



**Lohnes Accessory Dwelling Unit
File Number AU-25-00005
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

I. General Information

Requested Action: The applicants have proposed the addition of an Accessory Dwelling Unit (ADU) to the existing property above a proposed shop. The ADU will have 1456 sq. ft. of habitable space. The property has an existing single-family residence and associated non-residential structures. The subject property is zoned Agriculture-5. The subject property land use is Rural-Residential.

Location: One tax parcel (#218936), located off Scott Drive, a private road. Approximately 3.94 miles Northwest of Cle Elum, WA. In a portion of the SE ¼ of Section 21, Township 20, Range 14, W.M.; Kittitas County parcel map number 20-14-21040-0007.

Site Information:

Total Property Size:	16.10 acres
Number of existing lots:	1
Domestic Water:	Existing Individual Well
Existing Sewage Disposal:	Existing On-Site Septic (Proposed Two-Bedroom Septic)
Fire District:	Fire District #7 (Cle Elum)

Site Characteristics: The site consists of dry rangeland with large amounts of forested land within an Agriculture-5 zoning designation.

Surrounding Property:

North:	Directly adjacent to the subject property lies BNSF railway infrastructure and Interstate-90. Northward also includes Rural-5 zoning and the Yakima River.
South:	Low-density residential development in an Agriculture-5 zoning designation with scattered forest lands.
East:	Low-density residential development in an Agriculture-5 zoning designation with scattered forest lands.
West:	Low-density residential development in an Agriculture-5 zoning designation with scattered forest lands.

Access: The project has existing access from Scott Drive, a private road.

II. Administrative Review

Notice of Application: An ADU permit application was submitted to Kittitas County Community Development Services on February 20, 2025. The application was deemed complete on March 11, 2025. A Notice of Application for the Lohnes ADU (AU-25-00005) 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 March 11, 2025. 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-5 zone (A-5) is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. The Lohnes 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 16.10 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 Agriculture-5 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 Natural Resources, Washington State Dept. of Health – Office of Drinking Water, Yakama Nation Fisheries, Kittitas County Public Health, Washington State Dept. of Ecology, Kittitas County Public Works.

No public comments were received during the public comment period.

Comments are addressed below.

Washington State Dept. of Natural Resources

DNR provided comments stating that a Forest Practices Application (FPA) will be required if merchantable timber is harvested from the subject property at any point during construction.

Applicant Response: "I left a phone message for them to contact me. My property is not in Forestry Designation."

Staff Response: Staff recognizes the circumstantial requirements given by DNR and has conditioned this project to include obtaining an FPA if merchantable timber is harvested during this project.

Washington State Dept. of Health – Office of Drinking Water

WSDOH utilized the comment process to ask a question of the applicants. The text of their question is as follows: "How is drinking water provided to the existing home?"

Applicant Response: "Drinking water is provided to the existing home via individual well on site."

Staff Response: As the comments transmitted were a question related to specifications of the project, that were available within the application materials provided, staff finds the applicant has adequately answered WSDOH's question and has no further comment.

Yakama Nation Fisheries

YNF provided comments asking the applicants to have an Inadvertent Discovery Plan prepared prior to beginning construction, and YNF provided an explanatory document to assist with drafting one.

Applicant Response: "No remains nor any other artifacts have been found on this property since we have owned it (bought in 2000)."

Staff Response: Staff has conditioned this project to include procedures if human remains are found during ground disturbing activities on-site.

Kittitas County Public Health

KCPH provided comments noting an adequate water supply determination application is needed to be submitted by the applicants to KCPH.

Applicant Response: "Spoke to Dan Suggs, he said this notice was sent prior to him issuing us our adequate water supply and satisfactory septic perc tests."

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. Once the applicants have completed the stated requirements outlined by KCPH, staff has no further requirements.

Washington State Dept. 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: "New water permit has been purchased and issued."

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 related to access specifications, maintenance, road standards, grading/filling, and required water mitigation and metering specifications. KCPW also noted that the water meter must be installed prior to building finalization.

Applicant Response: "Spoke to Sally at Public Works on 3/28/2025. We are all good there. Just need to purchase a water meter once ADU and shop are completed."

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 the addition of an Accessory Dwelling Unit (ADU) to the existing property above a proposed shop. The ADU will have 1456 sq. ft. of habitable space. The property has an existing single-family residence and associated non-residential structures. The subject property is zoned Agriculture-5. The subject property land use is Rural-Residential.

2. Site Location: One tax parcel (#218936), located off Scott Drive, a private road. Approximately 3.94 miles Northwest of Cle Elum, WA. In a portion of the SE ¼ of Section 21, Township 20, Range 14, W.M.; Kittitas County parcel map number 20-14-21040-0007.

3. Site Information:

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Site Characteristics: The site consists of dry rangeland with large amounts of forested land within an Agriculture-5 zoning designation.

Surrounding Property:

North: Directly adjacent to the subject property lies BNSF railway infrastructure and Interstate-90. Northward also includes Rural-5 zoning and the Yakima River.

South: Low-density residential development in an Agriculture-5 zoning designation with scattered forest lands.

East: Low-density residential development in an Agriculture-5 zoning designation with scattered forest lands.

West: Low-density residential development in an Agriculture-5 zoning designation with scattered forest lands.

Access: The project has existing access from Scott Drive, a private road.

4. The Comprehensive Plan land use designation is “Rural Residential”.

5. The subject property is zoned “Agriculture-5”.

6. An ADU permit application was submitted to Kittitas County Community Development Services on February 20, 2025. The application was deemed complete on March 11, 2025. A Notice of Application for the Lohnes ADU (AU-25-00005) 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 March 11, 2025. 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 Natural Resources, Washington State Dept. of Health – Office of Drinking Water, Yakama Nation Fisheries, 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 17.28A – Agriculture-5 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 Lohnes accessory dwelling unit, AU-25-00005, 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.
- An approved access permit shall be required from the Kittitas County Department of Public Works prior to creating any new driveway access or altering an existing access.
- Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The county will not maintain accesses.
- 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). Public Works has issued a water mitigation certificate for the project, WM-25-00012. The water meter must be installed and inspected by Kittitas County Public Works prior to scheduling the final building inspection.
- 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 Washington State 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.
- 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 April 15, 2025, at 5:00p.m. Appeals submitted on or before April 15, 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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411 N. Ruby Street, Suite 2
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Date: March 31, 2025