

NOTICE OF APPEAL

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January 27, 2020

Kittitas County Hearings Examiner
Care of Kittitas County Community Development Services
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

RECEIVED
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Kittitas Co: CBS

Subject: January 13, 2020 Notice of SEPA Action
Mitigated Determination of Nonsignificance SE-19-000014
Issue by Kittitas County Community Services
Love's Travel Stops & Country Stores, Inc.

Proponent: Patryk Kowalczyk, Applicant
Nick Wheeler (SJC Alliance), Agent

I am a citizen of Kittitas County living in the Easton area. I have made comments on the SEPA checklist SE-19-00014 for the proposed Love's Travel Stop & Country Store.

I am asking for a review and remand of the SE-19-00014 Loves Travel Stop – SEPA MDNS issued on January 13, 2020 by Kittitas County Community Development services. I believe Kittitas County Community Development Services did not thoroughly review the SEPA Checklist submitted by the proponent and erred when a MDSN was issued. I am asking for an early resolution to this appeal to resolve the issues I am presenting and to allow the proponent to make appropriate future financial decisions.

The parcel on which the proponent and agent for Love's Travel Stop & Country Store have proposed development consists of 16.51 acres, is in a Type3 LAMRID and is Zoned General Commercial as recorded in the Kittitas County Assessor's office and displayed on the official Land Use and Zoning maps for Kittitas County.

For the following reasons I believe an error occurred during the SEPA review process.

The MDNS Description ignores the Type 3 LAMRID designation of parcel # 778834 on which the proposal is to be constructed.

Kittitas County Code 17.15.070 Allowed Uses in Rural LAMRID Lands, limits allowed uses in Type 3 LAMRIDS to 30,000 square feet and limits impervious surfaces on lots larger than one acre to 1/3 of the lot. The SEPA Checklist submitted by the proponent on Page 3, B Environmental Elements g. indicates "Approximately 74% of the site will be covered with impervious surfaces after project completion." The proposed 74% impervious surface of 16.51 acres would be 12.2174 acres while the

maximum impervious area allowed by 17.15.070 would be 5.4483 acres. The proposed building area .74 acre (32,234.4 sq. ft.) as described on page 167 of the Preliminary Stormwater Plan alone would exceed the 30,000 square foot limitation in 17.15.070. (See attached Developed Basin Map)

The proponent answered the SEPA Checklist question 8.e. and f., on page 8, Land and Shoreline Use with incorrect or incomplete information. As Stated in the previous paragraph the parcel on which the project is proposed is within a Type 3 LAMRID. The proponent did not clearly identify the correct LAMRID type.

On page 8 of the SEPA Checklist Section 8. L. Land and Shoreline Use, the proponent does not address the existing land use designation or Allowed Land Uses in a Type 3 LAMRID Zoned General Commercial. Again the application of **Kittitas County Code 17.15.070** should have been considered when answering this question. Additionally **17.15.070.1** Allowed use Retail Sales is governed by **17.15.070.2 note 48**, which restricts space for retail use to 4,000 square feet and restricts activities to a wholly enclosed building.

The proposed Fuel and Service components are not allowed uses as stated in **17.15.070.1** Vehicle /equipment service and repair that is governed by **17.15.070.2 note 11.**, “Permitted when conducted wholly within an enclosed building”. The restrictions imposed here would effectively eliminate the possibility for proposed fuel and gas operations.

WAC 365-196-426.6.c.iii and RCW 36.70A.070 (5) (d) iii, Limit Type 3 LAMRID uses to isolated small-scale business and cottage industries. Love’s Travel Stops and Country Stores is a national company with 500 locations and 25,000 employees. That information would not describe a small-scale business.

Attachments:

SEPA Environmental Checklist SE-19-00014

Kittitas County Notice of SEPA Action, SE-19-00014 Loves Travel Stop- SEPA MDNS

Kittitas County Code 17.15.070

Kittitas County Code 17.15.070.1

Kittitas County Code 17.15.070.2

WAC 365-196-425.6c.iii

RCW 36.70A.070 (5) (d) (iii)

Kittitas County Property Report Parcel # 778834 Map Number 20-13-02030-0009

Land Use and Zoning Map for Parcel # 778834 submitted by proponent

Page 167 of Preliminary Stormwater Plan (Developed Basin Map prepared by SC

J Alliance and submitted by proponent)

Love’s Family of Companies Information

SE-19-00014



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships - Building Communities"

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.


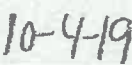
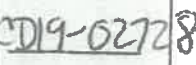
APPLICATION FEES:

- \$600.00 Kittitas County Community Development Services (KCCDS)**
- \$250.00 Kittitas County Department of Public Works**
- \$430.00 Kittitas County Public Health

\$1,280.00 Total fees due for this application (One check made payable to KCCDS)

** Note: KCCDS and PW fees are waived if project is a VSP sponsored fish enhancement project

FOR STAFF USE ONLY

Application Received by (CDS Staff Signature): 	DATE: 	RECEIPT#  <div data-bbox="1177 1564 1469 1921" style="border: 2px solid black; padding: 5px; text-align: center;"> <p>RECEIVED</p> <p>OC 04 2019</p> <p>Kittitas County CDS</p> <p>D</p> <p>DATE STAMP IN BOX</p> </div>
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A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

Easton, WA Love's Travel Stop.

2. Name of applicant: [\[help\]](#)

Love's Travel Stops & Country Stores, Inc.

3. Address and phone number of applicant and contact person: [\[help\]](#)

*Patryk Kowalczyk, 10601 N Pennsylvania, Oklahoma City, OK 73120
Phone: 206.470.9368*

4. Date checklist prepared: [\[help\]](#)

September 20, 2019

5. Agency requesting checklist: [\[help\]](#)

Kittitas County

6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)

Begin construction Summer 2020, completion in Spring 2021.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

None at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

Geotechnical Report has been prepared by TERRACON.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

None known.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

Kittitas County Building Permit, Fuel Tank Placement Permit

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

Proposal includes construction of a Travel Stop facility including a convenience store with fast food restaurant & drive-thru, truck fuel canopy, auto fuel canopy, truck parking area, auto parking area, and truck tire shop on an 16.67 acres adjacent to W Sparks Road.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

SE 1/4 of SW 1/4, Section 2, Township 20N, Range 13E, Kittitas County Tax Parcel No. 778834

3. Water [\[help\]](#)

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)

Lake Easton is located approximately 1,200 feet to the southwest and Silver Creek is located approximately 1,400 feet east of the subject site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)

No work is proposed over, in, or adjacent to the described water bodies.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

No fill or dredge material will be placed in or removed from surface water or wetlands.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No surface water withdrawals or diversions are proposed.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)

No, according to FEMA Community Panel No. 53009500226B, the site is located within Zone "C", and area of minimal flooding.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

No waste materials will be discharged to surface waters.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No, the proposed project will be connected to the Easton Water District's water system.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

Sanitary sewage will be treated and discharged into the ground through a Large On-Site Sewer (LOSS) system to serve the travel stop facility.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

Stormwater runoff will be collected, treated, and infiltrated on-site.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

Sanitary refuse will be collected and stored in covered trash receptacles/dumpsters before removal by a refuse service to prevent waste materials from entering ground or surface waters.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)

No, stormwater will be collected and infiltrated on-site. Existing drainage patterns will not be affected.

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

Stormwater will be collected, treated, and infiltrated on-site. No run-on from adjacent parcels currently exists and no off-site stormwater discharge is proposed.

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)

- deciduous tree: alder, maple, aspen, other
 evergreen tree: fir, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 Orchards, vineyards or other permanent crops.
 wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

Approximately 15 acres of trees, grass, and brush will be removed.

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

Per U.S. Fish & Wildlife IPaC mapping, no threatened or endangered plant species are known to be on or near the project site.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

Landscaping consisting of drought and freeze tolerant grasses, shrubs, and trees is proposed.

- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)

Per Early Detection & Distribution System (EDDSmaps) mapping, Rush Skeletonweed is known to be near the site, adjacent to I-90.

5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)

Per U.S. Fish & Wildlife IPaC mapping, Canada Lynx, Gray Wolf, North American Wolverine, Marbled Murrelet, Northern Spotted Owl, and Yellow-billed Cuckoo are known to be on or near the site.

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)

Yes, the site is located within the Pacific Flyway.

- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

None proposed.

- e. List any invasive animal species known to be on or near the site. [\[help\]](#)

None known.

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)

Electricity and propane will be used to meet energy needs. Propane will be used for heating/cooking and electricity will be utilized for lighting and general energy uses.

- b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe. [\[help\]](#)

It is unlikely that the proposed project will affect the use of solar energy by adjacent properties. The project's structures will be situated in a manner that does not block incoming sunlight to any neighboring parcels.

- c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

Energy conservation features include LED lighting, energy efficient central HVAC, insulated buildings, energy efficient windows and insulated doors.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [\[help\]](#)

The proposed Travel Stop will offer gasoline and diesel fuel for sale, the tire shop will offer truck tires for sale and lube/oil services for trucks.

- 1) Describe any known or possible contamination at the site from present or past uses. [\[help\]](#)

No contamination is known to exist on the site. A query of the Washington State Department of Ecology What's In My Neighborhood map was performed.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and

design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#)
None known or identified by a query of the National Pipeline Mapping System public viewer map.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)

Fuel and oil will be used for equipment during construction. At completion, gasoline, diesel fuel, motor oil, and truck tires will be stored and available for sale.

- 4) Describe special emergency services that might be required. [\[help\]](#)

No special emergency service requirements are anticipated.

- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)

Fuel and oil will be stored in designated tanks or approved containers. Tires will be stored inside the tire shop or outdoor covered storage pen. Stormwater from under the fuel canopies and the tire shop floor drains will be routed through an oil/water separator to prevent contamination.

b. Noise [\[help\]](#)

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

Noise exists from the nearby airport and vehicular traffic in the area but is not anticipated to affect the proposed project.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)

Short-term noise will be created during daytime hours by trucks and equipment during construction. Long-term noise will be created during daytime and nighttime hours from trucks and autos entering and exiting the completed Travel Stop facility.

- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Construction work will be limited to normal daytime working hours, equipment will be equipped with functional muffled exhaust systems and not allowed to idle for extended periods of time.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

The site is currently vacant and undeveloped. The neighboring uses are vacant/undeveloped land to the north, residential to the east, and Interstate 90 is located to the southwest.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

The site has been used as forest land or open space. It is unknown what level of working forest land activity has historically occurred.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#)

No, the proposed project will not affect or be affected by surrounding working farm or forest land operations. Access to the site will be created from the existing road and will not be restrictive to passing trucks or equipment.

- c. Describe any structures on the site. [\[help\]](#)

There are no structures on the site.

d. Will any structures be demolished? If so, what? [\[help\]](#)

No structures will be demolished, the site is vacant.

* e. What is the current zoning classification of the site? [\[help\]](#)

The zoning is General Commercial under the Easton LAMIRD classification.

* f. What is the current comprehensive plan designation of the site? [\[help\]](#)

The current comprehensive plan designation is General Commercial LAMIRD.

g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

Not applicable.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

No, the site is not classified as a critical area.

i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

Approximately 50 people will work in the completed project, no residences will be provided by the project.

j. Approximately how many people would the completed project displace? [\[help\]](#)

No people will be displaced by the project, the site is currently vacant.

k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

None proposed.

* l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

The project is a commercial use compatible with existing zoning and proposed zoning in the comprehensive plan. The project will be designed to meet or exceed Kittitas County requirements for construction and projected land uses specified in current zoning maps, current comprehensive plan, and development code.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

None proposed.

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

No housing units will be provided.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

No housing units will be eliminated.

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

None proposed.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

The tallest height of any proposed structures is approximately 26 feet; the principal exterior building materials proposed are brick veneer and painted exterior wall panels.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

No views in the immediate vicinity will be altered or obstructed. The site is off the road and no construction will occur that shall block any landmarks or visual attractions of significance.

- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

The project will be designed to comply with Kittitas County building and development code. Landscaping will be installed to provide aesthetic qualities to the completed project.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

Light will be produced from parking lot, pathway, and exterior building illumination as well as light from vehicles, primarily during evening hours. Glare will be produced by reflection from exterior windows and glass doors.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

It is unlikely that light or glare from the finished project will create a safety hazard and is not anticipated to interfere with views.

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

Off-site sources of light and glare exist from passing vehicles but are not anticipated to affect the proposed project.

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

Exterior illumination will be shielded to limit light projection beyond the boundaries of the subject site. Lighting will be controlled by timers or photocell to operate during evening/dark hours.

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

Lake Easton and Lake Easton State Park are formal recreational opportunities, as well as vast natural/wooded areas for informal hiking, biking, and winter sports activities during snow season.

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

The project may displace informal recreational activities such as hiking on the subject site. No formal recreational activities will be adversely impacted by the proposed project.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

None proposed.

13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

[\[help\]](#)

No, per the Washington Information System for Architectural and Archaeological Records Data (WISAARD), there are no buildings, structures, or sites located on or near the site listed in or eligible for listing in preservation registers.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

There are no known landmarks features, or other evidence of Indian or historic use or occupation. According to WISAARD mapping, the site is located in an area of significance to the Yakima Tribe, Nez Perce Tribe, Wanapum Band, Colville Confederated Tribes, and Snoqualmie Samish.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

A query of the Washington Information System for Architectural and Archaeological Records Data (WISAARD) online mapping was performed.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

If resources are discovered during grading or construction activities, operations will cease until a qualified archaeologist evaluates the situation and outlines a course of action.

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

The site is accessed from W Sparks Road. It is serviced by Lake Easton Road and Interstate 90. A new driveway access will be constructed from W Sparks Road near the Lake Easton Road intersection.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

The area is served by HopeSource Transportation which requires scheduled rides. There are no circulating daily routes serving the Easton area specifically.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

The completed project will have 106 additional truck parking stalls and 80 additional passenger vehicle parking stalls. No parking stalls will be eliminated by the project.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#) _____

No improvements to existing roads and streets are proposed.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

The project will not use or occur in the immediate vicinity of water or rail transportation. The Easton State Airport is located to the north of the project site but is a small facility and not likely to be used for large scale air transportation.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

The total new trips at the interchange and project are 8,560. Peak volumes will occur in the PM peak hour. This data was provided by the 10th edition of the Institute of Traffic Engineers (ITE) Trip Generation Manual.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

The proposal is not anticipated to interfere with, affect, or be affected by the movement of agricultural and forest products in the area.

h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

Frontage improvements will be constructed along the project site directly fronting W Sparks Road and a new driveway access will be constructed to enter the site from the W Sparks Road/Lake Easton Road intersection.

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

The project will result in a nominal increase to fire protection, police protection, and healthcare. No special services are anticipated.

b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

None proposed.

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site: [\[help\]](#)

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

Water - Easton Water District Phone - CenturyLink
Sewer - Private On Site Sewer System Refuse Service - Waste Management Northwest
Power - Kittitas PUD

C. Signature [\[help\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee Nick Wheeler

Position and Agency/Organization Project Coordinator/SCJ Alliance

Date Submitted: 09/20/2019

D. supplemental sheet for nonproject actions [\[help\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth [\[help\]](#)

a. General description of the site: [\[help\]](#)

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

Approximately 5%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)

According to the USDA NRCS Web Soil Survey, the site is mapped to contain Kladnick ashy sandy loam. Kladnick ashy sandy loam is not considered prime farmland, is classified as Hydrologic Soil Group A and not rated as hydric soil.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

Approximately 13,000 CY of material will be cut and approximately 33,000 CY of structural fill will be imported to the site. Fill will be sourced from a local WSDOT approved borrow pit.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

Erosion is always a possibility during construction. Construction BMPs will be used to minimize erosion during grading and construction activities.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

Approximately 74% of the site will be covered with impervious surfaces after project construction.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

Construction BMPs such as silt fencing, stabilized construction entrance, and covering exposed soils will be used. BMPs will be updated as needed.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

Emissions to the air during construction may occur from equipment exhaust and dust. Once completed, emissions will occur from vehicles entering and exiting the Travel Stop.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

None known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

Construction equipment will not be left idling for long periods of time, dust will be controlled with water during dry periods.



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

"Building Partnerships – Building Communities"

NOTICE OF SEPA ACTION

To: Applicable Agencies
Parties of Record
Applicant

From: Lindsey Ozbolt, Planning Official

Date: January 13, 2020

Subject: SE-19-00014 Loves Travel Stop – SEPA MDNS

NOTICE IS HEREBY given that pursuant to WAC 197-11-340 and 43.21C RCW, Kittitas County Community Development Services did on January 13, 2020 issue a Mitigated Determination of Non-Significance (MDNS) on the proposed Love's Travel Stop Facility submitted by Love's Travel Stops & Country Stores, Inc. The proposal is to construct the travel stop facility which includes a convenience store, fast food restaurant with drive-thru, truck fuel canopy, auto fuel canopy, truck parking area, auto parking area, and tire shop. Tax parcel 778834, located approximately 10 miles Northwest of the City of Cle Elum on the north side I-90 in the SE 1/4 of SW 1/4, Section 2, Township 20N, Range 13E, in Kittitas County, bearing Assessor's map number 20-13-02030-0009.

The lead agency for this proposal has determined that the proposal will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (c) and WAC 197-11. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency, after considering voluntary mitigation measures which the lead agency or the applicant will implement as part of the proposal, and after considering mitigation measures required by existing laws and regulations that will be implemented by the applicant as part of the Kittitas County permit process. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. The complete application file is available to the public on request or may be viewed at Kittitas County Community Development Services at 411 North Ruby St, Suite 2 Ellensburg, WA 98926, or on the county website. <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> (Miscellaneous SEPA Applications, file number SE-19-00014).

Any action to set aside, enjoin, review, or otherwise challenge such action on the grounds of non-compliance with the provisions of Chapter 43.21C RCW (State Environmental Policy Act) and pursuant to Chapter 15A.07.010 KCC, may be appealed by submitting specific factual objections in writing with a fee of \$1560.00 to Kittitas County Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00pm, January 28, 2020.

Direct question regarding this proposal to:

Planning Official: Lindsey Ozbolt
411 N. Ruby St. Suite 2
Ellensburg, WA. 98926
509-962-7506
lindsey.ozbolt@co.kittitas.wa.us



State Environmental Policy Act
MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description: Love's Travel Stops & Country Stores, Inc. is proposing the construction of travel stop facility which includes a convenience store, fast food restaurant with drive-thru, truck fuel canopy, auto fuel canopy, truck parking area, auto parking area, and tire shop. The project is proposed on a site that is zoned General Commercial. The proposal is classified under Kittitas County Code (KCC) 17.15.070.1 as "retail sales general," and "vehicle/equipment service and repair." As proposed, these are permitted outright uses in the existing zone and land use designation.

Proponent: Patryk Kowalczyk, Applicant
Nick Wheeler (SCJ Alliance), Agent

Location: 1 parcel, located approximately 10 miles Northwest of the City of Cle Elum on the north side I-90 in the SE 1/4 of SW 1/4, Section 2, Township 20N, Range 13E, in Kittitas County, bearing Assessor's map number 20-13-02030-0009, tax parcel number 778834.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that the proposal will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (c) and WAC 197-11. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency, after considering voluntary mitigation measures which the lead agency or the applicant will implement as part of the proposal, and after considering mitigation measures required by existing laws and regulations that will be implemented by the applicant as part of the Kittitas County permit process. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public on request.

The lead agency has determined that certain mitigation measures are necessary in order to issue a Mitigated Determination of Non-Significance (MDNS) for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures include the following:

Earth

- 1) A fill and grade permit is required pursuant to Kittitas County Code 14.05.050

Cultural Resources and Historic Preservation

- 1) Should ground disturbing or other activities related to the proposed plat 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 DAHP. Work shall remain suspended until the find is 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.

Light and Aesthetics

- 1) All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby properties and roads.
- 2) Any signage for the proposed use will require a sign permit as per KCC 17.70 and may not be located in State or County right-of-way.
- 3) All outdoor advertising or motorist signing shall comply with state criteria. It is the applicant's responsibility to contact Trevor McCain of the WSDOT Headquarters Traffic Office at 360-705-7282 for requirements.
- 4) A landscaping plan shall be provided to Kittitas County CDS for review and approval prior to issuance of the first building permit. This plan shall include vegetative buffer/vegetative barrier on the east side of the property to decrease noise impacts to the neighboring residences. Additionally, the subject property is located adjacent to Interstate 90 with a federally-designated National Scenic Byway known as the Mountains to Sound Greenway. The landscaping plan shall provide a buffer of conifer trees along the southwest property line that is adjacent to Interstate 90. Final approval of any and all building permits will not be granted until verification that the approved landscaping has been installed in conformance with the County approved landscaping plan.
- 5) All required landscaping shall be permanently maintained in a healthy growing condition by the property owner or the property owner's designee. The property owner shall remove and, if required to meet the County approved landscaping plan, shall replace any unhealthy or dead plant material immediately or as the planting season permits.

Utilities

- 1) Installation of new underground storage tanks must meet the requirements of the state underground storage tank regulations (WAC 173-360A). It is the applicant's responsibility to contact the Department of Ecology for requirements.

Noise

- 2) Development and construction practices during building of this project shall only occur between the hours of 7:00 am to 7:00 pm to minimize the effect of construction noise on nearby properties.

Air

- 1) A dust control plan shall be developed and implemented during construction of the project.
- 2) During construction, reduction of construction caused dust and airborne contaminants shall be reduced through the use of water or other Department of Ecology approved methods.

7.15.070 Allowed Uses in Rural LAMIRD Lands

Note to Reader: All allowed uses within Type 3 LAMIRDs, other than manufacturing, outdoor recreation, and natural resource processing will be limited to 30,000 square feet in area, and that impervious surfaces on lots greater than one acre in size are limited to one third (1/3) of the lot.

17.15.070.1 Rural LAMIRD Use Table

Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Rural LAMIRD49 (Type 1 LAMIRDs)										Rural Employment Centers50,52 (Type 3 LAMIRDs)			
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Food & Beverage	Professional	Limit Commercial	General Commercial	Highway Commercial	Light Industrial

*See KCC Chapter 17.08 Definitions

A. Agriculture

Animal boarding*	CU 1	P	P	P	P				P		P			
Agriculture processing*				P 2	P/CU 4		P/C U 4	P/C U 4	CU		P/CU 4	P/CU 4	P/CU 4	P/C U 4
Agriculture	CU 1		P	P 5			P 4	P 4	P 5					P 4

producti
on*

Agricultu
re sales,*
Farm
stand*

P 7 P P
/AC

P P P

Agricultu
re sales

CU

Feedlot*

Grazing*

P P P P P P P P P P P P

Marijuan
a
Processin
g*

ACU ACU
56 56

Marijuan
a
Producti
on*

ACU ACU
56 56

Marijuan
a, retail
sales*

Nurseries CU CU

P P P

CU P P P CU

Riding
academi
es

CU

CU

Small-
scale
event
facility*

U-
Pick/Cut

Operations*

Farm Visit*

Commercial Activities associated with agriculture*

AC

Residential	Residential	Rural	Agriculture	General Commercial	Highway Commercial	Light Industrial	General Industrial	Food & Beverage	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
1	2	5	3										

B. Civil and Cultural

Cemetery

P 9

CU

Clubhouses, and lodges*

CU

P 10

CU

Cultural and education facilities

CU

Libraries

CU

CU

CU

Meeting facilities

Museums and galleries CU CU CU CU CU CU

Religious institutions* CU CU CU CU

Schools, public and private* CU CU CU CU CU CU

Interpretive Center*

Residential 12 Residential 15 Rural 3 Agriculture 3 General Commercial 3 Highway Commercial 3 Light Industrial 1 General Industrial 1 Food & Beverage P Limited Commercial 3 General Commercial 3 Highway Commercial 3 Light Industrial 1

C. Commercial

Auction sales of non-agriculture products P P

Bank PA PA

Bed and breakfast* CU CU CU CU CU CU CU CU CU51 CU51 CU51

Clinic* CU 12 CU CU

Day care facilities*	CU	CU				CU	
Funeral home/mortuary		CU					
Hospital*							
Hospital, animal or Veterinary*		CU			CU	CU	
Hotel/motel		CU	CU		P	CU53	CU53
Office*		PA	PA 13			PA	PA 13
Restaurant		PA	PA		P P	P	P
Retail sales,* general		P 48	P 14		P P 48	P 48	P 14
Retail sales,* lumber and building materials		P 15				P 15	
Retail sales,* vehicles						PA	
Services		P 45	P		P 45	P 45	
Shooting range*		CU 40				CU 40	

Tavern

P

P

P

P

P

Temporary sales office

Vehicle/equipment service and repair*

P 11

P 19

P 18

P 11

P 19

Residential	Residential	Rural	Agriculture	General Commercial	Highway Commercial	Light Industrial	General Industrial	Food & Beverage	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
1	12	5	3										

D. Industrial

Airport*

CU

CU46

Asphalt/Concrete plants

CU47

Explosives, storage or manufacture

CU

CU

CU

Forest product processing* (portable)

P

P

CU

CU

CU

Forest product processing* (permanent)	CU			CU		CU		CU
Freighting and trucking yard or terminal*								
Hazardous waste storage*								CU
Hazardous waste treatment*								
Impound/Towing Yard*								
Junkyard*								
Manufacturing*						P		P
Mini-warehouse	CU 22	P		CU 22	P 22	P 22		P
Refuse disposal/recycle*								

Research
laborator
ies

CU

P

Wastewa
ter
treatmen
t

Warehou
sing and
distributi
on

Wholesal
e
business

CU54 P54

P54

Resid	Resid	Ru	Agric	Gene	High	Ligh	Gen	Fo	P	Limit	Gene	High	Ligh
entia	entia	ral	ultur	ral	way	t	eral	res	U	ed	ral	way	t
l	l2	5	e3	Com	Com	Indu	Indu	t &	D	Com	Com	Com	Indu
				merci	merci	stria	stria	Ra		merci	merci	merci	stria
				al	al	l	l	ng		al	al	al	l
								e					

E.
Recreatio
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Campgro
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C CU
U 21 CU 21
21

CU
21
P
57

CU 21

Golf
courses

C CU
U

CU

Guest
ranch or
guest
farm

C CU
U

CU

Parks and playgrounds* P P P P P P P P P P P P P

Recreation, indoor* P P P 35 P P

Recreation, outdoor* CU CU P 35 CU CU

Recreational vehicle park* P 35

Recreational vehicle storage* P 35

Stadiums

Trails PA PA PA PA PA PA PA PA PA P PA PA PA PA
 A
 Resid entia l 2 Resid entia l 5 Ru ral 3 Agric ultur e 3 Gene ral Com merci al High way Com merci al Ligh t Indu stria l Gen eral Indu stria l Fo res t & Ra ng e P U D Limit ed Com merci al Gene ral Com merci al High way Com merci al Ligh t Indu stria l

F. Residental

Accessory dwelling unit P 24 P 24 P 24 P 24 P 25 P 24

Accessory living quarter	P 36	P 36	P 36	P 36	P 25					P 36	P 36			
Adult family home	P 42	P 42	P 42	P 42	P 42	P 42			P 42	P 42	P 42	P 42	P 42	
Boarding house	CU 37			CU 37						CU 37				
Convalescent home				CU						CU				
Dwelling, single-family	P	P	P	P	P				P	P	P 25	P 25		
Dwelling, two-family	P	P		P	P 25				P	P				
Dwelling, multiple-family	CU									P				
Farm Labor Shelter				CU 26						CU 26				
Group Home Facility*			C	U										
Group Care			C	U						CU				
Home occupation	P/CU 27	P/CU 28	P/C 28	P/CU 28	P/CU 28	P/CU 28	P/C 28	P/C 28	P/ 28	P/ 28	P/CU 28	P/CU 28	P/CU 28	P/C 28

Manufactured home	P	P	P	P	P					P	P	P25	P25		
Manufactured home park	CU58		CU58	P						CU58	P		P		
Mobile homes		P38	P							P					
Special care dwelling	P39	P39	P39	P39	P39						P	P39	P39		
Temporary trailers	P29	P29	P29	P29	P29		P29	P29	P29	P29	P29	P29	P29		P29
	Residential	Residential	Rural	Agricultural	General Commercial	Highway Commercial	Light Industrial	General Industrial	Food & Beverage	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	
G. Resource															
Forestry*			P	P						P					
Forest product sales*										P					
Mining and excavation*													CU		CU

Rock
crushing
*

CU

CU

Resid entia l	Resid entia l 2	Ru ral 5	Agric ultur e 3	Gene ral Com merci al	High way Com merci al	Ligh t Indu stria l	Gen eral Indu stria l	Fo res & Ra ng e	P U D	Limit ed Com merci al	Gene ral Com merci al	High way Com merci al	Ligh t Indu stria l
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H.
Utilities
and
Public
Facilities

Electric vehicle infrastruc ture	P 23	P 23	P 23	P 23	P 23	P 23	P 23	P 23	P 23	P 35	P 23	P 23	P 23	P 23
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Public facilities	PA55	PA55	PA 55	PA55	PA55	PA55	PA5 5, 32	PA5 5	PA 55	P A 55	PA55	PA55	PA55	PA5 5, 32
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Solar Power Producti on Facilities	59	59	59	59	59	59	59	59	59	59	59	59	59	59
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Utilities	P 33 /ACU 33 /CU 33	P 33 /ACU 33 /CU 33	P 33 /A 33 /CU 33 U 33	P 33 /ACU 33 /CU 33	P 33 /ACU 33 /CU 33	P 33 /AC U 33 /CU 33	P 33 /AC U 33 /CU 33	P 33 /A 33 /CU 33 U 33	P 33 /A 33 /CU 33 U 33	P 33 /ACU 33 /CU 33	P 33 /ACU 33 /CU 33	P 33 /ACU 33 /CU 33	P 33 /AC U 33 /CU 33
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Watersh
ed
manage
ment
activities

17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Single family and mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
7. When located no more than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
10. Not permitted in the Agriculture Study Overlay Zone.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Limited to farm implement repair and maintenance, but not to include automobiles, trucks or bikes
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
 - a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;

- c. Automobile dismantling, wrecking or junk yards;
- d. Blast furnaces or coke ovens;
- e. Cement, lime, gypsum or plaster of Paris manufacture;
- f. Drop forge industries;
- g. Reduction or disposal of garbage, offal or similar refuse;
- h. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
- i. Rubber reclaiming;
- j. Feed yards, livestock sales yards or slaughterhouses;
- k. Smelting, reduction or refining of metallic ores;
- l. Tanneries;
- m. Wineries;
- n. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
- o. Waste (refuse) recycling and processing;
- p. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

In considering the issuance of conditional use permits for the foregoing listed uses, the Board shall:

- q. Assure that the degree of compatibility enunciated as the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which such use is proposed to be located;
 - r. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, fumes, vibration, odors, and hazards. Unless substantial proof is offered showing that such process and/or equipment has reduced the above factors so as to be negligible, use is located not less than one thousand (1,000) feet from any church, school, park, playground or occupied dwelling on the same lot or parcel as such use.
21. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
- a. Campgrounds should be located at sufficient distance from existing 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. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
22. The following standards shall apply to the approval and construction of mini-warehouses:
- a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;

- c. No commercial or manufacturing activities will be permitted within any building or storage unit;
 - d. Lease documents shall spell out all conditions and restrictions of the use;
 - e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area; and
 - f. In Type 3 LAMIRDS, the use shall be conducted wholly within an enclosed building.
23. Subject to provisions of KCC Chapter [17.66](#), Electric Vehicle Infrastructure.
24. Subject to the following requirements:
- a. Only one (1) ADU shall be allowed per lot;
 - b. Owner of the property must reside in either the primary residence or the ADU;
 - c. The ADU shall not exceed the square footage of the habitable area of primary residence;
 - d. The ADU shall be designed to maintain the appearance of the primary residence;
 - e. All setback requirements for the zone in which the ADU is located shall apply;
 - f. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - g. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - h. The ADU shall provide additional off-street parking;
 - i. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - j. An ADU must have adequate acreage to meet maximum density within the zone classification.
25. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
26. Provided that:
- a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed
27. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. Offices of a physician, dentist or other professional person when located in his or her dwelling as well as home occupations engaged in by individuals within their dwellings are allowed provided that no window display is made or any sign shown other than one (1) not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant.
28. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In Type 3 LAMIRDS, home occupations are allowed only in existing residences.
29. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.

30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
33. Utilities are defined and regulated by KCC Chapter [17.61](#), Utilities.
34. Utilities are defined and regulated by KCC Chapter [17.61](#), Utilities. Not permitted in the Agriculture Study Overlay Zone.
35. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to KCC Chapter [17.66](#).
36. Subject to the following requirements:
 - a. Accessory Living Quarters shall be located within an owner occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists; and
 - g. In Type 3 LAMIRDS, Accessory Living Quarters may only be allowed in an existing residence.
37. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
39. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - c. Placement is subject to obtaining a building permit for the manufactured home;
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - e. The Special Care Dwelling unit cannot be used as a rental unit;
 - f. The Special Care Dwelling unit must be removed when the need for care ceases;
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
40. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. Shooting ranges in Type 1 LAMIRDS must be indoors. In considering proposals for the location of shooting ranges a detailed site plan shall be

required; the Hearings Examiner's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:

- a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW [36.70A.177 \(3\)](#) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
41. Outdoor recreation activities that cause noise require a conditional use permit.
 42. Subject to provisions of RCW [70.128.140](#).
 43. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
 44. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
 45. Services limited to resource based industries, barbershops, beauty parlors, dry cleaning and laundry branch offices, self-service laundry and cleaning, shoe repair shops and physical culture and health services.*
 46. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*
 47. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*
 48. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas), provided the use does not exceed four thousand (4,000) square feet.*
 49. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.i. RCW 36.07A.070(5)(d)(i).*
 50. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.iii RCW 36.70A.070(5)(d)(iii).*
 51. Allowed only in existing residences.*
 52. Any new Type 3 LAMIRD is required to be at least one-half mile from another Type 3 LAMIRD, and will permit only one business and/or businesses associated with the primary business in the new LAMIRD Type 3. Type 3 LAMIRDs existing as of 2014 are not limited to one business.*
 53. Permitted only within existing Type 3 LAMIRDs.*
 54. Wholesale activity will not exceed 4000 square feet in space.*
 55. Pursuant to KCC [Chapter 17.62](#), Public Facilities Permits.
 56. Required to meet all the review criteria requirements for conditional use permits found in KCC [17.60A.015](#).
 57. Limited to primitive campgrounds as defined by KCC [17.08.155A](#).
 58. Subject to the following requirements:
 - a. Manufactured home parks shall require approval of a binding site plan pursuant to KCC Title 16.
 - b. Manufactured home park density shall not to exceed twelve (12) units per acre. A minimum of five (5) manufactured home spaces shall be required per park.

- c. Manufactured home parks shall provide not less than ten percent (10%) of the gross area of the park for common open space for the use of its residents.
 - d. Each manufactured home space shall have direct frontage on a public or private street.
 - e. The minimum setbacks shall be consistent with the zoning classification they are located in.
59. Pursuant to KCC [17.61C.050](#) and [17.61C.060](#).

[\(Ord. 2018-021, 2018; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013\)](#)

WAC 365-196-426.6.c.iii Type 3 LAMIRDs - Small-scale businesses and cottage industries. Counties may allow isolated small-scale businesses and cottage industries that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents, through the intensification of development on existing lots or on undeveloped sites. (A) Counties may allow the expansion of small-scale businesses in rural areas as long as those small-scale businesses are consistent with the rural character of the area as defined by the county in the rural element. Counties may also allow new small-scale businesses to use a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area. Any public services and public facilities provided to the cottage industry or small-scale business must be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl. (B) Counties are not required to designate Type 3 LAMIRDs on the future land use map and may allow them as a conditional use. If using a conditional use process, counties should include in their development regulations conditions that address all the statutory criteria for the location of a Type 3 LAMIRD. Conditions must assure that Type 3 LAMIRDs: (I) Are isolated, both from urban areas and from each other. Conditions should include spacing criteria to avoid creating a pattern of strip development; (II) Are small in scale; (III) Are consistent with rural character; (IV) Do not include new residential development; (V) Do not require public services and facilities beyond what is available in the rural area; and (VI) Are operationally compatible with surrounding resource-based industries. (d) Major industrial developments and master planned resorts governed by other requirements. Counties may not use the provisions of RCW 36.70A.070 (5)(d)(iii) to permit a major industrial development or a master planned resort. These types of development must comply with the requirements of RCW 36.70A.360 through 36.70A.368.

RCW 36.70A.070(5)(d)(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to *RCW [36.70A.030](#)(16). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to *RCW [36.70A.030](#)(16). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;



Property Report for Parcel#: 778834

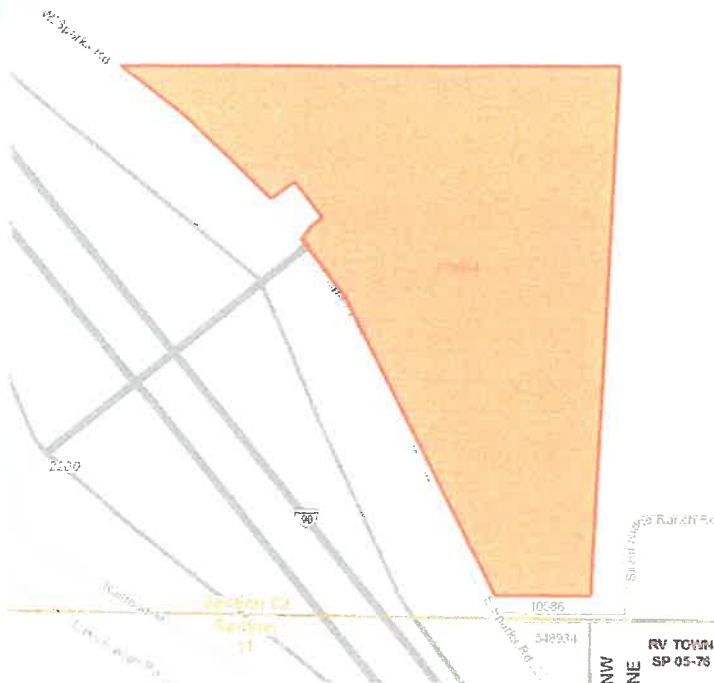
Saturday, January 25, 2020

Parcel Information

Address: W SPARKS RD EASTON
 Tax Parcel ID: [778834](#)
 Map Number: 20-13-02030-0009
 Recorded Area: 16.51 a
 Owner Name: SPARKS PARK LLC
 Name Cont: % WEIS, LISA
 Mailing Address: PO BOX 246
 City/State/Zip: RONALD WA 98940

Critical Areas Information

Contains > 30% Slope: No
 PHS Site Name: N/A
 Roof Hazard: HIGH_EXTREEME HAZARD RATING
 Roof Class: CLASS A
 Seismic Category: D1
 Shore Line: N/A
 Wetland Code: N/A
 DNR Water Type: N/A
 FIRM Zone: ZONE C
 FEMA Flood Map: 5300950226B
 Coalmine Shaft: N/A
 Airport Zone: N/A
 BPA Right of Way: -1
 Max Elevation: 2206
 ISO: 0.069
 PG: 152, Engineering is required



Administrative Information

Zone and Allowed Uses: [Rural 5](#), [Forest and Range](#), [General Commercial](#), LAMIRDs Type 3
 Land Use Category: LAMIRD, [Allowed Use](#)
 Commissioner District:
 Voter Precinct: Kachess
 Hospital District: HOSPITAL DISTRICT 2
 School District: Easton School District
 Irrigation District: N/A
 Weed District:
 Fire District: Fire District 3 (Easton)
 Cemetery District: N/A
 Court District: Upper District Court
 PUD Comm District: District 2
 Parks and Rec District: District 1
 Wildland Urban Interface: [IR 1](#)
 Stock Restricted Area: Open Range
 COE Gas Service Area: No

Domestic Water Information

Over the Counter Water: Yes, [Suitability Map](#)
 Qualifying Water Banks: Big Creek WR, Bourne, Burchak, KittitasCnty(Clennon), Reecer Creek, KittitasCnty(Roth), New Suncadia(Big Creek), New Suncadia (SwaukFirstCreeks), New Suncadia (TeanawayRiver), Roan New Suncadia, Swiftwater Ranch, Trailside, Western Water Partners, Yakima Mitigation Services
 Sub Basin Watershed: Kachess Yakima River

928834
MORAE, MONIKA D &

STATE OF WASH (AG WSU TRUST)

Light Industrial Zoning

LAMIRDS Type 3 Zoning

778834
SPARKS PARK LLC

General Commercial Zoning

798834
LAURANT, CHESTER & KAPASKA, MARVIN ETUX

Rural 5 Zoning

788834
LAURENT-KAPASKA, MICHELLE R

788834
LAURENT-KAPASKA, MICHELLE R

954331
LAURANT, CHESTER & KAPASKA, MARVIN ETUX

95433
LAURANT, CHESTER & K

Forest and Range Zoning

768834
STATE OF WASH (AG WSU TRUST)

EXT 70 1.90 F OFFRAMP
1.90 E
EXT 70 1.90 W ONRAMP
1.90 W
W SPARKS RD
EXT 70 1.90 W ONRAMP
EXT 70 OVERPASS
EXT 70 OVERPASS
EXT 70 OVERPASS

LAKE EASTON RD
RAILROAD ST
USA (WNF)
518934

EXT 70 1.90 F ONRAMP
1.90 F
1.90 W
EXT 70 1.90 W OFFRAMP
1.90 W
SILVER RIDGE RANCH RD
I SPARKS RD

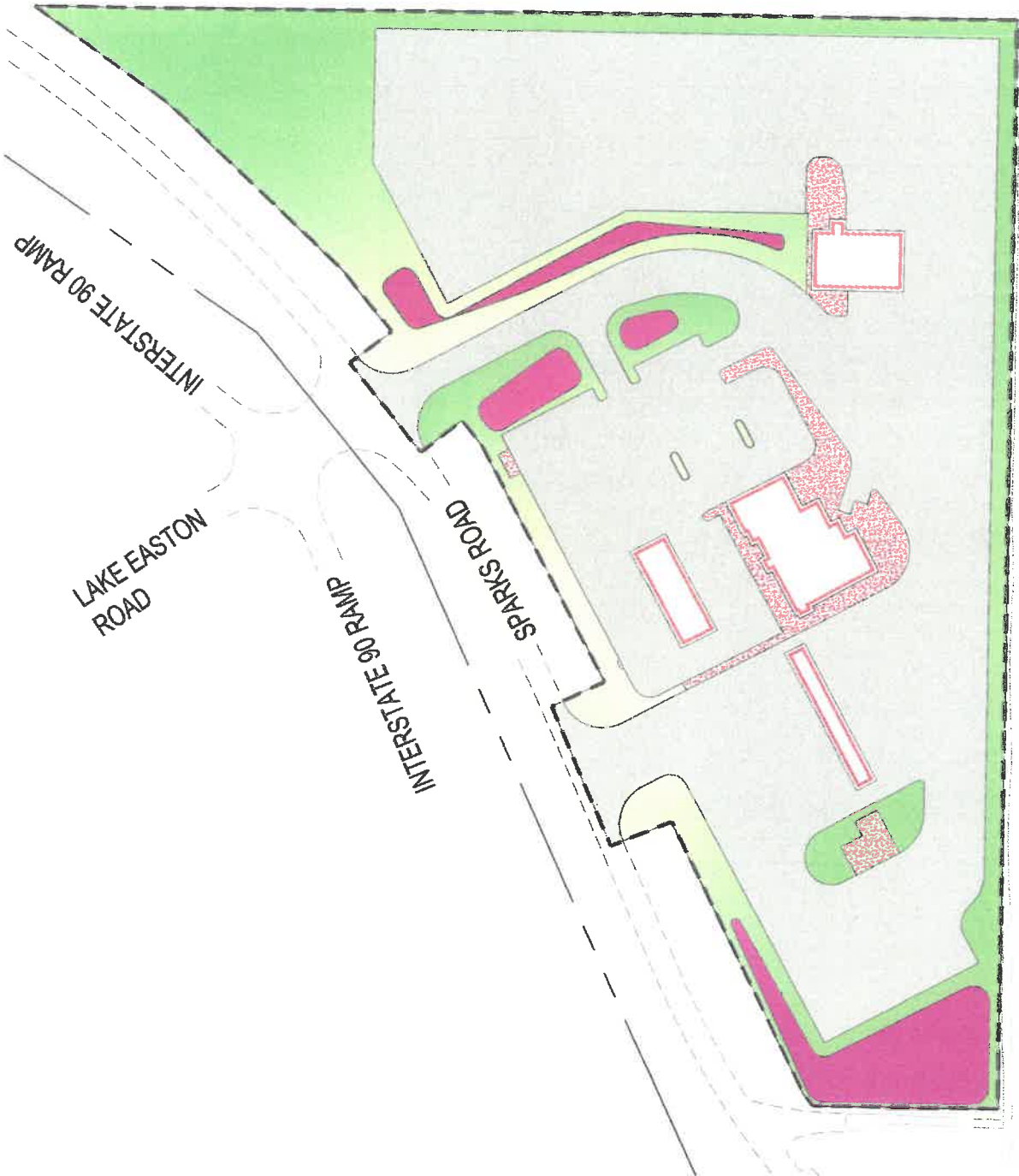
917076
LAVASS RD AND
General Commercial Zoning

LAKE EASTON RV RESORT LLC
AS994

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Swire, Swire, Swire, Esri Korea, Esri (Thailand), NGCC, @OpenStreetMap contributors, and the GIS User Community

SE-19-00014

SEC. 2, T20N., R13E., W.M.



DEVELOPED BASIN SURFACE AREAS:

0.74 ACRES	IMPERVIOUS BUILDING AREA
11.37 ACRES	IMPERVIOUS DRIVING AREA
0.80 ACRES	IMPERVIOUS SIDEWALK AREA
3.63 ACRES	LANDSCAPING/IMPERVIOUS AREA
0.90 ACRES	PROPOSED STORMWATER POND
17.14 ACRES	

SCALE IN FEET

0 120 240



DATE: 10/1/13	PREPARED BY: [REDACTED]	DATE: 10/1/13	PROJECT NO: [REDACTED]
SCALE: 1" = 60'	PROJECT NO: [REDACTED]	DATE: 10/1/13	PROJECT NO: [REDACTED]
APPROVED BY: [REDACTED]	DATE: 10/1/13	PROJECT NO: [REDACTED]	PROJECT NO: [REDACTED]

DATE: [REDACTED]	BY: [REDACTED]
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About Us



The Love's Family of Companies

Founded in 1964 and headquartered in Oklahoma City, Love's Travel Stops & Country Stores has more than 500 locations in 41 states, providing professional truck drivers and motorists with 24-hour access to clean and safe places to purchase gasoline, diesel fuel, Compressed Natural Gas (CNG), travel items, electronics, snacks, restaurant offerings, and more. Love's Truck Tire Care offers heavy-duty tire care, including TirePass, light mechanical services and roadside assistance. Love's Hospitality provides a growing network of hotels and storage rental locations, and Love's Financial offers freight bill factoring and back-office support to professional drivers.

The Love's Family of Companies has more than 25,000 employees in our travel stops and country stores from coast to coast, our corporate offices in Oklahoma City and our corporate offices with Musket Corporation and Trillium. This is in addition to the men and women who transport our fuel across the United States with Gemini Motor Transport. Our employees are dedicated to helping Love's Customers and the communities in which we work and live.





Gemini

Gemini Motor Transport operates a fleet of more than 750 trucks. Gemini drivers transport fuel and other products to Love's stores nationwide, crude oil to refineries and ethanol to terminals throughout the U.S. Over the years, Gemini has been one of the industry's safest transportation companies.





Musket Corporation

Musket Corporation specializes in commodity supply, trading and logistics across North America. Providing expertise on both a marketing and operational level for our customers. Musket handles billions of gallons of crude oil, NGL, natural gas, petroleum products, renewable fuels and DEF every year and continues to grow.



Trillium

Trillium is a leading provider of alternative fueling solutions, specializing in fuel supply, design, installation and operation for innovation energy solutions. Trillium's offerings include CNG, hydrogen, EV charging infrastructure, solar installation, and on-site electricity generation. Combined, Love's and Trillium own 65 public-access CNG facilities.





Speedco

Speedco provides comprehensive lube, tire, light mechanical services for professional drivers. Together, Love's and Speedco make up the largest oil change and preventative maintenance nationwide network on the road today with more than 370 locations. For over 25 years, Speedco has been a leader in lube services and high-speed PM services at highway locations across the U.S.

