

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

RESOLUTION

NO. 2017 - 073

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH
ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027 & LP-06-00027)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change of approximately 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads from Forest and Range-20, Agriculture-5, and Agriculture-3 to a Planned Unit Development; and

WHEREAS, After a SEPA Mitigated Determination of Non-Significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on the matter; and

WHEREAS, The November 7, 2006 hearing was continued to November 13, 2006, where after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch at Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027); and

WHEREAS, On October 21, 2008 the Board of County Commissioners approved the Ranch On Swauk Creek Phase 1, Division 1 plat and associated open space (LP-06-00027); and

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant submitted a final planned unit development plan application on May 9, 2013, and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016, further defining the final planned unit development plan; and

WHEREAS, the Board of County Commissioners on April 4, 2017 reviewed and approved the final development plan for the planned unit development provided language is included in the enabling documents ensuring maintenance of the open space; and

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

1. On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027).
2. The original proposal was a preliminary planned unit development on approximately 487.43 acres (Ordinance 2006-59).
3. On October 21, 2008 the Board of County Commissioners signed the Ranch on Swauk Creek PUD, Phase 1, Division 1, 14-lot plat and associated open space areas.
4. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. Mr. Chad Bala, authorized agent for the landowner, submitted a final development plan to Community Development Services on May 9, 2013 and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016.
6. After multiple reviews, Community Development Services staff has determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 2006 and meets the conditions imposed by Ordinance 2006-59.
7. The subject property is located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County.
8. The proposed location, phasing, and development character is consistent with the plans previously approved in 2006, and further meets the timelines of the Code.

NOW THEREFORE, 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, that the final planned unit development plan for the Ranch on Swauk Creek PUD Rezone (Z-06-00027) is hereby approved, subject to the following condition:

The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for; (i) the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value; (ii) for the purpose of continued farming, grazing, ranching and timber growing and harvesting or the like; and (iii) for the purpose of owning and maintaining the original homestead located within the open space.

DATED this 18th day of April, 2017 at Ellensburg, Washington.

ATTEST:
CLERK OF THE BOARD

Julie A. Kjorsvik

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON



Paul Jewell, Chairman

APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney



Laura Osiadacz, Vice-Chairman



Obie O'Brien, Commissioner