

September 26, 2024



Kittitas County Community Development Services  
Attn: Jamey Ayling, Planning Manager  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Re: **Gibson Rezone, RZ-24-00001 – Response to SEPA Public Comments**

Dear Mr. Ayling, staff, and interested parties,

Thank you for the opportunity to receive and respond to comments from the community.

Responses to citizen comments

With regards to the information provided and the appropriateness of a rezone:

While the county is doing a major comprehensive plan update, it is an appropriate time to request this zoning change as staff are already reviewing designations and the subsequent zone assignments.

With regards to the suggestion that rezoning our property is spot zoning or sets a precedent:

We are not the first property to request this type of rezone. Parcel 636433 owned by JH Enterprises is a single parcel zoned Forest and Range in the midst of a large swath of parcels zoned Agriculture-20. Similarly, a group of parcels with connected ownership on the outskirts of the Ellensburg city limits is zoned Forest and Range amidst other Agriculture-20 and Agriculture-5 zones. See the COMPAS map annotated snip and aerial snips in **Attachment A**.

No precedent is being set, only being followed, nor is there preferential treatment. It has been the county's established policy to evaluate parcel rezone requests on their merit. This has led to pockets of individual zoning to fit established uses. This acknowledges the wide-ranging characteristics of the land and their best uses, and is consistent with past actions.

With regards to utilizing the CUP process and the county's ability to set conditions on the operations:

The comment to request a Conditional Use Permit review of future operations is not a change the county can make through a rezone. Instead, the action to apply that review process to future uses would be a code amendment. If the county, applicant, or community would like to make such a change, it cannot be executed through a rezone application.

The gravel operations on this property have been a permitted and established use for over three decades. State permits and inspections are in order showing compliance with

industry standards including dust suppression by water truck, as one example in the submitted citizen comments.

With regards to the accusation of vague project details:

This is a non-project action, meaning that there is not a specific proposal or permit application attached to the rezone request or the SEPA checklist. As it is unknown whether the county would approve the application, no plans have been prepared. A scope of work has not been determined and therefore there is no scope to study, quantify, calculate or evaluate – just general guidelines.

Rezone applications can be submitted as part of a project action with a specific underlying permit application at any point during the year; or they can be submitted as a nonproject action during the comprehensive plan update, without a specific underlying permit application.

Small comprehensive plan updates are conducted annually, and large comprehensive plan updates are conducted every five years, or as triggered by changes in state law that mandate compliance by counties and cities. Part of this year's Kittitas plan update is the requirement to comply with the laws passed in the 2023 legislative session that notably adopted middle housing requirements amongst other changes. The passage of the middle housing bill requires jurisdictions to evaluate their land use designations and the resulting zoning.

#### Responses to reviewer/jurisdiction comments

Kittitas County Department of Public Works:

- Any new driveway access or alteration of an existing access requires permit approval
  - Grading permits may apply
- Acknowledged*

Kittitas PUD: no comment

*Acknowledged*

Kittitas County Public Health Department: no comment

*Acknowledged*

Confederated Tribes of the Colville Reservation:

- request implementation of Inadvertent Discovery Plan (IDP) if future ground-disturbing activities are undertaken in the future
- Acknowledged*

Department of Archaeology & Historic Preservation, Snoqualmie Tribe: no comment

*Acknowledged*

Department of Fish and Wildlife:

- request a habitat management plan

*Acknowledged*

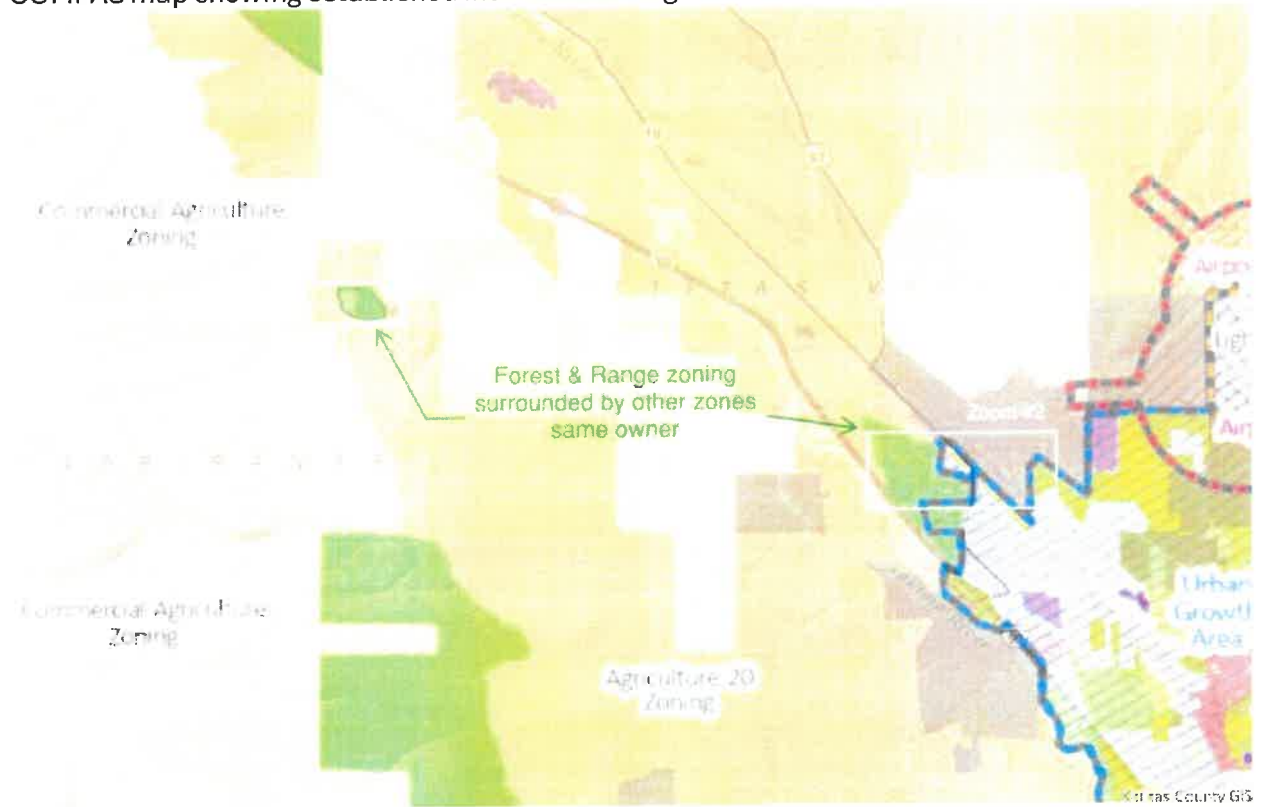
Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Kory Gibson', with a long, sweeping horizontal line extending to the right.

Kory Gibson  
Gibson Family  
1221 South Thorp Highway  
Ellensburg WA 98926  
509-201-1023

ATTACHMENT A  
COMPAS Map Snips

COMPAS map showing established individual zoning



Zoom #1



Zoom #2

