

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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REZONE APPLICATION

R2-08-00008

(To change from the existing zone to another zone)

KITTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CONTACT COMMUNITY DEVELOPMENT SERVICES TO SET UP A PRE-APPLICATION MEETING TO DISCUSS A PROPOSED PROJECT.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. PURSUANT TO KCC 15A.03.030, A COMPLETE APPLICATION IS DETERMINED WITHIN 28 DAYS OF RECEIPT OF THE APPLICATION SUBMITTAL PACKET AND FEE. THE FOLLOWING ITEMS MUST BE ATTACHED TO THE APPLICATION PACKET:

REQUIRED ATTACHMENTS

- ADDRESS LIST OF ALL LANDOWNERS WITHIN 500 FEET OF THE SUBJECT PARCEL(S). IF ADJOINING PARCELS ARE OWNED BY THE APPLICANT, THEN THE 500 FOOT AREA EXTENDS FROM THE FARTHEST PARCEL. IF THE PARCEL IS WITHIN A SUBDIVISION WITH A HOMEOWNERS' OR ROAD ASSOCIATION, THEN PLEASE INCLUDE THE MAILING ADDRESS OF THE ASSOCIATION.
- SITE PLAN OF THE PROPERTY WITH ALL PROPOSED BUILDINGS, POINTS OF ACCESS, ROADS, PARKING AREAS, SEPTIC TANK, DRAINFIELD, DRAINFIELD REPLACEMENT AREA, AREAS TO BE CUT AND/OR FILLED, NATURAL FEATURES SUCH AS CONTOURS, STREAMS, GULLIES, CLIFFS, ETC.
- SEPA CHECKLIST
- REQUESTED ZONE CHANGE: FROM Forest & Range TO Rural-3

APPLICATION FEE:

\$2550 (\$2150 Rezone + \$400 SEPA) to Kittitas County Community Development Services Department (KCCDS)

FOR STAFF USE ONLY

APPLICATION RECEIVED BY:
(CDS STAFF SIGNATURE)

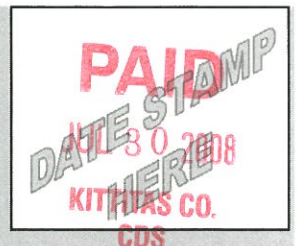
[Handwritten Signature]

DATE:

7.30.08

RECEIPT #

NOTES:



DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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

1. **Name, mailing address and day phone of land owner(s) of record:**

Landowner(s) signature(s) required on application form.

Name: Walter Darrow
Mailing Address: 10650 Teanaway Road
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: (509) 674-2681
Email Address: N/A

2. **Name, mailing address and day phone of authorized agent, if different from landowner of record:**

If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Same as Above
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

3. **Street address of property:**

Address: 10650 Teanaway Road
City/State/ZIP: Cle Elum, WA 98922

4. **Legal description of property:**

The legal description is attached and included within the preliminary plat map.

5. **Tax parcel number:**
20-16-05020-0017

6. **Property size:**

27.16 ac

7. **Narrative project description:** Please include the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description (be specific, attach additional sheets as necessary):

The project consists of a rezone from Forest & Range-20 to Rural-3. The subject property is located in Sect. 5 of T.20N., R.16E. W.M. Sewage will be individual on-site and water will be individual or shared wells. Please see the preliminary map for topo, vicinity map and legal description.

8. **What is the present zoning district?**
Forest & Range-20
-
9. **What is the zoning district requested?**
Rural-3
-
10. **Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):**
- A. The proposed amendment is compatible with the comprehensive plan.
see attached

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

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

 - 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.
see attached

 - E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
see attached

 - F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
see attached

- G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.
see attached

11. Application is hereby made for permit(s) 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.

All correspondence and notices will be mailed to the Land Owner of Record and copies sent to the authorized agent.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

Date:

X _____

Signature of Land Owner of Record
(REQUIRED for application submittal):

Date:

X Walter J. Warner

Darrow Rezone Seven Criteria:

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

The Kittitas County Comprehensive Plan (Comp Plan) allows for a variety of land uses from residential to resource based activities. According to the Comp Plan, Chapter 8.2: Rural Lands-Identification of Rural Lands: “The Rural Lands exhibit a vibrant and viable landscape where a diversity of land uses and housing densities are compatible with rural character. Many sizes and shapes can be found in the rural lands, its topography and access variations allow for small to large acreage, economic activities, residential subdivisions, farming, logging and mining.”

The Comp Plan supports a mixture of land uses and densities by the following Goals, Policies and Objectives (GPO’S): GPO 2.2, Diversified economic development providing broader economic opportunities; GPO 2.5, Kittitas County should encourage residential and economic growth that will minimize the costs of providing public utilities and services; GPO 2.6, Kittitas County will maintain a flexible balance of land uses; GPO 8.5, Kittitas County recognizes and agrees with the need for continued diversity in densities and uses on rural lands.

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

The primary goal of the Comp Plan is to enhance, preserve and protect the public health, safety and welfare. In *Henderson v. Kittitas County*, 154 Wn. 2d 1028 (2005), the court recognized that if the rezone is consistent with the County Comprehensive Plan and implements the Comprehensive Plan, then that is a clear indication that the rezone is in the interest of the public health, safety and welfare.

The rezone and proposed subdivision will have access directly to Teanaway Road, a county road. There is also a network of county roads available for future landowners to access the subject property that can handle the level of traffic created by the proposed development.

The proposed rezone and preliminary short plat will allow the creation of smaller, more valuable parcels within Kittitas County. Smaller parcels, once built upon, will increase the assessed values of the property and in effect provide more revenue for county services, schools and the fire district.

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

Rural character, development and services are defined in RCW 36.70A.030 (15), (16) and (17) as follows: “Rural Character refers to the pattern of land use and development established by a county in the rural element of its comprehensive plan: (b) that foster traditional rural lifestyles, rural based economies and opportunities to both live and work in rural areas; (e) that reduce the inappropriate conversion of undeveloped land into sprawling, low density development. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

The Comp Plan states: “the current mix of rural uses and densities has not increased the cost to taxpayers for road and utility improvements, police and fire protection, or the education of school populations beyond the means of the local people to finance such infrastructure.

The proposed rezone and preliminary plat will take the pressure off of and preserve the agricultural lands in the area. Larger agriculturally used parcels may not be taken out of production when individuals desire smaller parcels as apposed to parcels 20+ acres in size, thus decreasing the potential of creating rural sprawl.

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 reasonable development of the subject property.

According to KCC 17.04.060, the county will allow up to 3% of the total land mass or 44,448 acres (1,481,600 X .03) into the Rural-3 zone. The Comp Plan states “Total acreages in each zone shall not exceed the identified percentages below when compared to the overall land mass available in Kittitas County”. Looking at parcels of land just west of the subject property along Teanaway Road, you will notice 8 parcels zoned Rural-3 that are between 3 and 4 acres in size. Furthermore, section 05 of T.20N. R.16E shows 12 parcels at 3-4 acres in size or less.

Given the current pattern of development in the area, this property would better be served in smaller, residential lots, thus allowing the property owner to realize some economic return on their investment.

E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

Both the current zone (Forest & Range-20) and the proposed zone (Rural-3) are considered Rural Lands as defined by the Comp Plan. Upon detailed analysis of KCC 17.56.020 (Forest & Range-20) and 17.30.020 (Rural-3) you will observe that the allowed uses in the Forest & Range zone are much more intense than the neighboring Rural-3 zone. Uses in the Forest & Range zone may not be compatible on 15 acres. Some of the uses may only be compatible on larger parcels that are further away from rural and recreational activities.

The Teanaway River Valley is a favorite recreational and rural residential location in Kittitas County. I believe the uses, both allowed and conditional, within the Rural-3 zone are better suited for the surrounding character of the area.

F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

While farming does still occur in the valley, a shift to residential and recreation has been occurring over the last few years. The location of the subject property is not suitable for farming, based on the topography, nor is it suitable for any activities other than recreational or residential.

The majority of parcels in Section 05 that are north of the Teanaway Road have been converted or build upon for residential purposes. The subject property is no different.

The road infrastructure in the area is all public. As in the case with most residential development in and around active farming communities, the road system is often the means of travel for both cars and farm equipment. A plat note will be place on the final mylar stating “ *The subject property is within or near lands used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial Natural Resource activates performed in accordance with county, state and federal laws are not subject to legal action as public nuisances (RCW7.48.305)*”

G. The proposed changes in use of the subject property shall not adversely impact water deliveries to other properties.

There are not irrigation entities on the subject property. The property is not served with irrigation waters.