



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

AGENDA STAFF REPORT

AGENDA DATE: March 15, 2016

ACTION REQUESTED: Board signature of the Resolution approving the Wheatley Zoning Conditional Use Permit (CU-15-00003).

BACKGROUND: Ninon Wheatley, applicant, submitted a request to operate an enhanced agricultural facility with farm visits that sells local products, food, wine/beer tasting, and educational classes. Additionally an agricultural processing facility is proposed where Northwest products are repackaged into spice blends, baking mixes, make at home dinners, etc. and sold to businesses. The operation is located on a 5 acre parcel which is zoned Agriculture 20 and has a Land Use Designation of Rural Working.

The subject property's zoning designation allows for the proposed farm visits with enhanced agriculture as an administrative conditional use. There is also a desire to hold community events and seminars on-site not to exceed eight (8) events per year which also requires an administrative conditional use permit. Additionally, there is a request for an agricultural processing facility which requires a conditional use. Since multiple uses are proposed for the site, the review has been consolidated under the full conditional use permit process. The proposed uses are consistent with KCC 17.15.060.1 (A) Agriculture, agriculture processing, farm visit with enhanced agriculture, and small-scale event facility.

The proposal is located approximately 1250 feet north of the Thorp I-90 interchange at 9201 N. Thorp Hwy, in a portion of Section 11, T18N, R17E, WM, in Kittitas County, Assessor's map number 18-17-11040-0023.

A zoning conditional use permit and SEPA checklist were submitted to Community Development Services on September 1, 2015 and were deemed incomplete on September 25, 2015. Additional information was received from the applicant on September 28, 2015. On October 2, 2015 the application packet was deemed complete. The affidavit of site posting in accordance with KCC 15A.03.110 was received by CDS on October 2, 2015. The Notice of Application was issued on October 16, 2015. 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 November 2, 2015.

The following agencies provided comments during the comment period: WA Department of Health, KC Community Development Services – Building, KC Public Works, and WA Department of Ecology. Additionally, comments were provided during a pre-application meeting with Kittitas County staff, which was held on May 27, 2015. These comments have been considered and included as conditions of approval to address these agency concerns. Late comments were received from the WA Department of Health and KC Environmental Health Department. One (1) public comment was submitted for this proposal at the time of staff review and was

considered. All comments received are included in the Index file.

Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Determination of Non-Significance (DNS) was issued on January 13, 2016. The appeal period ended on January 28, 2016 at 5:00 p.m. No appeals were filed.

The Hearing Examiner hearing was held on February 4, 2016 at 6:00 p.m. Members of the public were present and testified both in favor and against this proposal at the hearing. On February 10, 2016 the Kittitas County Hearing Examiner **recommended approval** of the Wheatley Zoning Conditional Use Permit (CU-15-00003). This recommended decision was received by CDS on February 16, 2016. In the recommended decision, the Hearing Examiner included three (3) additional conditions as listed below:

- “5. All parking will occur on site”
- “6. All storm water will be treated and contained on site as provided by the applicable rules and regulations for the State of Washington and Kittitas County.”
- “7. There shall be no outdoor amplified music unless there is strict compliance with the noise standards as set forth in the Kittitas County Code and Washington Administrative Code 173-60.”

The Board of County Commissioners conducted a closed record meeting on March 1, 2016 for the purpose of considering the Wheatley Conditional Use Permit (CU-15-00003). A motion was made and seconded that the conditional use permit be approved subject to correcting two conditions to be consistent with Kittitas County Code 9.45.030 Noise and the correction of minor scrivener’s errors in the Hearing Examiner’s Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval document (see Exhibit A), the motion carried with a vote of 3-0.

INTERACTION: Kittitas County Board of County Commissioners and Community Development Services.

ATTACHMENTS: 2 copies of the resolution for signature

STAFF

RECOMMENDATION: Staff recommends that the Kittitas County Board of County Commissioners sign the resolution for Wheatley Zoning Conditional Use Permit (CU-15-00003).

HANLDING: Return signed resolution to CDS Staff Planner for issuance of the Notice of Decision.

RESPONSIBLE STAFF: Lindsey Ozbolt, Planner II