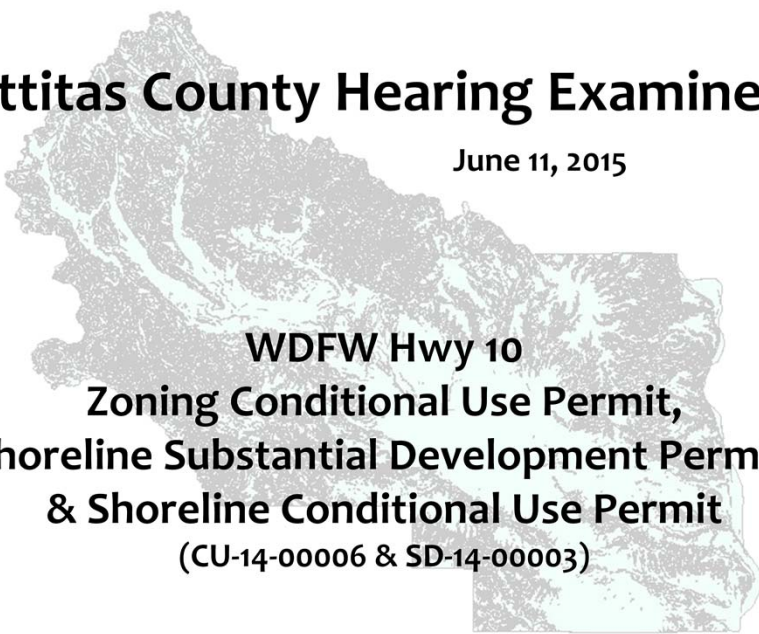


Kittitas County Hearing Examiner

June 11, 2015

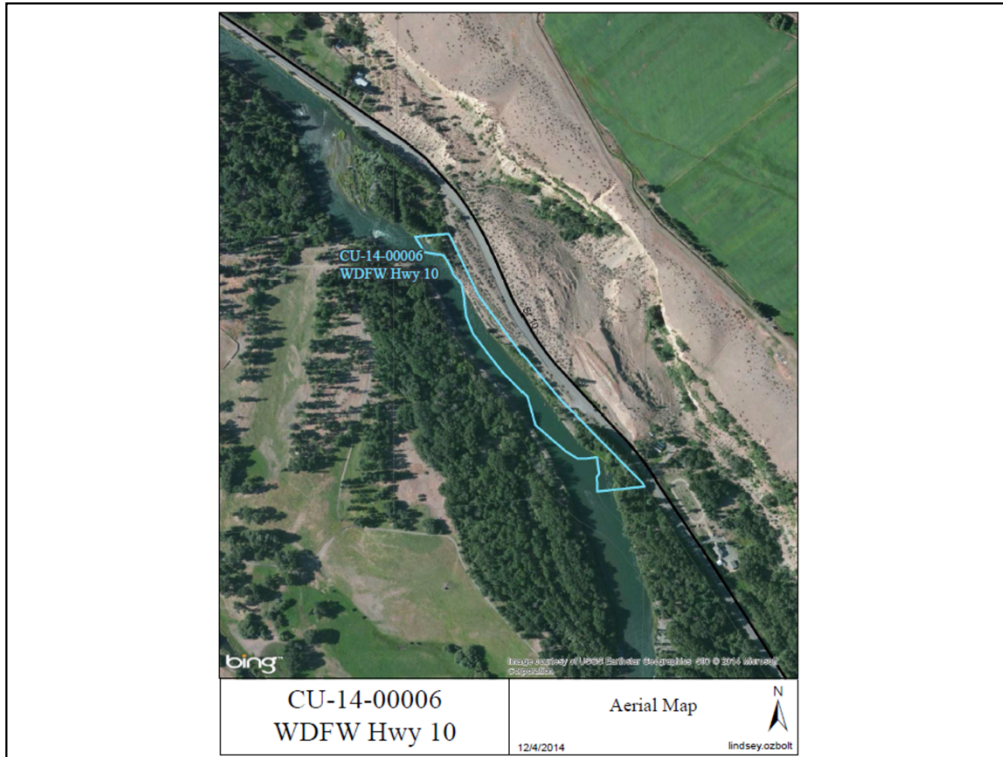


**WDFW Hwy 10
Zoning Conditional Use Permit,
Shoreline Substantial Development Permit,
& Shoreline Conditional Use Permit
(CU-14-00006 & SD-14-00003)**

Good Evening Mr. Hearing Examiner

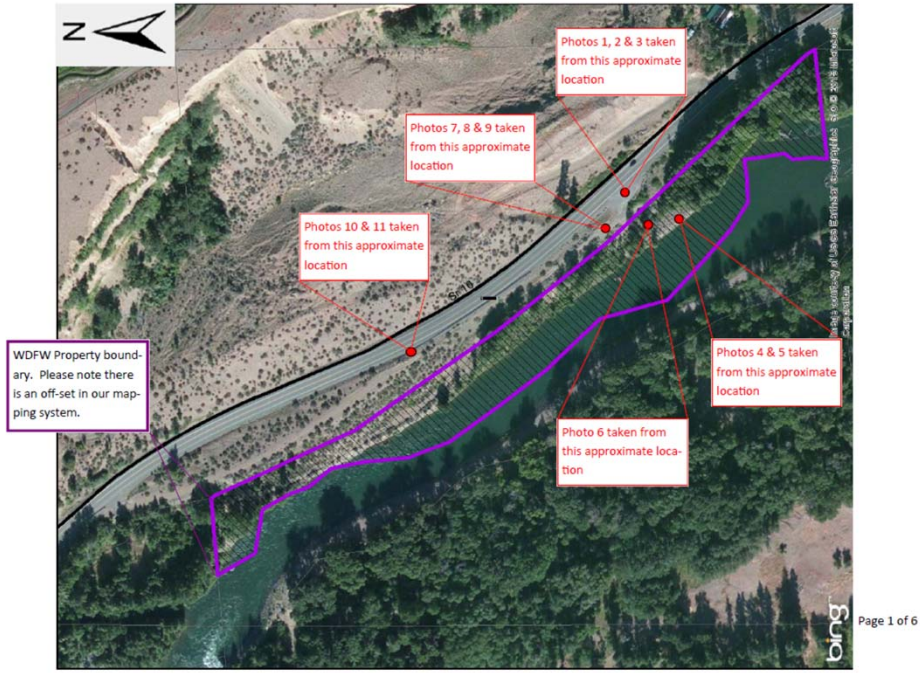
For the record

You have before you tonight for consideration the WDFW Hwy 10 Zoning Conditional Use Permit, Shoreline Substantial Development Permit, & Shoreline Conditional Use Permit.

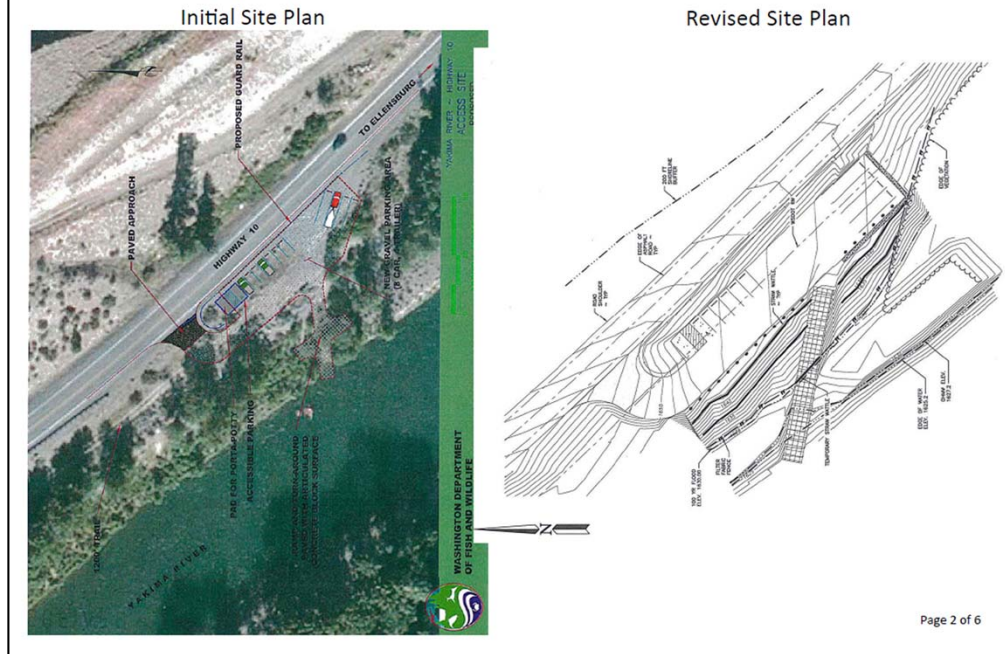


This proposal is from WSDOT and is a request for a Zoning Conditional Use Permit, Shoreline Substantial Development Permit & Shoreline Conditional Use Permit for a new boat launch and haul-out area on the Yakima River along with associated parking spaces and vault toilet. This project is located at mile post 101 on Highway 10 along the Yakima River.

Staff Photos—Aerial Map

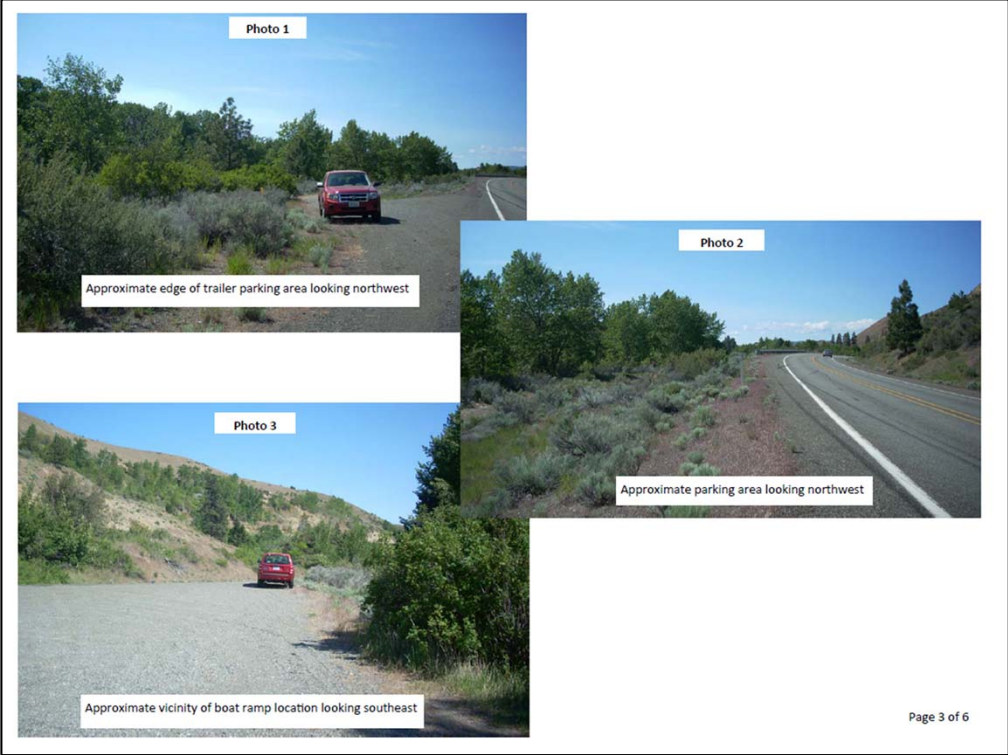


Applicant Site Plans



Original design was submitted with the application packet on November 6, 2014. It proposed a boat launch/haul-out, 12 parking spaces (4 trailer parking, 8 car parking with 1 being ADA compliant) and a vault toilet. The paved ramp also had a turn-around design to it. [SEE INDEX 2]

The revised design was submitted with the additional information packet on December 29, 2014. It changed the 12 parking spaced to 10 parking spaces. This removed 2 regular car parking stalls. It also rotated the trailer parking stalls to be perpendicular to highway 10. Additionally, the turn-around design in the paved ramp was removed. [SEE INDEX 5]



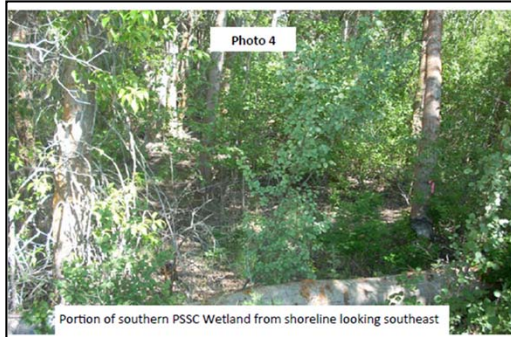


Photo 4

Portion of southern PSSC Wetland from shoreline looking southeast



Photo 5

Shoreline of project property looking northwest



Photo 6

Approximate location of proposed boat ramp looking northwest

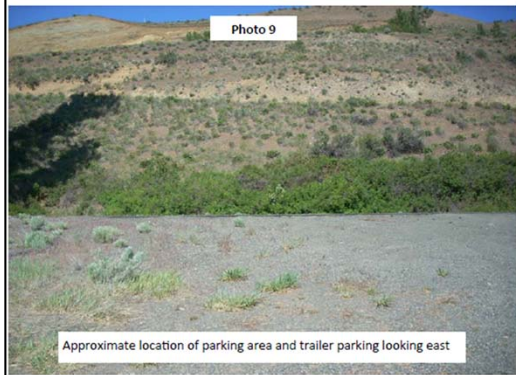
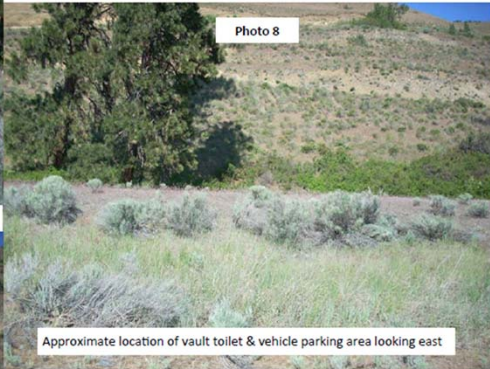
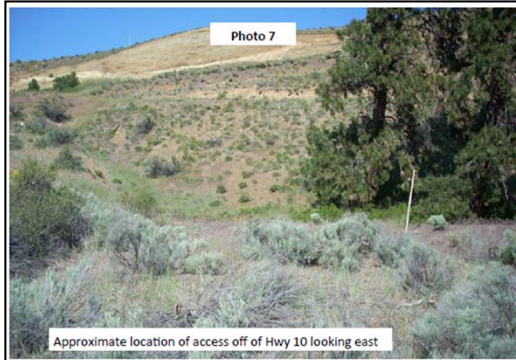




Photo 10

Looking south towards proposal in the distance

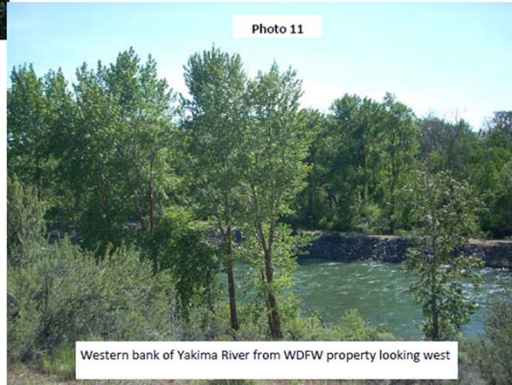
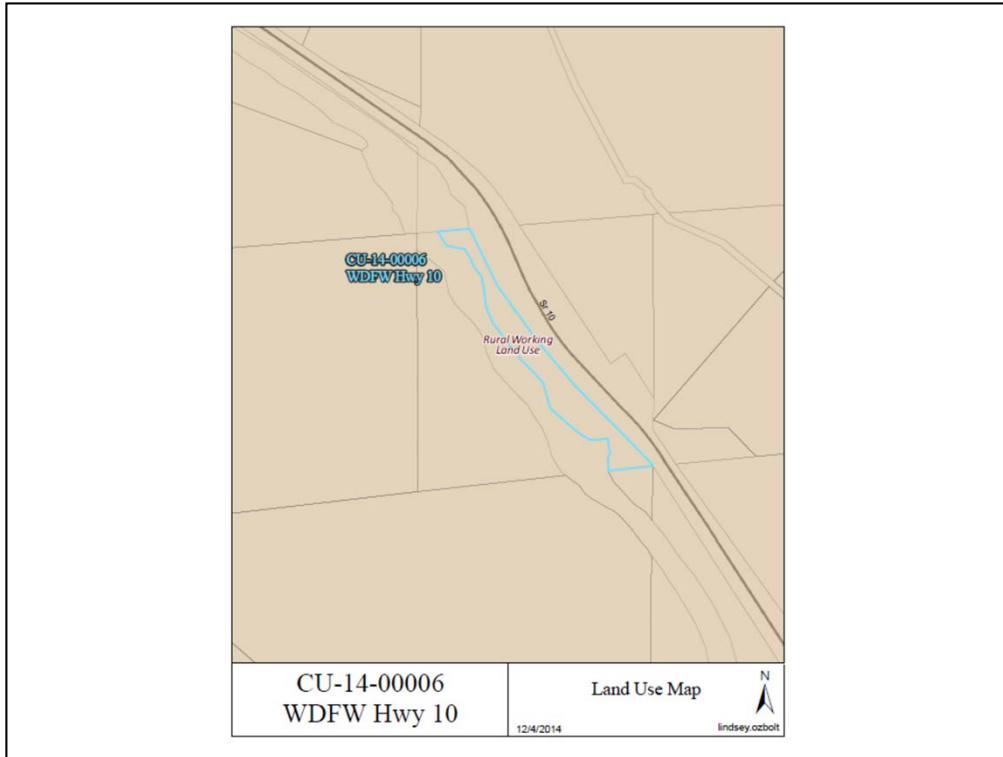
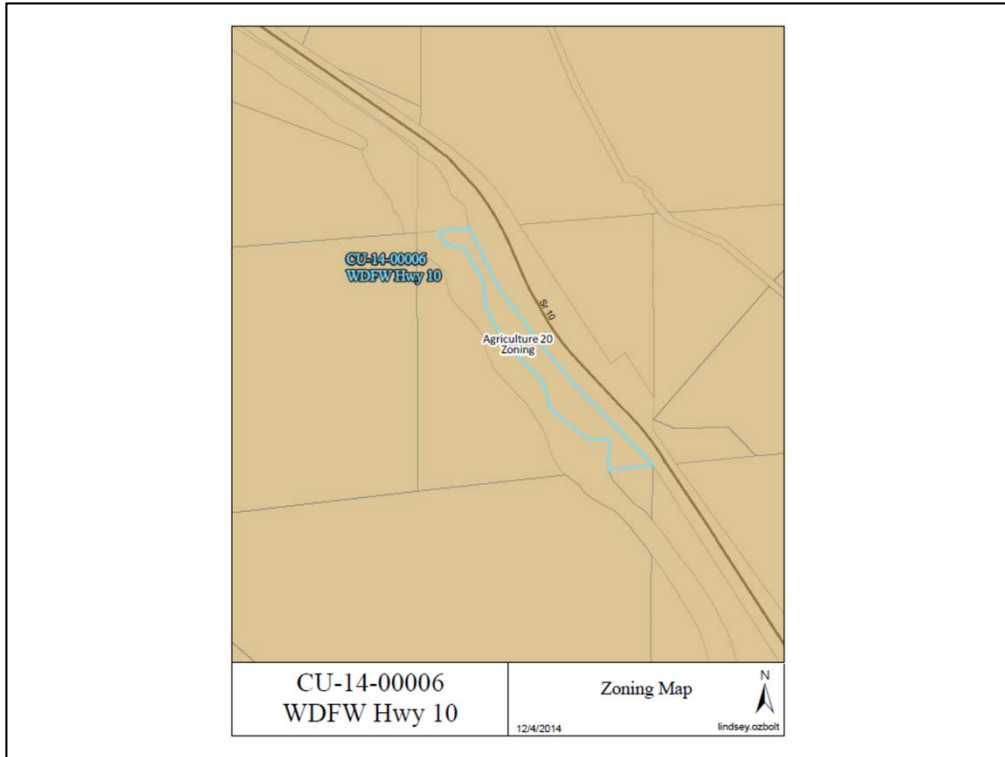


Photo 11

Western bank of Yakima River from WDFW property looking west



Land use: Rural Working

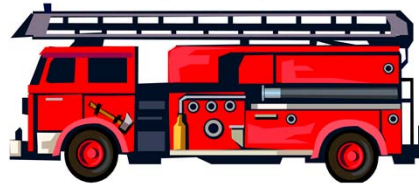


Zoning: Agriculture 20

Ellensburg School District



**Kittitas County Fire District 2
(KVFR)**



The property is located within the Ellensburg School District and within Fire District 2.

Both were noticed. Received comments from KVFR.

Access

- This proposal is accessed from State Highway 10 at MP 101.
- Determination of Concurrency: No impact
 - Made by Public Works on Mar. 3, 2015
- Public Works is requiring:
 - Must meet all requirements of WSDOT for Site Access.
 - Grading permit.
 - Floodplain development permit.

Concurrency is found in Index 15

PW comment letter and conditions found in Index 23. Also listed as recommended conditions in the staff report (Index 51).

Per an email with WSDOT on June 2, 2015, the applicant has meet all conditions of WSDOT except for building the approach (Index 45).

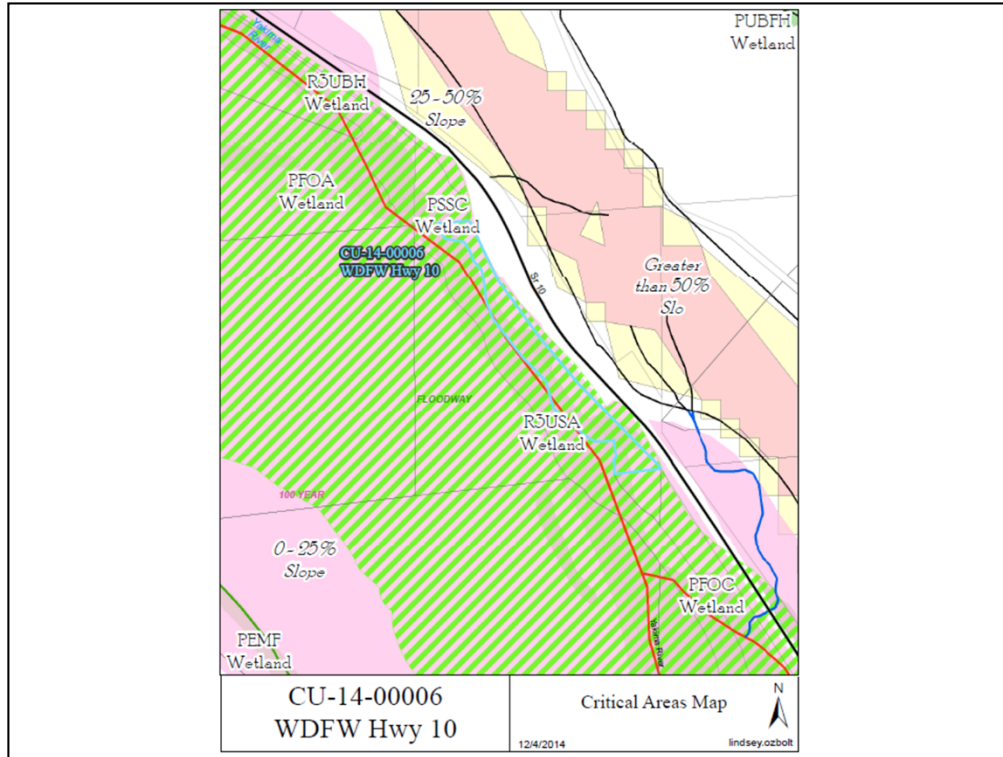
Notices

- CUP, SSDP, & SCUP were submitted: Nov. 6, 2014

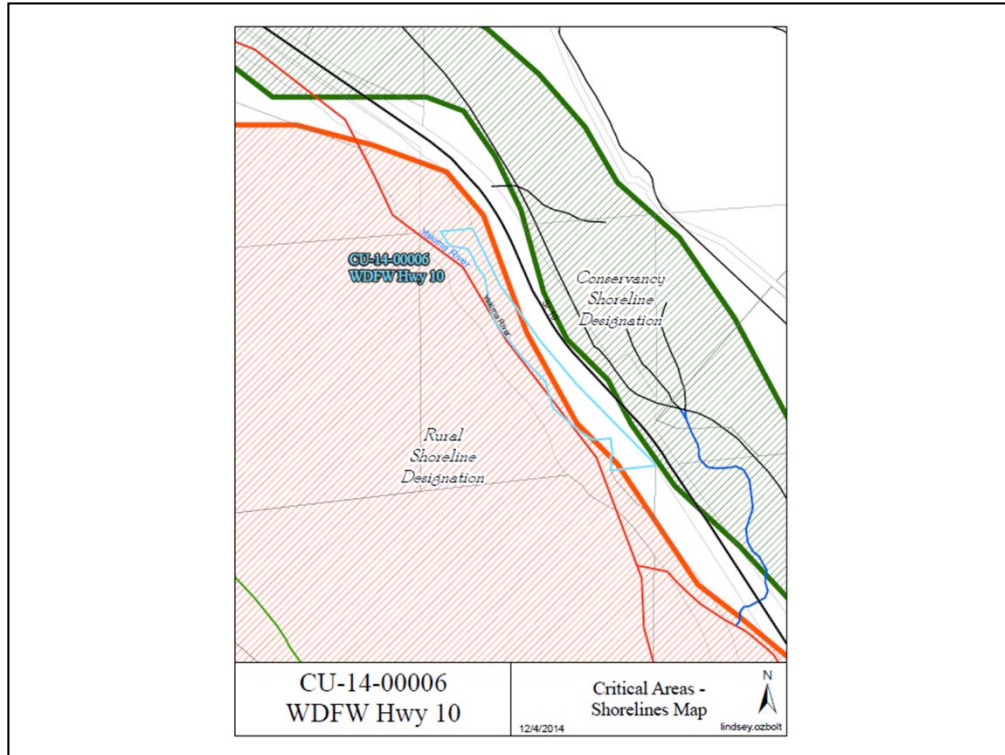
- Deemed incomplete: Dec. 4, 2014
- Additional/revised information received: Dec. 29, 2014
- Deem complete: Jan. 30, 2015

- Notice of Application: Mar. 10, 2015
- Corrected Notice of Application: Mar. 12, 2015
 - Comment Period ended: Apr. 8, 2015
 - Numerous agency and public comments were received.

- WDFW acted as the lead SEPA agency.
 - Issued DNS in February 2014 (no appeal filed)
 - Issued revised DNS on April 28, 2015 (no appeal filed)



Staff has conducted an administrative critical area review in accordance with KCC 17A and found that this proposal is located along the eastern shoreline of the Yakima River which is a Shoreline of the State. The applicant provided a biological assessment regarding the impacts to the environment and habitat due to the placement of a boat launch and haul-out within the Yakima River (Index #39). Staff review (Index #3) also found that there are two PSSC wetlands on the subject property. The current KCC 17A.04.020 buffer width requirement is a minimum of 25 feet, which this proposal meets. The applicant is also working with Kittitas County's Floodplain manager to obtain a floodplain development permit consistent with KCC 14.08 Flood Damage Prevention code section due to work being performed within the 100 year floodplain. Additionally, the biological assessment addresses mitigation measures both for the in-stream and upland work (Index #39). Finally, this site has a Priority Habitat Species (PHS) designation of Yakima River: Bald Eagle wintering area, goose nest area.



This proposal is consistent with the Shoreline Master Program. The Conservancy Shoreline designation allows for this proposed recreational project per Recreation Section 32 as long as a shoreline conditional use permit is approved per Section 39. Signage will be required for this site to protect the public and private property owners. The related project documents address the need for this project. In order for a shoreline conditional use permit to be approved it must meet the criteria in Section 39 (2) (a – e) of the current existing 1975 Shoreline Master Program (Index #44). Full explanation of how shoreline conditional use permit criteria have been met can be found in the staff report (Index 51).

Project Analysis

Consistent with:

- **Comprehensive Plan**
 - GPO 2.51, 2.54, 2.57, 2.73, and 8.44
- **KCC 12 Road and Bridges**
 - The applicant is required to meet all conditions of WSDOT.
- **KCC 14 Building and Construction**
 - Requires Floodplain Development Permit, Clearing & Grading Permit, & vault toilet exempt from building permit if 120 sq. ft. or less.
- **KCC 17.29 Agriculture 20**
 - KCC 17.15.060.1 (E)
Recreation, outdoor requires a zoning conditional use permit.
- **KCC 17.60A Conditional Uses**
 - KCC 17.60A.015 review criteria 1-7
- **KCC 17A Critical Areas**
 - Mitigated and addressed in staff report.
- **Shoreline Master Program**
 - Recreation Section 32 and Conditional Use Section 39 (2) (a – e) of the existing 1975 SMP.

Further explanation of how shoreline conditional use and zoning conditional use criteria have been met can be found in the staff report in Index 51.

Recommended Conditions

- The project shall proceed in substantial conformance with the plans and application materials on file dated November 6, 2014 and subsequent information included in the complete file index except as amended by the conditions herein.
- The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
- All development, design and construction shall comply with Kittitas County Code and the most current version of the International Fire & Building Codes.
- The boat launch and haul-out ramp shall maintain at least a 25 foot buffer from the two PSSC wetlands known to be on-site.

13 recommended conditions of approval.

Rec. Conditions Cont.

- All work shall take place outside of the OHWM except that work necessary to construct the boat launch & haul-out ramp. All work performed shall be completed in conformance with the best practices and mitigation measures described in the Biological Assessment (Index #39) and information, including site plans/construction drawings, associated with the SEPA DNS revised packet (Index #37) and additional information submitted on December 29, 2014 (Index #5).
- Prior to any construction activity within the regulated floodplain, a floodplain substantial development permit is required to be issued by Kittitas County.
- Prior to any construction activity on-site, a clearing and grading permit is required to be issued by Kittitas County.

13 recommended conditions of approval.

Rec. Conditions Cont.

- All requirements of WA Department of Transportation (WSDOT) shall be complied with. The access permit and lease have been approved by WSDOT. The approach must be constructed and approved by WSDOT.
- Informational signage is required to be posted on site with warnings and rules of use. The sign(s) shall include at a minimum: notice of danger regarding the dam downstream of the boat launch & haul-out ramp, hours of operation, respecting surrounding private property, and pack-it-out policy if no waste receptacle is provided by WDFW.
- Signage less than 7 feet in height is exempt from a building permit and will not require engineering. Information signage is exempt from a land use sign permit. Applicant is encouraged to contact Kittitas County Community Development Services regarding any signage prior to placement to determine if any permits will be required.

13 recommended conditions of approval.

Rec. Conditions Cont.

- The proposed vault toilet or portable toilet will require a building permit if the entire structure is larger than 120 square feet in size.
- A turn-around shall be provided for fire department access. The applicant shall consult with the Kittitas County Fire Marshal's office for specific requirements.
- Access shall be a minimum width of 20 feet and the address shall be clearly visible from both directions of travel on the highway.

13 recommended conditions of approval.



Staff recommends approval of the WDFW Hwy
10 Zoning Conditional Use permit, Shoreline
Substantial Development permit, & Shoreline
Conditional Use permit as conditioned.