



## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

### STAFF REPORT

**TO:** Kittitas County Board of Adjustment

**FROM:** Dan Valoff, Staff Planner

**DATE:** February 11, 2009

**SUBJECT:** Laukala Conditional Use Permit (CU-08-07)  
Private Campground in the Forest & Range Zone

#### I. BACKGROUND INFORMATION

##### Proposal:

Conditional Use Application from Dennis & Phyllis Laukala, landowners, to operate a "Private Campground" known as Caribou Creek Corral in the Forest & Range zone. The private campground will be a horse camp for youth in a wilderness setting. Programs include horsemanship skills, trail rides, arts and crafts, leave no trace camping, survival skills and bible studies. The camp is intended to be small with 12 to 18 campers at a time for one-week long programs, with a staff ratio not to exceed 1 to 5 campers. The camp will operate during the 8 to 10 week of summer vacation, approximately June to August.

##### Location:

The site is located at Elkhorn Ranch, lots 17, 18 and 19 in the vicinity of 8190 Secret Canyon Road, Ellensburg, WA, in a portion of Section 35, T19N R20E W.M. in Kittitas County, Washington. Map numbers 19-20-35000-0009, 0010 & 0011.

#### II. POLICY AND REGULATORY REQUIREMENTS

- A. The Comprehensive Plan Land Use designates this parcel as Rural.
- B. The purpose and intent of the Forest & Range zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged.
- C. KCC 17.56.130 (35): "Private Campgrounds" are a listed conditional use in the Forest & Range zone. In considering proposals for location of such campgrounds, the board of adjustment shall consider the following criteria:
  1. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances.
  2. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
  3. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
  4. Adequate and convenient vehicular access, circulation and parking should be provided.
  5. Economic and environmental feasibility;
  6. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
- D. Conditional Use Permits are subject to the conditions set forth in KCC 17.60 Conditional Uses.
- E. An administrative critical area site analysis was completed by staff in compliance with Title 17A: Critical Areas. Several streams were identified on the subject property.

### III. ADMINISTRATIVE REVIEW

**Notice of application:**

The submitted application was deemed complete by Community Development Services on April 24, 2008. A Notice of Application was issued on May 12, 2008. This notice was mailed to government agencies, adjacent property owners, and the applicant.

**Posting of Site:**

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 and is included as part of the record.

**Written Testimony:**

Written comments were solicited as part of the Notice of Application. The final date to submit comments was May 27, 2008 by 5:00pm. Written comments were received and are included in your packets for review.

**State Environmental Policy Act:**

Based on the comment period and other information submitted with this project permit application, a Determination of Nonsignificance (DNS) was issued by Community Development Services on January 16, 2009.

**Recommended Conditions of Approval:**

Based upon comments received during the public comment period, Community Development Services recommends consideration and adoption by the Board of Adjustment. The following conditions should apply to this Conditional Use Permit. The Board of Adjustment may impose further conditions as needed.

1. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of the Conditional Use Permit.
2. Private Road Improvements: Secret Canyon Road shall be constructed to meet or exceed the conditions of a Low-Density Private Road. The entire roadway width, not including shoulders, must be constructed in the same material. The roadway will need to have either a 20’ gravel surface or the existing surface widened to 20’. See Kittitas County Road Standards, 9/6/05 edition.
  - Access easements shall be a minimum of 60’ wide. The roadway shall have a minimum width of 20’, with 1’ shoulders, for a total width of 22’.
  - Minimum centerline radius will be 60’.
  - The surface requirement is for a minimum gravel surface depth of 6”.
  - Maximum grade is 12%.
  - Stopping site distance, reference AASHTO.
  - Entering site distance, reference AASHTO.
  - Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
  - Any further subdivision or lots to be served by proposed access may result in further access requirements.

- All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
  - All easements shall provide for AASHTO radius at the intersection of county road.
  - A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right of way.
3. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way easement diameter of at least 110 feet shall be constructed on the subject property. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2006 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
  4. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
  5. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
  6. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
  7. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
  8. In accordance with the Wildland Urban Interface Code inspection report dated February 8, 2008 the following shall apply:
    - a. All propane tanks shall be placed within the defensible space.
    - b. The applicant shall provide a vegetation maintenance plan for defensible areas.
    - c. The applicant shall provide a defensible space plan for 100-feet around structures, no trees within 10-feet of structures, all trees within defensible area to be limbed and a minimum of 10-feet apart with all underbrush to be removed and maintained.
  9. The applicant shall comply with all International Fire Code requirements for require fire flow protection. Development plans must be reviewed and approved by the Kittitas County Fire Marshal.
  10. All new structures shall have fire sprinkler and alarm systems installed in accordance with the International Fire Code. Fire sprinkler and alarm plans must be reviewed and approved by the Kittitas County Fire Marshal.
  11. Any water provided to the public for consumption must originate from a drinking water source that is approved by Kittitas County Environmental Health. If the applicant wishes to serve greater than 25 people for more than 60 days the water system would need to be approved as a Group-A Transient Non-Community system and must be licensed and approved by the Washington Department of Health.
  12. Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation for more than one-half acre of lawn or noncommercial garden will require a permit from the Department of Ecology.
  13. If the applicant is preparing food or offering concessions on site they must apply and receive a food service permit which includes an inspection review and pre-open inspections by Kittitas County Environmental Health Department.

14. In order for a bathhouse to be permitted and constructed a site evaluation must be done to determine septic availability. An average daily flow must be determined (based on EPA Manual Flows) by a licensed septic designer and Environmental Health staff. A septic design must be submitted by a licensed designer and approved by Environmental Health staff.
15. The applicant must maintain regular garbage collection service and proper storage of solid waste. Solid waste must be stored off of the ground, and covered to prevent exposure to the elements and animals and to prevent harboring of insects and vectors.
16. The applicant shall provide Kittitas County CDS and the Department of Ecology with a detailed site plan drawn to scale that shows the size of all proposed structures and their proximity to Caribou Creek.
17. In accordance with recommendations in the Cultural Resources Survey, the applicant shall provide an archaeological monitor during construction of the site. An archaeological monitoring plan shall be prepared and reviewed by the Washington Department of Archaeology & Historic Preservation and the Yakama Nation Cultural Resource Manager.

### **III. SUGGESTED FINDINGS OF FACT**

This matter having come before the Kittitas County Board of Adjustment upon the above referenced Conditional Use Application of Dennis and Phyllis Laukala, the Board of Adjustment makes the following Findings of Facts, Conclusions of Law and Decision related to the above referenced matter:

1. The Board of Adjustment finds that Dennis and Phyllis Laukala, landowners, submitted a complete application for a Conditional Use Application to operate a "Private Campground" known as Caribou Creek Corral in the Forest & Range zone. The private campground will be a horse camp for youth in a wilderness setting. Programs include horsemanship skills, trail rides, arts and crafts, leave no trace camping, survival skills and bible studies. The camp is intended to be small with 12 to 18 campers at a time for one-week long programs, with a staff ratio not to exceed 1 to 5 campers. The camp will operate during the 8 to 10 week of summer vacation, approximately June to August.
2. The site is located at Elkhorn Ranch, lots 17, 18 and 19 in the vicinity of 8190 Secret Canyon Road, Ellensburg, WA, in a portion of Section 35, T19N R20E W.M. in Kittitas County, Washington. Map numbers 19-20-35000-0009, 0010 & 0011.
3. The Board of Adjustment finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on May 12, 2008 with a comment period ending on May 28, 2008 at 5:00 p.m. The Board of Adjustment finds further that said notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.
4. The Board of Adjustment finds that in accordance with KCC 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 staff planner and is included as part of the record.
5. The Board of Adjustment finds that written comments were solicited and the final date to submit written comments was on May 28, 2008 by 5:00pm. Written comments were received and included in the record for consideration.

6. The Board of Adjustment finds that Community Development Services on January 16, 2009 issued a SEPA Determination of Non-significance (DNS). The Board finds that the notice of said determination was provided to all required parties of record pursuant to 43.21C RCW and that said notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.
7. The Board of Adjustment finds that an open record hearing was held on February 11, 2009 and that testimony was taken from those persons present who wished to be heard. The Board of Adjustment also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed project.
8. The Board of Adjustment finds that the Comprehensive Plan's Land Use element designates the subject parcel as Rural.
9. The Board of Adjustment finds that the proposed campground is located within the Forest & Range Zone. Pursuant to KCC 17.56.010, the purpose and intent of the Forest & Range zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged.
10. The Board of Adjustment finds that KCC 17.56.130 (35): "Private Campgrounds" are a listed conditional use in the Forest & Range zone. In considering proposals for location of such campgrounds, the Board of Adjustment shall consider the following criteria:
  - a) Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances.
  - b) Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
  - c) Landscaping or appropriate screening should be required and maintained where necessary for buffering.
  - d) Adequate and convenient vehicular access, circulation and parking should be provided.
  - e) Economic and environmental feasibility;
  - f) Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
11. An administrative critical area site analysis was completed by staff in compliance with Title 17A: Critical Areas. Several streams were identified on the subject property.
12. The subject property is zoned Forest & Range. The surrounding properties to the north, south, east and west are zoned Forest & Range.
13. The Board of Adjustment finds that the proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, safety, or to the character of the surrounding neighborhood.
14. The Board of Adjustment finds that The Conditional Use Permit is subject to the conditions set forth in KCC 17.60 (Conditional Uses) and that 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:
  1. It will be adequately serviced by existing facilities or;
  2. The applicant shall provide such facilities and;
  3. The applicant has demonstrated that the proposed use will be of sufficient economic benefit

to offset additional public costs or economic detriment.

15. The Board of Adjustment finds that the proposed development **has/has not** met the requirements of KCC. 17.60.010 (as listed in items 12 and 13 of the conditions).
16. Additional conditions **are/are not** necessary to protect the public's interest.
17. Recommended Conditions of Approval: Based upon comments received during the public comment period, Community Development Services recommends consideration and adoption by the Board of Adjustment. The following conditions should apply to this Conditional Use Permit. The Board of Adjustment may impose further conditions as needed.
  1. **Private Road Certification**: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of the Conditional Use Permit.
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