



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

Carey Storage Conditional Use Permit (CU-20-00003)

TO: Kittitas County Hearing Examiner
FROM: Kelly Bacon, Staff Planner
RE: Carey Storage Conditional Use Permit (CU-20-00003)
DATE: May 13, 2021 (Hearing Date)

I. GENERAL INFORMATION

Requested Action: The proposed project will establish 9 Mini Warehouse facilities covering 1 parcel in the General Commercial zone on approximately 6 acres. The proposed use is permitted in this zone with a Conditional Use Permit. The proposal includes 9 structures of various sizes ranging in size from 30'x135' to 30'x200'. These facilities are described in more detail in the application materials.

Location: Parcel 15889 located at mile post .702 Salmon La Sac Road, Ronald, WA. In the SW1/4 of Section 34, Township 21N, Range 14E.

II. SITE INFORMATION

Total Property Size:	6 Acres
Number of Lots:	1
Domestic Water:	Existing Well (not being used)
Sewage Disposal:	Existing On-Site Septic (not being used)
Fire Protection:	Fire District 6 (Ronald)
Irrigation District:	N/A

Site Characteristics:

North: Primarily forested privately-owned lands with residential and Commercial uses.

South: Privately owned forested land, primarily residential uses.

East: Privately owned forested land, primarily residential uses.

West: Privately owned forested land, primarily residential uses.

Access: The site is accessed from Domerie Bay Road, a private road, approximately 4.5 miles northwest of the city of Roslyn.

III. ZONING AND DEVELOPMENT STANDARDS

The parcel involved in this proposal is in a land use designation of *Rural Recreation* and zoning designation of *General Commercial*. The proposed project is classified as a "Mini-Warehouse" use. Mini-Warehouses are an allowed use within General Commercial Zone under KCC 17.15.060.1 with a conditional use permit when consistent with footnote #14 of this section. The footnotes outline specific criteria for approval of these uses. These criteria are examined in Section VIII "Project Analysis" of this staff report.

IV. ADMINISTRATIVE REVIEW

Deem Complete: A conditional use permit application (See Index #1) for Carey Storage (CU-20-00003) was submitted to Kittitas County Community Development Services department on July 28, 2020. The application was deemed complete (See Index #7) on August 28, 2020. The site was posted in accordance with KCC 15A.03.110 on September 2, 2020 (See Index #8).

Notice of Application: A notice of application (See Index #9) for the Carey Storage Conditional Use Permit (CU-20-00003) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels & applicable agencies. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website on September 15, 2020, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #10). The comment period concluded on September 30, 2020.

V. COMPREHENSIVE PLAN

RR-G9: The County should continue to explore ways to provide rural economic opportunity.

Staff Consistency Statement: The proposed project is intended to provide storage services to meet local and recreational storage demands. Recreational activities are abundant in the Northern County and attract residents throughout the State. The proposal will assist in servicing the recreational users of the area by providing storage for frequent vacationers as well as residents. The project site is in close proximity to other commercial uses which include a hotel, an event facility, gas station and recreational rental shop.

RP-15: Give preference to land uses in Rural designated areas that are related to agriculture, rural residential development, tourism, outdoor recreation, and other open space activities.

Staff Consistency Statement: The proposed project will service rural residential developments, outdoor recreation, tourism and other open space activities by supplying storage options for residents and recreational users.

This application is consistent with the goals, policies, and objectives of the Kittitas County Comprehensive Plan as outlined above.

VI. ENVIRONMENTAL REVIEW

A SEPA Checklist was submitted with the conditional use application and processed concurrently using the Optional DNS process under WAC 197-11-355. During the combined comment period environmental concerns were raised by public agencies and private citizens and neighbors. CDS has considered these comments and found no significant environmental risks with the proposed project. Following the concurrent comment period, CDS issued a Determination of Non-Significance on January 7, 2021 (See Index #24). The appeal period for the SEPA DNS concluded on January 22, 2021. No appeals were filed.

In addition, CDS performed a critical area review of the properties. No critical areas were found.

VII. 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. All comment submittals can be found in their entirety in Index #s 10-21. The following parties provided substantive comments during the comment period.

Agency Comments: Washington State Department of Archeology and Historic Preservation, Washington State Department of Health, Kittitas County Public Health, and Kittitas County Public Works.

Washington State Department of Archeology and Historic Preservation (DOE):

DAHP provided comments requesting an Archeological Survey be performed on the project site due to a high probability of cultural resources due to previously recorded archaeological resources nearby and recommended a professional archaeological survey of the project area be conducted prior to ground disturbing activities. (See Index #10)

Washington State Department of Health – Office of Drinking Water (WSDOH-ODW):

WSDOH provided comment requesting additional information in regards to the use of the two previously installed wells on the property and if these wells are part of an existing water system, and is water provided to the public via any restroom, sink, or water fountains facilities. (See Index #12)

Kittitas County Public Health:

The Kittitas County Public Health requested additional information regarding the onsite well and septic system. After additional information was received by the applicant stating there will be no use of the well on site or septic system, Public Health had no further comments or concerns. (See Index #'s 15-16)

Kittitas County Public Works:

Kittitas County Public Works described access permit, grading permit, and stormwater requirements and thresholds. Additionally, Public Works described the threshold for a Traffic Concurrency study requirement. (See Index #17)

Public Comments:

Jeanne Schreuder submitted comments regarding a storage facility being placed near several residences and asked that the access be located directly off Salmon La Sac rather than the private road Domerie Bay Road.

Mark and Jill Marcell submitted comments opposing the storage facility and concerns about the commercial development entrance using the privately maintained dead end road. The road is maintained by the residence and was not designed for commercial use.

Stephen and AnnMarie Lawler submitted comments regarding being opposed and concerned with a commercial business entrance on a private gated road and concerns with additional public traffic. They would like to see the entrance be located directly off Salmon La Sac Road.

Thomas and Claudine Siedler submitted comments with concerns for Impervious surfaces, water Drainage, Screening and Density.

Tom and Jan Ward submitted comments with concerns for Environmental Health and light and glare.

William and Evelyn Allen submitted comments objecting to the proposal due to environmental and esthetical reasons, the use of the facility by recreationalist looking for trail access, drainage, need for fencing and site screening, and concerns for reduced property values of adjacent properties.

Kevin and Deanna Silver submitted comments after the comment period had ended, with concerns regarding the maintenance and upkeep of the private road Domerie Bay by the homeowner's association and strongly oppose the use of the roadway for commercial access.

This Staff Report includes condition recommendations to address the comments submitted.

VIII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: RR-G9 and RP-15.

Provided the applicant follows and maintains the goals and policies, they shall be in compliance with the Kittitas County Comprehensive Plan.

Consistency with the provisions of KCC 17.60A, Conditional Uses:

KCC 17.60A.015 provides the following review criteria to be considered in a conditional use analysis:

1. *The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.*

Applicant Response: "These storage units are desirable to the surrounding community because they are close, allow storage of off-road vehicles with direct access to surrounding ORV trails, and will feature deep storage bays for RV & boats. access." (See Index #1)

Staff Response: The proposal for mini warehouses and ORV's and boat storage is an allowed use within the general commercial zone. Recreational Vehicle Storage is not an allowed use and will not be allowed within the facility. Upper Kittitas County is highly used by recreationalist. The proposal is located near many residential structures, along with many general commercial uses to the west. CDS does not anticipate the proposed use as conditioned will be detrimental or injurious to the public health, peace or safety or to the character of the surrounding neighborhood.

2. *The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that*
 - a. *The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or*
 - b. *The applicant shall provide such facilities; or*
 - c. *The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.*

Applicant Response: “Reasonably priced local storage units that are also low maintenance and have very little detrimental effect to the surrounding properties will prove themselves to be beneficial in the area.” (See Index #1)

Staff Response: As proposed, the project will be adequately serviced by existing facilities and will not require additional public costs. CDS finds no indication that the project will have a detrimental economic impact.

3. *The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.*

Applicant Response: “Kittitas County Code will be followed in the development of these storage units.” (See Index #1)

Staff Response: The mini warehouse use is consistent with the relevant development standards and criteria including KCC 17.15.060. 1 footnote 14 as described below. The Recreational Vehicle Storage Use is not permitted within the General Commercial Zone and the applicant has been made aware this use will not be permitted. The mini-warehouse use is permitted in the General Commercial zone through a Conditional Use Permit.

4. *The proposed use will mitigate material impacts of the development, whether environmental or otherwise.*

Applicant Response: “Being a low traffic facility while also providing local convenience to homeowners, these storage units will not affect environmental impacts.” (See Index #1)

Staff Response: The proposal, as conditioned, will mitigate material impacts of the development. No environmental impacts are anticipated from this project.

5. *The proposed use will ensure compatibility with existing neighboring land uses.*

Applicant Response: “We will be leaving natural buffers around property lines to separate the storage units from neighboring properties, and storage units will be providing a service to the community.” (See Index #1)

Staff Response: Neighboring land uses to the northwest include other General Commercial uses including storage facilities, restaurant, gas station, event facility, and outdoor recreational rentals. The character and scale of the proposed use will be compatible with adjacent uses.

6. *The proposed use is consistent with the intent and character of the zoning district in which it is located.*

Applicant Response: “Yes, the proposed use is consistent with the intent and character of the zoning district in which it is located.” (See Index #1)

Staff Response: The proposed use of mini warehouse facilities are allowed in the General Commercial zone with a Conditional Use approval. Recreational Vehicle Storage is not permitted within the zone and the Conditional Use permit has been conditioned that Recreational Vehicle Storage will not be allowed on site. Kittitas County has established mini warehouse use to be appropriate in the General Commercial zone subject to standards outlined in KCC 17.15.060.1.

7. *For conditional uses outside of Urban Growth Areas, the proposed use:*

- a. *Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;*
- b. *Preserves “rural character” as defined in the Growth Management Act*
- c. *Requires only rural government services ; and*
- d. *Does not compromise the long term viability of designated resource lands.*

Applicant Response: “The proposed use of these facilities complies with the Kittitas County Comprehensive plan, preserves rural character, requires only rural government services and does not compromise long term viability of designated, resource lands.” (See Index #1)

Staff Response: The proposal is consistent with the Kittitas County Comprehensive Plan as described above in section “V.” The use will not conflict with rural character, requires only rural government services and will not compromise resource lands.

Staff Conclusions: Kittitas County CDS finds the application, as conditioned, consistent with KCC 17.60A Conditional Uses, as described above in section “VIII” of this staff report. The use will only require rural government services and does not compromise the long-term viability of any resource lands.

Consistency with KCC 17.15.060.2, Allowed Uses in Rural Non-LAMIRD Lands, Footnote #14:

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.

Staff Consistency Statement: This staff report has been conditioned to require sight screening through use of fencing no shorter than five feet.

- B. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet.

Staff Consistency Statement: This staff report has been conditioned to note this setback requirement. As submitted this application does not indicate any proposed storage structures facing property boundaries.

- C. No commercial or manufacturing activities will be permitted within any building or storage unit.

Staff Consistency Statement: The application does not include any commercial or manufacturing activities within the mini warehouse facilities. These facilities are for storage purposes only. The application did include Recreational Vehicle storage, which is not a permitted use within the General Commercial Zone and this staff report has been conditioned that RV storage shall not be permitted onsite.

- D. Lease documents shall spell out all conditions and restrictions of the use.

Staff Consistency Statement: This staff report has been conditioned to require copies of these leasing documents for final approval.

- 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.

Staff Consistency Statement: This staff report has been conditioned to address these sign requirements.

Staff finds the proposal, as conditioned, consistent with KCC 17.15.060.2 Footnote #14 as described above.

Consistency with the provisions of KCC Title 12, Roads and Bridges:

As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Consistency with the provisions of KCC Title 13, Water and Sewers:

As conditioned, the proposal is consistent with the provisions of KCC Title 13.

Consistency with the provisions of the KCC Title 14.04, Building Code:

Any future buildings must be consistent with International Building Codes

Consistency with the provisions of the KCC Title 17A, Critical Areas:

CDS conducted an administrative critical area review in accordance with KCC 17A and found no critical areas on the project site.

Consistency with the provisions of KCC Title 20, Fire and Life Safety:

As conditioned, the proposal is consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments during the comment period: Washington State Department of Health – Office of Drinking Water, Department of Archaeology and Historic Preservation, Kittitas County Public Health, and Kittitas County Public Works.

Public Comments:

Public Comments were received by: Jeanne Schreuder, Mark and Jill Marcell, Stephen and AnnMarie Lawler, Thomas and Laudine Siedler, Tom and Jan Ward, William and Evelyn Allen and Deanna Silver

IX. Findings of Fact

1. The proposed project would establish 8 Mini Warehouse facilities covering 1 parcel in the General Commercial zone on approximately 6 acres. The proposed use is permitted in this zone with a Conditional Use Permit. The proposal includes 8 structures of various sizes ranging in size from 30’x135’ to 30’x200’. These facilities are described in more detail in the application materials.

2. Site Information

Total Property Size:	6 Acres
Number of Lots:	1
Domestic Water:	Existing Well (not being used)
Sewage Disposal:	Existing On-Site Septic (not being used)
Fire Protection:	Fire District 6 (Ronald)
Irrigation District:	N/A

3. Site Characteristics:

North: Primarily forested privately-owned lands with residential and Commercial uses.

South: Privately owned forested land, primarily residential uses.

East: Privately owned forested land, primarily residential uses.

West: Privately owned forested land, primarily residential uses.

4. Access: The site is accessed from Domerie Bay Road, a private road, approximately 4.5 miles northwest of the city of Roslyn.

5. The Comprehensive Plan land use designation is Rural Recreation and the zoning designation is General Commercial.

6. The proposed project is classified as a “Mini-Warehouse” use. Mini-Warehouses are an allowed use within General Commercial Zone under KCC 17.15.060-1 with a conditional use permit when consistent with footnote #14 of this section.

7. A conditional use permit application (See Index #1) for Carey Storage (CU-20-00003) was submitted to Kittitas County Community Development Services department on July 28, 2020. The application was deemed complete (See Index #7) on August 28, 2020. The site was posted in accordance with KCC 15A.03.110 on September 2, 2020 (See Index #8).

8. A notice of application (See Index #9) for the Carey Storage Conditional Use Permit (CU-20-00003) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels & applicable agencies. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website on September 15, 2020, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #9). The comment period concluded on September 30, 2020.

9. A SEPA Checklist was submitted with the conditional use application and processed concurrently using the Optional DNS process under WAC 197-11-355. During the combined comment period environmental concerns were raised by public agencies and private citizens and neighbors. CDS has considered these comments and found no significant environmental risks with the proposed project. Following the concurrent comment period, CDS issued a Determination of Non-Significance on January 7, 2021 (See Index #19). The appeal period for the SEPA DNS concluded on January 22, 2021. No appeals were filed.

10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: RR-G9 and RP-15.

11. Road Standards and access requirements are subject to the standards outlined in Kittitas County Code Title 12. Additional WSDOT standards will apply.

12. The following agencies provided comments during the comment period: Washington State Department of Archeology and Historical Preservation, Washington State Department of Health, Kittitas County Public Health, and Kittitas County Public Works.

13. CDS received public comments from the following individuals: Jeanna Schreuder, Mark and Jill Marcell, Stephen and AnnMarie Lawler, Thomas and Laudine Siedler, Tom and Jan Ward, William and Evelyn Allen. Deanna Silver submitted comments outside the comment period.

14. This proposal, as conditioned, is consistent with the provisions of KCC Title 12, Roads and Bridges.

- 15. This proposal, as conditioned, is consistent with the provisions of KCC Title 13, Water and Sewers.
- 16. This proposal, as conditioned, is consistent with the provisions of KCC Title 14, Buildings and Construction.
- 17. This proposal, as conditioned, is consistent with the provisions of KCC 17.60A, Conditional Uses and meets the criteria of KCC 17.15.060.2 footnote #14.
- 20. This proposal, as conditioned, is consistent with the provisions of KCC 17.60A, Conditional Uses.
- 21. This proposal, as conditioned, is consistent with the provisions of KCC 17A, Critical Areas.
- 22. This proposal, as conditioned, is consistent with KCC 20, Fire Life and Safety.

X. Conclusions:

- 1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
- 2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
- 3. Public use and interest will be served by approval of this proposal.
- 4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.04 Building Code, Title 12 Roads and Bridges, Title 13 Water and Sewers and Title 20 Fire and Life Safety.

XI. Recommendation and Conditions of Approval:

Kittitas County recommends *preliminary approval* of the Carey Storage Conditional Use CU-20-00003 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

- 1. The project shall proceed in substantial conformance with the plans and application materials on file with CDS dated July 28, 2020 and subsequent information included in the complete file index except as amended by the conditions herein.

Land Use

- 2. The project shall adhere to all property line setbacks.
- 3. Current and future owners of the storage facility shall be responsible for the maintenance of the entire portion of Domerie Bay Road located on tax parcel 15889.
- 4. No commercial or manufacturing activities shall be permitted. Leasing documents

outlining all restrictions and conditions shall be provided to CDS Planning for review prior to final CUP approval.

5. A site screening fence of a minimum five (5) feet in height shall be installed along the project boundary. Vegetation may be used in place of the site screening fence where desired, provided the vegetation adequately screens the site commensurate to or greater than the site screening fence described.
6. Any storage units facing property boundaries shall require a thirty-five (35) foot structural setback from the associated property boundary line.
7. 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.
8. The applicant shall adhere to all standards established in KCC Title 17.15.060.2 Footnote #14.
9. All proposed lighting shall be directed downwards and away from Salmon La Sac Road and neighboring parcels.
10. Under KCC Title 17.15.060.1 Recreational Vehicle Storage is not a permitted use within the General Commercial Zoning. Therefore, recreational vehicles as defined in KCC 17.08.465, are not allowed to be stored onsite.

Water and Sewer

11. The applicant shall adhere to all KCC Title 13 requirements for water and sewer/On-site septic to the satisfaction of Kittitas County Public Health and Kittitas County Public Works as noted in the comment letters submitted.

Building

12. All construction of buildings and fences shall conform to Kittitas County Code Title 14 and the International Building and Fire Codes adopted at the time of building permit submittal. This includes fire suppression and fire separations.
13. All buildings shall be made accessible per the latest adopted edition of the ICC/ANSI A117.
14. Hard surfaced accessible parking and a route to accessible spaces shall be provided. Signage and marking for accessible parking shall be provided.

Transportation and Access

15. The Carey Storage will require an access permit for a commercial entrance.
16. Salmon La Sac is a Federal roadway. Proof of access is required.
17. A grading permit is required for any dirt work exceeding 100 cubic yards of excavation and/or fill.
18. A transportation impact analysis (TIA) shall be required for all development that will generate more than nine (9) peak hour vehicle trips unless the requirement for a study has been waived by the Public Works director.

Stormwater

19. Engineered Stormwater plans are required in compliance with the Eastern Washington Storm Water Manual. These plans shall be submitted to Kittitas County Public Works for review and approval prior to final CUP approval.

Cultural Resources

20. 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). 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.
21. All development, design and construction shall comply with International Fire Code requirements and KCC Title 20 Fire and Life Safety. Please contact the Kittitas County Fire Marshal for specific requirements.
22. It is a proponent's responsibility to demonstrate compliance with the approval conditions of a conditional use permit. Compliance with all conditions must be demonstrated in writing to Kittitas County CDS prior to Final Conditional Use Permit issuance. Final approval of a Conditional Use Permit is required within 5 years of the approval date pursuant to KCC 17.60A.090.

