



KITTITAS COUNTY PLANNING DEPARTMENT

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

STAFF REPORT

DATE: October 1st, 1993
TO: Kittitas County Board of Adjustment
FROM: Heather Douglass, County Planning Department
RE: Proposed Conditional Use: DOT Highway 82
Asphalt and Concrete Batch Plants - Temporary
(C-93-18)

I. GENERAL INFORMATION

Proposal The Washington State Department of Transportation (DOT) is applying for a conditional use permit to operate a temporary asphalt and temporary concrete plant for repairs on Interstate 82. (Project duration is for two years to repair shoulders and panels.)

Location This site is located at the summit of North Umptanum Ridge, 7/10 of a mile by private road access off of South bound Highway 82. This is approximately 17.3 miles South of Ellensburg and 9 miles North of Yakima (Section 24, Township 15, Range 19, SE1/4).

II. SITE INFORMATION

Site Characteristics This site lies within arid range lands on an existing Department of Transportation (DOT) mineral aggregate site. Vegetation is limited to bunchgrass and other drought resistant vegetation. The ground cover on site is primarily volcanic and basalt rock. There are no shrubs or trees on site or within the vicinity of the property. There are no surface waters on the site, though there appears to be an intermittent creek bed at the bottom of the ravine to the direct South.

Land Use The site has been and will be used for mineral aggregate extraction and stockpiling for highway construction and maintenance. The property is bound on all sides by private ownership. This land is currently vacant with the exception of a stockpile site noted in site photographs. The neighboring land has been used in the past as private range land. Highway 82 runs through the property. Other neighbors include the Yakima U.S. Military Training Center property to the far North and the Highway 82 Rest Areas several miles to the South.

III. POLICY AND REGULATORY REQUIREMENTS

Comprehensive Plan The site is designated Open Rangeland Use in the Kittitas County Comprehensive Plan:

Rangeland is a fragile land category in terms of withstanding intensive or regular activity. Arid lands support distinct and unique forms of wildlife and plant communities. Because of shallow rocky soils, it has a low tolerance for most encroachments by man. Arid lands and plant cover survive in a sensitive balance. They are slow to recover disturbances such as clearing, diggings, intensive bike or vehicle use, ect.

Grazing of livestock on range lands is an integral part of the economy if Kittitas County and may be the optimum use of such lands. Good management practices are encouraged.

Except for the occasional speculative subdivisions, there is little in the way of change or issues affecting this land classification. the objective of the Plan, therefore, is to follow a policy of encouraging low intensity uses and activities on range lands. Where heavier land uses can be supported, such uses might be allowed following environmental review.

Zoning Code The site is located within the Forest and Range (F&R) Zone of the Kittitas County Zoning Code. The purpose and intent of the Forest and 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 use and activities incompatible with resource management are discouraged." "Asphalt Plants (temporary only)" is listed as a conditional use in the Forest and Range Zone (17.56.030 I.), and a Concrete Batch Plant (temporary only) is a use not listed, yet nearly identical to a permitted use.

The following section of the Zoning code applies to all conditional use applications:

17.60.010 Review Criteria The board of Adjustment, upon receiving a properly filed application or petition, may permit and authorize a conditional use when the following requirements have been met:

A. The board of adjustment shall determine that the proposed use at the proposed location will not be unreasonable detrimental or injurious to the public health, peace, or safety or the character of the surrounding neighborhood.

B. The board of adjustment shall determine that the proposed use at the proposed location will not be unreasonable detrimental tot he 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 exiting facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or (2) that the applicant shall provide such facilities; or (3) demonstrates that the proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.

State Environmental Policy Act The State Department of Transportation (DOT) issued a Addendum to the Determination of Non-Significance (DNS) on July 7th, 1993. The original DNS was issued on November 8, 1982 for the mineral aggregate site for use in extraction, crushing, and storage of aggregate. The DNS has been amended to include the siting and use of an Asphalt and Concrete Batch Plant (temporary only). The lead agency, DOT, has determined that this project does not have a probable significant adverse impact on the environment. There was no appeal to this addendum DNS.

IV. PROJECT ANALYSIS

The proposal complies with the county's goals and policies of the county Comprehensive Plan for Open Range Land Use; it is a natural resource based use, of a temporary nature.

The proposed use of an "Asphalt Plant (temporary only)" is listed as a conditional use for the Forest and Range Zone. In addition a Concrete Batch Plant (temporary only) though not specifically listed is a use identical in intent and use the Asphalt Plant. In considering this application, the Board of Adjustment must be able to make the following findings per 17.60.010 Review criteria:

A. The board of adjustment shall determine that the proposed use at the proposed location will not be unreasonable detrimental or injurious to the public health, peace, or safety or the character of the surrounding neighborhood.

B. The board of adjustment shall determine that the proposed use at the proposed location will not be unreasonable 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 such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or (2) that the applicant shall provide such facilities; or (3) demonstrates that the proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.

The proposed use is an essential part of the two year maintenance project on Highway 82 from the Thrall/Highway 821 exit to the Selah Bridges in Yakima County. This project would entail the replacement of shoulders and panels with a concrete base and asphalt overlay. The site has been used in the past as a mineral aggregate, crushing, and stockpiling site since 1970 and 1971 during the original construction of Highway 82. It has since then been used only once for mineral aggregate, crushing, and stockpiling in 1982. No conditional use permits have been obtained in the past from the Kittitas County Planning Department in relation to this site. The proponent has been in compliance with these uses at the North Umptanum site with the appropriate state agencies.

The site is directly adjacent to Highway 82, and an essential local transportation route to Yakima County. The surrounding property is vacant of structures, with the exception of a deserted line shack, and has only been used in recent years as grazing land. Activity is hidden from view by the location of the site on the downward West slope of North Umptanum Ridge. This effectively hides the activity, and some noise from Highway 82, the rest areas to the South, or the Yakima U.S. Military Training Center to the North. From the site visit, I see no use compatibility problems that will need addressing based on the addition of the temporary asphalt and concrete batch plants.

The proposed use of the temporary asphalt and concrete batch plant will not be a detriment to the economic welfare and will not create excessive public costs. Adequate services for the project will be provided by DOT or their subcontractor.

An Addendum SEPA DNS was made by the DOT, without known appeal on July 7, 1993. There was no known appeal to the conditional use permit by referral agencies.

V. **RECOMMENDATION**

The Planning Department recommends **approval** of the temporary asphalt and concrete batch plants conditional use permit if the following conditions can be met by the applicant. If these conditions are met, the applicant will meet the criteria set forth in the Zoning Code for all conditional uses.

CONDITION:

1. Compliance with all applicable local and state agency permitting processes before production of asphalt or concrete from the proposed batch plants begin.

VI. **PROPOSED FINDINGS OF FACT**

1. The proposal complies with the County's goals and policies of the County Comprehensive Plan for Open Range Land Use.

2. The proposed use of ~~and~~ "Asphalt plant (temporary only)" is explicitly listed as a conditional use of the Forest and Range Zone.

3. The proposed use of a Concrete batch plant (temporary only) is a use not listed, yet is nearly identical to a permitted use in the Forest and Range Zone, so therefore can be considered permissible in the Forest and Range Zone.

4. The State Environmental Policy Act (SEPA) compiled with and an Addendum Determination of Non-Significance was filed on July 7th, 1993 to which there was no known appeal.

5. The Board of Adjustments has determined that the proposed temporary asphalt and concrete batch plant is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or the character of the surrounding neighborhood.

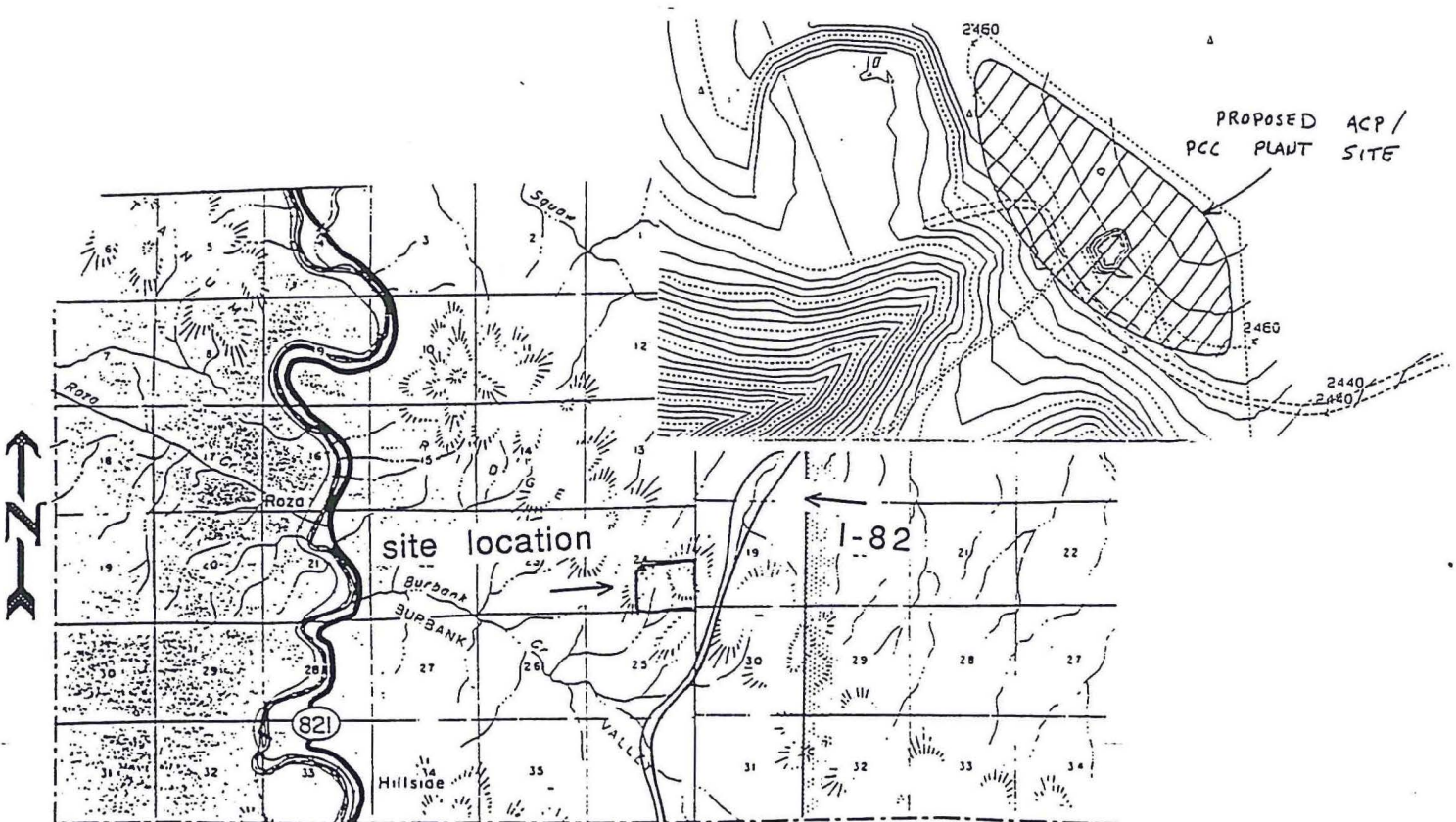
6. The Board of Adjustments has determined that the proposed temporary asphalt and concrete batch plants at the North Umptanum Ridge will not be unreasonable detrimental to the economic welfare of the county's and that it will not create excessive public costs for facilities and services by finding that it will be adequately serviced by existing facilities or that the Washington State Department of Transportation shall provide such facilities.

NOTICE

IN ACCORDANCE WITH THE LAWS OF THE STATE OF WASHINGTON AND THE PROVISIONS OF THE KITTITAS COUNTY CODE CHAPTERS 16 AND 17 NOTICE IS HEREBY GIVEN THAT APPLICATION HAS BEEN MADE BY OR ON BEHALF OF WA STATE Department of Transportation FOR THE FOLLOWING ACTION BY AND BEFORE THE KITTITAS COUNTY Board of Adjustment

PROPOSED ACTION AND REASON THEREFORE: A Conditional Use Permit for a temporary asphalt and concrete plant at their quarry site off I-82 south of Ellensburg

LOCATION OF PROPERTY: Forest & Range ZONING DISTRICT, LOT _____, BLOCK _____, SUBDIVISION _____ SECTION 24, TOWNSHIP 15 N., RANGE 19 E., W. M.



AN OFFICIAL HEARING WILL BE HELD BY AND BEFORE THE KITTITAS COUNTY Board of Adjustment County Courthouse

AT 7 P.M. ON Wednesday, October 13, 1993
MARK R. CAREY

M E M O



TO: MARK CAREY, PLANNING DIRECTOR
FROM: WES HILL, P.E., COUNTY ROAD ENGINEER
DATE: September 23, 1993
SUBJECT: DEPARTMENT OF TRANSPORTATION CONDITIONAL USE PERMIT REQUEST (C-93-18)

Agree for Wes

Thank you for the opportunity to review and comment on the above referenced request for a conditional use permit. The request is for operation of a temporary asphalt plant and a concrete plant at an existing rock quarry located approximately 800-feet west of S.R. 82 (M.P. 17.43) in Sect. 24, T. 15 N., R. 19 E., W.M. This Department does not have any comments on this proposal at this time.

Please contact me if there are any questions in regard to this application.