

BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

ORDINANCE NO. 2006-10
In the matter of

Crowe Rezone (Z-05-08)

WHEREAS, according to Kittitas County Code Chapter 17, relating to the zoning of land, adopted pursuant to RCW 58.17, a closed record hearing was held by the Kittitas County Board of Commissioners on February 7th, 2006 for the purpose of considering a rezone from Agriculture-20 to Agriculture-3 known as the Crowe Rezone and described as follows:

General rezone of approximately 22.84 acres from Agriculture-20 to Agriculture-3 (File No. Z-2005-08). Proponent: Bob Crowe. Location: North of Manastash and East of Strand Rd, Ellensburg Wa, 98926, within the SE ¼ of Section 08, T.17N., R. 198E., W.M. in Kittitas County. Parcel number 17-18-08054-0002.

WHEREAS, testimony was taken from those persons present who wished to be heard; 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 Planning Commission recommended approval of said proposed rezone in a 4-0 decision; and,

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

1. The Board of Commissioners finds that Chuck Cruise, authorized agent for Bob Crowe, submitted a complete application requesting a zone change of approximately 22.84 acres from Agriculture-20 to Agriculture-3 to the Community Development Services Department on June 21st, 2005. The applicant's address is 3201 Manastash Rd, Ellensburg, Wa. 98926.
2. The Board of Commissioners finds that Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on August 8th, 2005. Said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject property as required by Kittitas County Code.
3. The Board of Commissioners finds that a SEPA mitigated Determination of Non-Significance was issued by the Community Development Services Department on September 6th, 2005. Notice of said determination was provided to all existing parties of record via United States Mail and was

published in the Daily Record as required by State Statute and County Code.

4. The Board of Commissioners finds that an open record hearing was held by the Planning Commission on November 28th, 2005 to consider this general rezone request. Notice of said public hearing was provided to all parties of record via United States Mail and was published in the Daily 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 non-project action.
5. The Board of Commissioners finds that the requested zone change is consistent with the rural land use designation of the Kittitas County Comprehensive Plan.
6. The Agriculture-3 permitted uses are consistent with the surrounding zoning and provide a substantial relation to the public health, safety, or welfare.
7. The Board of Commissioners finds that the proposed requested zone change does meet all seven criteria as listed in KCC 17.98.020 (E):
 1. The proposed amendment is compatible with the comprehensive plan.
 - a. *The Comprehensive Plan designation of the property is rural.*
 - b. *In Kittitas County, Ag-3 is designated as a rural zone.*
 2. The proposed amendment bears a substantial relation to the public health, safety or welfare;
 - a. *The rezone allows for the potential of smaller, rural parcels that are consistent with neighboring lot sizes. Smaller parcels are more valuable. The creation of this potential will increase the assessed value of the property and thereby provide more revenue for essential county services, schools and the Fire District*
 - b. *The rezone will encourage and allow for the concentration of rural densities.*
 - c. *The rezone encourages and allows for rural residential densities an area with immediate access to Manastash road.*
 3. The proposed amendment has merit and value for Kittitas County or a sub-area of the county;
 - a. *The rezone presents potential for an increase in tax revenue.*
 - b. *The potential lot sizes are consistent with neighboring rural lot sizes.*
 4. 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;
 - a. *There are a significant number of non conforming parcels of Ag-20 which are less than 20 acres in size in the immediate area. .*
 - b. *This rezone has the potential to increase the*

available housing stock.

c. The rezone is necessary for the reasonable development and use of the subject property.

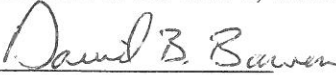
d. The property, given its size and location, is not economical to farm.


5. The subject property is suitable for development in general conformance with zoning standards for the proposed zone;
 - a. The property has access to county roads
 - b. There are no known critical areas on the property.
6. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property;
 - a. The parcels in the vicinity are in similar size to lot sizes in the Ag-3 zone.
 - b. The general rezone request of Ag-3 allows for similar permitted conditional uses as the existing zone of Ag-20.
 - c. Future development may enact further environmental review.
 - d. There are specific conditions placed on the SEPA Mitigated Determination of Non-Significance which are designed to ensure that future development on the property is conducted in such a way as to prevent or minimize impacts on surrounding property owners.
 - e. Any new development on the property will trigger compliances with Department of Health, Department of Ecology and Kittitas County Road Standards dealing with septic systems, water use, storm water run off and road types.
7. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.
 - a. There are no impacts to irrigation water delivery as a result of this rezone.

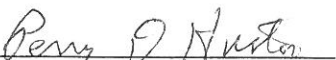
NOW, THEREFORE BE IT ORDAINED: by the Board of County Commissioners of Kittitas County, Washington, that said zone change of 22.84 acres, as indicated in the attached map, from Agriculture-20 to Agriculture-3 is, hereby, approved.

ADOPTED this 21st day of February 2006.

BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON

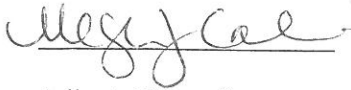

David B. Bowen, Chairman


Alan A. Crankovich, Vice-Chairman


Perry D. Huston, Commissioner

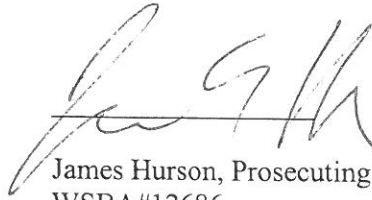


ATTEST:
Deputy CLERK OF THE BOARD

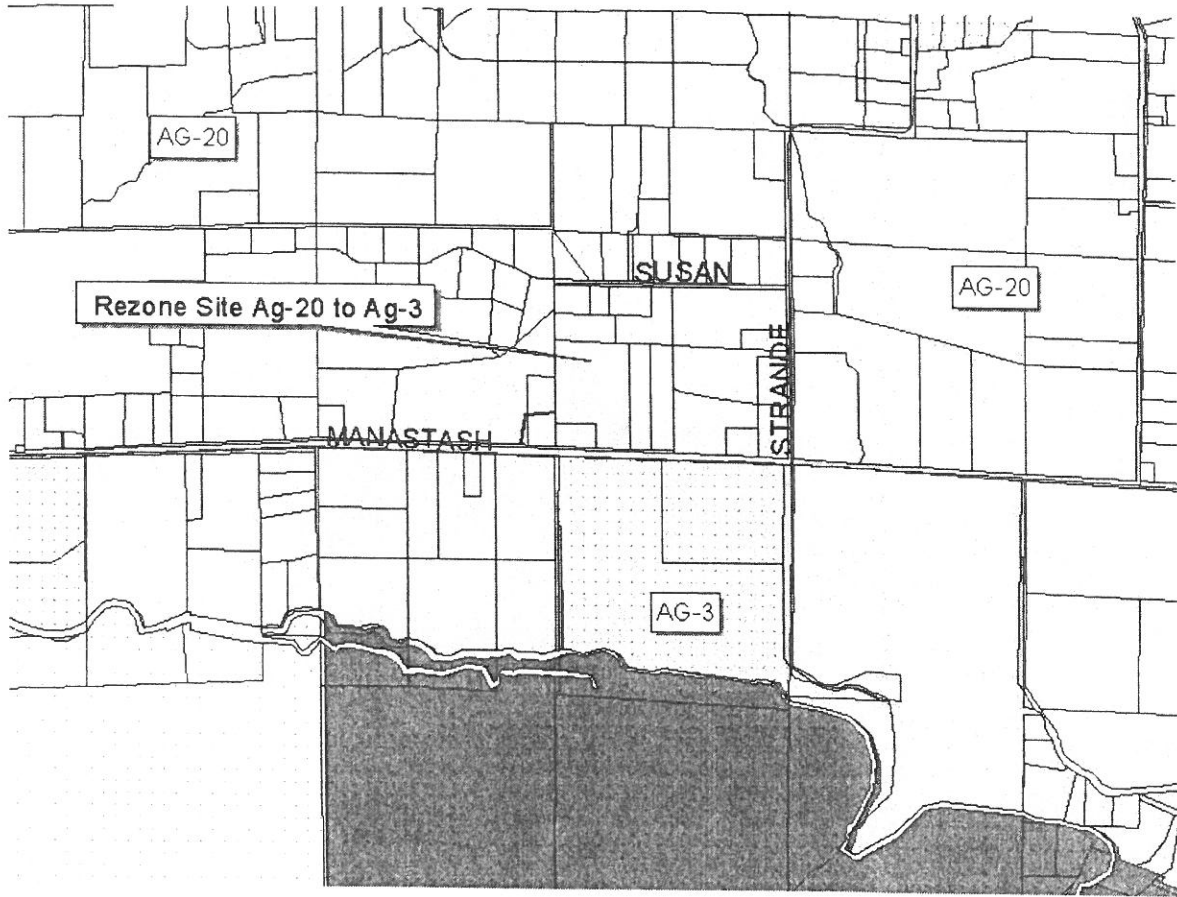


Julie A. Kjorsvik
Meghan J. Calais

APPROVED AS TO FORM:



James Hurson, Prosecuting Attorney
WSBA#12686



CROWE REZONE (Z-2005-08)