



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

Findings of Fact

Back Country Conditional Use Permit

CU-08-05

The following general findings have been prepared by the Community Development Services Department Staff for consideration by the Board of Adjustment in rendering its decision on this matter. These findings may be used to reasonably support a recommendation in favor of or against this proposal; however additional findings may also be necessary.

1. The Board of Adjustment finds that Kittitas County did, on March 10, 2008, deem complete a Conditional Use Permit application, submitted by Louis Musso of Kittitas County Parks & Recreation #1, authorized agent for Back Country Resources LLC, landowner, for the construction and operation of a 5.00 SnoPark in the Rural-3 zone. The property is located in a portion of Section 07, T19N, R15E, WM, in Kittitas County. Map number 19-15-07000-0028.
2. The Board of Adjustment finds that the proposed SnoPark was planned as a condition of approval for the 45.00 acre Evergreen Park Performance Based Cluster Plat (P-06-13), which was approved by Resolution No. 2006-131 (pg. 5, #23).
3. The Board of Adjustment finds that per requirement of Kittitas County Code 15A.03.110, all project actions that are not administratively processed must have a Land Use Action sign posted at the site of the project. On March 25, 2008, the project site was posted and the signed affidavit of posting was returned to CDS.
4. The Board of Adjustment finds that a Notice of Application was published in the official county newspaper of record, the Daily Record, on March 28, 2008 and in the Northern Kittitas County Tribune on April 3, 2008. Said notice was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties on March 28, 2008. The last day to submit written comments was Monday, April 14, 2008 at 5:00pm.
5. The Board of Adjustment finds that pursuant to 43.21C RCW, Kittitas County Community Development Services did, on May 13, 2008, issue a SEPA Determination of Non-Significance. The last day to appeal this decision was Wednesday, May 28, 2008. No appeals were received.
6. The Board of Adjustment finds that a public hearing was held on June 11, 2008 to consider this matter and testimony was taken from those persons present who wished to be heard. The Board also finds that due notice of this hearing was given as required by law, and the necessary inquiry has been made into the public interest to be served by the proposed use.
7. The Board of Adjustment finds that the proposed operation of a SnoPark is listed as a Conditional Use for the Rural-3 zone per Kittitas County Code 17.30.030(2).
8. The Board of Adjustment finds that a road maintenance agreement shall be required which addresses the seasonal use of the road including but not limited to snow plowing, access and maintenance of groomed trails and the ongoing general maintenance of the road. The terms of the Road Maintenance Agreement shall be accepted by the Forest Service prior to the issuance of the Conditional Use Permit.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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

9. The Board of Adjustment finds that the proposed Evergreen SnoPark shall be in operation and open to the general public only during the months of October through March and shall be closed and gated during the months of April through September. The hours of operation during the winter months shall be 8:00am to 8:00pm. Only service and maintenance vehicles shall be allowed within the SnoPark boundaries during the closed months.
10. The Board of Adjustment finds that the entire 5.0 acres identified as the Evergreen SnoPark shall be fenced and wildlife friendly fencing shall be utilized. Fencing plans shall be submitted to the Department of Fish & Wildlife and approved prior to issuance of the Conditional Use Permit.
11. The Board of Adjustment finds that all mitigations contained within the SEPA Mitigated Determination of Non-Significance, as issued on May 13, 2008, shall be conditions of approval of this Conditional Use Permit and the Conditional Use Permit shall not be issued until proof that all conditions have been met have been received by Community Development Services.
12. The Board of Adjustment finds that additional conditions **are not** necessary to protect the public's interest.



Stan Bossart, Chairman, Board of Adjustment



Date