



**Hill Accessory Dwelling Unit  
File Number AU-26-00007  
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 on-site development. The ADU will have 1,500 sq. ft. of habitable space. The property has an existing Single-Family Residence and a Pump House. The subject property is zoned Agriculture-5. The subject property land use is Rural-Residential.

**Location:** One tax parcel (#17778), located off Flying M Drive, a private road. Approximately 1.95 miles East of Cle Elum, WA. In a portion of the SE ¼ of the SE ¼ of Sec. 28 & a portion of the N. ½ of the NE ¼ of Sec. 33, T. 20, R. 16, W.M.; Kittitas County parcel map number 20-16-33010-0014.

**Site Information:**

Total Property Size: 3.41 acres  
Number of existing lots: 1  
Domestic Water: Existing Shared/Class B Well System  
Existing Sewage Disposal: Existing On-Site Septic System  
Fire District: Fire District #7 (Cle Elum)

**Site Characteristics:** The site consists of forested land with an existing Single-Family Residence and associated non-residential structures in an Agriculture-5 zoning designation.

**Surrounding Property:**

North: Forested land with low-density residential development in an Agriculture-5 zoning designation.  
South: Agricultural land with low-density residential development in an Agriculture-5 zoning designation.  
East: Forested land with low-density residential development in an Agriculture-5 zoning designation.  
West: Agricultural land with low-density residential development in a Forest & Range zoning designation.

**Access:** The project has existing access from Flying M Drive, a private road.

**II. Administrative Review**

**Notice of Application:** An ADU permit application was submitted to Kittitas County Community Development Services on May 8, 2026. The application was deemed complete on May 18, 2026. A Notice of Application for the Hill ADU (AU-26-00007) 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 May 18, 2026. Notice was published in the Northern Kittitas County Tribune, 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 Hill 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. Accessory dwelling units may be attached to the primary residence or detached.

#### **Staff Conclusions**

The proposal, as conditioned, meets the requirements of KCC 17.08.022.

#### **KCC 17.60B.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 17.60B.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 at least 3.00 acres in size, 2) the parcel currently has no ADU on the property, 3) the ADU does not exceed 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 of the subject parcel. The only mapped water-feature is identified as an irrigation feature. Irrigation features are not subject to Critical Area regulations in Kittitas County.

#### **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: Bonneville Power Administration, Confederated Tribes of the Colville Reservation, Kittitas County Fire Marshal, Kittitas County Public Works, Washington State Dept. of Health – Office of Drinking Water, Yakama Nation Fisheries.

No public comments were received during the public comment period.

Comments are addressed below.

##### **Bonneville Power Administration**

BPA stated they have no facilities in the area and they have no comments at this time.

*Applicant Response: No Response.*

*Staff Response: As BPA stated that the project will not impact their facilities, staff has no further comment.*

##### **Confederated Tribes of the Colville Reservation**

CTCR provided comments requesting an Inadvertent Discovery Plan (IDP) and detailed risk factors

regarding cultural resources specific to this site.

*Applicant Response: “In response to Jordan Bovee, Archaeologist Senior: We previously removed an existing driveway measuring approximately 20 feet wide by 200 feet long in the location of the proposed ADU. There were also two abandoned irrigation ditches (both Masterson Ditches) located above and below the proposed ADU site. Additionally, a 6-bedroom septic system has been installed directly below the ADU location. A 3,300 sq. ft. residence was constructed northwest of the ADU site, with completion in 2021. No archaeological concerns or flags were raised during that process. Furthermore, the majority of the ADU site has already undergone significant grading and soil disturbance related to these past improvements. We will attach a site plan indicating the former irrigation ditches, roadways, and septic drain fields. Based on the previous disturbances and prior approvals, we believe additional review is not necessary.”*

*Staff Response: Staff has reviewed the applicant’s response and agrees with the Tribe that an Inadvertent Discovery Plan (IDP) is sufficient in this scenario where the entire work area has been previously disturbed with the home construction in 2021.*

#### **Kittitas County Fire Marshal**

KCFM provided comments pointing out the need to adhere to Kittitas County Code regarding driveway specifications and referenced KCC 12.04.07.060 #12, as well as the International Fire Code (Appendix D).

*Applicant Response: No response.*

*Staff Response: Because the submitted comments contained references to regulations outlined in Kittitas County Code, as well as the International Fire Code, staff has conditioned this project upon successfully adhering to the stated requirements.*

#### **Kittitas County Public Works**

KCPW provided comments related to access specifications, as well as stated that the applicants are required to obtain Private Road Certification for a joint-use driveway off Flying M Drive prior to receiving a Certificate of Occupancy. KCPW also provided comments pertaining to road standards, grading/filling requirements and thresholds, survey specifications and the need to adhere to setbacks. KCPW also provided comments pertaining to water mitigation/metering specifications, and listed Water Mitigation Certification and water meter inspection/installation requirements.

*Applicant Response: “In response to Public Works – Access: Flying M Drive has already gone through the Private Road Certification (PRC) process. Multiple homes have since been constructed and approved under this certification. We do not anticipate any issues related to access.”*

*Staff Response: Because the submitted comments contained requirements, as well as listed mandatory certification(s), and requirements related to installation and inspection of project components, staff has conditioned this project upon successfully adhering to all stated requirements.*

#### **Washington State Dept. of Health – Office of Drinking Water**

WSDOH provided comments that stated the “Public Water System” definition. WSDOH expanded upon this information by stating the need to evaluate the occupancy definition if the occupancy status changes. This would be to determine if the project would be defined as a Public Water System. WSDOH also gave further explanations of water systems and how they are defined according to their agency.

Applicant Response: “All water requirements have been completed with an approved Mitigation Certificate (Class B). Public Works has also confirmed this in their response.”

Staff Response: Staff has deferred to Public Health in the classification of the water system. The additional connection for the ADU is still consistent with a shared “exempt well,” if three or more connections occur, it will be considered a Group B well and will be regulated by Kittitas County Public Health.

**Yakama Nation Fisheries**

YNF provided comments stating their officials do not anticipate the need for further investigation of the potential impacts this project will have on archaeological or cultural resources.

Applicant Response: No response.

Staff Response: As YNF stated there is no reason for further investigation of the impacts upon archaeological or cultural resources, staff has no further comment.

**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. The ADU will have 1,500 sq. ft. of habitable space. The property has an existing Single-Family Residence and a Pump House. The subject property is zoned Agriculture-5. The subject property land use is Rural-Residential.
2. Site Location: One tax parcel (#17778), located off Flying M Drive, a private road. Approximately 1.95 miles East of Cle Elum, WA. In a portion of the SE ¼ of the SE ¼ of Sec. 28, & a portion of the N ½ of the NE ¼ of Sec. 33, T. 20, R. 16, W.M.; Kittitas County parcel map number 20-16-33010-0014.

3. Site Information:

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Access: The project has existing access from Flying M 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 May 8, 2026. The application was deemed complete on May 18, 2026. A Notice of Application for the Hill ADU (AU-26-00007) 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 May 18, 2026. Notice was published in the Northern Kittitas County Tribune, 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 17.60B.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: Bonneville Power Administration, Confederated Tribes of the Colville Reservation, Kittitas County Fire Marshal, Kittitas County Public Works, Washington State Dept. of Health – Office of Drinking Water, Yakama Nation Fisheries.
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 17.60B.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 Hill accessory dwelling unit, AU-26-00007, based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

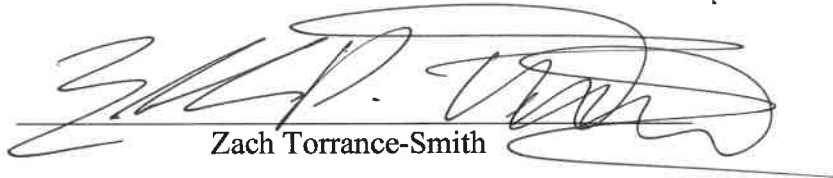
Conditions of Approval:

- All new construction must meet the International Residential Code requirements.
- Driveway must meet Kittitas County Code regarding length and width per KCC 12.04.07.060 (#12), as well as International Fire Code Appendix D.
- 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.
- Private Road Certification is required for Joint-Use driveway off Flying M Drive prior to Certificate of Occupancy.
- 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. Any further subdivision or lots to be served by proposed access may result in further access requirements. Access is not guaranteed to any existing or created parcel on this application.
- 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).
- The proposed Accessory Dwelling Unit requires water mitigation and metering per KCC 13.35.027 since it is a new use of groundwater. Public Works has issued a water mitigation certificate for the project, WM-26-00027. The water meter must be installed and inspected prior to building final.
- Applicant shall meet all local, state, and federal regulations.
- Development shall comply with KCC 17.15.060.2.27.

- Should ground disturbing or other activities related to the proposed project 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), as well as the Confederated Tribes of the Colville Reservation (CTCR). 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 July 10, 2026, at 5:00p.m. Appeals submitted on or before July 10, 2026, 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

**Address:** Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA. 98926  
Phone: (509) 962-7079

**Date:** June 22, 2026