

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

**ORDINANCE NO. 2007-27**

**DUNCAN REZONE (Z-06-55)  
IN THE MATTER OF AMENDING THE KITTITAS COUNTY ZONING ATLAS  
FOR A PORTION OF SECTION 7, OF TOWNSHIP 17 N., RANGE 18 E. W.M.,  
FROM AGRICULTURAL-20 TO AGRICULTURAL-3**

**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 August 7, 2007 for the purpose of considering a rezone from Agricultural-20 to Agricultural-3 known as the Duncan Rezone, depicted on Exhibit "A," and described as follows:

General rezone of approximately 21.57 acres from Agriculture-20 to Agriculture-3 (File No. Z-06-55). Proponent: .Craig and Reesa Duncan, landowners, Location north of Manastash Road off of Cove Road, Ellensburg, WA 98926, within a portion of Section 07, Township 17 North, Range 18 East, W.M. in Kittitas County. Tax parcel number 17-18-07030-0018.

**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 denial of said rezone by a vote of 5 to 2 and

**WHEREAS,** The Board of County Commissioners did on August 7, 2007 conducted a Closed Record Hearing where a motion was passed by a vote of 2-1 to approve the rezone, and

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

1. The Board of Commissioners finds that Craig and Reesa Duncan, landowners, submitted a complete application requesting a zone change of approximately 21.57 acres from Agriculture-20 to Agriculture-3, to Community Development Services on December 3, 2006. The applicant's address is 4730 Weaver Road, Ellensburg, WA, 98922.

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2. The Board of Commissioners finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on February 9, 2007 and re-noticed on February 14, 2007. 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 Community Development Services on April 5, 2007. Notice of said environmental threshold determination was provided to all parties of record via United States Mail and was published in the official newspaper of record as required by State Statute and County Code. See Exhibit "B."
4. The Board of Commissioners finds that an open record hearing was held by the Planning Commission on April 24, 2007 and continued to June 12, 2007 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 hearings 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 Board of Commissioners finds that Agriculture-3 zone 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;  
*The Board of County Commissioners finds that the current comprehensive plan land use designation is Rural, and that the proposed zone change is compatible with this designation.*
  2. The proposed amendment bears a substantial relation to the public health, safety or welfare;  
*The Board of County Commissioners finds that the Comprehensive Plan and Zoning*

*standards were developed specifically to preserve the public health, safety and welfare of Kittitas County. The Board of County Commissioners also finds that the proposed amendment fulfills the goals, policies and objectives of the Comprehensive plan by bringing a mixture of densities to the surrounding area.*

3. 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 has merit and value for Kittitas County of a sub-area of the county. The Board of County Commissioners further finds that the applicant has identified the subject property as not being suitable for any agricultural use and that the property's current value is negligible due to lack of improvements (water) and allowing smaller lots would enhance the property. The applicant did provide sufficient evidence into the record to substantiate these claims.*
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;  
*The Board of County Commissioners finds that the proposed zone change is appropriate for reasonable development of the subject property.*
5. The subject property is suitable for development in general conformance with zoning standards for the proposed zone;  
*The Board of County Commissioner finds that the proposed Agriculture-3 zoning is suitable and in conformance with zoning standards for the proposed zone.*
6. 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 will not be materially*

*immediate vicinity of the subject property by eliminating the effects of rural sprawl and would lessen the impacts to adjacent properties associated with the more intense uses allowed in the Agriculture-20 zone.*

7. 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 non-project rezone will not affect irrigation deliveries to the surrounding properties.*

**BE IT HEREBY ORDAINED** by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby grants approval of said zone change of 21.57 acres, from Agriculture-20 to Agriculture-3, known as the Duncan Rezone, and hereby authorizes the amendment of the Kittitas County Zoning Map as set forth in attached Exhibit A.

ADOPTED this 21<sup>st</sup> day of August 2007.

BOARD OF COUNTY COMMISSIONERS  
KITITAS COUNTY, WASHINGTON

**OPPOSED**

\_\_\_\_\_  
Alan A. Crankovich, Chairman

David B. Bowen  
David B. Bowen, Vice-Chairman

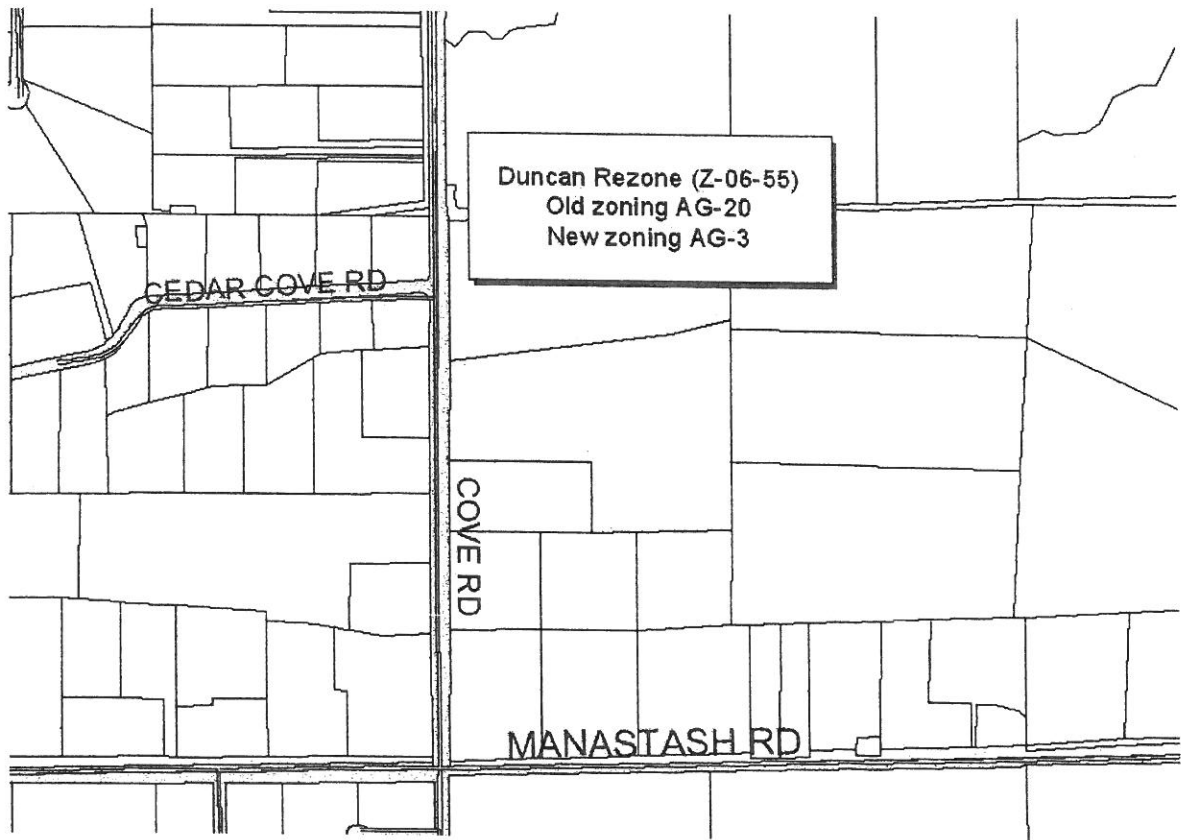
Mark McClain  
Mark McClain, Commissioner



Julie A. Kjorsvik  
Julie A. Kjorsvik

APPROVED AS TO FORM:

\_\_\_\_\_  
Greg Zempel, Prosecuting Attorney  
WSBA#19125



DUNCAN REZONE (Z-06-55)  
Exhibit A