



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT

TO: Kittitas County Board of Adjustment

FROM: Dan Valoff, Staff Planner

DATE: October 12, 2011 hearing

SUBJECT: Maughan CUP-11-00002
Operate a campground in the Agriculture 20 zone.

I. BACKGROUND INFORMATION

Applicant: Nathan Maughan, authorized agent for Maughan Et Al. LLC property owner.

Proposal:

Conditional Use Permit for the operation of a campground in the Agriculture 20 zone. This property has historically been used as a campground adjacent to the boat launch at the top of the canyon just south of Thrall Road. The Bighorn campground operates about 30+ campsites on approximately 8 acres. Each camp site have fireplace rings so all fires are confined. A large 3 to 5 yard dumpster is maintained onsite to collect garbage and emptied at least weekly. Up to 5 port-a-potties are maintained onsite throughout the summer months. No fresh water is provided. No improvements to the interior road network are being proposed. The campground employs a "seasoned citizen" couple caretaker during the camping season.

Location:

The project is located at Milepost 21.26 on State Route 821 (Canyon Road), Ellensburg, WA, in a portion of the NW ¼ of Section 07, T16N R19E WM in Kittitas County. Map number: 16-19-07000-0014.

II. POLICY AND REGULATORY REQUIREMENTS

- A. The Comprehensive Plan Land Use designates this parcel as Rural and the property is zoned AG 20.
- B. The Agricultural (A-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; and protect the rights and traditions of those engaged in agriculture...
- C. KCC 17.29.030(21): Private Campgrounds. In considering proposals for location of such campgrounds, the board of adjustment shall consider at a minimum the following criteria:
 - a. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances;
 - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
 - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
 - d. Adequate and convenient vehicular access, circulation and parking should be provided;
 - e. Economic and environmental feasibility;
 - f. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation)
- D. Subject to the conditions set forth in Chapter KCC 17.60 Conditional Uses.
- E. An administrative critical area site analysis was completed by staff in compliance with Title 17A: Critical Areas. There areas of the 100 year floodplain on site.

III. ADMINISTRATIVE REVIEW

Notice of application:

The submitted application was received by Community Development Services on July 12, 2011. The application was deemed complete on July 22, 2011. A Notice of Application was issued on September 9, 2011. This notice was mailed to government agencies, adjacent property owners, and the applicant.

Posting of Site:

In accordance with Kittitas County Code 15A.03.110, this project was accurately posed with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the authorized agent and returned to the planner and is included as part of the record.

Written Testimony:

Written comments were solicited as part of the Notice of Application the final date to submit comments was September 23, 2011 by 5:00pm. Written comments were received and are included in your packets for review.

State Environmental Policy Act:

Based on the comment period and other information submitted with this project permit application, a SEPA Determination of Nonsignificance (DNS) was issued by Community Development Services on September 26, 2011. No appeals were filed.

Recommended Conditions:

Community Development Services recommends approval of the Conditional Use Permit with the following suggested conditions. The Board of Adjustment may impose further conditions as needed:

1. The applicant must contact Washington State Department of Transportation for an access permit and complete any improvements prior to issuance of any permits. The applicant must adhere to all regulations set for by WSDOT and the Kittitas County Road Standards (KCC Title 12).
2. The subject parcel shall have a site address. Contact the Kittitas County Rural Addressing Coordinator to obtain an address prior to receiving final approval.
3. The applicant will maintain regular garbage collection and properly store all solid waste.
4. The campsite loop shall be one way, with signs posted to indicate direction of travel.
5. A fire and life safety inspection shall be conducted prior to beginning operations. Annual fire and life safety inspection may be required.
6. All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2009 International Fire & Building Codes.

IV. SUGGESTED FINDINGS OF FACT

This matter having come before the Kittitas County Board of Adjustment upon the above referenced Conditional Use Application from Nathan Maughan, authorized agent for Maughan Et Al. LLC property owner, the Board of Adjustment makes the following Findings of Facts, Conclusions at Law and Decision related to the above referenced matter:

1. The Board of Adjustment finds that Nathan Maughan, authorized agent for Maughan Et Al. LLC property owner applied for a Conditional Use Permit for the operation of a campground in the Agriculture 20 zone.
2. The project is located at Milepost 21.26 on State Route 821 (Canyon Road), Ellensburg, WA, in a portion

of the NW ¼ of Section 07, T16N R19E WM in Kittitas County. Map number: 16-19-07000-0014.

3. The Board of Adjustment finds that Community Development Services received the application was received by Community Development Services on July 12, 2011. The application was deemed complete on July 22, 2011. A Notice of Application was issued on September 9, 2011. This notice was mailed to government agencies, adjacent property owners, and the applicant.
4. The Board of Adjustment finds further that said notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Written comments were received and included in the record for consideration.
5. The Board of Adjustment finds that in accordance with Kittitas County Code 15A.03.110, this project was accurately posed with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the authorized agent and returned to the planner and is included as part of the record.
6. The Board of Adjustment finds that The Community Development Services Department on September 26, 2011 issued a SEPA Determination of Non-significance (DNS). The Board finds that the notice of said determination was provided to all required parties of record pursuant to 43.21C RCW and that said notice that said notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. No appeals were filed.
7. The Board of Adjustment finds that an open record hearing was held on October 12, 2011 and that testimony was taken from those persons present who wished to be heard. The Board of Adjustment also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed project.
8. The Board of Adjustment finds that the Comprehensive Plan's Land Use Element designates the subject propertied as Rural and the property is zoned AG 20...
9. The Board of Adjustment finds that the purposes and intent of the Agricultural (A-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; and protect the rights and traditions of those engaged in agriculture.
- F. The Board of Adjustment finds that in accordance with KCC 17.29.030(21): Private Campgrounds., the Board of Adjustment shall consider at a minimum the following criteria for the location of private campgrounds:
 - a. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances;
 - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
 - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
 - d. Adequate and convenient vehicular access, circulation and parking should be provided;
 - e. Economic and environmental feasibility;
 - f. Public health and safety of campers and those reasonably impacted by the campground (i.e. heath, water, sanitation)
10. The Board of Adjustment finds that an administrative site analysis was completed by the staff planner in compliance with Kittitas County Code Title 17A, Critical Areas. Areas of the 100 year floodplain were

identified on site.

11. The Board of Adjustment finds that 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.
12. The Board of Adjustment finds that 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 (1) it will be adequately serviced by existing facilities or (2) that the applicant shall provide such facilities and (3) has demonstrated that the proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.
13. The Board of Adjustment finds that the proposed development **has/has not** met the requirements of KCC. 17.60.010 (as listed in items 11 and 12 of the conditions).
14. The Board of Adjustment finds that the following conditions are required for approval of the Conditional Use Permit.
 1. The applicant must contact Washington State Department of Transportation for an access permit and complete any improvements prior to issuance of any permits. The applicant must adhere to all regulations set for by WSDOT and the Kittitas County Road Standards (KCC Title 12).
 2. The subject parcel shall have a site address. Contact the Kittitas County Rural Addressing Coordinator to obtain an address prior to receiving final approval.
 3. The applicant will maintain regular garbage collection and properly store all solid waste.
 4. The campsite loop shall be one way, with signs posted to indicate direction of travel.
 5. A fire and life safety inspection shall be conducted prior to beginning operations. Annual fire and life safety inspection may be required.
 6. All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2009 International Fire & Building Codes.
15. Additional conditions **are/are not** necessary to protect the public's interest.