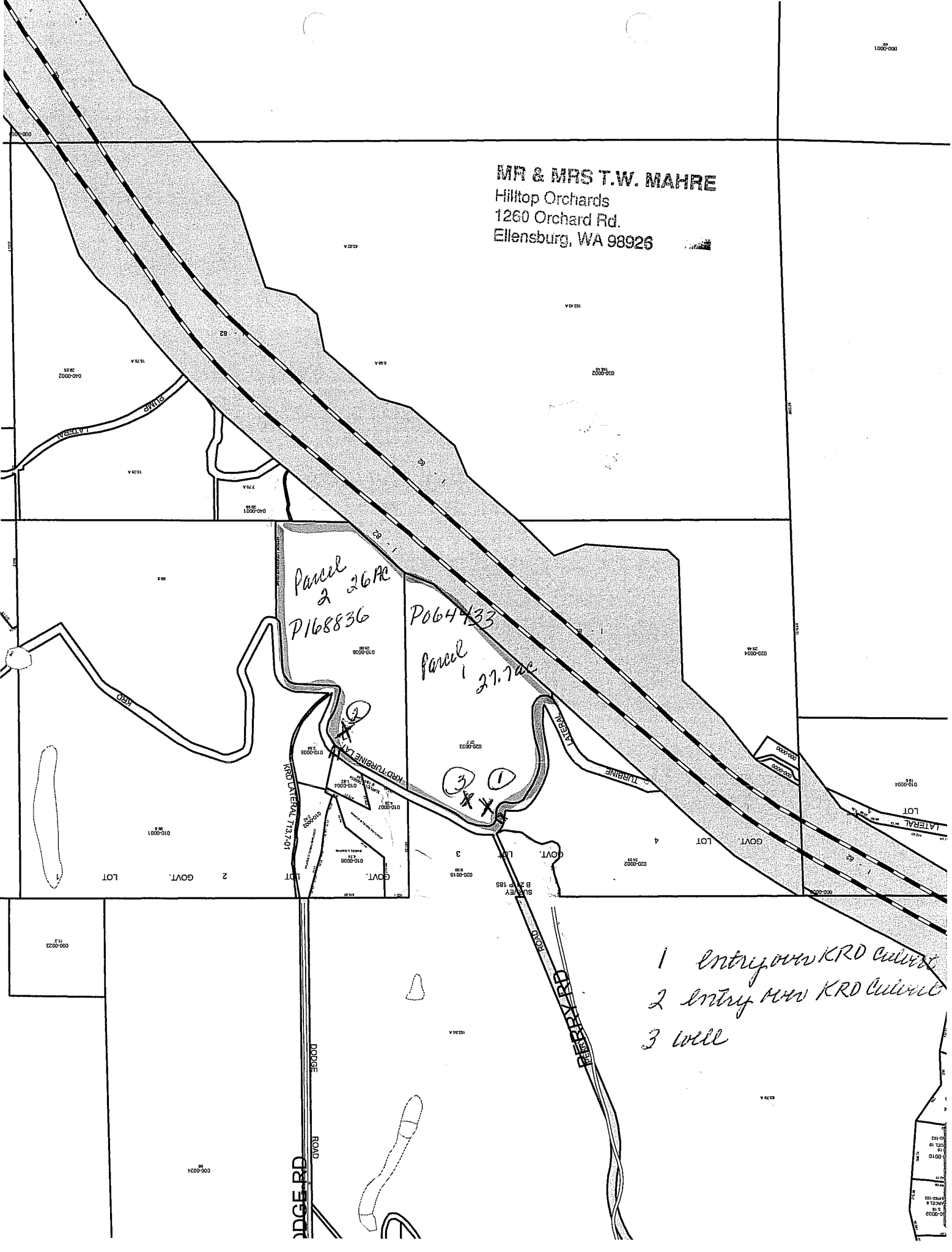
Revised 12/20/05

MR & MRS T.W. MAHRE
Hilltop Orchards
1260 Orchard Rd.
Ellensburg, WA 98926

Parcel
2 26.90
P168836

Parcel
1 27.70ac
P064433

- 1 Entry over KRD Culvert
- 2 Entry over KRD Culvert
- 3 Well



ATTACHMENT: COMPREHENSIVE PLAN AMENDMENT DOCKETING FORM

Applicants: Thomas W. & Lynne Mahre
1260 Orchard Rd
Ellensburg, WA 98926

II GENERAL INFORMATION

C. List of 300 foot adjoiners -

Pauline Diefenbach
1191 Payne Rd
Ellensburg, WA 98926

Willard Webster
1673 Dodge Rd.
Ellensburg, WA 98926

Vera Meyer
1116 Park Street
Sumner, WA 98390

Scott Rollins
1677 Dodge Rd
Ellensburg, WA 98926

Rick & Judy Wright
1675 Dodge Rd
Ellensburg, WA 98926

Edward Slobodian
1641 Perry Rd
Ellensburg, WA 98926

UNITED STATES
DEPARTMENT OF
AGRICULTURE

NATURAL RESOURCES
CONSERVATION
SERVICE

607 E. MOUNTAIN VIEW
ELLENSBURG, WA 98926
PHONE: 509-925-8580
FAX: 509-962-8540

DATE: Nov. 12, 1996

Thomas Mahre
1260 Orchard Road
Ellensburg, Wa. 98926

Subject: Highly Erodible Land

Dear Tom;

This letter is in regards to your request to verify the fact that your property is Highly Erodible. In reviewing your farm plan and the various fields they are highly erodible.

Allen Aronica

Allen Aronica, Technician
cc: