



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT

Rocky Coulee Tent Camping

Conditional Use Permit & Shoreline Substantial Development Permit

TO: Kittitas County Hearing Examiner
FROM: Kittitas County Community Development Services Staff
RE: Rocky Coulee Tent Camping Conditional Use Permit (CU-13-00004)
Rocky Coulee Tent Camping Shoreline Substantial Development Permit (SD-13-00001)
DATE: August 15, 2013 (Hearing Date)

I. GENERAL INFORMATION

Requested Action: Grant County PUD and Washington State Parks submitted a conditional use application and shoreline substantial development permit for 10 tent campsites, associated parking, trails and other day use improvements on approximately 5.6 acres. The subject property is zoned Forest & Range. This is a conditional use per KCC 17.15.060.1.E – Allowed Uses in Rural Non-LAMIRD Lands (campground).

Location: This proposal is located in a portion of Sections 18 & 19, Township 17 N., Range 23 E., W.M. in Kittitas County. Access to this proposal is off of Recreation Drive along the Columbia River. It is roughly 1.75 miles north of the I-90 interchange in Vantage, WA.

II. SITE INFORMATION

Total Property Size: 5.6 acres
Number of Lots: 1; no new lots are being proposed
Domestic Water: None planned at this time
Sewage Disposal: two vault restroom buildings
Power/Electricity: Kittitas County PUD
Fire Protection: Vantage Fire District 4
Irrigation District: None

Site Characteristics:

North: Private and Public Vacant land
South: Public land and Ginkgo Interpretive Center
East: Columbia River
West: Public Land

Access: The site is accessed from Recreation Drive off of Vantage Highway and is located along the Columbia River.

Zoning and Development Standards: The subject property is located within the Forest & Range zone. The purpose and intent of the Forest & Range zone is to provide for areas of Kittitas County wherein natural resources management is the highest priority and where the subdivision of lands for uses and activities incompatible with resource management are discouraged. The Forest & Range zone allows for a vast array of permitted and conditional uses, this project is being proposed under KCC 17.15.060.1(E) – Allowed Uses in Rural Non-LAMIRD Lands (campground).

Conditional Uses: This application is consistent with KCC 17.60A. The Board of Adjustment was dissolved as part of the 2012 Annual Docket process through Ordinance No. 2012-009. Conditional use permits are now

required to have a public hearing before the Hearing Examiner for a recommendation and then a closed record hearing before the Board of County Commissioners, where the BOCC will make the final decision on the conditional use permit.

III. ADMINISTRATIVE REVIEW

Notice of Application: A shoreline substantial development permit was submitted to Community Development Services on April 19, 2013 and a conditional use permit application was submitted on May 10, 2013. Both of these applications were deemed complete on June 3, 2013. The Notice of Application for the conditional use and shoreline substantial development permits was issued on July 3, 2013. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on July 18, 2013.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Rural Working. At the time of submittal, the land use was Rural for this area. Ordinance 2013-001, which changed the land use designation, went into effect after the applications were submitted and both land use designations allow for Forest & Range zoning along with a campground as a conditional use. Kittitas County has established the following goals and policies to guide activities within the rural working lands. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

GPO 8.1 – Rural lands are characterized by a lower level of services; mixed residential, agricultural and open space uses; broad visual landscapes and parcels of varying sizes, a variety of housing types and small unincorporated communities.

GPO 8.13 – Encourage development activities which enhance or result in the preservation of rural lands.

GPO 8.14 – Allow for a variety of rural densities which maintain and recognize rural character, agricultural activities, rural community and development patterns, open spaces and recreational opportunities.

GPO 8.16 – Give preference to land uses in Rural designated areas that are related to agriculture, rural residential development, tourism, outdoor recreation, and other open space activities.

GPO 8.37 – Conveyance instruments including plats and short plats, development permits and building permits, within 500 feet of land designated as Rural Working lands or Resource Lands shall contain a notice to potential buyers and residents as directed within RCW 36.70A.060(1)(b).

V. ENVIRONMENTAL REVIEW

Grant County PUD acted as the lead agency for the SEPA Environmental Checklist. Grant County PUD issued a DNS (determination of non-significance) for this project on March 14, 2013. An addendum to the SEPA determination was issued on March 28, 2013 to update the ownership within the project boundary to include Washington State Parks and Recreation. The appeal period for this SEPA determination ended on April 4, 2013 at 5:00 p.m. No appeals were filed.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments have been included as Exhibits in the Hearing Examiner packet.

VII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan.

Consistency with the provisions of KCC 17A, Critical Areas:

Staff has conducted an administrative critical area review in accordance with KCC 17A and found that this proposal is located along the western shoreline of the Columbia River which is a Shoreline of the State. The applicant provided a critical areas assessment prepared by GeoEngineers on June 8, 2012 for the site and it is included in the file in Index #1. The Columbia River has a wetland designation of L1UBHH. Kittitas County agrees that the critical areas assessment document's recommended wetland buffers meet KCC 17A. Wetlands A and B are classified as Category III wetlands and the buffers will be 20 feet. Wetland C is classified as a Category III wetland as well; however the buffer for this wetland will be 60 feet because of the size and its location immediately below the OHWM. Staff also found that there are steep slopes of 25-50% located on the southern portion of the property.

Consistency with the Shoreline Master Program:

The proposal is covered by two shorelines of the state designations, Natural and Urban. From roughly the southern boundary of Recreation Drive north is Natural and south of Recreation Drive is Urban. All work conducted on the site will take place above the OHWM per the Shoreline Substantial Development Permit application. There is a 100' setback associated with the Urban shoreline designation and it allows for the recreational activities being proposed in this application. There is a 200' setback associated with the Natural shoreline designation. The Natural shoreline designation does not allow for development, parking, or roads, however staff finds that because this is an existing use located off of the old State Highway, this use will be permitted. There is an aerial included in the file in Index # 22 that shows the existing conditions of the road, boat launch and numerous cars parked within the shoreline. The improvements and designated parking areas being proposed will improve the site and direct inappropriate uses away from the shoreline. Portions of the Shoreline Master Program have been included in the file in Index #22 for reference. The mitigation plan prepared by GeoEngineers on February 28, 2013 is acceptable to Kittitas County. As conditioned, the proposal is consistent with the Shoreline Master Program.

Consistency with the provision of KCC 17.56, Forest & Range zoning:

This proposal is consistent with the Kittitas County Zoning Code 17.56. The proposal is compatible with KCC 17.56.020 referring to the uses table in KCC 17.15. Specifically, this is compatible as a conditional use with KCC 17.15.060.1.E – Allowed Uses in Rural Non-LAMIRD Lands (campground).

Consistency with the provisions of KCC 17.60A, Conditional Uses:

This proposal is consistent with the Kittitas County Zoning Code for Conditional Uses. The proposed conditional use will be adequately served by rural levels of service. As conditioned, staff finds the proposal is 1) desirable to public convenience, 2) will not be detrimental to public health, safety or welfare, 3) is not economically detrimental to the public, and 4) is adequately serviced by public facilities.

Consistency with the provisions of the KCC Title 14.04, Building Code:

This proposal is consistent with the Kittitas County Building Code as conditioned.

Consistency with the provisions of KCC Title 12, Roads and Bridges:

As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Agency Comments:

The following agency provided comments during the comment period: Kittitas County Public Health Department and Washington State Department of Ecology. Other comments were received by Kittitas County Building Department. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.

Public Comments:

No comments from the public have been received regarding this proposal.

VIII. RECOMMENDATION

As conditioned below, staff finds that the application is not detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 14.04, Title 17.56, Title 17.60A, & Title 17A of the Kittitas County Code and the Kittitas County Comprehensive Plan. Staff recommends approval of the Rocky Coulee Tent Camping Conditional Use Permit and Shoreline Substantial Development Permit applications, subject to the following findings of fact and conditions:

Staff Findings of Fact

1. Grant County PUD and Washington State Parks submitted a conditional use application and shoreline substantial development permit for 10 tent campsites, associated parking, trails and other day use improvements on approximately 5.6 acres. The subject property is zoned Forest & Range. This is a conditional use per KCC 17.15.060.1.E – Allowed Uses in Rural Non-LAMIRD Lands (campground).
2. This proposal is located in a portion of Sections 18 & 19, Township 17 N., Range 23 E., W.M. in Kittitas County. Access to this proposal is off of Recreation Drive along the Columbia River. It is roughly 1.75 miles north of the I-90 interchange in Vantage, WA.
3. Site Information:

Total Property Size:	5.6 acres
Number of Lots:	1; no new lots are being proposed
Domestic Water:	None planned at this time
Sewage Disposal:	two vault restroom buildings
Power/Electricity:	Kittitas County PUD
Fire Protection:	Vantage Fire District 4
Irrigation District:	None
4. Site Characteristics:

<u>North:</u>	Private and Public Vacant land
<u>South:</u>	Public land and Ginkgo Interpretive Center
<u>East:</u>	Columbia River
<u>West:</u>	Public Land
5. Site Characteristics: The area is the location of the old State Highway which is now Recreation Dr, ending at the Columbia River. This property has been used as informal camping and day recreation with hand boat launching at the end of the pavement. There are two Shoreline of the State designations, Natural and Urban, covering this proposal. The proposal area is primarily sagebrush, natural vegetation and gravel.
6. The Comprehensive Plan designation is “Rural Working.”
7. The subject property is zoned “Forest and Range,” which allows for campgrounds as a conditional use.

8. A shoreline substantial development permit was submitted to Community Development Services on April 19, 2013 and a conditional use permit application was submitted on May 10, 2013. Both of these applications were deemed complete on June 3, 2013. The Notice of Application for the conditional use and shoreline substantial development permits was issued on July 3, 2013. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on July 18, 2013.
9. Grant County PUD acted as the lead agency for the SEPA Environmental Checklist. Grant County PUD issued a DNS (determination of non-significance) for this project on March 14, 2013. An addendum to the SEPA determination was issued on March 28, 2013 to update the ownership within the project boundary to include Washington State Parks and Recreation. The appeal period for this SEPA determination ended on April 4, 2013 at 5:00 p.m. No appeals were filed.
10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan.
11. Staff has conducted an administrative critical area review in accordance with KCC 17A and found that this proposal is located along the western shoreline of the Columbia River which is a Shoreline of the State. The applicant provided a critical areas assessment prepared by GeoEngineers on June 8, 2012 for the site and it is included in the file in Index #1. The Columbia River has a wetland designation of L1UBHH. Kittitas County agrees that the critical areas assessment document's recommended wetland buffers meet KCC 17A. Wetlands A and B are classified as Category III wetlands and the buffers will be 20 feet. Wetland C is classified as a Category III wetland as well; however the buffer for this wetland will be 60 feet because of the size and its location immediately below the OHWM. Staff also found that there are steep slopes of 25-50% located on the southern portion of the property.
12. The proposal is covered by two shorelines of the state designations, Natural and Urban. From roughly the southern boundary of Recreation Drive north is Natural and south of Recreation Drive is Urban. All work conducted on the site will take place above the OHWM per the Shoreline Substantial Development Permit application. There is a 100' setback associated with the Urban shoreline designation and it allows for the recreational activities being proposed in this application. There is a 200' setback associated with the Natural shoreline designation. The Natural shoreline designation does not allow for development, parking, or roads, however staff finds that because this is an existing use located off of the old State Highway, this use will be permitted. There is an aerial included in the file in Index # 22 that shows the existing conditions of the road, boat launch and numerous cars parked within the shoreline. The improvements and designated parking areas being proposed will improve the site and direct inappropriate uses away from the shoreline. Portions of the Shoreline Master Program have been included in the file in Index #22 for reference. The mitigation plan prepared by GeoEngineers on February 28, 2013 is acceptable to Kittitas County. As conditioned, the proposal is consistent with the Shoreline Master Program.
13. This proposal is consistent with the Kittitas County Zoning Code 17.56. The proposal is compatible with KCC 17.56.020 referring to the uses table in KCC 17.15. Specifically, this is compatible as a conditional use with KCC 17.15.060.1.E – Allowed Uses in Rural Non-LAMIRD Lands (campground).
14. This proposal is consistent with the Kittitas County Zoning Code for Conditional Uses. The proposed conditional use will be adequately served by rural levels of service. As conditioned, staff finds the proposal is 1) desirable to public convenience, 2) will not be detrimental to public health, safety or welfare, 3) is not economically detrimental to the public, and 4) is adequately serviced by public facilities.
15. This proposal is consistent with the Kittitas County Building Code as conditioned.

16. This proposal is for a campground with associated day use activities that are open to the public; therefore it must be licensed with Kittitas County Public Health Department.
17. As conditioned, the proposal is consistent with the provisions of KCC Title 12
18. The following agency provided comments during the comment period: Kittitas County Public Health Department and Washington State Department of Ecology. Other comments were received by Kittitas County Building Department. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
19. No comments from the public were received as of the time of staff review and completion of the staff report regarding this proposal.

Staff Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.04 Building Code, and Title 12 Roads and Bridges.

Recommended Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file dated April 19, 2013 and May 10, 2013 except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. The buffers for Wetlands A and B shall be 20 feet and Wetland C's buffer shall be 60 feet as designated in the Critical Areas Assessment completed by GeoEngineers on June 8, 2012.
4. Development shall occur in substantial conformance with the Overall Project Improvements Site Plan provided on April 18, 2013 to Kittitas County. Any alterations to this site plan shall be reviewed by Kittitas County prior to construction to ensure it still meets the requirements of the Shoreline Master Program and other applicable regulations.
5. All work conducted on the site shall take place outside of the OHWM.
6. The Mitigation Plan prepared by GeoEngineers on February 28, 2013 shall be adhered to. These conditions include the following mitigation improvements:
 - a. Compensate for the proposed 3,486 sf of new impervious surfaces within the forested riparian habitat by enhancing 3,486 sf of forested riparian habitat through installation of trees and shrubs. 3,174 sf of these mitigation planning areas will be within 10 feet of the OHWM of the Columbia River/Wanapum Reservoir.

- b. Improve habitat conditions within the disturbed forested riparian habitat by restoring 6,309 sf of riparian forest areas through installation of trees and shrubs. 5,904 sf of these riparian restoration planting areas will be within 10 feet of the OHWM of the Columbia River/Wanapum Reservoir.
 - c. Install 18 cottonwood trees along the shoreline of Wanapum Reservoir (within the forested riparian habitat). These 18 cottonwoods will be replacing the estimated two trees that will be removed during construction (greater than a 1:1 replacement ratio for trees).
 - d. Improve water quality and stormwater handling at the site by creating 2,400 sf of new stormwater handling areas adjacent to Recreation Drive.
 - e. Restore temporary disturbance areas above the OHWM within sagebrush (56,496 sf) and forested riparian (2,100 sf) habitats by stabilizing and seeding.
 - f. Restore existing disturbance areas above the OHWM within sagebrush (10,577 sf) and forested riparian (7,238 sf) habitats by stabilizing and seeding.
7. A Monitoring Plan shall be in place for 3 years as stated in the Mitigation Plan prepared by GeoEngineers on February 28, 2013.
 8. All current and future landowners must comply with the International Fire Code.
 9. All development, design and construction shall comply with all Kittitas County Codes and the International Fire and Building Codes.
 10. Building permits will be required for any construction or structure not exempted by 2012 IBC 105.2 Work exempt from permit.
 11. Upon approval of this conditional use permit, the applicant must contact Kittitas County Public Health to become permitted as a park per the provisions in WAC 246.376.
 12. The site must be constructed as designed and approved by the County Engineer.