

Kittitas County Planning Department

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

(509) 962-7506 • Fax (509) 962-7697

SEPA DETERMINATION OF NONSIGNIFICANCE

DESCRIPTION OF PROPOSAL: General rezone from Ag-20 to Ag-3 (file #Z-00-01) for an approximate 291 acre site. The Kittitas County Comprehensive Plan includes this site under the designation of Rural.

PROPONENTS: Donald E. Clapper, Patrick J. Hand, Patrick J. Taylor, Virginia L. Riley (trustee), and Neil O'Neil.

LOCATION OF PROPOSAL: South of S.R. 10, north and east of Interstate 90, west of S.R. 97, and east of Klocke Road including parcels 18-18-20020-0004, 18-18-20020-0005, 18-18-20030-0002, 18-18-20030-0003, 18-18-28000-0044, 18-18-28000-0043, 18-18-28000-0054, 18-18-22040-0006, and 18-18-29010-0001, being a portion of Sections 20, 22, 28 and 29 of T.18N, R.18E., W.M.

LEAD AGENCY: Kittitas County Planning Department. The lead agency for this proposal has determined that it does not have a probable adverse impact on the environment. An environmental impact statement (EIS) is not required under 43.21C.030(2)(c) RCW. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. The lead agency has also determined that in order to issue a Determination of Non-Significance (DNS) for this proposal it is necessary to state as fact the following existing requirements as notice to future developers and persons wishing to subdivide parcels within the rezone area:

Required Environmental Assessment for Reduction of Potential Adverse Environmental Impacts Associated with Rezone:

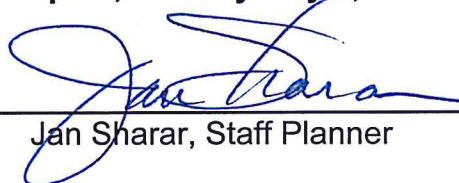
- 1. All site development requiring building permits from Kittitas County will be subject to review for compliance with development regulations and review for critical areas as mandated by the Growth Management Act, Chapter 36.70A RCW, and as designated through Kittitas County Code 17A , Critical Areas Ordinance;**
- 2. All proposed development within state shorelines and in the proximity of associated wetlands will be subject to regulation and permitting as required by the Shoreline Management Act of 1971, Chapter 90.58 RCW;**

and the guidelines set forth in Kittitas County Shorelines Master Program (1975);

3. All project applications not exempt from jurisdiction of the State Environmental Policy Act (SEPA), Chapter 43.21C RCW , will be subject to the review process in involving identification and evaluation of probable environmental impacts, and the development of mitigation measures that will reduce adverse environmental impacts;
4. All projects proposed for location within a regulatory floodplain/floodway will be subject to the State Floodplain Management Act (Chapter 86.16 RCW) and the Kittitas County Flood Damage Prevention Ordinance (Chapter 14.08);
5. All structures permitted in the rezone area must comply with the Washington State Uniform Building Code and applicable Kittitas County Codes; and
6. All residential and commercial development must adhere to public health and sanitation requirements of Chapter 70.05 RCW and Title 8 and 13 of the Kittitas County Code.

This DNS is issued under WAC 197-11-355. Any action to set-aside, enjoin, review, or otherwise challenge this administrative SEPA action on the grounds of noncompliance with the provisions of Chapter 43.21C RCW shall be commenced on or before 5:00 p.m., Monday May 8, 2000.

RESPONSIBLE OFFICIAL:



Jan Sharar, Staff Planner

TITLE: Staff Planner

ADDRESS: Kittitas County Planning Dept.
411 N. Ruby Street Suite #2
Ellensburg, WA. 98926

Phone: (509) 962-7506

DATE: April 26, 2000

You may appeal this determination, no later than the tenth working day after it is considered final; prepare to make specific factual objections in writing along with \$130.00 to:

Kittitas County Board of County Commissioners
Kittitas County Courthouse, Rm. 110
Ellensburg, WA. 98926 (509) 962-7508

Contact the Board for more information on the appeal process.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

DATE: _____
EXECUTIVE DIRECTOR _____
PLANNING Jan. S
DEPT. _____

ORDINANCE

NO. 2000- 11

IN THE MATTER OF AMENDING THE KITTITAS COUNTY ZONING ATLAS

WHEREAS, according to Kittitas County Code Titles 15A & 17, relating to general rezones, adopted pursuant to RCW 36.70B & 36.70 respectively, an open record hearing was held by the Kittitas County Planning Commission on May 22, 2000 for the purpose of considering a zone change consisting of approximately 291.00 Acres from Agriculture-20 to Agriculture-3 described as follows:

PARCELS BORDERED BY KLOCKE ROAD TO THE WEST, LYING SOUTH AND EAST OF S.R. 10 AND S.R. 97 AND NORTH OF INTERSTATE 90 COMPRISING NINE PARCELS OF RECORD ; WITHIN SECTIONS 20, 28, AND 29 OF T18N, R18E, WM, IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON;
AND,

WHEREAS, testimony was taken from those persons present who wished to be heard during said open record hearing before the Planning Commission; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such zone change; and,

WHEREAS, the Planning Commission recommended approval of said proposed rezone in a 6-0 decision; and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on June 6, 2000 to consider the Planning Commission's recommendation on this matter; and,

WHEREAS, the following FINDINGS OF FACT have been made concerning this proposed ordinance:

1. Donald E. Clapper, Patrick J. Hand, Patrick J. Taylor, Virginia L. Riley (Trustee), and Neil O'Neill submitted a complete application to the Planning Department for a zone change of approximately 291 acres from Agriculture-20 to Agriculture 3 on March 7, 2000.
2. The application site is designated by the Kittitas Countywide Planning Policies and the Comprehensive Plan as being Rural.
3. The application site is presently zoned Agriculture – 20 by the County Zoning Code.
4. The Planning Department issued a Notice of Application pursuant to KCC 15A.03 on March 7, 2000. Said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
5. The State Environmental Policy Act (SEPA) was complied with and a Determination of Non-Significance (DNS) was issued by the Planning Department on April 10, 2000. Notice of said determination was provided to all required parties of record pursuant to RCW 43.21C.

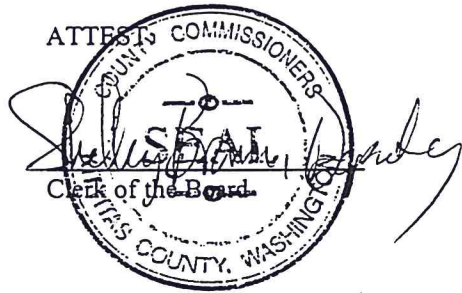
6. An appeal to the DNS was filed with the Kittitas County Board of Commissioners on April 13, 2000. The original DNS was withdrawn on April 20, 2000 and a Revised DNS was issued on April 26, 2000, to which no appeal was filed.
7. A Critical Areas Review shows there are Critical Areas on the property which will be addressed through site-specific development review.
8. An open record hearing was held by the Planning Commission on May 22, 2000 to consider this matter and testimony was taken from those persons present who wished to be heard. Due notice of this public hearing was given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed zone change.
9. The Planning Commission found that the site is a transitional area with a mix of existing zoning where the extension of the Agriculture -3 zone would fit. This finding of fact would support the rezone.
10. The proposed rezone meets all seven of the zoning code criteria.

NOW THEREFORE,

BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby approve said zone change and does hereby authorize the amendment of the Kittitas County Zoning Map as attached.

DATED this 11th day of July, 2000, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**



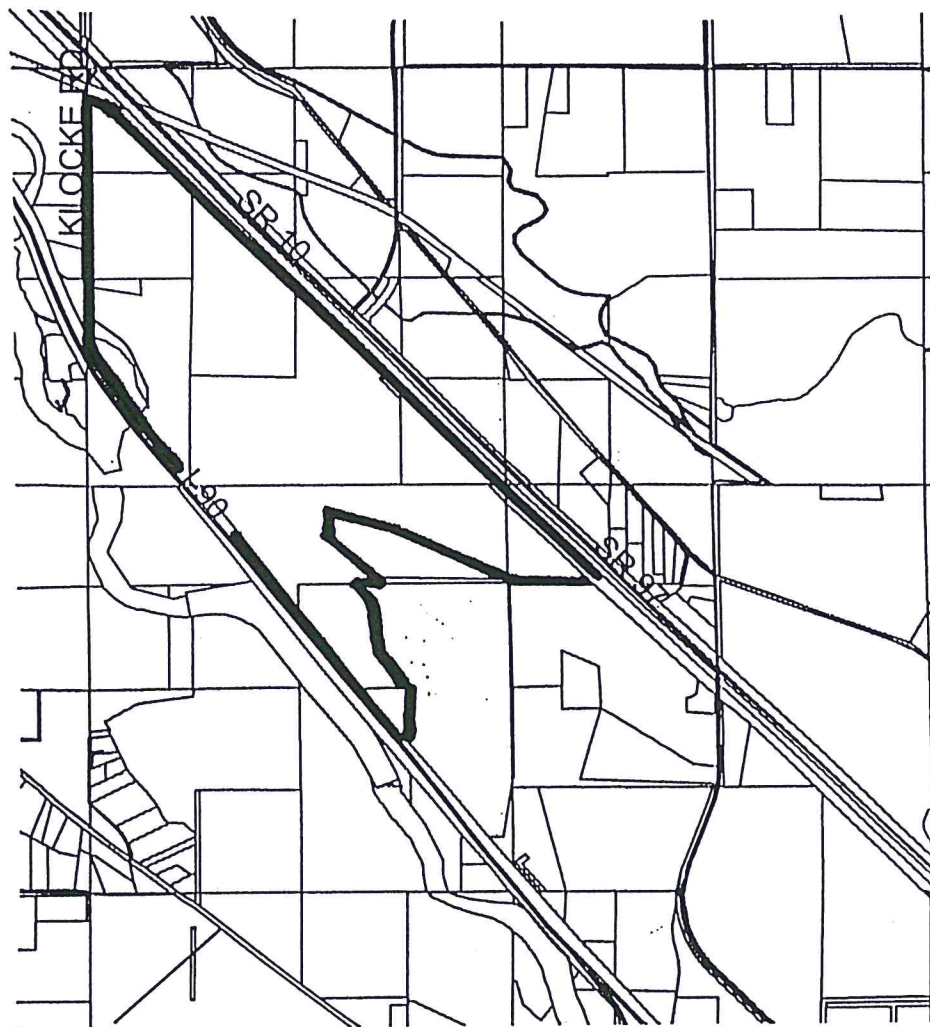
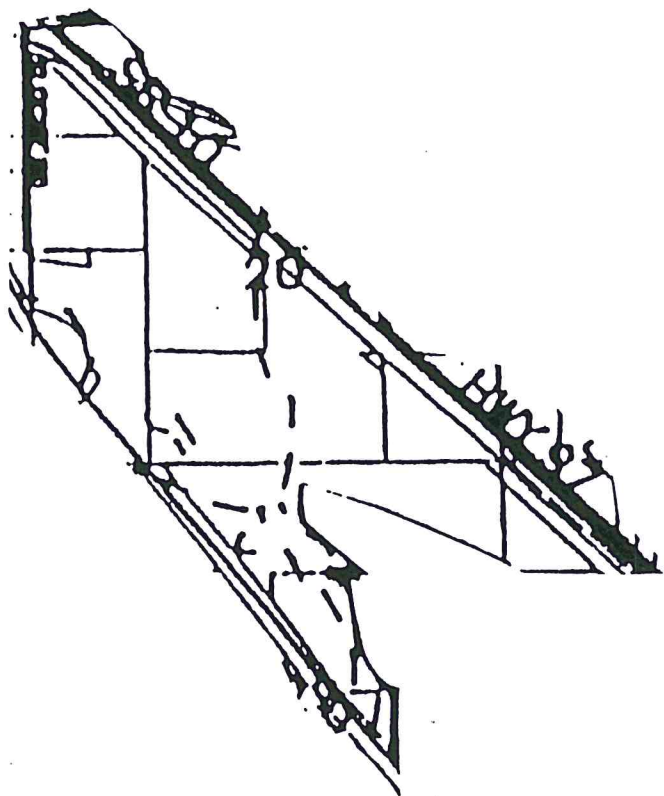
Perry D. Huston
Perry D. Huston, Chairman

William R. Hinkle
William R. Hinkle, Vice-Chairman

Max A. Golladay
Max A. Golladay, Commissioner

APPROVED AS TO FORM:

Gregory L. Zempel
Gregory L. Zempel
Prosecuting Attorney
WSBA #19125



NAME OF APPLICANT

DONALD E. CLAPPER

ZONE CHANGE

From AGRICULTURE 20

To AGRICULTURE 3

APPROVED BY THE BOARD OF SUPERVISORS

FINAL ACTION

APPROVED _____ 20

DENIED _____ 20

WITHDRAWN _____ 20

ORDINANCE NO. _____