



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

March 9, 2015

Mr. Jeff Slothower, Attorney
Lathrop, Winbauer, Harrel, Slothower & Denison L.L.P.
P.O. Box 1088
Ellensburg, WA 98926

RE: Status of CU-14-00004, McIntosh, Response to email February 26, 2015 and March 6, 2015

Mr. Slothower;

I wish to let you know that the application, CU-14-00004, McIntosh is being processed and in a timeframe required by our Code. This letter is provided as a response to your email sent on February 26, 2015 and March 6, 2015 since your email will have to become part of public record to meet requirements for availability of information regarding all projects. I wish to provide you background of the project.

In the summer of 2014, the County received a land use complaint regarding a building that was approved as a pole structure and was being used as an event facility for weddings and other private events. This is a violation of Code. Mr. McIntosh was given the option of removing the unauthorized structural activity and stop the use, or to apply for an Administrative Conditional Use permit, which would allow only eight (8) events per year, or Conditional Use permit which could allow any amount of activity that was found compatible with the environment and met the conditions of KCC 17.60A.

On October 7, 2014 an application for a conditional use permit was submitted to the Community Development Services inadequately describing the uses proposed and the area that would be used for the activities requiring the conditional use permit. A letter to the applicant, McIntosh, was sent on October 24, 2014 indicating that additional narrative was necessary to process the application and that the limited description of the proposal was not going to be adequate to make a decision.

The additional information was not supplied to this department until you provided it on February 26, 2015, two weeks ago, at which time we continued to process the application. While processing the application there was internal question upon the timing of application in several cases. Before the time of your email, we came to the same conclusion as you regarding the provision of water. We did not, at any time, cease the processing your client's application during this discussion as perceived.

Current processing of the application is scheduled to proceed upon the following schedule.

- March 11, 2015 – Notice of Application is being issued and indication that optional DNS SEPA process is being used for the case. A standard 15-day comment period will be provided (March 26, 2015) after which a threshold determination may be issued.
- April 14, 2015, the appeal period to the threshold determination will have ended which will permit public hearing before the Hearing Examiner. Hearing before the Hearing Examiner is scheduled to occur at the next available hearing date, April 23, 2015.

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- Hearing Examiner decision is expected by May 5, 2015
- On that same date we plan to request to the Board of County Commissioners to set hearing of the case before them, as required by the Code. Hearing before the BOCC is scheduled for May 19, 2015.
- Final documents for BOCC signature will be presented them on June 2, 2015. Their final decision is appealable to Superior Court, but the applicant will have option to continue their activity as approved by the BOCC during this appeal period on your client's recognition that their activity may be subject to suspension and decision by Superior Court.

Please be aware that the application is being processed as a full conditional use permit rather than an administrative use permit since the narrative provided does not describe the kind of activity or number of activities that is planned per year. The environmental analysis will be conducted with such assumption. If this is not your client's intent, please let us know, and we will adjust the application and processing schedule.

I hope this addresses your concern regarding the processing of your client's application. Should you have any comments regarding this you may contact me via letter or email, which will become part of your client's record, or call me at my office (509) 962-7506.

Sincerely,



Robert "Doc" Hansen
Planning Official

cc. Neil Caulkins, via email
Jeff Watson, Planner II via email