

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

**PRELIMINARY PLAT APPROVAL
Sunset Farms Preliminary Plat (P-07-60)**

RESOLUTION

NO. 2008-117

WHEREAS, according to Kittitas County Code Chapter 16, relating to the Subdivision of Land, adopted pursuant to RCW 58.17, an open record hearing was held by the Kittitas County Planning Commission on May 27, 2008 for the purpose of considering a preliminary plat known as the Sunset Farms Preliminary Plat and described as follows:

The division of 20.00 acres into six lots. Assessor's map numbers 17-20-03000-0002 and 17-20-02000-0009.

Proponent: Terry Ostergaard, authorized agent for Gene Lamoureux, landowner

WHEREAS, public testimony was heard from those persons present; and,

WHEREAS, due notice of the hearing was given as required by law, and the necessary inquiry has been made into the public interest to be served by such platting; and,

WHEREAS, the Planning Commission recommended approval of said proposed subdivision by a vote of 4-0 (1 member absent); and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on July 1, 2008 to consider the Planning Commission's recommendation on this matter; and

WHEREAS, the Kittitas County Board of County Commissioners make the following FINDINGS OF FACT and CONCLUSIONS AT LAW concerning said proposed preliminary plat:

1. The Board of County Commissioners finds that Terry Ostergaard, authorized agent for Gene Lamoureux, landowner, submitted a preliminary plat application to Community Development Services on December 13, 2007 and said application was deemed complete on March 12, 2008 upon receipt of the required SEPA Checklist.
2. The Board of County Commissioners finds that the proposed development is located east of the City of Kittitas, south of Vantage Highway and north of Sunset Road,

Ellensburg, WA 98926, and is located in a portion of Sections 02 and 03, T17N, R20E, WM, in Kittitas County. Assessor's map numbers 17-20-03000-0002 and 17-20-02000-0009.

3. The Board of County Commissioners finds that the proposed development application included a preliminary plat depicting the division of two parcels totaling approximately 20.00 acres into six (6) lots. The lots range in size from 3.24 acres to 3.74 acres.
4. The Board of County Commissioners finds that the project site was accurately posted with the "Land Use Action" sign as distributed by Community Development Services and as a requirement of Kittitas County Code 15A.03.110. The signed Affidavit of Posting was returned to Community Development Services on March 18, 2008.
5. The Board of County Commissioners finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on March 25, 2008. Interested jurisdictional agencies and landowners within 500 feet of the subject property were notified as required by law. The Legal Notice of Application was published in the official County newspaper of record, the Daily Record, on March 25, 2008 and Northern Kittitas County Tribune on March 27, 2008. Said notices solicited comments from jurisdictional agencies and the general public.
6. The Board of County Commissioners finds that review under the State Environmental Policy Act (SEPA) was required for the Sunset Farms Preliminary Plat. Based on review of comments received, a Mitigated Determination of Nonsignificance (MDNS) was issued on May 1, 2008 under WAC 197-11-350. No appeals were received.
7. The Board of County Commissioners finds that all future development shall comply with the mitigations set forth in the SEPA Mitigated Determination of Nonsignificance (MDNS), issued on May 1, 2008 (See Exhibit B).
8. The Board of County Commissioners finds that an open record hearing was conducted by the Kittitas County Planning Commission on May 27, 2008 to consider this matter and that testimony was taken from those persons present who wished to be heard. Due notice of this public hearing was given as required by law, and the necessary inquiry was made into the public interest to be served by this proposed subdivision.
9. The Board of County Commissioners finds that a closed record meeting was held on July 1, 2008 for the purpose of considering the preliminary plat known as the Sunset Farms Plat. A motion was made and seconded that the preliminary plat be approved. The motion carried with a vote of 3-0.
10. The Board of County Commissioners finds that additional conditions are necessary to protect the public's interest.

NOW, THEREFORE BE IT RESOLVED: That the Kittitas County Board of Commissioners hereby grants preliminary plat approval to the Sunset Farms Preliminary Plat (P-07-60) with the following conditions:

1. Soil logs need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.
2. Proof of potable water must be shown prior to final plat approval.
3. All future development shall comply with the mitigations set forth in the SEPA Mitigated Determination of Nonsignificance (MDNS), issued on May 1, 2008. (See Exhibit B)
4. The applicant shall develop one "Group B" water system from the existing well located on lot 6, to serve all six lots of the Sunset Farms Plat (P-07-60). The "Group B" water system shall be designed by a licensed engineer and approved by Kittitas County Environmental Health.
5. The "Group B" water system shall either be in place prior to final plat approval or be legally bonded for the cost of construction (KCC 13.09.020) by the applicant prior to final plat approval. The applicant shall complete a "Group B" Workbook application which includes drilling a well/wells and design of the well house/structure, pump tanks and storage tanks. Approval shall include the drilling of the well along with the demonstration that adequate water supply exists to support the proposed plat.
6. The following plat notes shall be on the final mylars:
 - All current and future landowners must comply with the International Fire Code (IFC) and all of its appendices.
 - One "Group B" water system shall be developed from the existing well located on lot 6, to serve all six lots of the Sunset Farms Plat (P-07-60). The "Group B" water system shall be designed by a licensed engineer and approved by Kittitas County Environmental Health.
 - The Sunset Farms Plat (P-07-60) shall be considered as one project and therefore shall be limited to one groundwater withdrawal exemption for all six lots combined. The cumulative groundwater withdrawal of all lots combined shall not exceed the 5,000 gallon per day exemption limit set forth by the Department of Ecology.
 - Flow meters shall be installed both at the well head and on each individual lot of the "Group B" water system. Records documenting water usage both at the well head

and each individual lot must be maintained and available for public inspection by a Satellite Management Agency (SMA).

- The subject property is within or near existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performance in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted the right to farm provisions contained in Section 17.74 of the Kittitas County Zoning Code.
 - Per RCW 17.10.140, landowners are responsible for controlling and preventing the spread of noxious weeds. Accordingly, the Kittitas County Noxious Weed Board recommends immediate reseeded of areas disturbed by development to preclude the proliferation of noxious weeds.
 - Kittitas County relies on its record that a supply of potable water exists. The approval of this division of land includes no guarantee or assurance that there is a legal right to withdraw groundwater within the land division.
7. Timing of Improvements: This application was received by Community Development Services on December 13, 2007 therefore it is subject to the latest revision of the Kittitas County Road Standards, dated September 6, 2005. The following conditions apply and must be constructed prior to the issuance of a Building Permit for any of the residence within this Plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
8. Access Spacing: Vantage Highway is classified as a Rural Minor Collector and has a minimum access spacing of 300'. The most current survey, dated February 27, 2008, does not meet this requirement. The access to Lot 3 is less than 300' from the 20' easement.
9. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
10. 20' Access Easement: The AFN for the 20' access easement shall be shown on the face of the plat.
11. Joint-Use Driveway: A joint-use access shall serve no more than two tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
- a. Access easements shall be a minimum of 20' wide. The roadway width shall have a minimum width of 12'.
 - b. The surface requirement is for a minimum gravel surface depth of 6".

- c. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - d. Any further subdivision or lots to be served by proposed access may result in further access requirements.
12. Single-Use Driveway: A single-use access shall serve no more than one lot. See Kittitas County Road Standards, 9/6/05 edition.
- a. The roadway shall be a minimum of 8' wide with gravel surface.
 - b. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - c. Any further subdivision or lots to be served by proposed access may result in further access requirements.
13. Plat Notes: Plat notes shall reflect the following:
- a. Maintenance of the access is the responsibility of the property owners who benefit from its use.
 - b. An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
 - c. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
 - d. A public utility easement 10 feet in width is reserved along all lot lines. The 10 foot easement shall abut the exterior plat boundary and shall be divided 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation.
14. Plat Approvals: All plats must show the acceptance signature of the County Engineer. The acceptance block shall be as follows (per KCC 16.24.170):
- EXAMINED AND APPROVED
 This ____ day of ____, A.D., 20__.
- _____
 Kittitas County Engineer
15. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
16. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
17. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.

18. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
19. Mailbox Placement: Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.
20. Current Kittitas County Road Standards, as adopted September 6, 2005. Chapter 12 - Private Roads; 12.12.010 General, Private roads shall meet the following conditions:
 - a) Private roads shall meet the minimum access requirements of the International Fire Code as adopted by the County, and
 - b) Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400) 2001, as now exists or hereafter amended, and
 - c) Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works Director. If certification by the public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and
 - d) Permanently established by an easement recorded with the Kittitas County Auditor or right-of-way, providing legal access to each affected lot, dwelling unit, or business, and
 - e) Will not result in land locking of existing or proposed parcels, and
 - f) Maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and
 - g) Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
 - h) The following note shall be placed on the face of the plat, short plat, or other development authorization:

"Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel."
21. Final mylars shall be submitted in accordance to Kittitas County Code Title 16 subdivision procedures and minimum requirements.

22. Both sheets shall reflect plat number P-07-60.

23. Full year's taxes shall be paid on Assessor's map numbers 17-20-03000-0002 and 17-20-02000-0009.

NOW THEREFORE,

BE IT HEREBY RESOLVED by the Board of County Commissioners of Kittitas County, Washington, that said preliminary plat designated as Sunset Farms Preliminary Plat and the same hereby, is approved by a vote of 3-0 with the proposed development configuration (See Exhibit A).

DATED this 15th day of July, 2008 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

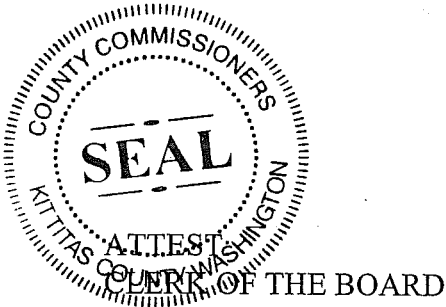
[Signature]
Mark McClain, Chairman

[Signature]
Alan A. Crankovich, Vice- Chairman

[Signature]
Linda K. Huber, Commissioner

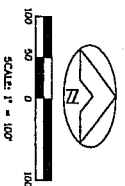
APPROVED AS TO FORM:

[Signature]
Greg Zempel WSBA #19125

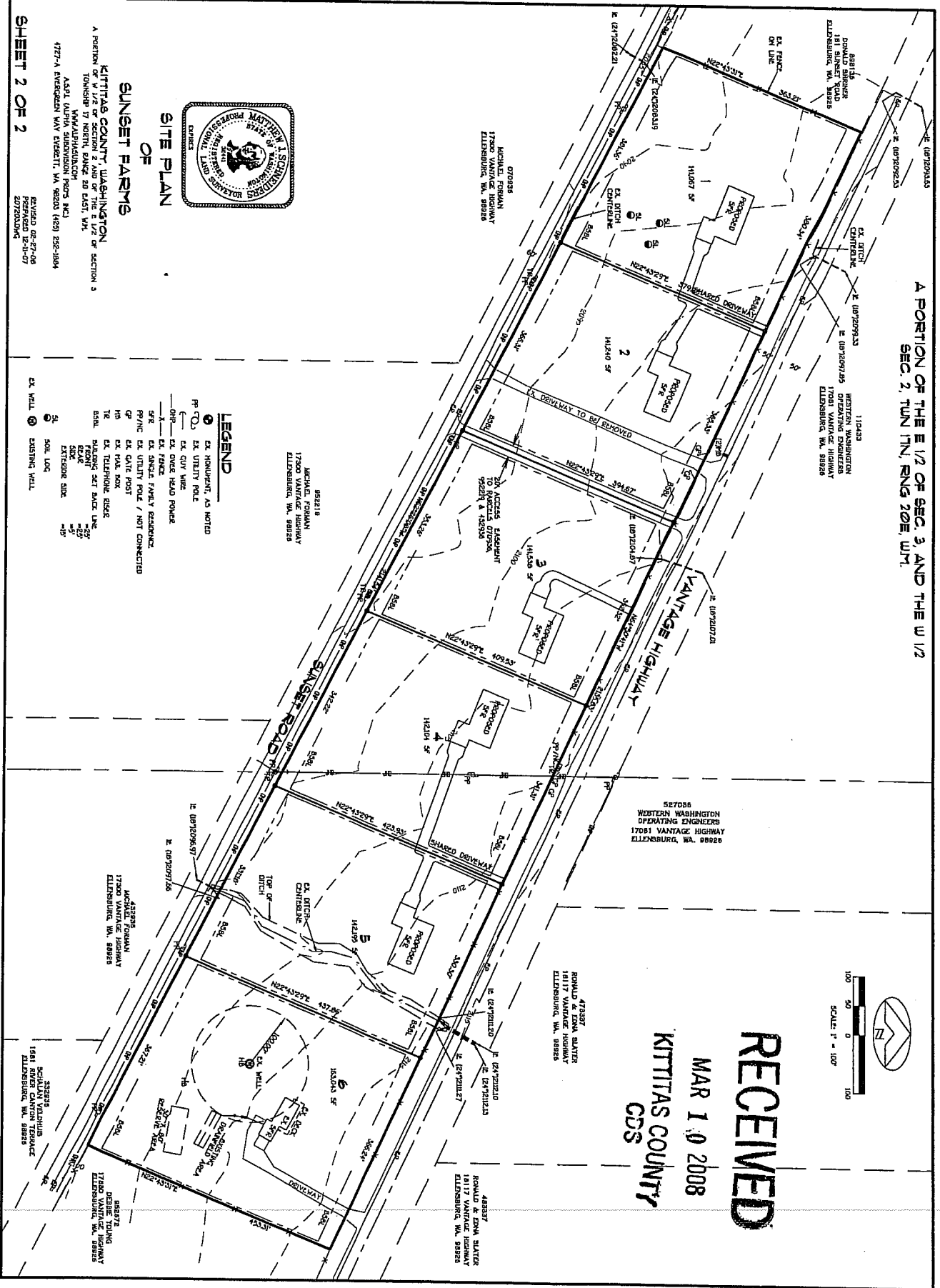


[Signature]
Julie A Kjorsvik

A PORTION OF THE E 1/2 OF SEC. 3, AND THE W 1/2
 SEC. 2, T10N 17N, R10E 10E, W.M.



RECEIVED
 MAR 1 0 2008
 KITTITAS COUNTY
 CDS

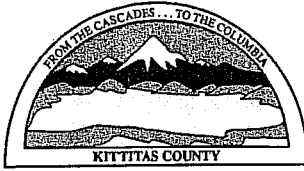


**SUNSET FARMS
 OF
 SITE PLAN**

KITTITAS COUNTY WASHINGTON
 A PORTION OF THE E 1/2 OF SECTION 3, AND THE W 1/2 OF SECTION 2,
 TOWNSHIP 10 NORTH, RANGE 10 EAST, W.M.
 WWW.KITTITAS.CO.WA
 4737-A EVERGREEN WAY ELLensburg, WA 99803 (425) 252-1884
 DENVER 02-27-08
 PLOT 2
 207030.DWG

- LEGEND**
- EX. HORIZONTAL AS NOTED
 - EX. UTILITY POLE
 - EX. CURB WALL
 - EX. FENCE
 - EX. SINGLE FAMILY RESIDENCE
 - EX. UTILITY POLE / NOT CONNECTED
 - EX. GATE POST
 - EX. PALE DOOR
 - EX. TELEPHONE DISK
 - SHED
 - EX. EXTERIOR DOOR
 - SOIL LOG
 - EX. WALL
 - EXISTING WALL

Exhibit A



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Project:** Sunset Farms Preliminary Plat (P-07-60)
- Description:** A six-lot Preliminary Plat of approximately 20.00 acres of land zoned Agriculture-3.
- Proponent:** Gene Lamoureux, Landowner
319 Gangl Road
Wapato, WA 98951
- Terry Ostergaard, Authorized Agent
4727-A Evergreen Way
Everett, WA 98203
- Location:** The project is located east of the City of Kittitas, south of Vantage Highway and north of Sunset Road, Ellensburg, WA 98926, located in a portion of Sections 02 and 03, T17N, R20E, WM, in Kittitas County. Map numbers 17-20-03000-0002 and 17-20-02000-0009.
- Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. These mitigation measures include the following:

I. Transportation

- A. The applicant shall be responsible for meeting or exceeding all conditions and requirements set forth by the Department of Public Works, as listed in the attached memorandum.
- B. Addresses of all new residences shall be clearly visible from both directions at the county road.
- C. The applicant shall provide a safe location and passageway for a school bus stop.
- D. Mail routes and/or boxes shall be approved by the local postmaster. Mailbox locations shall not create sight obstructions.

II. Water

- A. Activities such as road widening, stump pulling and clearing, grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan. It is the applicant's responsibility to contact the Department of Ecology.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

Exhibit B

- B. Stormwater and surface runoff generated from this project shall be retained and treated onsite and shall not be allowed to flow into County road right-of-ways.
- C. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology; this includes the use of water for irrigation. Legally obtained water must be used on-site.
- D. The applicant shall develop one "Group B" water system from the existing well located on lot 6, to serve all six lots of the Sunset Farms Plat (P-07-60). The "Group B" water system shall be designed by a licensed engineer and approved by Kittitas County Environmental Health.
- E. The required "Group B" water system shall either be in place prior to final plat approval or be legally bonded for the cost of construction by the applicant prior to final plat approval. The applicant shall complete a Group B Workbook application which includes drilling a well/wells and design of the well house/structure, pump tanks and storage tanks. Approval shall include the drilling of the well along with demonstration that adequate water supply exists to support the proposed plat.
- F. The "Group B" water system cannot be used for irrigation purposes.
- G. Flow meters shall be installed both at the well head and on each individual lot of the "Group B" water system. Records documenting water usage both at the well head and each individual lot must be maintained and available for public inspection by a Satellite Management Agency (SMA).
- H. The Sunset Farms Preliminary Plat (P-07-60) shall be considered as one project and therefore shall be limited to one groundwater withdrawal exemption for all 6 proposed lots combined. The cumulative groundwater withdrawal of all lots combined shall not exceed the 5,000 gallon per day exemption limit set forth by the Department of Ecology.
- I. Washington Administrative Code (WAC) 173-150 provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If the water supply in your area becomes limited your use could be curtailed by those with senior water rights.

III. Light and Aesthetics

- A. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.

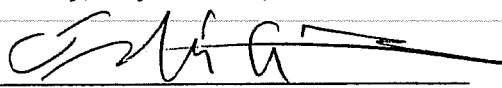
IV. Noise

- A. Construction activities shall comply with KCC 9.45 (Noise). Development and construction practices for this project shall only occur between the hours of 7:00 am to 7:00 pm to minimize the effect of construction noise on nearby residential properties.

V. SEPA Review

This MDNS is issued under WAC 197-11-350. The lead agency will not act on this proposal for 15 days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced within 10 working days (on or before 5:00 PM, Thursday, May 15, 2008).

Responsible
Official:



Trudie Pettit

Title: Staff Planner

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX 962-7682

Date: May 1, 2008

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$500.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 PM, May 15, 2008. Aggrieved parties are encouraged to contact the Kittitas County Board of Commissioners at (509) 962-7508 for more information on the appeal process.