

Docket No.	Project Name	Brief Description of Suggested Amendment	Who Suggested Amendment	Staff Lead	Staff Recommendation
11-14	KCC 16: Fire Protection and Access for Subdivisions	Revise Sections KCC 16.12.150 and KCC 16.12.160 to provide clarity for the County's ability to require a second access for fire protection (i.e. reference and coordinate with amendments to Fire Code and Road Standards updates).	Staff	Dan	Docket

Kittitas County Community Development Services prepared proposed amendments to Title 16, Subdivisions, for clarity regarding fire protection requirements for land divisions. These amendments were docketed with CDS prior to the June 30th docketing deadline.

The purpose of this amendment is to incorporate comments from the Fire Marshal and the International Fire Code as conditions of preliminary plat approval. In a memo dated February 3, 2011 from Deputy Prosecuting Attorney Neil Caulkins to the BOCC regarding the applicability of the International Fire Code he indicated that he would advocate amending our code to make provisions of the IFC applicable at the subdivision stage rather than just at the building stage. RCW 58.17.110 deals with factors to be considered for conditional plat approval. The statute states, in part, that *a proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that appropriate provisions are made for the public health, safety, and general welfare, and the public use and interest will be served by the platting of such subdivision and dedication.*

DRAFT—August 5, 2011

Kittitas County Code, Title 16, SUBDIVISIONS, is amended to as follows:

16.05.020 Requirements.

- A. Whenever a binding site plan for an eligible project is proposed on a parcel of land for which neither a planned unit development or a building permit has been approved for the entire parcel, the following must be satisfied prior to recording:
 - 1. A conceptual site plan shall be prepared in a form prescribed by the director which includes the following information (if appropriate to the project type):
 - a. Maximum number of dwelling units permitted.
 - b. Approximate size and location of all proposed buildings.
 - c. Approximate layout of an internal vehicular circulation system, including proposed ingress and egress.
 - d. Approximate location of proposed open space, including required landscaped areas, if any.
 - e. Approximate location of parking areas.
 - f. Location and size of utility trunk lines serving the site.
 - g. Topography detailed to five-foot intervals.
 - h. Location of water storage and fire hydrant location.**

2. Upon application, the director shall distribute copies to public agencies having pertinent expertise or jurisdiction and all persons owning real property within 300 feet from and parallel to the boundaries of the proposed activities and such contiguous area under the legal control of the applicant for review and comment.
- B. The director shall consider, and base his decision to approve with or without conditions, deny or return the application on the following:
1. Conformance of the proposed site plan with any approved building permit or planned unit development and any conditions on a portion of the site, and with any applicable codes and ordinances, of the State of Washington and Kittitas County. The director shall identify, to the extent feasible, conditions likely to be imposed on building permits related to dedication of right-of-way or open space, and tracts, easements or limitations which may be proposed or required for utilities, access, drainage controls, sanitation, potable water supply, protection of sensitive areas or other unique conditions or features which may warrant protection of the public health, safety and welfare. Such preliminary conditions shall not be binding at the time of building permit approval.
 2. The recommendations and comments of agencies having pertinent expertise or jurisdiction.
 3. Proof that all lots or tracts created by binding site plan are approved for irrigation delivery by the appropriate irrigation entity or entities.
 4. The director may require dedication of additional road right-of-way pursuant to criteria contained in Kittitas County Code.
- C. Additional documents shall be submitted as necessary for review and approval and may include a plat certificate, boundary survey, agreements, easements, covenants.
- D. The plan must be approved and signed in the same manner as a **short** plat. Prior to recording, the director shall verify the final plan and any attachments to determine whether the binding site plan is accurate and complete and complies with any conditions or approval. Approval of a binding site plan does not give the applicant a vested right to build without regard to subsequent changes in zoning or building codes or other applicable land use regulations prior to application for a building permit on the subject property.

16.09.040 Development Regulations.

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- C. Compliance with County Development Regulations. Unless otherwise specified by this chapter, all development activities authorized through this chapter shall comply with all existing, applicable county development regulations, including but not limited to: subdivision ordinance, zoning code, shoreline master program, road standards, **fire and life safety**, critical areas, and floodplain development ordinance. In addition, Performance Based Cluster Platting shall not be used prospectively in conjunction with the Kittitas County planned unit development ordinance (Chapter 17.36 of this code).

16.12.150 Road, sewer, water and fire system recommendations.

The director, county public works director, ~~and the~~ county health officer, ~~and the~~ **county Fire Marshal**, shall certify to the ~~planning commission~~ **Hearing Examiner**, prior to the hearing, their respective recommendations as to the adequacy of the proposed road system, the proposed sewage disposal and potable water supply systems and fire **and life safety** protection facilities within the subdivision. The recommendations of the director, county public works director, ~~and the~~ county health officer, ~~and the~~ **county Fire Marshal**, shall be attached to the commission's report for transmittal to the board.

16.12.160 Facilities - Improvements.

The ~~commission~~ **Hearing Examiner** shall determine whether the proposal includes appropriate provisions for drainage, roads, alleys, and other public ways, water supplies, sanitary wastes, parks,

playgrounds, fire **and life safety** protection facilities, school sites and grounds and other public and private facilities and improvements **as required by the Kittitas County Code**.

16.32.050 Short plat review.

The director shall be vested with the responsibility of processing short plat applications. The county shall review and consider the proposed short subdivision with regard to:

- A. Its conformance with all county subdivision, zoning, health and sanitation, **roads and bridges, and fire and life safety** regulations and with laws adopted by the state of Washington.
- B. Its conformance to all standards and improvements required under this title.
- C. Potential hazards created by flood potential, landslides, etc.
- D. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
- E. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.
- F. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
- G. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in RCW 58.17.060