



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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“Building Partnerships – Building Communities”

Cle Elum Self Storage Conditional Use Permit (CU-19-00004)

TO: Kittitas County Hearing Examiner
FROM: Jeremy Johnston, Staff Planner
RE: Cle Elum Self Storage Conditional Use Permit (CU-19-00004)
DATE: October 22, 2020 (Hearing Date)

I. GENERAL INFORMATION

Requested Action: The proposed project would add 11 storage buildings to an existing storage unit facility located in the General Commercial zoning designation. The project would include an additional 37,387.5 square feet of enclosed storage and an eight-foot security and site screening fence.

Location: Parcels 763034 and 773034 located at the intersection of Bullfrog Rd and Carek Rd, Cle Elum, WA. In the SW1/4 of Section 21, T20N, R15E. W.M., Kittitas County

II. SITE INFORMATION

Total Property Size:	2.01 Acres
Number of Lots:	2
Domestic Water:	Well (proposal does not include any use of wells)
Sewage Disposal:	No facilities onsite
Power/Electricity:	PSE
Fire Protection:	Fire District 7 (Cle Elum)
Irrigation District:	N/A

Site Characteristics:

North: Primarily privately-owned single family residential

South: State Route 903 and some commercial uses

East: Privately owned land, primarily residential uses

West: Primarily commercial uses, Bullfrog RD and SR 903 intersection.

Access: The site is accessed from Carek Rd, approximately .10 miles north of the city of Cle Elum.

III. ZONING AND DEVELOPMENT STANDARDS

The parcels involved in this proposal are in a land use designation of *Rural Recreation* and zoning designation of *General Commercial*. The proposed project is classified as a “Mini-Warehouse.” 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 footnote outlines five (5) criteria for mini-warehouse uses within the General Commercial Zone. 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 #2) for Cle Elum Storage (CU-19-00004) was submitted to Kittitas County Community Development Services department on November 13, 2019. The application was deemed complete (See Index #19) on December 31, 2019. The site was posted in accordance with KCC 15A.03.110 on January 3, 2020 (See Index #20).

Notice of Application: A notice of application (See Index #21) for the Cle Elum Storage Conditional Use Permit (CU-19-00004) 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 January 14, 2020, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #22). The comment period concluded on January 29, 2020.

V. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan has established specific goals and policies associated with Rural Resource lands. The following goals and policies guide activities on Rural Resource lands throughout the County. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

RR-G29: Allow for and encourage commercial activities characteristic to recreational activity while maintaining rural character.

Staff Consistency Statement: The proposed project is an expansion to an existing mini warehouse facility. Recreational activities are abundant in the vicinity 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 part of small hub of commercially zoned parcels that largely cater to recreational visitors.

.RR-P54: Convenience and motorist services, when permitted near highway, freeway and major arterial intersections, shall be designed to be compatible with surrounding rural character.

Staff Consistency Statement: The immediate vicinity of the project area hosts several small businesses along the border of an adjacent roundabout. The proposed use is an expansion of an existing use and is consistent with development in the immediate vicinity as a centrally located small scale business largely servicing recreational users in the general area.

RR-P61: Commercial uses proposed for development to service recreational tourists and residents will be permitted in spaces when found to be suitable to surrounding rural areas.

Staff Consistency Statement: The proposed project is within a small commercial zone and consistent in scale, character, and impact with adjacent businesses.

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 with no comments submitted from 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 March 10, 2020 (See Index #48). The appeal period for the SEPA MDNS concluded on March 25, 2020. 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 23-44. The following parties provided substantive comments during the comment period.

Agency Comments: Washington State Department of Ecology, Washington State Department of Transportation, Kittitas County Fire Marshal, and Kittitas County Public Works.

Washington State Department of Ecology (DOE):

DOE provided comments noting the requirement of an “NPDES Construction Stormwater General Permit if the project anticipates disturbing ground with the potential for stormwater discharge off-site.” (See Index #14)

Washington State Department of Transportation (WSDOT):

WSDOT provided comment stating that the project will be restricted to access from Carek Road. WSDOT raised concerns regarding the proposed 0’ lot line setback adjacent to a WSDOT right-of-way and potential snow storage capacity. WSDOT stated that all stormwater must be retained on-site, lighting should be downward facing, and signage must comply with state criteria. (See Index #15)

Kittitas County Fire Marshal:

The Kittitas County Fire Marshal stated Knox Box requirements, annual inspection requirements, and criteria associated with the necessity for a Fire Marshal Gate Permit. (See Index #16)

Kittitas County Public Works:

Kittitas County Public Works described access permit, grading permit, and stormwater requirements and thresholds. (See Index #17)

Public Comments: No Public Comments were received for this project.

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-G29, RR-P54, and RR-P61.

Provided the applicant follows and maintains the goals and policies, they shall be in compliance with the Kittitas County Comprehensive Plan. Therefore, the County and applicant are in compliance with the 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: “The proposed project will continue the original plan for storage units for this property, adding needed storage space for the community. The property will have an eight foot security fence and a surveillance system giving additional security to the tenets and neighborhood without additional cost to the public.” (See Index #)

Staff Response: The project site is within a commercial zone adjacent to several businesses that service recreational visitors and local customers. The proposed use is an expansion of an existing use. The expansion is not anticipated to be detrimental or injurious to the public health, peace, safety, or 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: “Project will be adequately serviced by existing facilities. No sewer, water or heating fuels will be used on this facility.” (See Index #)

Staff Response: As proposed, the project will be adequately serviced by existing facilities and will not require additional public costs. The project will not 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: “Cle Elum Self Storage complies with Kittitas County Code.” (See Index #)

Staff Response: The use is consistent with the relevant development standards and criteria including KCC 17.15.060. 1 footnote #14 as described below. The mini-warehouse use is permitted in the General Commercial zone through a Conditional Use Permit. The use, as proposed, will require a parcel combination of the two parcels to meet Kittitas County setback requirements.

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

Applicant Response: “Yes” (See Index #)

Staff Response: The proposal, as conditioned, will mitigate material impacts of the development. No environmental impacts are anticipated from this project. The recommended approval conditions include a requirement to contain snow on-site or have it removed so as not to impact the WSDOT right-of-way.

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

Applicant Response: “The proposed sight complies with General commercial (G-C)” (See Index #)

Staff Response: Neighboring land uses include other commercial uses. 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: “Proposed is consistent with character of the zoning district.” (See Index #)

Staff Response: The proposed use is an expansion of an existing commercial use. This use is consistent with the Commercial zone.

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: “Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of chapter 8, Rural resource lands.” (See Index #)

Staff Response: The proposal is consistent with the Kittitas County Comprehensive Plan as described above in section “V.”

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. The proposal is a commercial use within a commercial zone.

Consistency with KCC 17.15.060.1, Allowed Uses in Rural Non-LAMIRD Lands, Footnote #14:

The following criteria are established in KCC 17.15.060.1 as required for mini-warehouse uses within the General Commercial Zone.

- 1) “A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;”

Staff Analysis: The proposal includes the addition of a fence for sight screening and security.

- 2) “All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;”

Staff Analysis: The proposal site plan demonstrates that all proposed buildings will face inward and away from property boundaries.

- 3) “No commercial or manufacturing activities will be permitted within any building or storage unit;

Staff Analysis: A recommended condition of this staff report addresses this issue (See condition #4).

- 4) “Lease documents shall spell out all conditions and restrictions of the use;”

Staff Analysis: A recommended condition of this staff report addresses this issue (See condition #5)

- 5) “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 Analysis: A recommended condition of this staff report addresses this issue. (See condition #6)

Staff Conclusions: Kittitas County CDS finds the application, as conditioned, is consistent with KCC 17.15.060.1 footnote #14.

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 the KCC Title 14.04, Building Code:

Any future buildings must be consistent with International Building Codes.

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 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 Ecology, Washington State Department of Transportation, Kittitas County Fire Marshal, and Kittitas County Public Works. (Index #50).

Public Comments:

No public comments were received for this proposal.

IX. Findings of Fact

1. The proposed project would add 11 storage buildings to an existing storage unit facility located in the General Commercial zoning designation. The project would include an additional 37,387.5 square feet of enclosed storage and an eight-foot security and site screening fence.

2. Site Information

Total Property Size:	2.01 Acres
Number of Lots:	2
Domestic Water:	Well (proposal does not include any use of wells)
Sewage Disposal:	No facilities onsite
Power/Electricity:	PSE
Fire Protection:	Fire District 7 (Cle Elum)
Irrigation District:	N/A

3. Site Characteristics:

North: Primarily privately-owned single family residential

South: State Route 903 and some commercial uses

East: Privately owned land, primarily residential uses

West: Primarily commercial uses, Bullfrog RD and SR 903 intersection.

4. Access: The site is accessed from Carek Rd, approximately .10 miles north of the city of South Cle Elum.

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

6. The project is an expansion of an existing mini-warehouse facility. Mini-warehouse facilities are a permitted use within the General Commercial zone with a conditional use permit.

7. A conditional use permit application (See Index #2) for Cle Elum Storage (CU-19-00004) was submitted to Kittitas County Community Development Services Department on November 13, 2019. The application was deemed complete (See Index #19) on December 31, 2019. The site was posted in accordance with KCC 15A.03.110 on January 3, 2020 (See Index #20).

8. A notice of application (See Index #21) for the Cle Elum Storage Conditional Use Permit (CU-19-00004) 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 January 14, 2020, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #22). The comment period concluded on January 29, 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 as well as 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 March 10, 2020 (See Index #48). The appeal period for the SEPA MDNS concluded on March 25, 2020. 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-G29, RR-P54, and RR-P61.

12. Road Standards and access requirements are subject to the standards outlined in Kittitas County Code Title 12.

13. The following agencies provided comments during the comment period: Washington State Department of Ecology, Washington State Department of Transportation, Kittitas County Fire Marshal, and Kittitas County Public Works. (Index #50).

14. CDS received no public comments during the comment period.

16. The proposal, as conditioned, is consistent with the goals and policies of the Kittitas County Comprehensive Plan.

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

18. This proposal, as conditioned, is consistent with the provisions of KCC Title 14, Buildings and Construction as conditioned.

19. This proposal, as conditioned, is consistent with the provisions of KCC Title 17.61C, Solar Power Production Facilities.

20. This proposal, as conditioned, is consistent with the provisions of KCC 17.60A, Conditional Uses and meets the criteria of KCC 17.15.060.1 footnote #14.

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, and Title 20 Fire and Life Safety.

XI. Recommendation and Conditions of Approval:

Kittitas County recommends *preliminary approval* of the Cle Elum Storage Conditional Use CU-19-00004 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 November 13, 2019 and subsequent information included in the complete file index except as amended by the conditions herein.
2. The applicant shall comply with all local, State and Federal environmental standards and regulations in place at the time of building application submittal.
3. All new construction must meet the International Building Code requirements.
4. The development plan of the site as proposed is contingent on approval of a parcel combination of the two parcels involved. Denial of a parcel combination shall require adjustment of the proposal to meet all required lot line setbacks.
5. No commercial or manufacturing activities will be permitted within any building or storage unit.
6. Lease documents shall spell out all conditions and restrictions of the use.
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. All signage for the site shall comply with WSDOT sign standards.
8. Snow shall be contained on-site or transported off site. Snow storage shall not encroach on the WSDOT right-of-way.
9. A grading permit through Kittitas County Public Works will be required for any dirt work exceeding 100 cubic yards of material.
10. Any relocation of the current access shall require an access permit from Kittitas County Public Works.
11. Any proposed lighting shall be directed downwards and away from SR 903.
12. Stormwater plans shall be designed in accordance with the Eastern Washington Storm Water Manual and shall be contained on-site.
13. All development, design and construction shall comply with International Fire Code requirements and KCC Title 20 Fire and Life Safety.
14. 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.

