



May 15, 2025

Chris Immer  
1759 Joans Lane  
Lummi Island, WA 98262

**RE: Immer (RU-25-0001) Reasonable Use Exception – Request for Information & Project on Hold**

Dear Chris,

This is a complicated area with the stream, wetland, associated buffers, topography and existing road/driveway (Jay Way). With proposed development in critical areas and their buffers, there needs to be a balance between development and habitat protection. The county code allows for development within critical area buffers through the Reasonable Use Exception permit. Additionally, within the code are requirements to protect the critical areas and their associated buffers through mitigation and by restricting the impacts of development in these areas.

The extent of impact to critical area buffers is usually larger than the building footprint given the nature of how buildings are constructed. However, constructing this proposed building will likely create a much larger than normal impact to the stream buffer because of the unique topography of the parcel. Engineering may likely be required to build on this parcel. Fill and excavation are likely to occur and slope stability will likely be a factor in what the finished product will look like. While engineered building & site plans and slope stability are not typically required for reasonable use permits, we do need to understand the extent of impact to critical areas and their buffers. Given the likelihood of engineering on this project, it would be a good idea to bring them into the conversation.

**Required Information:**

While the information in your email is helpful, it does fall short of what we need from you to do a thorough review of the proposed development. Per [KCC17A.01.060\(2\)\(d\)](#) of the Critical Areas Code, the burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision must be made on the application. Therefore, before staff can continue review of your application, please provide the following documentation and information:

1. An updated site plan that shows a clearer picture of your proposed development. On this site plan, please include labeled topographic lines, the size of the building, the location of the building from the lot lines, the stream, the stream buffer, the wetland at the back of your parcel, the wetland buffers and the current setbacks for this zone (Front: 25', Side: 5', Rear: 15'). It may be helpful to locate on the site plan the large tree that you pointed out that would be on the northeast corner of the proposed building. Please provide this site plan to scale. We need to know where the footprint of the proposed building will be on the parcel in relation to the stream and topography. An accurate & detailed site plan would go along way in understanding your proposal and helping us navigate the best path forward for you. It will also help us determine if moving the building into the setback would be enough to allow a 25' x 50' building or if a smaller building will be needed along with moving it into the setback.
2. The hammer head turnaround needs to be shown on your site plan. It is our understanding that a hammer head turnaround for fire apparatus is being discussed with the county engineer. This hammer head design and location on this small street/turnaround adds to the complexity of this area and may impact your property lines and setbacks. Please include the hammer head turnaround and its location on your site plan

so we have an accurate representation of the proposed development and how the road/joint use driveway improvements will impact your parcel. If the hammer head turnaround extends into your parcel and into your setback, this will reduce the setback available for the placement of the building. In this scenario, the building could not be moved as far forward toward Jay Way as discussed on Monday, which will impact the amount of trees / habitat removed within the stream buffer.

3. Additionally, we'd like to ask you to have the hammer head staked out to show the location and extent of impact the hammer head will have on the parcels at the end of Jay Way. Please stake out the proposed location and size of the proposed building. Given the limited amount of space at the end of Jay Way, it is likely that the road/driveway upgrades will affect any development on the parcels on Jay Way. Jamey Ayling and I will do another site visit so we can see the staked-out areas and how they interface with the topography & parcel.
4. Given the unique nature of this parcel and the amount of fill/excavation required to build, a SEPA checklist may be required for a more thorough environmental review. Please provide anticipated fill/excavation numbers for the accessory building. Your engineer can run these numbers for you.
5. The amount of fill/excavation needed for the road/driveway may also prompt a SEPA review of the road/driveway. If so, you can combine the SEPA review of the road/driveway with the proposed development on your property, parcel # 738035. Your engineer can run these numbers for you as well.

We appreciate your willingness to answer our questions and work together to find a path forward. Given the uniqueness of this parcel, additional information is needed before we can issue a decision on the reasonable use permit.

Upon receipt of the necessary materials outlined above, CDS will continue processing your application. This application shall expire at 5pm on November 15, 2025 if the above information is not submitted in accordance with KCC 15A.03.040(1)(b).

If you have any questions regarding this matter, I can be reached by e-mail at [bradley.gasawski@co.kittitas.wa.us](mailto:bradley.gasawski@co.kittitas.wa.us) or phone at 509-962-7539.

Sincerely,  
Bradley Gasawski  
Planner I  
Kittitas County Community Development Services  
411 N Ruby St # 2, Ellensburg, WA 98926

cc:

*via email*