

## Kittitas County Planning Department

Room 182, Courthouse • Ellensburg, WA 98926 • (509) 962-7506

August 23, 1996

Guy Couture, P.E.  
Dept. of Transportation  
P.O. Box 12560  
Yakima, WA 98909-2560

Dear Mr. Couture,

I have formally reviewed your August 16, 1996 and July 15, 1996 requests regarding Kittitas County Conditional Use Permit C-93-18. I have further reviewed the complete file for this Conditional Use to operate a temporary asphalt and or concrete batch plant on an existing quarry site within a portion of Section 24, T. 15N., R. 19E., W.M.


The application materials are not explicit regarding the duration and frequency of the batch plant operation on site. The July 7, 1993 cover letter to the application merely states "Production and processing of mineral aggregates requires that temporary crushers and asphalt and concrete plants be placed and set up in the site." It is apparent from the staff report that the staff planner assumed the batch plant to be placed only during one 2-year period and no more. The minutes of the hearing indicate the 2-year period was verbalized by the staff person. In addition, Rodney Johnson, DOT representative, stated he "concurred with the staff report." A discussion of possible use of the site through 1995 occurred between staff and Mr. Johnson during the hearing by the Board of Adjustment.

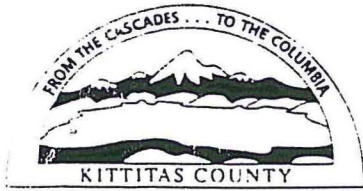
The Conditional Use Permit is not specific to the point of duration, however, other than that a batch plant be temporary. Conditions of approval do not spell this issue out either. In this case, I must give the applicant the benefit of the doubt. You have stated that "It was our intent and belief that this permit was permanent and valid any time a temporary processing plant was to be set up on the site for any future highway project and completion date for the use of the site as the year 2030." Therefore, based on my review of all materials, administratively I have determined that the Conditional Use permit issued by the Board of Adjustment (under file C-93-18) would be applicable to intermittent temporary use through the life of the quarry site, 2030.

This statement applies only to compliance with the Kittitas County Zoning Code, Title 17, as of today's date. There may be other local, state and federal approval processes required for future operation of an asphalt or concrete batch plant at this site.

Please contact myself with any additional questions or concerns you may have regarding the above matters.

Sincerely,  
KITTTITAS COUNTY PLANNING DEPARTMENT

  
Debbie Randall, Interim Planning Director



## Kittitas County Planning Department

Room 182. Courthouse • Ellensburg, WA 98926 • (509) 962-7506

July 18, 1996

Richard L. Larson, P.E.  
Regional Administrator, District #5  
Washington State Department of Transportation  
P.O. Box 12560  
Yakima, WA 98909-2560

RE: Quarry Site QS-S-234

Dear Mr. Larson,

The Kittitas County Planning Department is in receipt of your July 15, 1996, letter regarding QS-S-234 and is responding to the WSDOT intentions to utilize this site for construction purposes in the fall of 1996 and into 1997. As the staff planner who processed application number C-93-18 in September of 1993, I am familiar with the case and the application materials.

The site, QS-S-234, is located in the Forest and Range Zone, Kittitas County Code 17.56. Any asphalt manufacture at QS-S-234 will require a conditional use permit from Kittitas County, as required under Kittitas County Code, Conditional Use Section 17.56.030(I) Asphalt plants (temporary only). In addition, application for any such permit reviewed upon the following Kittitas County Code Sections:

"17.60.010 Review Criteria. The board of adjustment upon receiving a properly filed application or petition, may permit and authorize a conditional use..."

"17.60.020 Conditions. A. In permitting such uses the board of adjustment may impose in addition the regulations specified herein, such conditions as it deems necessary to protect the best interests of the surrounding property or neighborhood or the county as a whole...C. Any change, enlargement or alteration in such use shall require a review by the board of adjustment and new conditions may be imposed where finding requires."

"17.60.030 Application and accompanying data. Written application for the approval of the uses referred to in this chapter shall be filed in the planning commission office upon forms prescribed for that purpose by the commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing conditional use. The board of adjustment may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties."


In the previous action by the Board of Adjustment on October 13, 1993, an application for the

establishment of a temporary asphalt and temporary concrete plant for repairs on Interstate-82. In the staff report of October 1, 1993, to the Board of Adjustment, the proposal is described as, "...to operate a temporary asphalt and temporary concrete plat for repairs to Intestate 82(Project duration is for two years to repair shoulders and panels.)"

Based on the application, staff report and accompanying materials, the Board of Adjustment issued a conditional use permit for concrete and asphalt batch plants. Since no activity occurred on the site related to this permit and the two year period has lapsed a new application, SEPA checklist, Critical Areas Review Sheet and other application materials must be submitted at least 40 days prior to a Board of Adjustment scheduled hearing date.

If you have questions on this process or application materials required. Please contact our office at (509) 962-7506. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Heather L. Trautman". The signature is written in dark ink and is positioned above the printed name.

Heather L. Trautman, Assistant Planner  
Kittitas County Planning Department



**Washington State  
Department of Transportation**

**Sid Morrison**  
Secretary of Transportation

**District 5**  
2809 Rudkin Road, Union Gap  
P.O. Box 12560  
Yakima, WA 98909-2560

(509) 575-2510

July 15, 1996

Kittitas County Planning Dept.  
Attn: Debbie Randall, Interim Planning Director  
205 W. 5th St., Room 182 Courthouse  
Ellensburg, WA 98926-3129



**Subject:** Quarry Site QS-S-234  
SE1/4, Sec 24, T15N, R19E, WM  
Kittitas County Conditional Use Permit (C-93-18)

The WSDOT proposes to utilize QS-S-234 as a material source on an upcoming highway improvement project on I-82 within Kittitas and Yakima Counties. This letter is a response and written explanation to your memo dated June 4, 1996 and our phone conversation where you indicate that the existing County Conditional Use Permit (CUP) (C-93-18) for the site issued on November 13, 1993 has expired and a new CUP would be required.

When the WSDOT establishes material sources for highway construction and maintenance, we expect to be able to utilize these sources on a temporary, intermittent, as needed basis for the mining, production, processing, and stockpiling of materials for long periods of time until the site is depleted. In the early 1980's this site was identified and used as a material source for the construction and paving of Interstate 82. The SEPA DNS for the site was approved on November 8, 1982 and addended on July 7, 1993. The site also has a DNR Reclamation Permit (10054). The DNS indicated an estimated depletion and completion date for use of the site as the year 2030. It was our intention that when we were setting this site up for use on future highway rehabilitation projects and obtained a CUP for a temporary asphalt or concrete plant, that a CUP permit would be permanent and valid any time a temporary processing plant was to be set up on the site for any intermittent future highway project until the site was depleted and closed. It was our understanding that when the CUP was approved and issued on November 13, 1993, that this CUP was permanent, because the permit did not have an expiration date or include conditions restricting the placement of a temporary processing plant for use on a specific project or within a specified time frame.

The proposed 1994 highway rehabilitation project was postponed. This quarry site was not used and a temporary asphalt or concrete plant was not placed. However, this project has been rescheduled for construction starting the fall of 1996 and continuing through next year, 1997.

If you have any questions, contact me, 509-457-7104, or Gary Beeman, SCR Environmental, 509-575-2544 (FAX: 509-575-2561)

Sincerely,

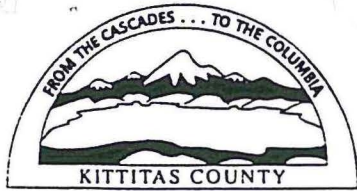
**RICHARD L. LARSON, P.E.**  
Region Administrator

By: **Guy Couture, P.E.**  
SCR Project Development Engineer

GRB

cc: SCR Materials  
SCR Project Development  
SCR Construction

File: SCR Environmental, QS-R-234



## Kittitas County Planning Department

Room 182, Courthouse • Ellensburg, WA 98926 • (509) 962-7506

June 4, 1996

Bill Pickering, Project Development  
Washington Dept. of Transportation  
2809 Rudkin Rd.  
Union Gap, WA 98909-2560

RE: QUARRY SITE QS-S-234

Dear Mr. Pickering,

The QS-S-234 quarry site (a portion of the SE1/4 of Sec. 24, T. 15N., R. 19E., W.M.) is located within the Forest & Range zoning district of Kittitas County. Within the Forest & Range zone, with one exception, mining activities are outright permitted. The exempted use is for asphalt batch plants, which may only be temporary in nature and requires a Conditional Use permit prior to use.

The Conditional Use permit issued to DOT by the Kittitas County Board of Adjustment (C-93-18, dated November 13, 1993) was for a temporary asphalt batch plant at Quarry site QS-S-234. The operation of the asphalt batch plant was for the duration of the maintenance project, 2 years. Thus, the 1993 permit has expired and any future asphalt batch plant on this site would require a new Conditional Use permit.

Enclosed please find the SM-6 form for the Department of Natural Resources use. If you should have any questions or concerns regarding the above matters, please contact the Planning Department.

Sincerely,  
KITTITAS COUNTY PLANNING DEPARTMENT



Debbie Randall, Interim Planning Director