

**KITTITAS COUNTY
LAND USE HEARING EXAMINER**

IN THE MATTER OF)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
CU-23-00006)	CONDITIONS OF APPROVAL
HONEST CUT MEATS, LLC.)	AND DECISION

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on April 10, 2024, the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law and Decision:

I. FINDINGS OF FACT

1. The proposed project is for a modification/addition to the existing legal non-conforming Honest Cut Meats LLC agricultural processing and sales facility. The proposal includes adding a modular harvest component and modular drip cooler component to meet USDA requirements.
2. Location: One parcel, #280236, Section 4, T17, R20, WM in Kittitas County, bearing Assessor's map numbers 17-20-04000-0024. 15450 Vantage Highway, Ellensburg, WA 98926.
3. **Total Project Size:** 54.48 Acres
 Number of Lots: 1
 Domestic Water: Group B Well
 Sewage Disposal: Septic
4. Site Characteristics:

 North: Privately owned land used primarily for residential and/or agricultural purposes.
 South: Privately owned land used primarily for residential and/or agricultural purposes.
 East: Privately owned land used primarily for residential and/or agricultural purposes.
 West: Privately owned land used primarily for residential and/or agricultural purposes.
5. Access: The site is accessed off Vantage Highway, approximately 0.23 miles west of the intersection of Vantage Highway and Parke Creek Rd.
6. Deemed Complete: A conditional use permit application (Exhibit #1) for Honest Cut Meats LLC (CU-23-00006) was submitted to Kittitas County Community Development Services department on November 3, 2023. The application was deemed complete on November 27, 2023 (Exhibit #8). The site was posted in accordance with KCC 15A.03.110 on December 22, 2023 (Exhibit #9).
7. Notice of Application: A notice of application (Exhibit #11) for the Honest Cut Meats LLC Conditional Use Permit (CU-23-00006) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels & applicable agencies. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website on December 28, 2023, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (Exhibit #12). The comment

period concluded on January 17, 2024.

8. Zoning and Development Standards: The parcel involved in this proposal is in a land use designation of Rural Working and zoning designation of Agriculture 20. The proposed project is classified as “Agricultural Processing”. Agricultural Processing operations are allowed in the Agriculture 20 zoning designation with a conditional use permit under KCC 17.15.060.1. The conditional use permit criteria are examined in Section VIII “Project Analysis” of this staff report.
9. A SEPA Checklist was not required as the proposed project is categorically exempt as an agricultural use outside of an urban growth area with less than 30,000 square feet of structure coverage.
10. Grading requirements are subject to the standards outlined in Kittitas County Code Title 14.
11. Comprehensive Plan:
 - 11.1. RR-G9: The County should continue to explore ways to provide rural economic opportunity.
 - 11.1.1. The proposed project is intended to provide a modification/addition to the existing agricultural processing business. With the proposed additions of a modular harvest and drip cooler components the applicants will be able to gain USDA certification. The proposed addition to the existing agriculture processing operation will potentially provide economic opportunities by further expanding the existing client and customer base through USDA certification.
 - 11.2. RP-15: 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.
 - 11.2.1. The proposed expansion and continued operation of the existing agriculture processing facility is an agriculture land use and highlights Kittitas County’s rural character.
 - 11.3. RR-G23: Support the continuation, whenever possible, of agriculture, timber and mineral uses on lands not designated for long-term commercial significance.
 - 11.3.1. The proposed expansion of the existing agriculture processing use is located in the Agriculture 20 zoning designation. The proposal allows for the applicant to seek USDA certification and allow them to further their client and customer base which in turn may allow for long-term viability.
 - 11.4. E-G1: Support economic development initiatives that meet the varied needs and demands of the community.
 - 11.4.1. The proposed expansion allows for the client to seek USDA certification and expand its services to clients and customers in Kittitas County.
 - 11.5. E-G2: Support the retention and expansion of existing local businesses and industries.

11.5.1. Honest Cut Meats LLC is an established Kittitas County business which has provided meat cutting services and retail sales for over 12 years. The proposed expansion allows for the applicant to seek USDA certification and better provide for clients and customers.

11.6. The Hearing Examiner reviewed the project for consistency with the Kittitas County Comprehensive Plan as described above. The Hearing Examiner finds the proposed development consistent with the Goals and Policies of the Kittitas County Comprehensive Plan.

12. Environmental Review: The proposed project is exempt from KCC Title 17A per KCC 17A.01.030(3). The proposed project is conditioned to comply with the Kittitas County Voluntary Stewardship Program (VSP). A SEPA Checklist was not required as the proposed project is categorically exempt as an agricultural use outside of an urban growth area with less than 30,000 square feet of structure coverage.

13. Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review. All comment submittals can be found in their entirety in Exhibits #13-19. The following parties provided comments during the comment period:

13.1. Agency Comments: Kittitas PUD, Washington Department of Transportation – Aviation, Confederated Tribes of the Colville Reservation, Washington Department of Fish and Wildlife, Washington State Department of Ecology, Kittitas County Public Works, and Kittitas County Public Health. Below is a summary of received comments:

13.2. Kittitas PUD: Kittitas PUD stated they have no comments.

13.3. Washington State Department of Transportation – Aviation (WSDOT): WSDOT stated they have no comments.

13.4. Confederated Tribes of the Colville Reservation (CTCR): The Confederated Tribes of the Colville commented on cultural resource concerns. CTCR stated the project was a small footprint and requested a cultural resource survey prior to implementation.

13.4.1. Applicant Response: “If required by the County, the Applicant will complete a cultural resources survey and prepare an inadvertent discovery plan. The subject property has been heavily disturbed by prior development activities and historic agricultural practices. No known cultural resources are present on the property.”

13.4.2. Hearing Examiner Finding: The project is a small footprint and is sited in an area previously disturbed by agricultural activities. Staff has recommended a condition to prepare for the inadvertent discovery of cultural resources.

13.5. Washington Department of Fish and Wildlife (WDFW): WDFW commented on impacts to nearby critical areas.

13.5.1. Applicant Response: “WDFW noted multiple concerns, including applicability of the County’s Voluntary Stewardship Program and critical areas requirements to the project, the proximity of proposed development to Park Creek (also called “Parke

Creek”), recommendations to enhance the riparian corridor along Park Creek (a seasonal stream/drainage running through the property), and development within Park Creek’s 100-year floodplain. As proposed, the project will comply with all Kittitas County development requirements related to WDFW’s concerns.

The applicability of the County’s VSP and critical areas ordinance to the project is covered in SVC’s 10/25/23 memo submitted with the initial Conditional Use Permit application package. During SVC’s pre-submittal coordination for the project, SVC confirmed with Kittitas County Community Development and Kittitas County Conservation District (KCCD) staff that the VSP is applicable to the project under the existing agricultural activity qualification described in KCC 17A.01.030.3.

Enhancing the Park Creek riparian corridor or relocating the proposed development further away from Park Creek is beyond the scope of the proposed project, as it would significantly interfere with ongoing agricultural practices on the property. However, to minimize potential impacts from the proposed development on Park Creek, the Applicant will be constructing the holding pen on a new concrete pad and redirecting any waste generated from livestock in the holding pen away from Park Creek, into the proposed septic system or an upland composting facility in compliance with Kittitas County Public Health requirements. Waste generation will also be minimized by limiting the amount of time livestock is kept in the holding pen to 8-10 hours total per week. By constructing the holding pen in an area already used as livestock pens, these efforts will result in fewer impacts to Park Creek compared to current conditions. Floodplain development requirements will be addressed through the County’s floodplain development permit required by Kittitas County Public Works. No compensatory flood mitigation is proposed.

The Applicant is not opposed to future collaborative efforts to improve riparian functions along Park Creek with KCCD and WDFW, but those efforts are not proposed as part of this application.”

13.6. Hearing Examiner Finding: This proposal is not subject to KCC 17A Critical Areas per KCC 17A.01.030(3). As the proposed project is an existing agricultural use on private land, it is managed by the Kittitas County Voluntary Stewardship Program (VSP). Staff has recommended conditions to mitigate potential impacts to Parke Creek from the proposed holding pen.

13.7. Washington State Department of Ecology: The Department of Ecology commented on water resource requirements which may be associated with the proposed project.

13.7.1. Applicant Response: “No new groundwater withdrawals will occur as part of the proposed project. The harvest module will use approximately 100-150 gallons of water per day, well below the exempt threshold of 5000 gallons per day, and will be sourced from an existing well on the property. Nathan Longoria, Permit Writer/Customer Service Specialist in Ecology’s Yakima office, confirmed no further action is needed for the proposed development in a phone conversation on January 22, 2024.”

13.7.2. Hearing Examiner Finding: The Hearing Examiner has conditioned the permit to meet Department of Ecology’s requirements if a new groundwater use occurs.

- 13.8. Kittitas County Public Works (KCPW): KCPW provided comments on requirements related to access, grading and/or filling, survey, transportation concurrency, floodplain development, and water mitigation/metering.
- 13.8.1. Applicant Response: “Access: No concerns noted; no response required.
- 13.8.2. Survey: No concerns noted; no response required.
- 13.8.3. Transportation Concurrency: The proposed development is expected to reduce daily traffic, not increase it. Current conditions have agricultural processing clients delivering carcasses and picking up processed goods on an individual, as needed basis. The proposed condition will eliminate individual deliveries and pick-ups, replacing them with bulk deliveries and pick-ups. Resulting traffic counts will decrease by 60-80% when compared to current conditions.
- 13.8.4. Flood: A floodplain development permit will be obtained as part of the building permit review process.
- 13.8.5. Water Mitigation/Metering: No concerns noted; no response required.”
- 13.8.6. Hearing Examiner Finding: The Hearing Examiner has conditioned the conditional use permit to meet the requirements of Kittitas County Public Works. KCPW had no further transportation concurrency requirements (Exhibit #22).
- 13.9. Kittitas County Public Health (KCPH): KCPH provided comments on requirements related to on-site sewage.
- 13.9.1. Applicant Response: “The new drain field has already received approval from Kittitas County Public Health under permit # 05-23-00184. Installation of the new system was completed under that permit in December 2023.”
- 13.9.2. Hearing Examiner Finding: The Hearing Examiner has recommended conditions to meet the requirements of Kittitas County Public Health.
- 13.10. Public Comments: No Public Comments were received for this project.
14. The Hearing Examiner has reviewed all the comments submitted and has conditioned this decision to address the concerns noted.
15. 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 the Hearing Examiner’s analysis and consistency review for the subject application.
16. Comprehensive Plan Consistency: The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: RR-G9, RP-15, RR-G23, E-G1, and E-G2.

17. Consistency with the provisions of KCC 17.60A, Conditional Uses: KCC 17.60A.015 provides the following review criteria to be considered in a conditional use analysis:

17.1. 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.

17.1.1. Applicant Response: “The proposed project is both essential and desirable to the public as evidenced through the existing client and customer base of the Applicant. Honest Cut Meats, LLC has run a successful business since 2013 and provides a valuable service to the community through working closely with the Kittitas Valley community and providing essential foods to the local FISH Food Bank. Honest Cut Meats, LLC is currently a Washington State Department of Agriculture inspected and approved meat processing facility wherein they are subject to established public health guidelines and practices. Honest Cut Meats, LLC is also an approved meat and seafood licensee through the Kittitas County Public Health Department. Obtaining a CUP for the expansion of the processing facility, will be in the best interest of the public health.” (Exhibit #6)

17.1.2. Hearing Examiner Finding: Agriculture processing uses are allowed by conditional use permit within the Agricultural 20 zone. The proposal is located on approximately 54.48 acres and the facility will consist of mostly existing structures. The existing agriculture processing use is a legal non-conforming business that has been in operation for over a decade. The property is located in an area where agricultural functions are a prominent use of the surrounding neighborhood. CDS does not anticipate the proposed use, as conditioned, will be detrimental or injurious to the public health, peace or safety, or to the character of the surrounding neighborhood.

17.2. 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:

17.2.1.1. The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or

17.2.1.2. The applicant shall provide such facilities; or

17.2.1.3. The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.

17.2.2. Applicant Response: “The proposed project will have no detrimental effect to the local economy, nor will it create a burden on public services, utilities or infrastructure. The Applicant is proposing to increase the capacity, efficiency, and safety of the current processing facility and will only minimally expand over the existing footprint. The proposed processing facility expansion will utilize existing utilities and infrastructure onsite and is located in an area already served by the Kittitas County Sheriff and Kittitas Valley Fire and Rescue District 2. A minor increase in customer traffic is possible as the capacity to serve more customers will improve with the new processing facility. However, given the rural location and existing lot size and operations, these potential increases in traffic are expected to be negligible. The

Applicant is also proposing to install a new septic system and drain field to support the expanded facility.” (Exhibit #6)

17.2.3. Hearing Examiner Finding: The applicant will be utilizing an on-site septic system for the proposed use. Kittitas County Public Works has confirmed that no further requirements are necessary regarding Traffic Concurrency. The site is within the Kittitas Valley Fire & Rescue (KVFR) Fire District. Staff has recommended conditions requiring compliance with state and local requirements. Staff finds the proposal will not be unreasonably detrimental to the economic welfare of the county and will not create excessive public cost for facilities and services.

17.3. 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.

17.3.1. Applicant Response: “The current zoning of the subject property is Ag20 and the current use of the subject property fits within the intent of the Ag 20 zoning designation. Per KCC 17.15.060.1 Land Use Table, agricultural processing and agricultural sales are allowed in the Rural Working classification with a Conditional Use Permit. The existing and proposed continued use of the subject property for animal slaughter and meat preparation meets the definition of “agricultural processing” under KCC 17.08.032 and RCW 90.58.065. Provisions of KCC 17A do not apply to the subject property as critical areas protection is managed under the local VSP. No change in land use is proposed, only the improvement of services and continuation of existing agricultural activities. (Exhibit #6)

17.3.2. Hearing Examiner Finding: The agriculture processing use is consistent with the relevant development standards and criteria including KCC 17.15.060. Agriculture processing uses are permitted in the Agriculture 20 zone through a Conditional Use Permit.

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

17.4.1. Applicant Response: “Only relatively minor increase in impervious surfaces is proposed (approximately 480 square feet). Some excavation of soils to allow for the level placement of the modular harvest and cooling facilities will be required. Spoils and unused soil will be backfilled around the modular units for additional insulation or spread around the existing lot. The modular component of the processing and cooling facilities will minimize construction time onsite. Further, the proposed facility is located partially within a gravel driveway and partially within an existing livestock corral, so no new impacts or disturbances to the environment are anticipated. All waste and processing byproducts will be stored in cold storage or the proposed storage tank until they can be removed by a licensed contractor.” (Exhibit #6)

17.4.2. Hearing Examiner Finding: The proposed development within the existing use is a small footprint. This existing agricultural use is not subject to KCC 17A Critical Areas per KCC 17A.01.030(3). CU-23-00006 has been conditioned to mitigate potential impacts from the proposed holding pen.

17.5. The proposed use will ensure compatibility with existing neighboring land uses.

17.5.1. Applicant Response: “The proposed project is consistent with existing neighboring land uses. The majority of adjacent and nearby properties are engaged in some form of agricultural production. The property has been in use as an agricultural processing and sales operation for ten years without concern. The proposed expansion will occur within the previously-developed portions of the property and will not result in detrimental impacts to neighboring land uses.” (Exhibit #6)

17.5.2. Hearing Examiner Finding: The subject property contains a legal non-conforming agriculture processing use. The surrounding uses are primarily agriculture focused and low density residential uses.

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

17.6.1. Applicant Response: “The subject property is zoned Ag 20. The 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 non agricultural land uses (KCC 17.29.010). The proposed project will continue the existing agricultural production and improve the services it provides. There is no proposed change in land use. This will ensure the spirit and character of the current zoning is maintained.” (Exhibit #6)

17.6.2. Hearing Examiner Finding: The proposed project is located in Agriculture 20 zoning. The agriculture (A-20) zone is an area wherein farming, ranching and rural lifestyles 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. Kittitas County Comprehensive Plan and Zoning Code have allowed agriculture processing uses in Agriculture 20 in KCC 17.15.060(1) with a conditional use permit.

17.7. For conditional uses outside of Urban Growth Areas, the proposed use:

17.7.1.1. 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;

17.7.1.2. Preserves “rural character” as defined in the Growth Management Act

17.7.1.3. Requires only rural government services; and

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

17.7.2. Applicant Response: “The proposed project is consistent with the goals, policies, and objectives of the Kittitas County Comprehensive Plan. The proposed project does not propose a new residential development, change in land use, or change in zoning. The subject property is currently conforming to existing land use and local policies and does not propose to change. RCW 36.70A.011 encourages communities in rural areas to “preserve rural-

based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, recreational, and tourist business that are consistent with existing and planned land use patterns; be compatible with the use of the land by wildlife and for fish and wildlife habitat; foster the private stewardship of the land and preservation of open space; and enhance the rural sense of community and quality of life.” The proposed project meets each one of those elements by continuing to provide a valuable resource and service to the nearby community while maintaining and preserving the rural character of the eastern Kittitas Valley. Honest Cut Meats LLC, is a small, family-run, agricultural business that is looking to improve the quality of its services and products for local residents. No additional public services beyond the current rural services already provided will be required. The proposed project will not compromise the long-term viability of the resource lands as there is no change in land use proposed.” (Exhibit #6)

17.7.3. Hearing Examiner Finding: The proposal is consistent with the Kittitas County Comprehensive Plan as described above in section “V.” The use will not conflict with rural character, requires only rural government services, and will not compromise the long-term viability of resource lands.

18. Hearing Examiner Conclusions: Kittitas County CDS finds the application, as conditioned, consistent with KCC 17.60A Conditional Uses, as described above.
19. Consistency with the provisions of the KCC Title 17A, Critical Areas: The proposed project is exempt from KCC Title 17A per KCC 17A.01.030(3). The proposed project is managed under the Kittitas County Voluntary Stewardship Program (VSP).
20. Consistency with the provisions of the KCC Title 14.04, Building Code: Any future buildings must be consistent with International Building Codes.
21. Consistency with the provisions of KCC Title 12, Roads and Bridges: As conditioned, the proposal is consistent with the provisions of KCC Title 12.
22. Consistency with the provisions of KCC Title 20, Fire and Life Safety: As conditioned, the proposal is consistent with the provisions of KCC Title 20.
23. The following agencies provided comments during the comment period: Kittitas PUD, Washington Department of Transportation – Aviation, Confederated Tribes of the Colville Reservation, Washington Department of Fish and Wildlife, Washington State Department of Ecology, Kittitas County Public Works, and Kittitas County Public Health.
24. An open record public hearing after due legal notice was held on April 10, 2024 via video conferencing.
25. At the open record public hearing the following exhibits were entered into the record:
 - 25.1. Ex. 1. Application
 - 25.2. Ex. 2. Existing and Proposed Site Plans
 - 25.3. Ex. 3. Harvest Module Plans
 - 25.4. Ex. 4. SEPA Exempt Document

- 25.5. Ex. 5. Applicant Narrative
- 25.6. Ex. 6. KCC Zoning Code Analysis
- 25.7. Ex. 7. Receipt
- 25.8. Ex. 8. Deemed Complete 11-27-23
- 25.9. Ex. 9. Affidavit of Posting & Sign Pictures
- 25.10. Ex. 10. Staff Maps
- 25.11. Ex. 11. Notice of Application
- 25.12. Ex. 12. Affidavit of Mailing & Publication – NOA
- 25.13. Ex. 13. Kittitas PUD Comment 12-28-23
- 25.14. Ex. 14. WSDOT Aviation Comment 12-28-23
- 25.15. Ex. 15. Confederated Tribes of the Colville Reservation Comment 1-2-24
- 25.16. Ex. 16. Washington Department of Fish and Wildlife Comment 1-11-24
- 25.17. Ex. 17. Washington State Department of Ecology Comment 1-12-24
- 25.18. Ex. 18. Kittitas County Public Works Comment 1-17-24
- 25.19. Ex. 19. Kittitas County Public Health Comment 1-17-24
- 25.20. Ex. 20. Transmittal of Comments 1-18-24
- 25.21. Ex. 21. Applicant Response to Comments 1-25-24
- 25.22. Ex. 22. KCPW Transportation Comment 1-30-24
- 25.23. Ex. 23. KCPH Comment 3-6-24
- 25.24. Ex. 24. Request for Additional Information 3-7-24
- 25.25. Ex. 25. Applicant Response to KCPH Comment 3-6-24, 3-13-24
- 25.26. Ex. 26. KCPH Updated Comment 3-20-24
- 25.27. Ex. 27. Notice of Public Hearing Legal & Memo
- 25.28. Ex. 28. Affidavit of Mailing & Publication – Notice of Public Hearing 3-26-24
- 25.29. Ex. 29. Staff Report

- 24. Appearing and testifying on behalf of the Applicant were Scott Shelton and Alex Murphy. Mr. Shelton is the property owner and Applicant. He indicated that the improvements would allow them to harvest five (5) cattle-per-day, two (2) days a week and to come into come into compliance with federal regulations. Mr. Murphy testified that he was an authorized appear and speak on behalf of the applicant and property owner. He indicated that the Applicant agreed with all the representations set forth within the staff report and had no objection to any of the proposed Conditions of Approval.
- 25. No member of the public testified at this hearing.
- 26. The Kittitas County Hearing Examiner considered all evidence within the record in rendering this decision.
- 27. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

II. CONCLUSIONS OF LAW

- 1. The Hearing Examiner has been granted authority to render this decision.
- 2. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.

3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
4. Public use and interest will be served by approval of this proposal.
5. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Buildings and Construction, Title 12 Roads and Bridges and Title 20 Fire and Life Safety.
6. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. DECISION

Based on the above Findings of Fact and Conclusions of Law, CU-23-00006 – Honest Cut Meats, LLC is hereby **APPROVED** subject to the following Conditions of Approval.

IV. CONDITIONS OF APPROVAL

All Conditions of Approval shall apply to the Applicant, and the Applicant's heirs, successors in interest and assigns.

1. The project shall proceed in substantial conformance with the plans and application materials on file with CDS that were received on November 3, 2023, and subsequent information included in the complete file Exhibit except as amended by the conditions herein.
2. An approved access permit shall be required from Kittitas County Public Works prior to creating any new driveway access or altering an existing access.
3. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain access.
4. Any grading over 100 cubic yards of material requires a grading permit through Kittitas County Public Works. Any grading over 500 cubic yards shall be accompanied by an engineered grading plan. All conditions must be met in any approved grading permit. Grading over 500 cubic yards also requires a SEPA checklist to be submitted and approved by Kittitas County Community Development Services.
5. All development, design and construction shall comply with International Fire Code requirements and KCC Title 20 Fire and Life Safety. Please contact the Kittitas County Fire Marshal for specific requirements.
6. The applicant shall comply with all local, state, and federal regulations at the time of building permit submittal.
7. Applicant shall comply with Kittitas County Public Health regulations and requirements pertaining to on-site sewage and any compost generated by the proposed project.

8. If the owner/applicant is to withdraw groundwater for a new use within the boundaries of WAC 173-539A, the owner/applicant must submit a Request of Determination of Water Budget Neutrality or an Application for a New Water Right Permit to the Washington State Department of Ecology.
9. Applicant shall obtain a floodplain development permit from Kittitas County Public Works for the proposed addition/expansion.
10. Should ground disturbing or other activities related to the proposed project 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 & Historic Preservation (DAHP). Work shall remain suspended until the findings are 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.
11. The proposed holding pen shall be sloped so runoff may be directed away from the riparian area of Parke Creek.
12. The proposed holding pen shall be a minimum of 65 feet away from Parke Creek.
13. The proposed holding pen shall have curbing on sides closest to Parke Creek to contain potential runoff.
14. The proposed holding pen shall be lined with an absorbent material, such as sawdust or wood shavings, to contain any liquid waste.
15. Pursuant to KCC 17.60A.090, this conditional use permit shall become void five (5) years after approval if the proposed use is not completely developed. The applicant may request an extension not to exceed a total of ten (10) years.
16. Failure to comply with the conditions of approval may result in limitation or revocation of the conditional use permit in accordance with KCC 17.60A.100.

Dated this 17 day of April, 2024.

KITTITAS COUNTY HEARING EXAMINER



Andrew L. Kottkamp

This Decision is subject to appeal pursuant to the Kittitas County Code and the Revised Code of Washington.