



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

Kittitas County Fire District 7 Manufactured Home File Number PF-22-00002 FINDINGS OF FACT, DECISION, AND CONDITIONS OF APPROVAL

I. GENERAL INFORMATION

Requested Action: Kittitas County Fire District 7 (KCFD #7) proposes to add an 1,813 square foot manufactured home on their property to provide housing for paid full-time firefighters to better serve the eastern and central area of Fire District #7.

Location: Parcel 065135, located at 5461 Airport Road near the intersection of Airport Road and SR 970 in Section 32, Township 20, and Range 16, W.M.; Kittitas County parcel map number 20-16-32040-0012.

II. SITE INFORMATION

Total Property Size:	1.94 acres
Number of Lots:	1
Domestic Water:	Well
Sewage Disposal:	Septic
Fire Protection:	Fire District 7
Irrigation District:	None

Site Characteristics:

<u>North:</u>	Privately owned land and residential development
<u>South:</u>	SR 970, Railroad Tracks and Yakima River
<u>East:</u>	Privately owned, mostly undeveloped land
<u>West:</u>	Privately owned land, residential development

Access: The site is accessed from Airport Road.

Zoning and Development Standards: The subject property has a zoning designation of Forest and Range. The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. The Forest and Range zone allows for a vast array of permitted and conditional uses. Per 17.15.060.1, Public Facilities are allowed in this zone when permitted administratively pursuant to KCC 17.62 Public Facilities Permits. This project is being proposed under KCC 17.62 Public Facilities Permits, and KCC 17.60B.050 Administrative Review Process. This Public Facilities Permit requires that the following be met:

17.62.040 Decision criteria (Public Facilities)

The Community Development Services department shall review public facility permit applications in accordance with the provisions of this section and may approve, approve with conditions, or deny the public facility permit. Below is a review of the public facilities decision criteria:

1. Required Findings. A public facility permit may be approved by the Community Development Services department only if all the following findings can be made regarding the proposal and are supported by the record:

- a. That the granting of the proposed public facilities permit will not:
 - i. Be detrimental to the public health, safety, and general welfare;
 - ii. Be injurious to the property or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; nor
 - iii. Adversely affect the established character of the surrounding vicinity.

Applicant Response:

- i. *“No, it will not have any effect on public health or general welfare and could possibly increase public safety.”*
- ii. *“No, the property will be residential in nature and similar to other houses in the area.”*
- iii. *“No, as stated before the structure will be a residential home, same as the surrounding area.”*

Staff Response: Staff agrees that the proposed project will not affect the public health or general welfare. With this addition, it is likely to increase public safety as it will likely reduce response times for fire related incidents in the area, and it is not injurious to the surrounding property or the existing characteristics of the surrounding area.

- b. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.

Staff Response: The applicant did not address this criterion in their application. CDS has reviewed the application proposal and found no evidence of any potential for hazardous conditions resulting from this project. No hazardous conditions are anticipated at the proposed site. A manufactured home does not pose hazardous conditions.

- c. That the granting of the proposed public facilities permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulations.

Staff Response: The applicant did not address this criterion in their application submittals. The granting of the proposed public facilities permit is consistent with the comprehensive plan and existing regulations. CDS has identified consistency with two capital facilities goals (CF-G1, CF-G8) and one policy (CF-P29) as described in detail in section IV of this document.

- d. That the facility site and environmental designs:
 - i. Meet local and state siting criteria and design; and
 - ii. Have been reviewed and/or commented upon by local and state agencies responsible for issuing permits.

Staff Response: The applicant did not provide a response to this criterion in their application materials. The proposed project is subject to meeting all applicable codes and regulations. Prior to issuance of building permits, all other required review will be completed. The proposal is an

approved use in the Forest and Range zone pursuant to KCC 17.15.060.1 and the proposed design is not inconsistent with other structures in the area. All departments and state agencies responsible for permitting of this project have been notified of the application and given opportunity to comment in accordance with KCC Title 15A.

- e. That all conditions to mitigate the site-specific impacts of the proposed use which were identified can be monitored and enforced.

Staff Response: The applicant did not provide a response to this criterion in their application materials. Due to the small scale of the project, only a few site-specific impacts were discovered in review of the application. These include water and septic requirements as well as WSDOT requirements regarding lighting, access, and stormwater. Requirements to meet these standards have been added to the conditions outlined in this determination. All conditions imposed to mitigate impacts shall be enforced through continued permitting requirements as identified in this document.

- f. That all yards, open spaces, landscaping, walls and fences, and other buffering features are properly provided to mitigate the impacts of the facility to make it compatible with the character of the surrounding area.

Staff Response: The applicant did not provide a response to this criterion in their application materials. CDS believes that as proposed the new facility is compatible with the character of the surrounding area. No fencing, walls or landscaping are being proposed in this application. The proposal includes one 1,813 square foot manufactured house that will be consistent with other houses in the area and do not conflict with the character of the surrounding neighborhoods. The structure is being proposed near the center of the parcel, far exceeding lot line setback requirements on all sides

- g. That the proposed public facility will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

Staff Response: The applicant did not provide a response to this criterion in their application materials. No adverse effects on existing public facilities and services are anticipated. The proposed project will be served by a private well and an on-site septic system. Approval of this project would help fire response times and increase public safety. The project has been conditioned to ensure consistency with Kittitas County Public Health standards for water and septic systems.

III. REVIEW PROCESS

Notice of Application: A Public Facilities permit application was submitted to Kittitas County Community Development Services on September 14, 2022. This application was deemed complete on September 27, 2022. A notice of application for the Kittitas County Fire District 7 Public Facilities Permit (PF-22-00002) was mailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel & associated agencies. Notice was given to and published in the official newspaper of record for Kittitas County on October 6 and 13, 2022, and in the NKC Tribune on October 13, 2022, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

IV. COMPREHENSIVE PLAN

Kittitas County has established the following goals and policies to guide activities related to Rural Lands and Critical Areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

CF-G1: Provide needed public facilities that are within the ability of the County to fund the facilities, or within the County's authority to require others to provide the facilities.

Staff Consistency Statement: The proposed manufactured house should help lower fire response times for the eastern and central areas of Fire District #7 and does not require any funding from the county.

CF-G8: Ensure public involvement when siting of essential public facilities using timely press releases, newspaper notices, public information meetings, and public hearings.

Staff Consistency Statement: The proposed project has been noticed in accordance with Kittitas County Code Title 15A. A notice of application was published in the newspaper of record, neighbors within 500 feet of the property boundaries and applicable local and state agencies were notified and provided an opportunity to comment on the proposal.

CF-P29: Essential public facilities sited outside of urban growth areas must be self-supporting and not require the extension, construction, or maintenance of urban services and facilities.

Staff Consistency Statement: This project is outside of an urban growth area and will rely on a well and on-site septic system that does not require the extension, construction or maintenance of urban services and facilities.

This application is consistent with Kittitas County Comprehensive Plan. There are several requirements that must be met, which are stated above under Zoning and Development Standards; some of these are addressed under Project Analysis below.

V. ENVIRONMENTAL REVIEW

Kittitas County CDS determined that the proposal is exempt from SEPA review pursuant to WAC 197-11-800(b)(i) as it is only a single-family house and will be grading less than 100 cubic yards of material. CDS did perform a critical areas review of the parcel and only found that the property is within a channel migration zone with very minimal risk.

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. Kittitas County Code Enforcement commented saying they have no comments. The following agencies provided substantive comments on the proposal: Snoqualmie Tribe, Washington State Department of Transportation, Department of Ecology and Kittitas County Public Health. A review of their comments can be seen below:

Snoqualmie Tribe

Snoqualmie Tribe originally commented requesting an archaeological survey due to having a high probability of cultural resources in the area. They later sent revised comments saying that due to the small scope of the project, they would just request an Inadvertent Discovery Plan (IDP) be done for the project.

Staff Response

Staff has conditioned this proposal to require an inadvertent discovery plan (IDP).

Washington State Department of Transportation (WSDOT)

WSDOT commented that access to SR 970 will not be permitted for this project and access is available via Airport Road. Proposed lighting must be directed down towards the site and away from SR 970. They also mentioned that all stormwater or runoff must be retained and treated on site and any discharge of water onto SR 970 requires a utility permit. Grading, fencing, and landscaping is not allowed within the highway right of way.

Staff Response

While the applicant did not mention anything related to WSDOT comments in their application, staff believes this project should not interfere with WSDOT Right-of-Way or SR 970 in any matter. Nonetheless, staff has conditioned this proposal to address WSDOT comments.

Washington State Department of Ecology

Ecology commented on exempt ground water uses, saying that if withdrawing more than 5,000 gallons of water a day, they need authorization from Department of Ecology. They also commented on using water from a well for dust control.

Staff Response

Staff has conditioned this proposal to obtain authorization from Department of Ecology if withdrawing more than 5,000 gallons of water a day.

Kittitas County Public Health

Public Health commented that the applicant will need to submit an individual well site review application to approve the location of the well prior to drilling. They said that once the well is drilled, the applicant must apply for and obtain water adequacy approval before submitting plans to the building department for review.

Staff Response

Staff has conditioned this proposal to obtain approval of a well site prior to drillings and obtain a water adequacy approval.

No public comments were received for this proposal.

VII. PROJECT ANALYSIS

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 is planning staff's analysis and consistency review for the subject application.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan Goals and Policies apply to this proposal: CF-G1, CF-G8, and CF-P29.

Consistency with the provisions of KCC 17A, Critical Areas:

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates only a channel migration zone on the property with very minimal risk.

Consistency with the provisions of KCC 17.56 Forest and Range Zoning

The project is proposed as a Public Facility. Per KCC 17.08.457 "Public facilities" means capital improvements and systems to support transportation, law enforcement, fire protection, and recreation. Facilities include but are

not limited to fire stations, police stations, and bus stops. Public Facilities are allowed in the Forest and Range zone through approval of an Administrative Permit process pursuant to KCC 17.15.060.1 Allowed Use Table. Therefore, this proposal is consistent with the Kittitas County Zoning Code 17.56.

Consistency with the provisions of KCC 17.62.040 Decision criteria (Public Facilities):

This proposal as conditioned is consistent with the Kittitas County Zoning Code for Permitted Administrative Uses as described in section II of this staff report.

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

All buildings must be consistent with International Building Codes.

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

As conditioned, the proposal must be consistent with the provisions of KCC Title 12.

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

As conditioned, the proposal must be consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments during the comment period: Kittitas County Code Enforcement, Kittitas County Public Health, Washington State Department of Transportation, Department of Ecology, and the Snoqualmie Tribe. All comments are on file and available for public review.

Public Comments:

No public comments were submitted for this application.

VIII. FINDINGS OF FACT

1. A Public Facilities permit application was submitted to Kittitas County Community Development Services on September 14, 2022. This application was deemed complete on September 27, 2022. A notice of application for the Kittitas County Fire District 7 Public Facilities Permit (PF-22-00002) was mailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel & associated agencies. Notice was given to and published in the official newspaper of record for Kittitas County on October 6 and 13, 2022, and in the NKC Tribune on October 13, 2022, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).
2. The subject property is located at 5461 Airport Rd near the intersection of Airport Road and SR 970 in Section 32, Township 20, and Range 16, W.M.: Kittitas County parcel map number 20-16-32040-0012. Kittitas County Tax Parcel number 065135.
3. Site information:

Total Property Size:	1.94 acres
Number of Lots:	1
Domestic Water:	Proposed Well
Sewage Disposal:	Domestic Septic
Fire Protection:	Fire District 7
Irrigation District:	None
4. Site Characteristics:

North: Privately owned land and residential development
South: SR 970, Railroad Tracks and Yakima River
East: Privately owned, mostly undeveloped land
West: Privately owned land, residential development

5. The Comprehensive Plan land use designation is “Rural Working.”
6. The subject property is zoned “Forest and Range.”
7. The proposal is consistent with the Kittitas County Comprehensive plan as referenced in section IV and VII above.
8. This application is consistent with KCC 17.62.040 Decision criteria (Public Facilities) as demonstrated in Section II of this staff report.
9. Kittitas County CDS determined that the proposal is exempt from SEPA review pursuant to WAC 197-11-800(b)(i) as it is only a single-family house and will be grading less than 100 cubic yards of material. CDS did perform a critical areas review of the parcel and only found that the property is within a channel migration zone with very minimal risk.
10. This application is consistent with the International Building Code as conditioned.
11. The following agencies provided comments during the comment period: Kittitas County Public Health, Kittitas County Code Enforcement, Snoqualmie Tribe, Department of Ecology, and the Washington State Department of Transportation. All comments are on file and available for public review.
12. No public comments were received
13. Access and driveways must be consistent with Kittitas County Code Title 12.

IX. STAFF CONCLUSIONS

1. As conditioned, the proposed project meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.04 Building Code, Title 12 Roads and Bridges, Title 15 Environmental Policy, and Title 20 Fire and Life Safety.

X. DECISION AND CONDITIONS OF APPROVAL

Kittitas County grants **Approval** of the KCFD #7 Manufactured Home public facilities permit based on the project record, above staff analysis, findings of fact, and conclusions with the following conditions:

1. Site Plan

- A. The project shall proceed in substantial conformance with the site plan and application materials on file with CDS that were received on September 14, 2022.

2. Building

- A. All new construction must meet the International Building Code requirements.
- B. All lighting shall be directed downward and away from SR 970.

3. Roads and Transportation

- A. A grading permit shall be required for any dirt work exceeding 100 cubic yards of material. Contact Public Works for a grading permit.
- B. Accesses shall be determined by Kittitas County Public Works. An access permit shall be required from Kittitas County Public Works if needed. Public Works shall be contacted to determine this.
- C. No access shall be granted from SR 970.

4. State and Federal

- A. Applicant must meet all state and federal regulations.

5. Fire & Life Safety

- A. All development, design and construction shall comply with the International Fire Code requirements.

6. Water/Septic

- A. The applicant shall submit an individual well site review application to Kittitas County Public Health and get approval from Health prior to drilling a well.
- B. The applicant shall submit a water adequacy application to Kittitas County Public Health prior to application for a building permit.
- C. Any groundwater withdrawals over 5,000 gallons a day shall require authorization from the Department of Ecology.

7. Environmental

- A. All stormwater shall be retained and treated on site. Any discharge of water onto SR 970 shall require a utility permit from Washington State Department of Transportation.

8. Other

- A. 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) and Snoqualmie Tribe. 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.

- B. Grading, Fencing and Landscaping shall not be within Washington State Department of Transportation Right-of-Way

From these conclusions and findings, the proposed Public Facilities Permit is approved with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1550 to Kittitas County Community Development Services at 411 N Ruby, Suit 2 Ellensburg, WA 98926. The appeal deadline for this project is December 22, 2022 at 5:00p.m.

Responsible Official  _____
Jeremiah Cromie

Title: Planner II

Address: Kittitas County Community Development Services
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Date: December 8, 2022