



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT McIntosh Conditional Use Permit

TO: Kittitas County Hearing Examiner
FROM: Kittitas County Community Development Services Staff
RE: McIntosh Small Scale Event Facility Conditional Use Permit (CU-13-00004)
DATE: June 25, 2015 (Hearing Date)

I. GENERAL INFORMATION

Requested Action: Scott and Gayle McIntosh, landowners have submitted a conditional use permit application for a small scale event facility conducting more than eight events a year. The subject parcels are approximately 50 acres in total size and are zoned Agriculture 20. This use is listed in the table under KCC title 17.15.060 as a conditional use for the zone.

Location: This proposal is on three parcels and located approximately 5 miles northwest of Ellensburg at 7820 Highway 97, in a portion of Section 8, T18N, R18E, WM in Kittitas County, bearing Assessor's map numbers 18-18-08020-0002, 18-18-08000-0002, and 18-18-08020-0003.

II. SITE INFORMATION

Total Property Size: 60 acres
Total project size: 50 Acres
Number of Lots: 3; no new lots are being proposed
Domestic Water: Existing residential
Sewage Disposal: Existing Septic System (480 gpd capacity)
Power/Electricity: Kittitas County PUD
Fire Protection: Kittitas Valley Fire and Rescue (Fire District 2)
Irrigation District: Kittitas Reclamation District

Site Characteristics:

North: Private Residential Farming and Grazing

South: Private Residential Farming and Grazing

East: Private Residential Farming and Grazing

West: Private Residential Farming and Grazing

Access: The site is accessed from State Route US 97; it is a permitted commercial access at milepost 138.89 allowing for up to 100 daily trips.

Zoning and Development Standards: The subject property is located within the Agriculture 20 zone. The agriculture (Ag-20) zone is an area wherein farming, ranching and rural life styles are dominant characteristics. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture. The Agriculture 20 zone allows for an array of permitted and conditional uses, this project is being proposed under KCC 17.15 small scale event facility with more than eight events per year, a conditional use for the zone.

Conditional Uses: This application is consistent with KCC 17.60A. There are a number of requirements that must

be met; these are addressed under Project Analysis below. Conditional use permits are required to have an open record public hearing before the Hearing Examiner for a recommendation and then a closed record public hearing before the Board of County Commissioners, where the BOCC will make the final decision.

III. ADMINISTRATIVE REVIEW

The conditional use permit application was submitted to Kittitas County Community Development Services (CDS) on October 7, 2014. The application was deemed incomplete on October 24, 2014 and additional information was requested. A revised application was submitted on January 27th, 2015 and subsequently deemed complete on March 9th, 2015. The Notice of Application for the conditional use permit and the utilization of the optional DNS process was crafted on March 16th, 2015. This notice was published in the official county paper of record (Ellensburg Daily Record) as well as the Northern Kittitas County Tribune and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. In accordance with Kittitas County Code 15A.03.110, this project was accurately posted with the “Land Use Action” sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner of record on March 10th, 2015 and is included as part of the record. The last day to submit written comments was on March 31st, 2015. A Mitigated Determination of Non-Significance (MDNS) and Notice of Public Hearing was issued for this project on June 11th, 2015. Notice was provided to all parties of record and published in the official county paper of record. The appeal period for this SEPA determination ended on June 25th, 2015 at 5:00 p.m. No appeals were filed.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Rural Working Land Use which generally encourages farming, ranching and storage of agriculture products, as well as some commercial and industrial uses compatible with rural environment and supporting agriculture and/or forest activities. Areas in this designation often have low population densities with larger parcel sizes compared to Rural Residential areas. Agriculture and forestry activities are generally less in scope than in the Resource lands.

Kittitas County has established the following goals and policies to guide activities within 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 8.12 Incentive-based land use strategies will be examined and adopted to encourage land uses which are compatible to the rural environment.

GPO 8.13 Encourage development activities and establish development standards 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 8.14A Only allow comprehensive plan amendments, rezones, bonus densities, and other measures that increase rural densities where adequate supplies of potable water are available that will not adversely affect surface and ground water and agriculture.

GPO 8.14B Set allowed densities based on the available water resources and reserve adequate resources to support the Kittitas County’s economic base including agriculture.

GPO 8.14C Development shall be located distances from streams, rivers, lakes, wetlands, critical areas determined necessary and as outlined within existing Shorelines Management Program, the Critical Areas Ordinance and other adopted resource ordinances in order to protect ground and surface waters.

GPO 8.15 Uses common in rural areas of Kittitas County enhancing rural character, such as agriculture uses in Lower Kittitas and rural residential uses and recreation uses in Upper Kittitas shall be protected from activities which encumber them.

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 8.17 Land use development within the Rural area that is not compatible with Kittitas County rural character or agricultural activities as defined in RCW 90.58.065(2)(a) will not be allowed.

GPO 8.18 Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreation areas. Direct rural development to lands that have adequate public services.

GPO 8.19 Develop buffer standards and regulations that will be used between incompatible rural uses.

GPO 8.20 Cottage and home occupation which are rural in nature are allowed within all rural land use designations and regulations. Impact upon surrounding environments and upon existing public services shall be considered when such industries are proposed.

GPO 8.20A Future “General Commercial” zones will not be allowed outside Urban Growth Areas and LAMIRDS.

GPO 8.21 Kittitas County will provide criteria within its zoning code to determine what uses will be permitted within rural zone classifications in order to preserve rural character.

GPO 8.21A Residential and commercial buildings outside Type 1 LAMIRDS shall be located in areas buffered by vegetation and along the edges of fields or areas of shrub-steppe vegetation to maintain Kittitas County’s historic rural character.

GPO 8.21B Functional separation and setbacks found necessary for the protection of water resources, rural character and/or visual compatibility with surrounding rural areas shall be required where development is proposed. The first sentence of this policy shall not apply to agricultural activities as defined in RCW 90.58.065(2)(a). When required by the county shoreline master program or critical area regulations, buffers shall be provided.

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).

GPO 8.44 Growth and development in rural lands will be planned to minimize impacts upon adjacent natural resource lands.

GPO 8.48 In addition to the notice requirements in RCW 36.70A.060(1)(b), non-farming residents should be informed on the practices of farming so that they are aware of the non-urban activities and impacts that occur in the agricultural environment.

The State of Washington Growth Management Act requires that the *County* “include measures that apply to rural development and protect the rural character of the area as established by the County.” These measures must be used to control rural development, assure visual compatibility of rural development with surrounding areas,

reduce sprawl and protect against conflict with the use of agricultural, forest and mineral resource lands (RCW 36.70A.070). “Rural Character” is defined in the Act as lands where:

- open space and visual and natural landscape predominate over the built environment,
- opportunities exist for traditional rural lifestyle and rural based economies,
- spaces and development are compatible with wildlife habitat,
- undeveloped land is not converted to development of sprawl and low density,
- activities generally do not require extension of urban governmental services, and
- land use is consistent with protection of surface and ground water flows and recharge/discharge areas. (RCW 36.70A.030(15))

“Rural governmental services” include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. (RCW 36.70A.030(17)). Rural policies are intended to enhance and protect the County’s rural character, and to encourage appropriate rural land use patterns and service levels. Rural land uses consist of dispersed and clustered residential developments, farms, ranches, wooded lots, and agricultural and recreational/commercial and industrial uses that serve local and national and international populations as customers.

V. ENVIRONMENTAL REVIEW

Kittitas County acted as the lead agency for the SEPA Environmental Checklist; a Mitigated Determination of Non-Significance (MDNS) was issued for this project on June 11th, 2015. The appeal period for this SEPA determination ended on June 25th, 2015 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. As referenced above in Section IV of this staff report.

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

An administrative critical area site analysis was completed by staff in compliance with Title 17A: Critical Areas. Critical areas have been identified on the site; however the conditional use permit proposes to use existing structures and development. Condition #2 stipulates that any modifications, development, or construction is subject to environmental review and must comply with all appropriate Federal, State, and Local codes, laws and regulations.

Consistency with the provision of KCC 17.29, Agriculture 20 Zoning:

This proposal is consistent with the Kittitas County Zoning Code 17.29. The proposal is compatible with KCC 17.15.060.1 Allowed Uses in the Rural Non-LAMIRD Lands: A conditional use permit is required for Small Scale event facilities exceeding 10,000 square feet and more than eight (8) events occurring within a calendar year. The McIntosh proposal has been determined to fit this description and is therefore, permitted with the approval of the conditional use permit.

Consistency with the provisions of KCC 17.60A, 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.

This proposal is consistent with the Kittitas County Zoning Code for Conditional Uses which provisions *that “The Director or Board, upon receiving a properly filed application or petition, may permit and authorize a conditional use when the following requirements have been met”*:

- A) *The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.*

Applicant Response: The proposed use is desirable to the public convenience because it will provide a rural setting for events such as weddings, birthday parties, anniversary parties meetings and other gatherings on a working ranch. The proposed use will generate business for local caterers, florists and other businesses that provide goods and services to these types of events. The proposed use is not injurious to the public health, peace or safety or to the character of the surrounding neighborhood. The site is located on a state highway, on approximately 100 acres with no other incompatible activities within the immediate vicinity.

Staff response: The proposed use is not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood. This use is utilizing an existing structures and commercial access driveway off Highway 97. Condition #7 stipulates that live music/DJ will end at 10:00 p.m.

- B) *The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that*
 - a. *it will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, an schools; or*
 - b. *that the applicant shall provide such facilities; or*
 - c. *demonstrate that the proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment*

Applicant Response: The proposed use is on Highway 97 and has an existing commercial access permit issued by WSDOT. The site has an existing water system and onsite septic system and will rely on portable toilets for larger events. The applicant shall provide such facilities. In addition, the proposed use will provide onsite security. The proposed use will provide income to local businesses, which creates tax revenue.

Staff response: This proposal will be required to meet the requirements of the Fire Marshal and, as condition #6 requires, have an annual fire and life safety inspection prior to the beginning of operations each year. The transportation concurrency determination from Public Works and WSDOT concluded that there will not be a significant impact to the County roads serving the project and that there is sufficient capacity on the serving roadways for the additional traffic to be generated by this project. The applicant indicates that portable toilets will be utilized for larger events which condition #9 quantifies. The applicant indicates that on site security will be utilized which condition #10 quantifies. The use will not be economically detrimental to the community. Other existing businesses in the Kittitas County community will benefit from this use as they will provide services such as portable toilet rentals, catering, music, photography, lodging, etc. to the people utilizing this facility.

C) *The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.*

Applicant Response: This proposed use is an allowed conditional use in the zone. All improvements have been constructed and/or will be constructed consistent with all permitting requirements.

Staff response: This proposal does not include any additional structures or development to begin operations. As indicated in Section VII above the use is consistent with the zoning code and the conditional use permit code. Any additional development infrastructure of construction must comply will all existing Federal, State, and local codes, ordinances, and regulations.

D) *The proposed use will mitigate material impacts of the development, whether environmental or otherwise.*

Applicant Response: The use will not have a significant impact on the environment. Any impacts can be mitigated.

Staff Response: This proposal does not include any additional structures or development to begin operations. Potential adverse impacts to the natural and built environment from the use itself have been addressed through the SEPA MDNS or the conditions of approval.

E) *The proposed use will ensure compatibility with existing neighboring land uses.*

Applicant Response: Neighboring land uses are rural small ranch and/or residential uses. This activity will occur on a large property and will not have any impact on adjoining uses.

Staff Response: The proposal site is centrally located on a 50 acre tract of land. The nearest residential structure is approximately 600 feet away. The site is screened visually and aurally by large deciduous trees and undergrowth. As conditioned the use will be compatible with the existing neighboring land uses.

F) *The proposed use is consistent with the intent and character of the zoning district in which it is located.*

Applicant Response: The property is zoned A-20. The purpose of the A-20 zone is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture (KCC I 7. 29. 0 I 0). Because this activity occurs on a working ranch, it is consistent with farming, ranching and rural lifestyles in the area and has no negative effects on fertile farmland.

Staff Response: The property in question will continue to be used as a working ranch on days when the proposed use is not operational. None of the construction, development, or improvement irrevocably diminishes or the agricultural use and nature of the property.

G) *For conditional uses outside of Urban Growth Areas, the proposed use:*

i. Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;

ii. Preserves "rural character" as defined in the Growth Management Act (RCW 36.70A.030(15));

iii. Requires only rural government services; and

iv. Does not compromise the long term viability of designated resource lands.

Applicant Response: This activity is consistent with Chapter 8 because it promotes a variety of compatible land uses that are consistent with the purpose and intent of the Comprehensive Plan. Because the activity is part of a working ranch, it does not change the built environment and it preserves the rural character.

Staff Response: As indicated in section IV above the proposed use is consistent with the comprehensive plan and the Rural Character elements under GMA. Gatherings on the family farm for weddings, re-unions, and celebrations of all kinds are as old as the family farm itself and are an integral and historic tradition of rural character and the rural life style. The proposal does not make any substantive changes to the appearance and nature of this working ranch, and other elements of the use have been mitigated for via the MDNS and the conditions of approval. No resources lands are present on the proposed site.

Agency Comments:

The following agencies provided comments during the comment period:

Kittitas County Public Works
Washington State Department of Transportation
Kittitas County Public Health
Washington State Department of Health
Kittitas County Fire Marshal
Kittitas Valley Fire & Rescue
Kittitas County Building Department
Kittitas Reclamation District
Washington State Department of Ecology

These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.

Public Comments:

The following individuals provided comments during the comment period:

Brad Manney

These comments have been included in the index file record and were considered when preparing the recommended conditions for 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 13, Title 14.04, Title 17, Title 17A and Title 20 of the Kittitas County Code and the Kittitas County Comprehensive Plan. Staff recommends approval of the McIntosh Conditional Use Permit, subject to the following findings of fact and conditions:

Staff Findings of Fact

1. Scott and Gayle McIntosh, landowners have submitted a conditional use permit application for a small scale event facility conducting more than eight events a year. The subject property is approximately 50 acres in size and is zoned Agriculture 20. This is listed in the table under KCC Title 17.15.060 as a conditional use for the zone.

2. This proposal is on three parcels located approximately 5 miles northwest of Ellensburg at 7820 Highway 97, in a portion of Section 8, T18N, R18E, WM in Kittitas County, bearing Assessor's map numbers 18-18-08020-0002, 18-18-08000-0002, and 18-18-08020-0003. The site is accessed from State Route US 97; it is a permitted commercial access at milepost 138.89 allowing for up to 100 daily trips.

3. Site Information:

Total Property Size:	60 acres
Total project size:	50 Acres
Number of Lots:	3; no new lots are being proposed
Domestic Water:	Existing residential
Sewage Disposal:	Existing Septic System (480 gpd capacity)
Power/Electricity:	Kittitas County PUD
Fire Protection:	Kittitas Valley Fire and Rescue (Fire District 2)
Irrigation District:	Kittitas Reclamation District

4. Site Characteristics:

- 5. North: Private Residential Farming and Grazing
- 6. South: Private Residential Farming and Grazing
- 7. East: Private Residential Farming and Grazing
- 8. West: Private Residential Farming and Grazing

9. Site Characteristics: The subject property is generally flat pasture land with perimeter and occasional internal concentrations of deciduous trees and brush.

10. The Comprehensive Plan designation is "Rural Working"

11. The subject property is zoned "Agriculture 20"; Small Scale Event Facilities with more than eight (8) events occurring within a calendar year are a conditional use in the zone (KCC 17.15.060)

12. The conditional use permit application was submitted to Community Development Services (CDS) on October 7, 2014. The application was deemed incomplete on October 24, 2014 and additional information was requested. A revised application was submitted on January 27th, 2015 and subsequently deemed complete on March 9th, 2015. The Notice of Application for the conditional use permit and the utilization of the optional DNS process was mailed and published on March 16th, 2015. This notice was published in the official county newspaper of record (Ellensburg Daily Record) as well as the Northern Kittitas County Tribune and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. In accordance with Kittitas County Code 15A.03.110, this project was accurately posted with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner on March 10th, 2015 and is included as part of the record. The last day to submit written comments was on March 31st, 2015.

13. Kittitas County acted as the lead agency for the SEPA Environmental Checklist; a Mitigated Determination of Non-Significance (MDNS) was issued for this project on June 11th, 2015. The appeal period for this SEPA determination ended on June 25th, 2015 at 5:00 p.m. No appeals were filed.

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

15. An administrative critical area site analysis was completed by staff in compliance with Title 17A: Critical Areas. Critical areas have been identified on the site; however the conditional use permit proposes to use existing structures and development. Condition #2 stipulates that any modifications, development, or construction is subject to environmental review and must comply with all appropriate Federal, State, and

Local codes, laws and regulations.

16. This proposal is consistent with the Kittitas County Zoning Code as proposed under KCC 17.15.060 Small Scale Event Facilities with more than eight (8) events occurring within a calendar year, a conditional use for the Agriculture 20 zone.
17. 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.
18. As conditioned, the proposal is consistent with the provisions of the Kittitas County Roads and Bridges Code (KCC Title 12).
19. As conditioned, the proposal is consistent with the provisions of the Kittitas County Water and Sewer Code (KCC Title 13).
20. As conditioned, the proposal is consistent with the provisions of the Kittitas County Building Code (KCC 14.04).
21. As conditioned, the proposal is consistent with the provisions of the Kittitas County Zoning Code (KCC Title 17).
22. As conditioned, the proposal is consistent with the provisions of the Kittitas Environmental Policy Code (KCC Title 17A).
23. As conditioned, the proposal is consistent with the provisions of the Kittitas County Fire and Life Safety Code (KCC Title 20).
24. The following agency provided comments during the comment period; Kittitas County Public Works, Washington State Department of Transportation, Kittitas County Public Health Department, Washington State Department of Health, Kittitas County Fire Marshal, Kittitas Valley Fire & Rescue, Washington State Department of Ecology, Kittitas County Building Department, and the Kittitas Reclamation District. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
25. Brad Manney provided comments during the comment period. These comments have been included in the index file record and were considered when preparing the recommended conditions for 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, state, and local 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, Title 12 Roads and Bridges and the Kittitas County Shoreline Master Program.

Recommended Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file dated January 27, 2015 except as amended by the conditions herein.
2. Environmental and statutory review shall be required for all future development, construction, and improvements; the applicant is responsible for compliance with all applicable local, state, and federal rules, codes, and regulations, and must obtain all appropriate permits and approvals. Failure to do so may result in the revocation of the conditional use permit.
3. Development shall occur in substantial conformance with the Site Plan provided on January 27, 2015 to Kittitas County in the conditional use application. Any alterations to this site plan shall be reviewed by Kittitas County prior to construction to ensure it still meets the requirements of all applicable regulations.
4. All current and future landowners must comply with the International Fire Code.
5. Building permits will be required for any construction or structure not exempted by 2012 IBC 105.2 Work exempt from permit.
6. An annual fire and life safety inspection by the Kittitas County Fire Marshal's office is required prior to beginning operations each year.
7. Events shall meet noise regulations outlined in Kittitas County Code Chapter 9.45, meaning all music (live or DJ) will end at 10:00 p.m.
8. The subject property is within or near designated agricultural lands on which a variety of commercial activities. Agricultural operations may occur that are not compatible with residential or other development for certain periods of limited duration. Commercial agricultural operations performed in accordance with County, State and federal laws are not subject or legal action as public nuisances.
9. The on-site septic system will serve a maximum of 150 people. Events exceeding 150 attendees will require portable toilets and hand washing stations at a minimum ratio of 1 unit per each additional 75 attendees.
10. Events which are open to the general public exceeding 100 people will require security personnel at a rate of 1 per every 100 attendees.
11. Vehicles with trailers shall be provided parking in the back parking lot; signage shall be provided to indicate such during events.
12. All exit doors for structures occupied or utilized during events must be equipped with illuminated exit signs as well as "panic hardware"; doors must swing outward from the structure.
13. Fire extinguishers shall be required; locations shall be determined in conjunction with the annual fire inspections.
14. If the existing water system is used as a water source, Washington State Department of Health approval will be required for a Group A transient non-community public water system.
15. No flood control structures may be constructed on the project parcels without review and approval from Kittitas County and/or other State and Federal agencies.
16. Any future construction, ground disturbance, development, or improvements shall require additional environmental review especially with regard to wetlands, streams, and floodplains.
17. Septic and waste disposal systems must be provided in accordance with all state and local laws and in accordance with the occupancy type and levels described in item 14 below.
18. The property has an existing permitted commercial approach at milepost 138_89 Right. The proponent has indicated that each event may generate 50-75 new trips. The proposed change in use for the subject property does not warrant further upgrades to the existing approach. However, the conditions of this approach permit

allow up to 100 daily trips. If the number of daily trips crosses this threshold, as allowed within Kittitas County guidelines, the applicant is required to upgrade the permit to a Category II – Minor Connection. The fee for a Category II connection is \$1,000, which allows up to 1,000 daily trips.

19. No new approaches to US 97 will be allowed.
20. Obstruction-free ingress/egress for two-way traffic beyond the approach shall be required. Signage and parking personnel shall be required to prevent vehicles from backing up onto US 97 while entering the facilities during events. In the event that the above measures should prove insufficient to prevent backup on US 97 the CUP will be revoked until the proponent constructs (at their own expense) a right turn lane to facilitate safe ingress and egress.
21. Parking will not be permitted within WSDOT right-of-way. Appropriate on-site parking provisions are required during events. The decommissioned roadbed lying parallel to US 97 on the east side of the highway is within WSDOT right-of-way.
22. Parking shall be provided for and designed in a manner to allow full access to emergency vehicles at all times. A fixed parking plan shall be developed by the applicant and approved by the Kittitas County Fire Marshal and Kittitas Valley Fire and Rescue
23. Addressing shall be clearly visible from the road in both directions.
24. A turn around shall be provided for fire department access in conformance with International Fire Code (IFC) standards
25. Any future development or construction done in association with the small scale event facility must conform to the most current version of the Stormwater Management Manual for Eastern Washington. Stormwater systems shall be designed to store stormwater generated by a 24-hour, 25-year storm event.
26. Should ground disturbing or other activities related to the proposed use 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 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.
27. The structure identified on the submitted site plan as the “Rec Center” shall be classified as an A-2 Assembly Occupancy and must meet all requirements as such in the 2012 International Building Code (IBC) prior to final approval of the conditional use permit.
28. Events will be limited to a maximum attendance of 100 persons **without** an approved and inspected fire sprinkler system for the structure.
29. Events will be limited to a maximum attendance of 300 persons **with** an approved and inspected fire sprinkler system for the structure.
30. Events which exceed 300 attendees **must** be permitted in accordance with the provisions of Kittitas County Code (KCC) Chapter 5.20.
31. All current or future structures and facilities utilized with or during events must meet the appropriate version of the IBC and the International Fire Code for the occupancy type and levels described above.
32. Temporary structures erected for events are subject to codes, regulations, and possibly permits.
33. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties and US 97.
34. Any signage for the proposed use will require a sign permit as per KCC 17.70 and may not be located in State or County right of way.

35. Development and construction practices during building of this project shall only occur between the hours of 7:00 am to 7:00 pm to minimize the effect of construction noise on nearby residential properties.