

Attachment E – KCC Zoning Code Analysis



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Conditional Use Permit Application Technical Memorandum

To: Kittitas County Community Development

Re: Honest Cut Meats LLC Conditional Use Permit Application
15450 Vantage Highway, Ellensburg, Washington 98926

From: Alex Murphy, AICP – Soundview Consultants LLC

Date: October 25, 2023

Soundview Consultants LLC (SVC) has been assisting Scott and Necia Shelton of Honest Cut Meats, LLC (Applicant) with obtaining a Conditional Use Permit (CUP) for the modification of an existing agricultural processing and sales operation located on a 54.48-acre site at 15450 Vantage Highway, near Ellensburg, Washington in unincorporated Kittitas County (Kittitas County Tax Parcel Number 280236). The Applicant is in the process of transitioning from a state inspected facility to a federally inspected facility. To complete this transition, the Applicant is required to add a modular harvest and drip cooler component to the existing processing facility per USDA requirements. This addition to the existing processing facility requires the Applicant to pursue a CUP through Kittitas County. This Technical Memorandum was prepared to document how the Applicant is meeting the administrative requirements of Kittitas County Code (KCC) 17.60A.015 and the overall zoning requirements of KCC 17.

Background

The subject property is a 54.48-acre parcel located in a rural, agricultural setting in unincorporated Kittitas County. The surrounding land uses are characterized as single family residential and small farms for crop production and other agricultural uses. The Applicant has operated Honest Cut Meats, LLC on the property for over 12 years and provides meat processing services to many members of the community. The existing processing plant currently consists of a small processing plant, cooler and onsite retail location. As part of the process of becoming a federally inspected, USDA approved meat processing facility, the existing processing facility will need to be upgraded. Becoming a USDA inspected facility will allow the Applicant to improve the quality of consumer products and expand their commercial reach to new customers in the local and regional communities.

The process of becoming a USDA-inspected facility requires improvements be made to the current operation including the addition of two modular processing components: an 8-foot by 40-foot harvest

module and an 8-foot by 20-foot drip cooler for storage. Utilizing the proposed modular components will allow the Applicant to receive live animals, harvest, process, and package their product in one streamlined operation. The harvest module will allow for the hygienic, safe, and efficient processing of live animals, while the cooler module will allow for safe storage of consumer products and unwanted scraps. Although the improved processing facility will allow the operation to be more efficient, there is no planned increase in production volume. Animals brought onsite for processing will remain no longer than 4-6 hours on average, with no increase in animal occupancy from the current operating status.

In addition to the improved processing facility, the Applicant proposes to improve local water quality via the installation of a new septic system and drain field to support the proposed facility. The Applicant has been working closely with the Kittitas County Health Department, Kittitas County Planning Department and Ultra-Source Inc. to implement this new and vital component to the processing plant and recently received approval from the Health Department for the proposed septic system and drain field.

Regulatory Considerations

Kittitas County Critical Areas Ordinance

Kittitas County Code Title 17A was developed to establish regulations pertaining to development to prevent the degradation of designated critical areas within the County. KCC 17A applies to all regulated activities in and near streams, wetlands, and other critical areas where any ground disturbance, construction, demolition, dumping, discharging, land division, or increase in impervious surfaces is proposed. However, KCC 17A.01.030.3 states “*Private lands where existing agricultural activities are conducted, as defined in RCW 90.58.065 private lands where existing agricultural activities are conducted, as defined in RCW 90.58.065, within the Upper Yakima and Alkali-Squilchuck WRLAs are managed by the Kittitas County Voluntary Stewardship Program (VSP), and not regulated by this Title*”. The Kittitas County Voluntary Stewardship Program (VSP) was established as an alternative approach to the critical areas protections mandated by RCW 36.70A.060. The VSP is a collaborative effort between local tribes and governments and agricultural communities to establish a viable means of protecting critical areas and retaining existing economically important agricultural practices.

The subject property is located in the Upper Yakima WRIA and has been a legally existing agricultural use since before the implementation of the Kittitas County Critical Areas ordinance. Therefore, critical areas on the property are managed under the Kittitas County Voluntary Stewardship Program and the provisions of KCC 17A. However, the Applicant is committed to improve local environmental and ecological conditions onsite through the proposed hygienic and sanitary improvements to the processing facility described above and no impacts to nearby waterbodies or other critical areas are anticipated to result from the proposed improvements.

A seasonal drainage is located running through the subject property. The Washington Department of Natural Resources maps this feature as Park Creek, a Type F (fish habitat) stream. The Washington Department of Fish and Wildlife and Northwest Indian Fisheries Commission also identify a stream in the same location with documented fish presence.

Kittitas County Zoning Requirements

The subject property is currently zoned Ag 20 Agricultural. The intent of the Ag 20 zoning designation is to preserve fertile farmlands from encroachment of non-agricultural land uses and protect the rights

of those engaged in agriculture (KCC 17.29.010). The subject property is currently a legal existing lot that meets the minimum lot size requirements and setbacks outlined in KCC 17.29.040. The special setback requirements identified in 17.29.120 do not apply to the subject property as the existing and proposed use is not for housing, sheltering, or feeding of livestock or animals.

Per KCC 17.15.040, the Ag 20 zone is considered a Rural Working land type under the Rural Non-LAMIRD Lands designation. The Rural Non-LAMIRD Lands Use Table indicates that Agricultural Processing and Agricultural Sales are permitted activities in Ag 20-zoned lands with a CUP. Agricultural Processing activities are subject to footnotes 23 and 49. Foot note 23 applies to small scale hay production and does not apply to the proposed project. Footnote 49 indicates that impervious surfaces on lots greater than ½ acre shall not exceed 50 percent. The Subject property is 54.48 acres, and has approximately 1.9 acres of impervious surface, or 3.6 percent. The proposed modular harvest and cooling facility will increase the amount of impervious surface by approximately 480 square feet. No footnotes apply to Agricultural Sales activities.

Conditional Use Permit

The Applicant is seeking a Conditional Use Permit for the expansion of an existing meat processing facility to meet the minimum health and safety requirements of the USDA. A conditional use permit may be granted if the review criteria outlined in KCC 17.60A.015 are satisfied.

1. *The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.*

The proposed project is both essential and desirable to the public as evidenced through the existing client and customer base of the Applicant. Honest Cut Meats, LLC has run a successful business since 2013 and provides a valuable service to the community through working closely with the Kittitas Valley community and providing essential foods to the local FISH Food Bank. Honest Cut Meats, LLC is currently a Washington State Department of Agriculture inspected and approved meat processing facility wherein they are subject to established public health guidelines and practices. Honest Cuts Meats, LLC, is also an approved meat and seafood licensee through the Kittitas County Public Health Department. Obtaining a CUP for the expansion of the processing facility, allowing the Applicant to become a USDA federally inspected processing facility, will be in the best interest of the public health.

2. *The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that*
 - a. *The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or*
 - b. *The applicant shall provide such facilities; or*
 - c. *The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.*

The proposed project will have no detrimental effect to the local economy, nor will it create a burden on public services, utilities or infrastructure. The Applicant is proposing to increase

the capacity, efficiency, and safety of the current processing facility and will only minimally expand over the existing footprint. The proposed processing facility expansion will utilize existing utilities and infrastructure onsite and is located in an area already served by the Kittitas County Sheriff and Kittitas Valley Fire and Rescue District 2. A minor increase in customer traffic is possible as the capacity to serve more customers will improve with the new processing facility. However, given the rural location and existing lot size and operations, these potential increases in traffic are expected to be negligible. The Applicant is also proposing to install a new septic system and drain field to support the expanded facility.

3. *The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.*

The current zoning of the subject property is Ag 20 and the current use of the subject property fits within the intent of the Ag 20 zoning designation. Per KCC 17.15.060.1 Land Use Table, agricultural processing and agricultural sales are allowed in the Rural Working classification with a Conditional Use Permit. The existing and proposed continued use of the subject property for animal slaughter and meat preparation meets the definition of “agricultural processing” under KCC 17.08.032 and RCW 90.58.065. Provisions of KCC 17A do not apply to the subject property as critical areas protection is managed under the local VSP. No change in land use is proposed, only the improvement of services and continuation of existing agricultural activities.

4. *The proposed use will mitigate material impacts of the development, whether environmental or otherwise.*

Only a relatively minor increase in impervious surfaces is proposed (approximately 480 square feet). Some excavation of soils to allow for the level placement of the modular harvest and cooling facilities will be required. Spoils and unused soil will be backfilled around the modular units for additional insulation or spread around the existing lot. The modular component of the processing and cooling facilities will minimize construction time onsite. Further, the proposed facility is located partially within a gravel driveway and partially within an existing livestock corral, so no new impacts or disturbances to the environment are anticipated. All waste and processing byproducts will be stored in cold storage or the proposed storage tank until they can be removed by a licensed contractor.

5. *The proposed use will ensure compatibility with existing neighboring land uses.*

The proposed project is consistent with existing neighboring land uses. The majority of adjacent and nearby properties are engaged in some form of agricultural production. The property has been in use as an agricultural processing and sales operation for ten years without concern. The proposed expansion will occur within the previously-developed portions of the property and will not result in detrimental impacts to neighboring land uses.

6. *The proposed use is consistent with the intent and character of the zoning district in which it is located.*

The subject property is zoned Ag 20. The Ag 20 zone is an area wherein farming, ranching and rural life styles are dominant characteristics. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses (KCC 17.29.010). The proposed project will continue the existing agricultural production and improve the

services it provides. There is no proposed change in land use. This will ensure the spirit and character of the current zoning is maintained.

7. *For conditional uses outside of Urban Growth Areas, the proposed use:*
 - a. *Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;*
 - b. *Preserves "rural character" as defined in the Growth Management Act (RCW 36.70A.030(20));*
 - c. *Requires only rural government services; and*
 - d. *Does not compromise the long term viability of designated resource lands.*

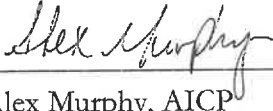
The proposed project is consistent with the goals, policies, and objectives of the Kittitas County Comprehensive Plan. The proposed project does not propose a new residential development, change in land use, or change in zoning. The subject property is currently conforming to existing land use and local policies and does not propose to change. RCW 36.70A.011 encourages communities in rural areas to “*preserve rural-based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns; be compatible with the use of the land by wildlife and for fish and wildlife habitat; foster the private stewardship of the land and preservation of open space; and enhance the rural sense of community and quality of life.*” The proposed project meets each one of those elements by continuing to provide a valuable resource and service to the nearby community while maintaining and preserving the rural character of the eastern Kittitas Valley. Honest Cut Meats, LLC, is a small, family-run agricultural business that is looking to improve the quality of its services and products for local residents. No additional public services beyond the current rural services already provided will be required. The proposed project will not compromise the long-term viability of the resource lands as there is no change in land use proposed.

Conclusion

The Applicant proposes to expand the services and capabilities of an existing meat processing facility to become a USDA-inspected and approved processing and packaged meat provider. Honest Cut Meats, LLC currently operates in eastern Kittitas Valley in a rural community zoned Ag 20 (Agriculture) and has been operating as an agricultural processing and sales use since 2013. While the existing facility meets the health and safety standards for the State of Washington Department of Agriculture and Kittitas County Public Health Department Standards, the USDA requires additional measures for certification. To meet the USDA requirements, the Applicant is proposing the addition of two modular processing components to the existing operation: and harvest module and a cooling module. Additionally, a new septic system will be installed to support the expanded facility. A Conditional Use Permit is required to expand the existing processing facility and as proposed, currently meets the CUP criteria outlined in KCC 17.60A.015. The proposed project is exempt from provisions of the Kittitas County Critical Areas Ordinance as Honest Cut Meats, LLC is operating as an existing agricultural activity outside of any UGA and thus subject to critical areas protection under the local

VSP. Through careful planning and thoughtful design, the proposed project will not impact a nearby stream and only increase impervious surfaces on existing developed areas by 480 square feet.

Please feel free to reach out with any questions at your earliest convenience.



Alex Murphy, AICP
Senior Environmental Planner & Project Manager

October 25, 2023

Date