



Bresler Accessory Dwelling Unit
File Number AU-24-00004
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. General Information

Requested Action: The applicants have proposed a 960 square foot double-wide manufactured home that will serve as an Accessory Dwelling Unit (ADU). The property has an existing single-family residence, a pole barn/shop, a pumphouse, a septic system, and a well. The subject property is zoned Agriculture-20. The subject property land use is Rural Working.

Location: One tax parcel (#670633), located at 3200 Clerf Road. Approximately 1.95 miles East of Kittitas, WA. Section 7 & 8, Township 17, Range 20, W.M.; Kittitas County parcel map number 17-20-08051-0002.

Site Information:

Total Property Size:	7.07 acres
Number of existing lots:	1
Domestic Water:	Existing individual well
Existing sewage Disposal:	Existing on-site septic
Fire District:	Kittitas Valley Fire & Rescue (#2)

Site Characteristics: The site consists of developed land with a single-family residence and associated non-residential accessory buildings.

Surrounding Property:

North:	Privately owned land primarily used for agricultural and/or residential purposes.
South:	Privately owned land primarily used for agricultural and/or residential purposes.
East:	Privately owned land primarily used for agricultural and/or residential purposes.
West:	Privately owned land primarily used for agricultural and/or residential purposes.

Access: The project has existing access from Clerf Road.

II. Administrative Review

Notice of Application: An ADU permit application was submitted to Kittitas County Community Development Services on September 6, 2024. The application was deemed complete on September 12, 2024. A Notice of Application for the Bresler ADU (AU-24-00004) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on September 12, 2024. Notice was published in the Daily Record, the official newspaper of record for

Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

III. Zoning and Development Standards

The purpose of the Agriculture-20 zone (A-20) is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture. A-20 zones are predominately agricultural-oriented lands, and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. The Bresler ADU is being proposed under KCC 17.08.022 and KCC 17.15, when the ADU is located outside an Urban Growth Area.

KCC 17.08.022 Accessory Dwelling Unit Review:

"Accessory dwelling unit" means a self-contained, secondary residential unit that is located on the same lot as the primary dwelling and provides independent living facilities for one household.

Staff Conclusions

The proposal, as conditioned, meets the requirements of KCC 17.08.022.

KCC 17.06B.050 Administrative Review

1. That the granting of the proposed administrative use permit approval will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity and planned uses; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. That the granting of the proposed administrative use permit is consistent and compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation.
3. That all conditions necessary to mitigate the impacts of the proposed use are conditions that are measurable and can be monitored and enforced.
4. That the applicant has addressed all requirements for a specific use.

Staff Conclusions

The proposal 1a) is not detrimental to the public health, safety, and general welfare, 1b) the ADU will not adversely affect the established character of the surrounding vicinity and planned uses; nor 1c) be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located, 2) is compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation, 3) the conditions necessary to mitigate the impacts of the proposed use are conditions that are measurable and can be monitored and enforced, 4) the applicant has addressed all requirements for a specific use. Staff finds the proposed ADU, as conditioned, consistent with the requirements of 17.06B.050.

KCC 17.15 Allowed Use Review: The planning official shall be vested with the responsibility of processing ADU applications. The county shall review and consider the proposed ADU regarding:

1. The parcel must be at least 3 acres in size;
2. Only one ADU shall be allowed per lot;
3. The ADU shall not exceed 1,500 square feet;
4. All setback requirements for the zone in which the ADU is located shall apply;
5. The ADU shall meet the applicable health department standards for potable water and sewage disposal, including providing adequate water supplies under RCW 19.27.097;
6. No mobile homes or recreational vehicles shall be allowed as an ADU;

7. The ADU shall provide additional off-street parking;
8. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists;
9. The ADU must share the same driveway as the primary dwelling;
10. ADUs shall be subject to obtaining an administrative permit.

Staff Conclusions

The proposal; 1) the parcel is 7.07 acres in size, 2) the parcel currently has no ADU on the property, 3) the ADU is less than 1,500 square feet, 4) the placement of the ADU meets the setback requirements of A5 zoning, 5) the ADU meets the applicable health department standards for potable water and sewage disposal, including providing adequate water supplies under RCW 19.27.097, 6) the proposed ADU is a manufactured home not a mobile home or recreational vehicle, 7) the ADU has off-street parking 8) no accessory living quarter or special care dwelling exists, 9) the ADU shares the same driveway as the primary dwelling and 10) the ADU is subject to the administrative permit review process. Staff finds the proposed ADU, as conditioned, consistent with the requirements of 17.15.060.2.27.

IV. Environmental Review

Staff performed a critical area review and found that no critical areas exist on the subject property.

V. Agency and Public Comments

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

Agency Comments:

The following agencies provided comments during the comment period: Confederated Tribes of the Colville Reservation, Washington State Department of Ecology, Kittitas County Public Works.

Comments are addressed below.

Confederated Tribes of the Colville Reservation

The CTCR provided comments requesting that an Inadvertent Discovery Plan (IDP) and a Cultural Resources Survey both be completed prior to construction.

Applicant Response: No response.

Staff Response: Staff has communicated these requests to the applicants.

Washington State Department of Ecology

WSDOE provided comments detailing specifications regarding the diversion of surface water as it relates to this project. WSDOE also detailed water rights specifications as they relate to this project.

Applicant Response: No response.

Staff Response: Staff has communicated these specifications and requirements to the applicant, the project is hereby required to adhere to all stated requirements put forth by WSDOE.

Kittitas County Public Works

KCPW stated that a fire apparatus turnaround is required within 150 feet of the ADU, in keeping with

fire code. KCPW also submitted comments pertaining to grading/filling thresholds, and water mitigation/metering requirements. KCPW also stated that the water meter must be installed and inspected prior to the final building inspection.

Applicant Response: “The property has an existing fire apparatus within 150 feet of the new ADU, large enough for a fire truck to turn around. I believe this project will be under 100 cubic yards for this project. A water meter will be installed and inspected prior to building final. The existing well was determined to have adequate water supply to support the new ADU. Plus, we have already paid the water mitigation fees.”

Staff Response: As the comments submitted contained requirements, CDS hereby reaffirms the requirements set forth by KCPW.

VI. Findings of Fact

1. Requested Action: The applicants have proposed an ADU with 960 square feet of total living space. This ADU will be built on property that contains an existing 1540 square foot single-family residence, a 900 square foot pole barn/shop, a pump house, a septic system and a well.
2. Site Location: One tax parcel (#670633), located at 3200 Clerf Road. Approximately 1.95 miles East of Kittitas, WA. Section 7 & 8, Township 17, Range 20, W.M.; Kittitas County parcel map number 17-20-08051-0002.

3. Site Information:

Total Property Size:	7.07 acres
Number of existing lots:	1
Domestic Water:	Existing individual well
Existing sewage Disposal:	Existing on-site septic
Fire District:	Kittitas Valley Fire & Rescue (#2)

Site Characteristics: The site consists of developed land with a single-family residence and associated, non-residential structures.

Surrounding Property:

North: Privately owned land primarily used for agricultural and/or residential purposes.
South: Privately owned land primarily used for agricultural and/or residential purposes.
East: Privately owned land primarily used for agricultural and/or residential purposes.
West: Privately owned land primarily used for agricultural and/or residential purposes.

Access: The project has existing access from Clerf Road.

4. The Comprehensive Plan land use designation is “Rural Working”.
5. The subject property is zoned “Agriculture 20”.
6. An ADU permit application was submitted to Kittitas County Community Development Services on September 6, 2024. The application was deemed complete on September 12, 2024. A Notice of Application for the Bresler ADU (AU-24-00004) was mailed to all federal, state, and local

agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on September 12, 2024. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

7. The proposal is consistent with KCC 17.08.022 Accessory Dwelling Unit Review, KCC 17.06B.050 Administrative Review and KCC 17.15 Allowed Use Review. Staff finds that the proposed accessory dwelling unit is consistent with all applicable Washington State and Kittitas County code sections.
8. The following agencies provided comments during the comment period: Confederated Tribes of the Colville Reservation, Washington State Department of Ecology, Kittitas County Public Works.
9. SEPA review was not required. This project is exempt under WAC 197-11-800 (6)(b). The proposed accessory dwelling unit is consistent with KCC Title 15.
10. The proposed accessory dwelling unit is consistent with KCC Title 17A Critical Areas as conditioned.
11. The proposed accessory dwelling unit is consistent with KCC 17.29 A20 – Agriculture 20 Zone as conditioned.
12. The proposed accessory dwelling unit is consistent with KCC Title 14 Building and Construction as conditioned.
13. The proposed accessory dwelling unit is consistent with KCC 12 Roads and Bridges as conditioned.

VII. Conclusions

1. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
2. As conditioned the proposal is consistent with KCC 17.08.022 Accessory Dwelling Unit, KCC 17.06B.050 Administrative and KCC 17.15 Allowable Use.
3. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Building Code, Title 13 Water and Sewers, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

VIII. Decision and Conditions of Approval

Kittitas County Community Development Services grants *approval* of the Bresler accessory dwelling unit, AU-24-00004, based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

Conditions of Approval:

- All new construction must meet the International Residential Code requirements.
- This application is subject to the latest revision of the Kittitas County Road Standards.
- Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080).
- Applicant shall meet all local, state, and federal regulations.
- Per KCC 13.35.027 all new uses of ground water require mitigation and metering. Proof of mitigation is required prior to applying for a building permit (as part of the Adequate Water Supply Determination process).
- Development shall comply with KCC 17.15.060.2.27.
- The applicant shall submit a *Request for Determination of Water Budget Neutrality* or an *Application for a New Water Right Permit* to the Department of Ecology.
- Should ground disturbing or other activities related to the proposed subdivision 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 Department of Archaeology and Historic Preservation (DAHP) and the Confederated Tribes of the Colville Reservation. Work shall remain suspended until the findings are 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.
- A fire apparatus turnaround is required within 150 feet of the Accessory Dwelling Unit in accordance with the International Fire Code 2018.
- A water meter must be installed and inspected by Kittitas County Public Works prior to scheduling the final building inspection.

From these conclusions and findings, the proposed Accessory Dwelling Unit is approved with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1670 to Kittitas County. The appeal deadline for this project is October 22, 2024, at 5:00p.m. Appeals submitted on or before October 22, 2024, shall be submitted

to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official

Zach Torrance-Smith

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
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Date: October 7, 2024