



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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### State Environmental Policy Act MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Description:** The McIntosh Conditional Use Permit (CU-14-00004) is a proposed Small Scale Event Facility conducting more than eight events a year on approximately 50 acres of land that is zoned Agriculture 20.
- Proponent:** Scott and Gayle McIntosh, landowners.
- Location:** 3 parcels, located approximately 5 miles northwest of Ellensburg at 7820 Highway 97, in a portion of Section 08, T18N, R18E, WM in Kittitas County, bearing Assessor's map numbers 18-18-08020-0002, 18-18-08000-0002, and 18-18-08020-0003.
- Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that the proposal 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) and WAC 197-11. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency, after considering voluntary mitigation measures which the lead agency or the applicant will implement as part of the proposal, and after considering mitigation measures required by existing laws and regulations that will be implemented by the applicant as part of the Kittitas County permit process. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public on request.

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 the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures include the following:

#### Water

- 1) 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.
- 2) No flood control structures may be constructed on the project parcels with review and approval Kittitas County and/or other state and federal agencies.
- 3) Any future construction, ground disturbance, development, or improvements shall require additional environmental review especially with regard to wetlands, streams, and floodplains.
- 4) 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 15 below.

#### Transportation

- 5) Transportation Concurrency shall be revised and completed prior to final approval.

- 6) 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 IT – Minor Connection. The fee for a Category II connection is \$1,000, which allows up to 1,000 daily trips.
- 7) No new approaches to US 97 will be allowed.
- 8) Obstruction-free ingress/egress for two-way traffic beyond the approach shall be required. Signage and/or parking personnel may 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.
- 9) 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.
- 10) Parking shall be provided for a minimum of 75 vehicles and designed in a manor 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
- 11) Addressing shall be clearly visible from the road in both directions.
- 12) A turn around shall be provided for fire department access.

### **Stormwater**

- 13) On-site stormwater management that conforms to the specifications of the most current version of the Stormwater Management Manual for Eastern Washington is required of this development. Stormwater systems shall be designed to store stormwater generated by a 24-hour, 25-year storm event. Development of the site shall be in conformance with the stormwater report furnished with the application; any deviation from the proposal as presented will require a stormwater report addendum, and may require at the discretion of the Planning Official, an amendment to the Conditional Use Permit.

### **Cultural Resources and Historic Preservation**

- 14) 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.

### **Land Use**

- 15) The structures currently on the premises which are intended for use in conjunction with the proposed small scale event facility conditional use permit are not classified for occupancy correctly. The structure identified on the submitted site plan as the “Rec Center” shall be defined as an A-2 Assembly Occupancy and must meet all requirements as such in the 2012 International Building Code (IBC).

- 16) Events will be limited to a maximum attendance of 100 persons **without** an approved and inspected fire sprinkler system for the structure.
- 17) Events will be limited to a maximum attendance of 300 persons **with** an approved and inspected fire sprinkler system for the structure.
- 18) Events which exceed 300 attendees must be permitted in accordance with the provisions of Kittitas County Code (KCC) chapter 5.20.
- 19) 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.
- 20) Temporary structures erected for events are subject to codes, regulations, and possibly permits.

**Light and Aesthetics**

- 21) All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties and US 97.
- 22) 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.

**Noise**

- 23) 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.

**Public Services**

- 24) Developed areas of the project shall maintain vegetation control for fire protection purposes; vegetation in an around solar panels and other infrastructure shall be kept at or below six (6) inches. Other vegetation control measures may be required by the Kittitas County Fire Marshal.

The above stated mitigation conditions listed above will be provided within conditions of the decision of the conditional use permit approval.

**Responsible Official:** \_\_\_\_\_  
Robert “Doc” Hansen

**Title:** Planning Official

**Address:** Kittitas County Community Development Services  
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**Date:** May XX, 2015

This Mitigated DNS is issued under WAC 197-11-355 and WAC 197-11-390; 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's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced on or before 5:00 pm, April 9, 2015.

**Pursuant to Chapter 15A.04.020 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$500.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received within 10 working days, or no later than 5:00 PM, April 9, 2015. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.**

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