



Drake Accessory Dwelling Unit
File Number AU-24-00003
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. General Information

Requested Action: The applicants have proposed a shop with an approximately 1,000-1,200 square foot ADU. The property has an existing single-family residence. The subject property is zoned Agriculture 5. The subject property land use is Rural Residential.

Location: One tax parcel (#17891), located at 571 Richards Rd in Cle Elum, WA. Approximately 0.4 miles northwest of the intersection of Scott Dr and Nelson Siding Rd. Section 28, Township 20, Range 14, W.M.; Kittitas County parcel map number 20-14-28000-0052.

Site Information:

Total Property Size:	3.44 acres
Number of existing lots:	1
Domestic Water:	Existing individual well
Existing sewage Disposal:	Existing on-site septic
Fire District:	Fire District 7 (Cle Elum)

Site Characteristics: The site consists of developed land with a single-family residence.

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 Richards Road.

II. Administrative Review

Notice of Application: An ADU permit application was submitted to Kittitas County Community Development Services on August 12, 2024. The application was deemed complete on August 14, 2024. A Notice of Application for the Drake ADU (AU-24-00003) 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 August 20, 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 (A-5) is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-5 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 Drake 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 3.44 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 parcel has no mobile homes or recreational vehicles, 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: Kittitas PUD, Kittitas County Public Health, Department of Archaeology & Historic Preservation, Kittitas County Public Works, Confederated Tribes of the Colville Reservation, WA Dept of Ecology.

Comments are addressed below.

Kittitas PUD

Kittitas PUD stated they have no facilities in the project area.

Applicant Response: No response.

Staff Response: Staff has no response.

Kittitas County Public Health

Kittitas County Public Health provided comments on water and septic requirements.

Applicant Response: No response.

Staff Response: This proposal has been conditioned to meet local, state, and federal codes and regulations.

Department of Archaeology & Historic Preservation

DAHP provided comments on cultural resource concerns and asked that an inadvertent discovery plan be prepared.

Applicant Response: No response.

Staff Response: This proposal has been conditioned to prepare for the inadvertent discovery of

cultural resources.

Kittitas County Public Works

Kittitas County Public Works provided comments on access, grading, and water mitigation & metering requirements.

Applicant Response: No response.

Staff Response: This proposal has been conditioned to meet Kittitas County Public Works requirements.

Confederated Tribes of the Colville Reservation

The Confederated Tribes of the Colville Reservation provided comments on cultural resource concerns and requested cultural resource survey be conducted prior to ground disturbing activities.

Applicant Response: No response.

Staff Response: This proposal has been conditioned to prepare for the inadvertent discovery of cultural resources.

Washington Department of Ecology

The Department of Ecology provided comments on water resource requirements.

Applicant Response: No response.

Staff Response: The application has been conditioned to meet state and federal regulations.

VI. Findings of Fact

1. Requested Action: The applicants have proposed a shop with an approximately 1,000-1,200 square foot ADU.
2. Site Location: One tax parcel (#17891), located at 571 Richards Rd in Cle Elum, WA. Approximately 0.4 miles northwest of the intersection of Scott Dr and Nelson Siding Rd. Section 28, Township 20, Range 14, W.M.; Kittitas County parcel map number 20-14-28000-0052.
3. Site Information:

Total Property Size:	3.44 acres
Number of existing lots:	1
Domestic Water:	Existing individual well
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Fire District:	Fire District 7 (Cle Elum)

Site Characteristics: The site consists of developed land with a single-family residence.

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 Richards 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 August 12, 2024. The application was deemed complete on August 14, 2024. A Notice of Application for the Drake ADU (AU-24-00003) 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 August 20, 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: Kittitas PUD, Kittitas County Public Health, Department of Archaeology & Historic Preservation, Kittitas County Public Works, Confederated Tribes of the Colville Reservation, WA Dept of Ecology.
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 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 Drake accessory dwelling unit, AU-24-00003, 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.

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 17, 2024, at 5:00p.m. Appeals submitted on or before October 17, 2024, shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official


Chace Pedersen

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7539

Date: October 3, 2024