

**KITTITAS COUNTY  
LAND USE HEARING EXAMINER**

**IN THE MATTER OF**

**CU-26-00002**

**Lind Conditional Use Permit**

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**FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
DECISION AND  
CONDITIONS OF APPROVAL**

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on August 3, 2026 the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

**I. FINDINGS OF FACT**

1. Requested Action: The applicant is proposing a Montessori School on parcel 201033. The Montessori School will serve approximately 28 students ranging in age from 2 ½ to 12 years old. The project will utilize an existing residential structure.
2. Location: One tax parcel (201033), located at 2110 Reecer Creek Road in Ellensburg, WA. Approximately 300 feet from the intersection of Reecer Creek Road and Bender Road. Section 27, Township 18, Range 18; Kittitas County parcel map number 18-18-27056-0004.
3. Total Property Size: 1.5 acres
4. Number of Lots: 1
5. Domestic Water: Proposed City of Ellensburg
6. Sewage Disposal: Proposed City of Ellensburg
7. Site Characteristics:
  - 7.1. North: Existing high-density residential development
  - 7.2. South: Existing low-density residential development
  - 7.3. East: Existing low-density residential development
  - 7.4. West: Existing low-density residential development
8. Access: The site is accessed off Reecer Creek Road.

**9. ZONING AND DEVELOPMENT STANDARDS**

- 9.1. Resolution 2022-013 authorizes the execution of an interlocal agreement between the City of Ellensburg and Kittitas County to facilitate the transition of urban services and to coordinate and manage growth and development from the County to the City throughout the Urban Growth Area (UGA). The County adopts City regulations controlling land use, setback standards, density requirements, and the most current City Public Works development regulations and standards.
- 9.2. The property is zoned Urban Residential and has an Urban land use designation. The property is located within the City of Ellensburg's Urban Growth Area. Using the conversion chart listed in KCC 17.11.035, the property has a City of Ellensburg zoning designation of zoned Residential Suburban and a land use designation of Blended Residential Neighborhood.



- 9.3. The proposed use is defined as a “School”. Schools are allowed with a conditional use permit under KCC 17.11.037(4)(c) in Residential Suburban zones. The conditional use permit criteria are examined below.

## 10. ADMINISTRATIVE REVIEW

- 10.1. Deem Complete: A conditional use permit application for Lind (CU-26-00002) was submitted to Kittitas County Community Development Services department on May 21, 2026 (Exhibit #1 – Exhibit #4). The application was deemed complete on June 12, 2026 (Exhibit #5). The site was posted in accordance with KCC 15A.03.110 on June 12, 2026 (Exhibit #6).
- 10.2. Notice of Application: A notice of application for the Lind Conditional Use Permit (CU-26-00002) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels and applicable agencies (Exhibit #7). 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 June 18, 2026, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (Exhibits #8, #9, & #10). The comment period concluded on July 6, 2026.

## 11. COMPREHENSIVE PLAN

- 11.1. The Kittitas County Comprehensive Plan has established the following goals and policies to guide development within Urban Growth Areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:
- 11.1.1. LU-P5: Pursue consistency in Development Regulations in urban growth areas with adjacent cities. This may be accomplished through Potential Annexation Areas (PAAs), coordination through the Conference of Governments, development of interlocal agreements, and use of overlay zones such as Rural Transition Zones.
- 11.1.1.1. Hearing Examiner Finding: Kittitas County and the City of Ellensburg have entered into an Interlocal Agreement under which Kittitas County administers and applies the City of Ellensburg's development and land use regulations within the applicable area. To determine whether the proposed use is allowed, the City of Ellensburg land use table was applied using the County-to-City zoning conversion table in KCC 17.11.035. Based on this review, the proposed use is consistent with the City of Ellensburg Development Regulations, including the applicable permitting process.
- 11.1.2. LU-P11: Encourage and accommodate future expansion of utilities and roadways in a logical manner for new development in urban growth areas. Expansion of utilities and roadways shall not be made exclusively to accommodate new development outside of urban growth areas.
- 11.1.2.1. Hearing Examiner Finding: The proposed project will extend City of Ellensburg utility services in a logical and orderly manner to areas within the UGA that do not currently have access to those services. The utility extensions are intended to serve development within the UGA and are not being constructed exclusively to provide service to areas outside the UGA.
- 11.1.3. E-P23: Increase or support the creation/retention of home-based business.
- 11.1.3.1. Hearing Examiner Finding: The proposed project will allow a mix of residential and educational uses within an existing single-family dwelling. The residence will continue to function as a home while also accommodating a Montessori school. This



proposal supports the establishment and continued operation of this home-based business.

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

**13. ENVIRONMENTAL REVIEW**

- 13.1. Staff conducted a desktop review of critical areas and identified a potential wetland in the southwestern portion of the property. The proposed ADA parking area and accessible ramp are located within 205 feet of the mapped wetland. The applicant shall submit a wetland critical areas report or wetland delineation consistent with KCC 17A.07.060 and KCC 17A.01.080 before applying for the Change-of-Use building permit. Critical areas reports are valid for five years from the date of completion or, if applicable, from the date of the corresponding wetland delineation documentation.

**14. AGENCY AND PUBLIC COMMENTS**

- 14.1. 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 within this report (Exhibit #12 – Exhibit #20). The following parties provided substantive comments during the comment period:

- 14.2. Agency Comments: Bonneville Power Administration (BPA), Washington State Dept. of Health – Office of Drinking DOH), Yakama Nation Fisheries, City of Ellensburg, Confederated Tribes of the Colville Reservation, Kittitas County Public Works (KCPW), and Kittitas County Public Health (KCPH). Below is a summary of their comments:

14.3. **Bonneville Power Administration**

- 14.3.1. BPA provided comments stating that they have no facilities in the area of this project and that they have no objections or concerns at this time.
- 14.3.2. Hearing Examiner Finding: BPA stated that this project is not near any of their facilities.

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

- 14.4.1. DOH comment requested confirmation that the applicant will be connected to the City of Ellensburg's Public Water System. Once confirmation was received, DOH stated that they are satisfied that the City of Ellensburg can serve the applicant.
- 14.4.2. Hearing Examiner Finding: DOH stated that they are satisfied with connection to City of Ellensburg Public Water System.

14.5. **Yakima Nation Fisheries**

- 14.5.1. Yakama Nation Fisheries stated this project doesn't yield any new information that would require further investigation of the potential impacts on Archaeological or Cultural Resources.
- 14.5.2. Hearing Examiner Finding: Yakama Nation Fisheries found this project will not require further investigation of potential impacts..

14.6. **City of Ellensburg – City Development Center**

- 14.6.1. The City of Ellensburg stated that City sewer is available for connection on the west side of Reecer Creek Road. City water would need to be extended from Bender Road along Reecer Creek Road to the south extends of the property. Since the property is currently in



the County to receive City utilities an outside utility agreement would need to be completed prior to connection.

- 14.6.2. Hearing Examiner Finding: The Hearing Examiner has conditioned this project to remain in compliance with the City of Ellensburg utility requirements.

14.7. **Confederated Tribes of the Colville Reservation**

- 14.7.1. CTCR provided comments stating that the proposed project is unlikely to impact any potential unrecorded cultural resources, but they recommend having an inadvertent discovery plan (IDP) in the event that cultural resources are encountered during the project's implementation.

- 14.7.2. Hearing Examiner Finding: CTCR stated that this project does not raise concerns regarding cultural resources.

14.8. **Kittitas County Public Health**

14.8.1.1. Drinking Water

- 14.8.1.1.1. Prior to conditional use approval the Public Health Department will need to see proof of City Utility connection. A utility agreement along with water permits will need to be submitted to show utility connection.

- 14.8.1.1.2. If connecting to utilities becomes unfeasible, then a Group B well will need to be used for the intended project.

14.8.1.2. Wastewater

- 14.8.1.2.1. Prior to conditional use approval the Public Health Department will need to see proof of City Utility connection. A utility agreement along with water permits will need to be submitted to show utility connection.

- 14.8.1.2.2. If connecting to utilities becomes unfeasible, then an approved septic system designed by a licensed OSS designer will need to be submitted for approval for the intended project.

- 14.8.1.3. Hearing Examiner Finding: The applicants have stated that they will coordinate with Kittitas County Public Health and the City of Ellensburg regarding all stated health requirements. The Hearing Examiner has conditioned this project to remain in compliance with all applicable health codes and requirements.

14.9. **Kittitas County Public Works**

14.9.1. Access

- 14.9.1.1. An approved commercial access permit shall be required from the Kittitas County Department of Public Works.

- 14.9.1.2. All commercial and industrial access points shall be designed in accordance with Kittitas County Paved Apron Design Standards.

- 14.9.1.3. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain access.

- 14.9.1.4. In addition to the above-mentioned conditions, all applicable Kittitas County Road Standards apply to this proposal. Access is not guaranteed to any existing or created parcel on this application.



#### 14.9.2. Engineering

- 14.9.2.1. Except as exempt in 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 (55) cubic yards shall be accompanied by an engineered grading plan (KCC 15.04.080).

#### 14.9.3. Transportation Concurrency

- 14.9.3.1. A transportation concurrency management application and Traffic Impact Analysis will be required for this project.

#### 14.9.4. Flood

- 14.9.4.1. The Kittitas County Flood Control Zone District has completed a flood risk study of Whisky and Mercer Creeks that identifies this parcel may experience shallow flooding (less than 1 foot) as frequently as the 2-year flooding event, up to the 100-year event. The property is not currently mapped within the 100-year floodplain. A Flood permit is not required for the project.

#### 14.9.5. Water Mitigation/Metering

- 14.9.5.1. In accordance with KCC 13.35.020 & 13.35.027, the applicant shall provide one of the following documents before final conditional use approval.

- 14.9.5.1.1. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
- 14.9.5.1.2. An adequate water right for the proposed new use; or
- 14.9.5.1.3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.

- 14.9.6. Hearing Examiner Finding: Because the submitted comments from KCPW included requirements, staff has proposed conditioning this project upon successfully adhering to all transmitted requirements.

#### 14.10. Public Comments

- 14.10.1. No public comments were received during the comment period.

#### 15. Project Analysis

16. 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 are Hearing Examiner Findings of Fact related to the consistency review for the subject application.

#### 17. Consistency with the Comprehensive Plan:

- 17.1. 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: LU-P5, LU-P11, and E-P23.

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

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



17.2.1.1. 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.

17.2.1.1.1. Applicant Response: "The proposed use of a small school on this property is in great demand, The need for this type of learning environment has long been sought after by our community. This use will blend with neighboring properties and has been well received by those that I've spoken with already."

17.2.1.1.2. Hearing Examiner Finding: There is a shortage of early learning childcare facilities in Kittitas County. Daycares and Montessori Schools often have waitlists. Thus, it can be argued that the proposed use is essential and desirable for public convenience. This proposal will not be detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.

17.2.1.2. 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

17.2.1.2.1.1. 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

17.2.1.2.1.2. The applicant shall provide such facilities; or

17.2.1.2.1.3. The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.

17.2.1.2.2. Applicant Response: "The minimal size of our small school will be adequately served by existing roads, police, and fire protection. We do not expect to create any increase expense for the county."

17.2.1.2.3. Hearing Examiner Finding: This proposal will not create excessive public costs for facilities and services. The City of Ellensburg and the Department of Health have determined that the City can adequately support this proposal. The applicant is responsible for extending the necessary facilities to the property. Therefore, the proposal will not result in an economic detriment or additional public costs.

17.2.1.3. 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.

17.2.1.3.1. Applicant Response: "This proposed use complies with standards set forth in the Kittitas County Codes."

17.2.1.3.2. Hearing Examiner Finding: This proposal is consistent with Kittitas County and the City of Ellensburg Development Standards which state that Schools are permitted in Residential Suburban zones with a Conditional Use Permit.

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

17.2.1.4.1. Applicant Response: "Our proposed use does not require any addition of materials to mitigate."



- 17.2.1.4.2. Hearing Examiner Finding: This proposal will be conditioned to mitigate any potential significant impacts associated with its development and operation. Prior to final approval of the Conditional Use Permit and the submittal of a change-of-use building permit application, the applicant shall submit a Wetland Critical Areas Report. If wetlands are identified on the site, the report shall include a mitigation and enhancement plan to address potential impacts.
- 17.2.1.5. The proposed use will ensure compatibility with existing neighboring land uses.
- 17.2.1.5.1. Applicant Response: "Our small quiet Montessori School will be compatible with existing neighborhood land uses."
- 17.2.1.5.2. Hearing Examiner Finding: This proposal is consistent with KCC 17.11.037(4)(b), which allows schools in the Residential Suburban zone. The proposed school will serve approximately 28 students per day. Potential impacts include temporary construction activity, utility extensions, increased traffic, and noise. A transportation concurrency review and traffic impact analysis will identify and address traffic-related impacts. The proposal is also consistent with the surrounding area, where two public schools are located within one mile of the site.
- 17.2.1.6. The proposed use is consistent with the intent and character of the zoning district in which it is located.
- 17.2.1.6.1. Applicant Response: "This use will be an asset to the neighboring communities therefore it is consistent with the intent and character of the zoning district in which we are located."
- 17.2.1.6.2. Hearing Examiner Finding: The parcel is located with the City of Ellensburg UGA and is zoned Residential Suburban when the City of Ellensburg zoning designation is applied. The purpose and intent of the UGA is to provide for areas that are suitable and desirable for urban densities as determined by the sponsoring city's ability to provide urban services, and to allow for alternative methods of development that allows for infill and development at urban levels. This proposed use is consistent with the intent of UGAs, which allow for more alternative methods of development, including schools.
- 17.2.1.7. For conditional uses outside of Urban Growth Areas, the proposed use:
- 17.2.1.7.1.1. 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;
- 17.2.1.7.1.2. Preserves "rural character" as defined in the Growth Management Act
- 17.2.1.7.1.3. Requires only rural government services; and
- 17.2.1.7.1.4. Does not compromise the long-term viability of designated resource lands.
- 17.2.1.8. Applicant Response: "Not applicable. We are within the Urban Growth Area."
- 17.2.1.9. Hearing Examiner Finding: This proposal is located with the City of Ellensburg's UGA.



17.2.1.10. Hearing Examiner Finding: The Hearing Examiner finds the application, as conditioned, consistent with KCC 17.60A Conditional Uses, as described above.

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

17.3.1. Staff conducted a desktop review of critical areas and identified a potential wetland in the southwestern portion of the property. The proposed ADA parking area and accessible ramp are located within 205 feet of the mapped wetland. The applicant shall submit a wetland critical areas report or wetland delineation consistent with KCC 17A.07.060 and KCC 17A.01.080 before applying for the Change-of-Use building permit. Critical areas reports are valid for five years from the date of completion or, if applicable, from the date of the corresponding wetland delineation documentation.

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

17.4.1. Any future buildings must be consistent with International Building Codes.

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

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

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

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

17.7. **Agency Comments:** The following agencies provided comments during the comment period: Bonneville Power Administration (BPA), Washington State Dept. of Health – Office of Drinking DOH), Yakama Nation Fisheries, City of Ellensburg, Confederated Tribes of the Colville Reservation, Kittitas County Public Works (KCPW), and Kittitas County Public Health (KCPH) (Exhibit #12 – Exhibit#20)

17.8. **Public Comments:** No public comments were received during the comment period.

18. An open record public hearing was held, after legal notice, on August 3, 2026.

19. Appearing and testifying on behalf of the Applicant was Elizabeth Lind. Ms. Lind testified that she was the property owner and Applicant. She testified that he had reviewed and had no objection to either the representations in the staff report or the proposed conditions of approval. She offered further testimony consistent with the application materials. She did clarify that the structure would not be used as a residence.

20. Nomember of the public testified at the hearing.

21. The following exhibits were admitted into the record:

- |       |      |                                         |
|-------|------|-----------------------------------------|
| 21.1. | Ex 1 | Application & Pre-Application Materials |
| 21.2. | Ex 2 | Project Narrative                       |
| 21.3. | Ex 3 | Site Plan Floor Plan                    |
| 21.4. | Ex 4 | Updated Site Map                        |
| 21.5. | Ex 5 | Deemed Complete                         |
| 21.6. | Ex 6 | Sign Posting email 6-12-2026            |
| 21.7. | Ex 7 | Affidavit of Mailing & Publication NOA  |
| 21.8. | Ex 8 | NOA Memo                                |



- 21.9. Ex 9 NOA Legal
- 21.10. Ex 10 NOA legal email 6-12-2026
- 21.11. Ex 11 Transmittal of Comments
- 21.12. Ex 12 Bonneville Power Administration
- 21.13. Ex 13 Washington State Department of Health
- 21.14. Ex 14 City of Ellensburg Public Works
- 21.15. Ex 15 Confederated Tribes of the Colville Reservation
- 21.16. Ex. 16 City of Ellensburg
- 21.17. Ex. 17 Washington State Department of Health Follow-Up
- 21.18. Ex. 18 Kittitas County Public Health
- 21.19. Ex. 19 Kittitas County Public Works
- 21.20. Ex. 20 Yakama Nation
- 21.21. Ex. 21 Building Pre App Memo
- 21.22. Ex. 22 Montessori School - Fire comments
- 21.23. Ex. 23 Aerial View
- 21.24. Ex. 24 Critical Areas
- 21.25. Ex. 25 Fire District
- 21.26. Ex. 26 Land Use
- 21.27. Ex. 27 Zoning
- 21.28. Ex 28 Staff Report

- 22. The Kittitas County Hearing Examiner considered all evidence within the record in rendering this decision.
- 23. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

## **II. CONCLUSIONS OF LAW**

- 1. The Kittitas County Hearing Examiner has been granted the authority to render this decision.
- 2. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
- 3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
- 4. Public use and interest will be served by approval of this proposal.
- 5. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Buildings and Construction, Title 12 Roads and Bridges and Title 20 Fire and Life Safety.
- 6. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

## **III. DECISION**



Based on the above Findings of Fact and Conclusions of Law, CU-26-00002, is hereby **APPROVED** subject to the following Conditions of Approval.

#### **IV. CONDITIONS OF APPROVAL**

1. The project shall proceed in substantial conformance with the plans and application materials on file with CDS that were revised and received on May 21, 2026, and subsequent information included in the Exhibits except as amended by the conditions herein.
2. The occupancy for this project is Education Group E. A Change-of-Use building permit is required by Kittitas County Community Development.
3. All public buildings for facilities must be made Accessible per 2021 International Building Code and ANSI A-117; the latest adopted edition. The applicant shall show all Accessible features for rooms, counter areas and seating area where Accessibility Is required on submitted building plans.
4. The applicant shall provide Accessible parking and route to Accessible parking space(s) provided with hard surface such as asphalt or concrete. Accessible signage and parking symbols are required.
5. An approved access permit for commercial access shall be required from the Kittitas County Department of Public Works.
6. All commercial and industrial access points shall be designed in accordance with Kittitas County Paved Apron Design Standards.
7. Except as exempted in 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). Grading over 500 cubic yards also requires a SEPA checklist to be submitted and approved by Kittitas County Community Development Services.
8. A Transportation Concurrency Management Application and Traffic Impact Analysis shall be required from the Kittitas County Department of Public Works.
9. All development, design and construction shall comply with International Fire Code requirements and KCC Title 20 Fire and Life Safety.
10. Fire flow in the amount of 1500 gallons per minute supplied for 120 minutes duration is required for this application. Prior to obtaining building permits, submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved, and operated prior to the commencement of combustible building construction. Fire flow is based on 1840 square foot building of Type VB construction.
11. Fire apparatus access is required for this application. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. Access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building. The applicant shall comply with all local, state and federal regulations at the time of building permit submittal.
12. Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are not adequate. Provide a turnaround meeting the requirements of the International Fire Code Appendix D.
13. An automatic sprinkler system is required at the time of construction for buildings subject to this application. This is based on an occupant load of over 50, if less than 100 occupant loads, with direct

CU-26-00002

Lind Conditional Use Permit

Page 10 of 12



exiting from every room this is exempted out.

14. An approved fire alarm system is required at the time of construction for buildings subject to this application. Not required if under 50 occupant loads.
15. No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required.
16. New and existing buildings must have approved radio coverage for emergency responders as outlined by Section 510 of the fire code and may require the installation of an Emergency Responder Radio Coverage System (ERRCS). Proof of adequate radio coverage will be required. A separate permit is required to install or modify an ERRCS and related equipment. For more information, contact KITTCOM at (509)925-8537.
17. 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 & 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.
18. The applicant shall apply for an outside utility agreement with the City of Ellensburg prior to connecting to City water and sewer.
19. The applicant shall submit the utility agreement with the City of Ellensburg that provides proof of drinking water and wastewater connection to the Kittitas County Department of Public Health.
20. If a utility agreement is not made between the City of Ellensburg and the Applicant for drinking water, then the Applicant shall submit plans for a Group B well through the Kittitas County Department of Public Health for approval.
21. If a utility agreement is not made between the City of Ellensburg and the Applicant for wastewater, then the Applicant shall submit a septic system design by a licensed On-Ste Sewage designer to the Kittitas County Department of Public Health for approval.
22. In accordance with KCC 13.35.020 & 13.35.027, the applicant shall provide one of the following documents before final conditional use approval to the Kittitas County Department of Public Works:
  - 22.1. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
  - 22.2. An adequate water right for the proposed new use; or
  - 22.3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.
23. Failure to comply with conditions of approval may result in limitation or revocation of the conditional use permit in accordance with KCC 17.60A.100.
24. The applicant shall submit a wetland critical areas report or wetland delineation consistent with KCC 17A.07.060 and KCC 17A.01.080 before applying for the Change-of-Use building permit. Critical areas reports are valid for five years from the date of completion or, if applicable, from the date of the corresponding wetland delineation documentation.
25. Except as modified herein, the applicant shall comply with all recommendations set forth in the Public Works Memorandum dated 6/25/2026, the Building Official comment dated 4/8/2026 and the Fire



Marshall comment dated 4/1/2026.

26. School hours shall be Monday through Thursday, 8:30 am to 3:30 pm.

27. The maximum number of students allowed shall be 28 between the ages of 2.5 and 12.

Dated this 4<sup>th</sup> day of August, 2026

KITTITAS COUNTY HEARING EXAMINER



Andrew L. Kottkamp

This Decision is subject to appeal pursuant to the Kittitas County Code and the Revised Code of Washington.