



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

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Office (509) 962-7506

Building Partnerships; Building Communities

MITIGATED DETERMINATION OF NONSIGNIFICANCE

File: SEPA Checklist (LL-21-00002 and SE-21-00023)
Zito Large Lot Subdivision

Description: KZ Freehold LLC., landowner, submitted an application for a 8 lot Large Lot Subdivision on approximately 164.21 acres of land that is zoned Agricultural 20. The proposal includes seven (7) 20-acre lots and one (1) 24.21-acre lot.

Proponent: KZ Freehold LLC
c/o Nick Zito and Kathleen Kelleher
6420 Wilson Creek Road
Ellensburg, WA 98926

Location: The project area is located on two tax parcels (#284134 and #718434), located approximately .26 miles south of the intersection of Wilson Creek Road and Thomas Road, in Section 31, T.19N, R.19E and Section 6, T.18N, R.19E W.M.; Kittitas County parcel map numbers 18-19-06010-0001 and 19-19-31040-0002.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request, or can be viewed at the Kittitas County Community Development Services website at: <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "Large Lots" using the file number "LL-21-00002."

The lead agency has determined that certain mitigation measures are necessary in order to issue a Mitigated Determination of Non-Significance (MDNS) for this proposal. Failure to comply with mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures include the following:

Critical Areas

- 1) The type NS Stream as identified in the Critical Areas study performed by Sewell Consulting (3/22/22), shall require a forty (40) foot buffer from the stream.
- 2) Wetland B, C, D, & F as identified in the Critical Areas study performed by Sewell Consulting (3-22-22), identified as Category IV wetlands with Moderate land use shall require a forty (40) foot buffer measured from the wetland edge.

- 3) Wetland A & E as identified in the Critical Areas study performed by Sewell Consulting (3-22-22), identified as Category III wetland with Moderate land use shall require a One Hundred ten (110) foot buffer measured from the wetland edge.
- 4) Building setbacks (KCC 17A.01.090.4) are in addition to the critical areas and RMZ's buffers and are measured outward from the edge of the critical area buffer boundary.

Cultural Resources

- 1) A Cultural Resource Survey shall be conducted by a professional archeological surveyor licensed in the State of Washington. The results of this study shall be submitted to CDS, DAHP and the Yakima Nation for review. The development plan shall be adjusted where necessary to protect Cultural Resources, should the survey result in the discovery of resources. Any necessary adjustment to the proposed development shall not become inconsistent with the density and development regulation outlined in KCC 16.09 Cluster Platting, Conservation and Agriculture Platting, and shall comply with all conditions associated with an approval of this application.
- 5) Should ground disturbing or other activities related to the proposed subdivision result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP). Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.

This MDNS is issued under WAC 197-11-355; the lead agency will not act on this proposal for 10 working days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action on the grounds of noncompliance with the provisions of Chapter 43.21 RCW, shall be commenced on or before **May 5, 2022 at 5 p.m.**

Questions or Comments regarding this determination can be directed to Kelly Bacon, (509)962-7539, Kelly.bacon.cd@co.kittitas.wa.us.

**Responsible
Official:**



Jeremy Johnston

Title: Kittitas County Planning Official

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX (509) 962-7682

Date: April 21, 2022

Pursuant to Chapter 15A.07.010 KCC, this DNS may be appealed by submitting specific factual objections in writing with a fee of \$1550.00 to the Kittitas County Community Development Services, 411 N Ruby St. Suit 2, Ellensburg WA 98926 Timely appeals must be received no later than 5:00pm, May 5, 2022. Aggrieved parties are encouraged to contact Community Development Services at (509) 962-7506 for more information on appeal process.