



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

"Building Partnerships – Building Communities"

CDS@CO.KITTITAS.WA.US

McDaniel Accessory Dwelling Unit

File Number AU-24-00007

FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. General Information

Requested Action: The applicants have proposed a 1,495 square foot Accessory Dwelling Unit (ADU). The property has an existing single-family residence and associated non-residential structures, as well as an existing horse arena. The subject property is zoned Forest & Range. The subject property land use is Rural Working.

Location: One tax parcel (#095236), located off Clubhouse Road, a private road. Approximately 6.85 miles Southeast of Cle Elum, WA. Section 24, Township 19, Range 16, W.M.; Kittitas County parcel map number 19-16-24044-0008.

Site Information:

Total Property Size:	10.51 acres
Number of existing lots:	1
Domestic Water:	Existing Individual Well
Existing sewage Disposal:	Existing On-Site Septic
Fire District:	Fire District #1 (Rural Thorp)

Site Characteristics: The site consists of shrub-lands with some trees, as well as a residential neighborhood to the North in a Forest & Range zoning designation.

Surrounding Property:

North:	Primarily residential development in a Forest & Range zoning designation.
South:	Undeveloped Forest & Range zoned land, Interstate 90 lies in this direction.
East:	Low-density residential development in a Forest & Range zoning designation.
West:	Low-density residential development in a Forest & Range zoning designation.

Access: The project has existing access from Clubhouse Road, a private road, via Sunlight Drive.

II. Administrative Review

Notice of Application: An ADU permit application was submitted to Kittitas County Community Development Services on December 30, 2024. The application was deemed complete on December 31, 2024. A Notice of Application for the McDaniel ADU (AU-24-00007) 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 December 31, 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 Forest & Range zone (F&R) is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. The McDaniel 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 10.51 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 F&R 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 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 there are no identified critical areas present on the 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: Washington State Dept. of Archaeology and Historic Preservation, Bonneville Power Administration, Confederated Tribes of the Colville Reservation, Kittitas County Public Health, Washington State Dept. of Ecology, Kittitas County Public Works.

Comments are addressed below.

Washington State Dept. of Archaeology and Historic Preservation

DAHP recommended a professional archaeological survey. DAHP also recommended continued consultation with the tribes regarding cultural resource issues.

Applicant Response: No response.

Staff Response: Because the comments provided contained recommendations, staff has transmitted these recommendations to the applicants, along with DAHP contact information.

Bonneville Power Administration

BPA provided comments stating that the proposed project will not impact their facilities and that they have no issue with project approval.

Applicant Response: No response.

Staff Response: As the comments transmitted stated that BPA does not have concerns with this

project's approval, staff has no further comment.

Confederated Tribes of the Colville Reservation

CTCR provided comments requesting that an Inadvertent Discovery Plan be in place prior to any ground disturbing activities.

Applicant Response: No response.

Staff Response: As this project is taking place within an existing structure above ground level, this project is not anticipated to have any ground disturbing components. As such, an Inadvertent Discovery Plan will likely not be necessary.

Kittitas County Public Health

KCPH provided comments referencing prior permits that have been received from the applicants. KCPH further detailed that applicants must submit an Adequate Water Determination Form I/S to KCPH.

Applicant Response: No response.

Staff Response: As the comments provided contained requirements, staff hereby reaffirms the requirements outlined by KCPH and has conditioned this project upon successfully adhering to those requirements.

Washington State Department of Ecology

WSDOE provided comments that referenced WAC 173-539A and its associated requirements. WSDOE further stated that the project needs to be water budget neutral if withdrawing groundwater. Comments went over required forms and applications, and asked the applicants to reach out to the agency for any clarification.

Applicant Response: No response.

Staff Response: Staff recognizes the requirements set forth by WSDOE and shall condition approval upon remaining in compliance with these requirements, including required forms and applications that must be completed.

Kittitas County Public Works

KCPW provided comments that listed access requirements, road standards, engineering specifications, and water mitigation/metering requirements. KCPW further stated the need to consult with KCPW Water Resources Program.

Applicant Response: No response.

Staff Response: Staff recognizes the requirements set forth by KCPW and has conditioned this project upon successfully adhering to those requirements.

No public comments were received during the public comment period.

VI. Findings of Fact

1. Requested Action: The applicants have proposed an ADU with 1495 square feet of total living space. This ADU will be built on property that contains an existing Single-Family Residence and associated non-residential structures, as well as an existing horse arena.
2. Site Location: One tax parcel (#095236), located off Clubhouse Road, a private road. Approximately 6.85 miles Southeast of Cle Elum, WA. Section 24, Township 19, Range 16, W.M.; Kittitas County parcel map number 19-16-24044-0008.
3. Site Information:

Total Property Size:	10.51 acres
Number of existing lots:	1
Domestic Water:	Existing individual well
Existing sewage Disposal:	Existing on-site septic
Fire District:	Fire District #1 (Rural Thorp)

Site Characteristics: The site consists of shrub-lands with some trees, as well as a residential neighborhood to the North in a Forest & Range zoning designation.

Surrounding Property:

North: Low-density residential development within a Forest & Range zoning designation.
South: Undeveloped Forest & Range zoned land, Interstate 90 lies in this direction.
East: Low-density residential development in a Forest & Range zoning designation.
West: Low-density residential development in a Forest & Range zoning designation.

Access: The project has existing access from Clubhouse Road, a private road, via Sunlight Drive.

4. The Comprehensive Plan land use designation is "Rural Working".
5. The subject property is zoned "Forest & Range".
6. An ADU permit application was submitted to Kittitas County Community Development Services on December 30, 2024. The application was deemed complete on December 31, 2024. A Notice of Application for the McDaniel ADU (AU-24-00007) 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 December 31, 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: Washington State Dept. of Archaeology and Historic Preservation, Bonneville Power Administration, Confederated Tribes of the Colville Reservation, Kittitas County Public Health, Washington State Dept. 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 17.56 – Forest & Range 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 McDaniel accessory dwelling unit, AU-24-00007, 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.
- Per WAC 173-539A, if the applicants are planning on withdrawing groundwater for a new use, the project must be water budget neutral. Before withdrawing or using any water, 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.
- The combined number of bedrooms on this property shall not exceed four (4) bedrooms. The parcel has an existing well, Well ID Tag No. BKT474. Kittitas County Code allows an individual water system that serves two residential dwelling units to be considered a shared water system. The applicants shall complete an "Adequate Water Supply Determination Form I/S" and submit the completed form to Kittitas County Public Health.
- If merchantable timber is removed from the project site at any time during the completion of this project, a Forest Practices Application shall be completed with the Washington State Department of Natural Resources.

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 February 27, 2025, at 5:00p.m. Appeals submitted on or before February 27, 2025, 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

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Date: February 11, 2025