

Bollinger Accessory Dwelling Unit
File Number AU-25-00009
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. General Information

Requested Action: The applicants have requested an Accessory Dwelling Unit permit for a dwelling of no more than 1,500 square feet on the property. The subject property is zoned Commercial Agriculture and has a Commercial Agriculture land use designation.

Location: One tax parcel (#180433, #16843), located at 110 Scenic Lane Ellensburg, WA. Approximately 600 feet from the intersection of Scenic Lane and Thrall Road. Section 35, Township 17, Range 19; Kittitas County parcel map number 17-19-35000-0004 and 17-19-35000-0039. This parcel spans two tax districts, so it has been assigned separate parcel and map numbers but is still considered a single parcel.

Site Information:

Total Property Size:	4.28 acres
Number of existing lots:	1
Domestic Water:	Existing Individual Well
Sewage Disposal:	New or Expanded On-Site Septic
Fire District:	Kittitas Valley Fire and Rescue (Fire District 2)

Site Characteristics: The site is located in the Columbia Plateau ecoregion where natural and human-made elements interact to establish intermediate shrub-step and agricultural practices.

Surrounding Property:

North:	Privately owned land primarily used for agriculture and residential purposes.
South:	Privately owned land primarily used for agriculture and residential purposes.
East:	Privately owned land primarily used for agriculture and residential purposes.
West:	Privately owned land primarily used for agriculture and residential purposes.

Access: The project has existing access off Scenic Lane.

II. Administrative Review

Notice of Application: An ADU permit application was submitted to Kittitas County Community Development Services on September 29, 2025. The application was deemed complete on October 1, 2025. A Notice of Application for the Bollinger ADU (AU-25-00009) 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 October 7, 2025. 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 Commercial Agriculture zone (CA) is to provide areas wherein farming and ranching are the priority. The intent of this zoning classification is to preserve fertile farmland from encroachment by non-agricultural land uses and protect the rights and traditions of those engaged in agriculture. The Bollinger ADU is being proposed under KCC 17.08.022 and KCC 17.15.050.1(4).

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 public health, safety, and general welfare;
 - b. Adversely affects 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 find the proposed ADU, as conditioned, consistent with the requirements of KCC 17.60B.050.

KCC 17.15.050.1(4) Allowed Use in Urban Lands 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. There shall be no more than two (2) ADUs on the 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 4.28 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 CA 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 is proposing to use the existing access associated with the accessory building on site 10) the ADU is subject to the administrative permit review process. Staff finds the proposed ADU, as conditioned, consistent with the requirements of KCC 17.15.050.1(4).

IV. Comprehensive Plan

The Kittitas County Comprehensive Plan establishes the following goals and policies to guide future housing development. These goals and policies were developed in response to identified needs within the county and support the County Wide Planning Policies.

H-G6: Provide a sufficient number of housing units for future population in rural areas of Kittitas County while maintaining environmental corridors and quality habitats.

Consistency Statement

Allowing an additional dwelling on the subject parcel provides more housing opportunities in Kittitas County, while protecting sensitive environmental corridors and habitats. This area is already developed and the impacts to the environment are less than they would be for the applicants to build elsewhere.

H-P8 Encourage home ownership within the community.

Consistency Statement

Permitting ADUs supports homeownership in Kittitas County by providing an affordable alternative to purchasing land and building a new home. It allows homeowners to utilize existing developed land to create additional housing opportunities, reducing the need to rent.

RR-P5: Protecting and preserving resource land shall be given priority. Proposed development allowed and adjacent to resource lands shall be conditioned to protect resource lands from negative impacts from that development.

Consistency Statement

Although the subject parcel is located in Commercial Agriculture zoning, it is only 4.28 acres and has an existing single-family residence. There is not enough acreage on this parcel to economically pursue commercial agriculture activities that are consistent with the comprehensive plan. Allowing an ADU on this parcel gives priority to adjacent resource lands that are still being cultivated, instead of promoting spall outside the parcel.

Staff Conclusion: The applicants are proposing the creation of an ADU within the regulations put forth by Kittitas County Code. By approving the construction of the accessory dwelling unit, Kittitas County is demonstrating its commitment to preserving and protecting resource lands while promoting affordable housing options.

V. Environmental Review

Staff performed a critical area review and found a Type U stream with an associated riverine wetland located on the property. The Type U stream has a 100-foot buffer landward from the OHWM or active floodway, whichever is greater. There is also a required 15-foot structural setback from the buffer edge (KCC 17A.01.090.4). Based on the site plan provided by the applicant, impacts to the

stream and the Riparian Management Zone are not anticipated because the ADU will be located outside the buffer and associated setbacks.

VI. 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 County Fire Marshal (KCFM), Yakama Nation Fisheries, Washington State Department of Health (DOH), Washington State Department of Ecology (DOE), Kittitas County Public Works (KCPW), Confederated Tribes of the Colville Reservation (CTCR), and Kittitas County Public Health (KCPH).

Comments are addressed below.

Kittitas County Fire Marshal

KCFM stated they have no comments on this project.

Applicant Response: No response.

Staff Response: Because the comments provided confirm that the KCFM does not have concern regarding this project, staff have no further comment

Yakama Nation Fisheries

Yakama Nation Fisheries did not state any concerns about this project.

Applicant Response: No response.

Staff Response: Because the comments provided confirm that the Yakama Nation Fisheries do not have concerns regarding this project, staff have no further comment

Washington State Department of Health

DOH did not state any concerns about this project and provided guidance on individual and public water systems.

Applicant Response: No response.

Staff Response: Because the comments provided confirm that the DOH does not have concerns regarding this project, staff have no further comment

Washington State Department of Ecology

DOH did not state any concerns about this project and provided guidance on the state's water resource program.

Applicant Response: No response.

Staff Response: Because the comments provided confirm that the DOH does not have concerns regarding this project, staff have no further comment

Kittitas County Public Works

Access:

- Applicant has an approved Access Permit shall be required from the Kittitas County Department of Public works prior to creating any new driveway access or altering existing access.
- Private Road Certification required for Scenic Lane.
- Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain access.

- KCC Title 12.04.07.060 requires a minimum 30' easement for a shared residential driveway.
- Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- 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.

Engineering:

- 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).

Flood

- Parcel #180433 is not mapped within a FEMA identified special flood hazard area (100-year floodplain). A floodplain development permit is not required for the project.

Water Mitigation/Metering

- Per KCC 13.35.027 water mitigation and metering will be required for the ADU because it is a new use of ground water. Parcel #180433 is located within the OTC service area for the Kittitas County Water Bank. Please call the Kittitas County Public Works Water Recourses program at (509)962-7523 to discuss mitigation options and metering requirements.

Applicant Response: No response.

Staff Response: Staff recognize the requirements set forth by KCPW and shall condition approval upon remaining in compliance with these requirements.

Confederated Tribes of the Colville Reservation

CTCR stated that the proposed undertaking is outside of the Traditional Territories of the Colville Confederated Tribes and any concerns they have will be adequately addressed by other interested parties.

Applicant Response: Applicant requested clarification on cultural resource survey requirements.

Staff Response: Because the comments provided confirm that the CTCR do not have concern regarding this project, staff have no further comment

Kittitas County Public Health

Drinking Water:

- An adequate water supply determination I/S is needed for the proposed structure.
- A shared well users' agreement is needed since it appears the well will be shared.

Wastewater:

- A site evaluation for the new structure is needed to determine soil type for the proposed septic system.
- A design from a licensed on-site septic designer along with installation permit is needed for the proposed septic system.

Applicant Response: No response.

Staff Response: Staff recognize the requirements set forth by KCPH and shall condition approval

upon remaining in compliance with these requirements.

VII. Findings of Fact

1. Requested Action: The applicants have requested an Accessory Dwelling Unit permit for a dwelling of no more than 1,500 square feet on the property. The subject property is zoned Commercial Agriculture and has a Commercial Agriculture land use designation.
2. Site Location: One tax parcel (#180433, #16843), located at 110 Scenic Lane Ellensburg, WA. Approximately 600 feet from the intersection of Scenic Lane and Thrall Road. Section 35, Township 17, Range 19; Kittitas County parcel map number 17-19-35000-0004 and 17-19-35000-0039. This parcel spans two tax districts, so it has been assigned separate parcel and map numbers but is still considered a single parcel.
3. Site Information:

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Site Characteristics: The site is located in the Columbia Plateau ecoregion where natural and human-made elements interact to establish intermediate shrub-step and agricultural practices.

Surrounding Property:

- North: Privately owned land primarily used for agriculture and residential purposes.
- South: Privately owned land primarily used for agriculture and residential purposes.
- East: Privately owned land primarily used for agriculture and residential purposes.
- West: Privately owned land primarily used for agriculture and residential purposes.

Access :The project has existing access off Sense Lane.

4. The Comprehensive Plan land use designation is “Commercial Agriculture”.
5. The subject property is zoned “Commercial Agriculture”.
6. An ADU permit application was submitted to Kittitas County Community Development Services on September 29, 2025. The application was deemed complete on October 1, 2025. A Notice of Application for the Bollinger ADU (AU-25-00009) 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 October 7, 2025. 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 17.15.050.1(4) Allowed Uses in Resource Lands. Staff find 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 County Fire Marshal (KCFM), Yakama Nation Fisheries, Washington State Department of Health (DOH), Washington State Department of Ecology (DOE), Kittitas County Public Works (KCPW), Confederated Tribes of the Colville Reservation (CTCR), and Kittitas County Public Health (KCPH).

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 – Agriculture 20 Zone as conditioned.
12. The proposed accessory dwelling unit is consistent with KCC Title 14 Building and Construction as conditioned.

VIII. 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 17.15.060.1.27 Allowable Use in Rural Non-LAMIRD lands.
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.

IX. Decision and Conditions of Approval

Kittitas County Community Development Services grants *approval* of the Bollinger accessory dwelling unit, AU-25-00009, 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).
- 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) 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.
- Development shall comply with KCC 17.15.060.1.27 Accessory Dwelling Unit requirements.

- The applicant shall meet all local, state, and federal regulations.
- The applicant shall apply for an access permit from the Department of Public works prior to altering existing access.
- The applicant shall comply with the Department of Public Works requirement for a 30' easement on shared residential driveways if the parcel is subdivided in the future.
- The applicant will not establish any new access points to the property and will only use/alter the existing access associated with the Single-Family residence or accessory building.
- Prior to building final, the applicant shall complete the Scenic Lane Road Certification through the Department of Public Works.
- The applicant shall apply for a new installation permit or expansion permit for On-Site Sewage and complete a site evaluation through the Department of Public Health to proceed with a building permit for the ADU.
- The applicant shall apply for water mitigation and adequate water to proceed with a building permit for the ADU.
- This approval shall expire three (3) years after the decision date if no substantial construction has taken place or an extension has not been applied for under KCC 17.60B.100.

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 December 8, 2025, at 5:00p.m. Appeals submitted on or before December 8, 2025, shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official



Ellie Myers

Title:

Planner I

Address:

Kittitas County Community Development Services
 411 N. Ruby Street, Suite 2
 Ellensburg, WA. 98926
 Phone: (509) 962-7048

Date:

November 13, 2025