BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

PRELIMINARY PLAT APPROVAL
YELLOWSTONE TRAIL ESTATES PLAT (LP-09-00006)

RESOLUTION

NO. 2010- 087

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 Hearing Examiner on June 24, 2010 for the purpose of considering a preliminary plat known as the Yellowstone Trail Estates Plat and described as follows:

> *The division of 18.09 acres into 27 lots, located in the eastern half of Section 9, T22N, R11E, WM. in Kittitas County. Assessor's map numbers 22-11-09014-0014, 22-11-09014-0015, & 22-11-09041-0001. Proponent: Encompass Engineering & Surveying, agent for property owner Gary Maughan.*

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

WHEREAS, due notice of the hearing had been 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 Hearing Examiner recommended approval of said proposed subdivision; and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on July 20, 2010 to consider the Hearing Examiner's recommendation on this matter; and,

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

1. Encompass Engineering & Surveying, agent for property owner Gary Maughan, have applied for a 27-lot long plat on approximately 18.09 acres of land that is zoned Forest & Range. The project is proposed to be served the Snoqualmie Pass Utility District.

2. The subject property is located at the end of Yellowstone Road just east of Interstate 90 near the summit of Snoqualmie Pass at the eastern half of Section 9, T22N, R11E, WM. in Kittitas County. Assessor's map numbers 22-11-09014-0014, 22-11-09014-0015, & 22-11-09041-0001.

3. A complete long plat application was submitted to Community Development Services on June 18, 2009. The application was deemed complete on July 9, 2009. The Notice of Application for the preliminary plat application was issued on July 29, 2009. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property

2009.

4. Community Development Services issued a Mitigated Determination of Non-Significance (MDNS) on May 27, 2010. No appeals were filed.

5. The Hearing Examiner conducted an open record hearing on June 24, 2010 to consider this matter where testimony was heard. On June 28, 2010 the Hearing Examiner issued a recommendation of preliminary plat approval for the Yellowstone Trail Estates Preliminary Plat (LP-09-00006).

6. The Board of County Commissioners conducted a closed record meeting on July 20, 2010 for the purpose of considering the preliminary plat known as the Yellowstone Trail Estates Preliminary Plat (LP-09-00006). A motion was made and seconded that the preliminary plat be approved, the motion carried with a vote of 3-0.

7. The Board of County Commissioners finds that additional conditions **are not** 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 Yellowstone Trail Estates Preliminary Plat (LP-09-00006) and adopts the Kittitas County Land Use Hearing Examiner's Recommended Finds of Fact, Conclusions of Law, Decision and Conditions of Approval (See Exhibit A) and the same hereby is, approved with the proposed development configuration (See Exhibit B).

DATED this 17th day of August, 2010 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Mark McClain, Chairman

Paul Jewell, Vice Chairman

Alan A. Crankovich, Commissioner

COUNTY COMMISSIONERS SEAL KITTITAS COUNTY WASHINGTON

ATTEST:
CLERK OF THE BOARD

Julie A Kjorsvik

APPROVED AS TO FORM:

Greg Zempel WSBA #19125

Exhibit "A"

KITTITAS COUNTY
LAND USE HEARING EXAMINER

IN THE MATTER OF	)	**RECOMMENDED FINDINGS OF**
	)	**FACT, CONCLUSIONS OF**
LP-09-06	)	**LAW, DECISION AND**
Yellowstone Trail Estates Preliminary Plat	)	**CONDITIONS OF APPROVAL**

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on June 24, 2010, the Hearing Examiner having taken evidence hereby submits the following Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

I. RECOMMENDED FINDINGS OF FACT

1. Encompass Engineering & Surveying, agent for property owner Gary Maughan, have applied for a 27-lot long plat on approximately 18.09 acres of land that is zoned Forest & Range. The project is proposed to be served the Snoqualmie Pass Utility District. (Staff report)

2. The applicant and authorized agent is Wayne Nelsen, Encompass Engineering & Surveying, 108 East 2nd Street, Cle Elum, WA 98922. The landowner is Gary Maughan, 22591 Road M SW, Mattawa, WA 99344. (Application materials)

3. The subject property is located at the end of Yellowstone Road just east of Interstate 90 near the summit of Snoqualmie Pass at the eastern half of Section 9, T22N, R11E, WM. in Kittitas County. Assessor's map numbers 22-11-09014-0014, 22-11-09014-0015, & 22-11-09041-0001. (Staff report)

4. The proposed lots range in size from 6,008 to 9,941 square feet in size. The project is proposed to be served the Snoqualmie Pass Utility District. (Staff report, application materials)

5. Site Information:

Total Project Size:	18.09 acres
Number of Lots:	27
Zoning district	Forest & Range
Domestic Water:	Snoqualmie Pass Utility District
Sewage Disposal:	Snoqualmie Pass Utility District
Power/Electricity:	Puget Sound Energy

Fire Protection: Fire District #51 (Snoqualmie Pass)
Irrigation District: None
(Staff report)

6. Site Characteristics: The area is characterized as mountain terrain. (Staff report)

7. Surrounding Property:
North: Vacant
South: I-90
East: Vacant
West: I-90
(Staff report)

8. The Comprehensive Plan designation is Rural. (Staff report)

9. The subject property is zoned Forest & Range, which allows for 6,000 square foot lots when connected to municipal water and sewer systems (KCC 17.56.040). (Staff report)

10. A complete long plat application was submitted to Community Development Services on June 18, 2009. The application was deemed complete on July 9, 2009. The Notice of Application for the preliminary plat application was issued on July 29, 2009. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on August 13, 2009. (Staff report)

11. In accordance with Kittitas County code 15A.030.110, this project was accurately posted with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner and is included as part of the record. (Staff report)

12. Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Mitigated Determination of Non-Significance (MDNS) was issued on May 27, 2010. The appeal period ended on June 11, 2010 at 5:00 p.m. No appeals were filed. (Staff report)

13. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by urban levels of service. The lots will be served by Snoqualmie Pass Utility District. Staff has conducted and an administrative critical area review in accordance with KCC 17A and found several wetlands on site. (Hearing Examiner finding based on application materials and staff report)

14. This proposal is consistent with the Kittitas County Subdivision Code Chapter 16.12 for Preliminary Plats. (Staff report)

15. All roads are required to meet all Kittitas County Road Standards as outlined in the May 18, 2010 memorandum issued by the Department of Public Works. As conditioned, the proposal is consistent with the provisions of KCC Title 12. (Staff report)

16. The following agencies provided comments during the comment period: Department of Ecology, Washington Department of Transportation, Washington Fish & Wildlife, Washington Department of Health, Kittitas County Department of Public Works, and Environmental Health. These comments have been included as conditions of approval to address these agency concerns. (Staff report)

17. Public and agency comments that were received were considered by the Hearing Examiner in rendering this Decision and forming Conditions of Approval. (Hearing Examiner finding based on the record)

18. The entire Planning Staff file was admitted into the record at the public hearing. (Public hearing record)

19. The Kittitas County Community Development Services recommended approval of this permit, subject to the recommended conditions of approval. (Public hearing record)

20. Public hearing after due legal notice was held on June 24, 2010. Appearing and testifying on behalf of the applicant was Wayne Nelsen of Encompass Engineering & Surveying. Mr. Nelsen testified that he was an agent authorized to appear and speak on behalf of the applicant. Further, Mr. Nelsen testified that he agreed with all the representations contained within the staff report and the applicant also agreed to all of the proposed conditions of approval. Mr. Nelsen confirmed that because the number of lots had been reduced from 56 down to 27, that no secondary access road was required. Further, Mr. Nelsen stated that the applicant agreed with all of the Snoqualmie Pass Utility District requirements contained in their June 17, 2009, letter to Mr. Nelsen. Further, Mr. Nelsen indicated that the applicant agreed to all of the conditions requested by the Washington State Department of Fish & Wildlife contained on page 3 of an April 20, 2010, letter sent by Brent Renfrow, District Habitat Biologist to Kittitas County Community Development Services. (Open record public hearing testimony)

21. Mr. Nelsen further stated that the interior road has been designed to be a private road and would not be gated. (Open record public hearing testimony)

22. Christina Wollman, from Kittitas County Public Works, stated that they had concerns with Lot 24 in that it was a flag lot and that the driveway was not of sufficient width to allow for adequate snow removal without impacting neighbors' driveways. She stated that the driveway should be at least 20 feet wide to accommodate snow removal. (Open record public hearing testimony)

23. Testifying in opposition to the project was Judy Eib. Ms. Eib testified as to her concerns regarding the additional traffic that will be placed on Yellowstone Road. She stated that this county road is on a low snow removal priority and that there have been issues with cars getting stuck in the middle of the roadway in the winter and problems with emergency access. She also had concerns with dispute of cars of Yellowstone Road and suggested that a sign be placed at the beginning of the road encouraging motorists to drive the speed limit. Finally, she testified that wildlife and wetland concerns had not been adequately addressed. (Open record public hearing testimony)

24. Also testifying in opposition to the project was Bob Kay. Mr. Kay testified that he has lived in the area for the past 56 years. He is aware that there are spotted owls in the area adjacent to the subject property. He also is aware that there are Canadian lynx in the area. He also believed that there were bull trout in Coal Creek. His concern was how these endangered species would be protected. (Open record public hearing testimony)

25. In rebuttal, Mr. Nelsen, for the applicant, testified that Mr. Renfrow of the Department of Fish & Wildlife had visited the property and had not made any observations of any endangered species being threatened by this project. He stated that the applicant would support and participate in efforts to increase the snowplowing priority for Yellowstone Road and also efforts to request drivers to obey the speed limit on Yellowstone Road. Mr. Nelsen also indicated that the applicant had no objection to the building envelope site plan prepared by Mr. Nelsen's office. He further stated that all of the building envelopes identified on that plan contain sufficient buildable space for a single family residence and accessory structures, without the need for a variance. Mr. Nelsen testified that he was not previously aware of Public Works' position regarding the driveway for Lot 24. He testified that they would work to adjust the driveway as necessary to accommodate snow removal. (Open record public hearing testimony)

26. The proposal is appropriate in design, character and appearance with the goals and policies for the land use designation in which the proposed use is located. (Hearing Examiner finding based on the record)

27. The proposed use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval. (Hearing Examiner finding based on the record)

28. The proposal will be served by adequate facilities including access, fire protection, water, storm water control, and sewage disposal facilities. (Hearing Examiner finding based on the record)

29. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference. (Hearing Examiner finding based on the record)

II. RECOMMENDED CONCLUSIONS OF LAW

1. The Hearing Examiner has been granted authority to render this recommended decision.

2. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.

3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.

4. Public use and interest will be served by approval of this proposal.

5. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, and Title 12 Roads and Bridges.

6. As conditioned, the proposed use is consistent with the intent, purposes and regulations of the Kittitas County Code and Comprehensive Plan.

7. As conditioned, the proposal does conform to the standards specified in Kittitas County Code.

8. As conditioned, the use will comply with all required performance standards as specified in Kittitas County Code.

9. As conditioned, the proposed use will not be contrary to the intent or purposes and regulations of the Kittitas County Code or the Comprehensive Plan.

10. As conditioned, this proposal does comply with Comprehensive Plan, the Shoreline Master Program, the zoning code and other land use regulations, and SEPA.

11. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. RECOMMENDED DECISION

Based on the above Recommended Findings of Fact and Recommended Conclusions of Law, the Hearing Examiner hereby recommends that Application LP-09-06, Yellowstone Trail Estates Preliminary Plat, be **APPROVED** subject to the following Recommended Conditions of Approval.

IV. RECOMMENDED CONDITIONS OF APPROVAL

All Conditions of Approval shall apply to the applicant, and the applicant's heirs, successors in interest and assigns.

1. All conditions imposed herein shall be binding on the "Applicant," which terms shall include the owner or owners of the property, heirs, assigns and successors.

2. The project shall proceed in substantial conformance with the plans and application materials on file dated June 18, 2009 except as amended by the conditions herein.

3. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.

4. All current and future landowners must comply with the International Fire Code.

5. It is the responsibility of the applicant to contact the Kittitas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.

Platting Standards and Zoning Code:

6. Certificate of Title: A certificate of title of the property proposed to be platted shall be submitted with the final plat.

7. Lot Closures: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.

8. Conditions, Covenants, and Restrictions: Prior to final plat approval, a copy of the proposed final Conditions, Covenants, and Restrictions shall be submitted to Community Development Services for review and approval in consultation with Washington Departments of Ecology and Fish and Wildlife.

9. Open Space Tracts: Prior to final plat approval, all areas not included in development lots shall be labeled as individual tracts. Tracts shall not be further subdivided or altered. All tracts, except the tract(s) containing the private road area, shall be labeled "Open Space." Open space tracts shall be reserved for: habitat protection; non-motorized, passive recreation; and snow storage, subject to the approved snow storage and removal plan. All open space tracts shall be identified on the face of the final plat.

10. Open Space Tract Ownership and Maintenance: Open space tracts shall be jointly owned and maintained by the developer or legally responsible owner or homeowner's association or other legal entity made up of all benefited property owners.

Transportation and Infrastructure:

11. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed 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.

12. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.

13. Lot 24 Access: Lot 24 is accessed by a 121' long by 10' wide driveway. Based on an average snow accumulation of over 35-feet, a 10' wide driveway of this length will place an excessive burden on the homeowner during snow removal, and may cause issues with the neighbors in Lots 25, 23 and 22. Please see the attached photos which show snowfall on Yellowstone Road. Public Works recommends the lots be adjusted to allow all lots direct access to the private road.

14. Property Line Corrections: Property lines in the northwest corner of the plat shall be drawn to reflect the actual location of Kittitas County right of way and the southernmost portion of the Holiday Hill Plat.

15. Yellowstone Road Cul-de-Sac: That portion of the cul-de-sac lying outside of the Yellowstone Road right-of-way shall be dedicated to the County for the use of public. The right-of-way dedicated shall have as close to a 55' radius as allowed by the wetlands.

16. Private Road Improvements: Access from Yellowstone Road to the private cul-de-sac shall be constructed to meet or exceed the conditions of a High-Density Private Road that serves 15-40 tax parcels. See current Kittitas County Road Standards, 9/6/05 edition.

a. Access easements shall be a minimum of 60' wide. The roadway shall have a minimum width of 22', with 1' shoulders, for a total width of 24'.
b. Minimum centerline radius shall be 60'.
c. Surface requirement BST/ACP.
d. Maximum grade is12%.
e. Stopping site distance, reference AASHTO.
f. Entering site distance, reference AASHTO.
g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
j. All easements shall provide for AASHTO radius at the intersection with a county road.
k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right-of-way.

17. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or easement diameter of at least 110-feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96-feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2006 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.

18. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.

19. 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.

20. 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.

21. Advisory Note—Snow Removal on I-90: WSDOT advises that travel plans to and from the proposed homes may be interrupted during periods of Snoqualmie Pass closure.

22. No Direct Access to I-90: The proposed plat site is adjacent to Interstate 90. I-90 is a fully-controlled limited access highway with a posted speed limit of 65 miles per hour. No direct access to I-90 is allowed.

Water and Sewer

23. The proposed plat will be served by municipal water and sewer provided by the Snoqualmie Pass Utility District. Prior to final plat approval the applicant shall submit to the Kittitas County Public Health Department proof that water and sewer service extension has been approved for all new lots.

Plants and Animals

24. The proponent shall obtain a Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife for the two road crossings of streams and any other in-channel work. A copy of the JARPA and HPA shall be provided to Community Development Services.

Stormwater:

25. An NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

26. This NPDES Construction Stormwater General Permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

Air Quality and Noise

27. A burn permit must be obtained from Ecology if the proponent plans to burn trees or debris from the property. Only natural, unprocessed vegetation may be burned in an outdoor fire.

28. The proponent should create a site-specific Fugitive Dust Control Plan (FDCP) before starting this project, according to Department of Ecology standards, and then follow the plan for the construction of the project and the duration of activity on property.

29. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the site. Also, dust is prohibited from interfering unreasonably with the use and enjoyment of property, causing health impacts, or damaging property or business.

30. Advisory Note—Noise (from WSDOT): The proponent is advised that new residential development in this area could be impacted by existing road noise from Interstate 90. Traffic noise will continue to increase into the future, as I-90 expands to accommodate future traffic growth. It is the developer's responsibility to dampen or deflect any traffic noise from I-90. Any future improvements to this section of I-90 will not provide mitigation for noise.

Fire Safety

31. Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.

32. Design and construction must comply with Kittitas County Code, Kittitas County Zoning, the 2006 International Fire and Building Codes, and any recommendations by Fire District 7, and all other development agreements.

33. Residences will require fire flow of 1000 gpm (gallons/minute) for a duration of no less than 30 hours. A reduction in required fire flow of 50 percent, as approved, is allowed when the buildings are provided with an approved automatic sprinkler system.

34. An approved water supply capable of supplying the required fire flow for fire protection shall be provided. A standpipe or hydrant system with an adequate source of water supply, a distribution system, and adequate pressure for delivery shall be installed for this cluster plat. Hydrant spacing shall comply with International Fire Code and its appendices' requirements.

35. A separate permit and deposit shall be required for installation of the hydrant/standpipe system.

36. The Kittitas County Fire Marshall's Office will require a minimum of (3) three complete sets of plants for full review; (1) Office Copy, (1) Permit Copy, and (1) Fire Department Copy.

37. No slope or grade greater than 12% shall be allowed.

Forest Practices

38. The Washington State Department of Natural Resources advises that the Washington State Forest Practice Rules may apply to this proposal if timber is harvested or roads are built across forest land. A Forest Practice Application may be obtained at the Southeast Regional Office in Ellensburg or at www.dnr.wa.gov.

SEPA Mitigation

39. The following mitigation conditions from the SEPA Mitigated Determination of Non-Significance shall be noted on the face of the final plat and included in the Covenants, Conditions, and Restrictions (CC&Rs) document recorded with the final plat:

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

    b. To allow sufficient on-site snow storage, side yard setbacks shall be 15 feet for all lots. All setbacks shall be shown on the face of the final plat.

    c. All wetlands, streams, and wetland buffers shall be shown on the face of the final plat.

    d. For lots adjacent to wetland buffers, required side and rear yards shall be planted only with native vegetation. Exotic plants and weeds shall be controlled primarily by hand-

pulling. If chemical use is required for noxious weed control, only those chemicals approved by the Washington State Department of Ecology for use near water shall be used within wetlands or their buffers.

40. Final mylars shall be submitted in accordance to KCC 16.20: Final Plats. All applicable survey data and dedications shall be reflected pursuant to KCC 16.24: Survey Data-Dedications.

41. Both sheets shall reflect the Plat number: LP-09-00006.

42. The Final Mitigation Plan shall be prepared from the conceptual mitigation plan, and shall be submitted for review and approval by Kittitas County Community Development Service (KCCDS) in consultation with WDOE and WDFW.

43. The road crossing design for Wetland C shall be submitted for review and approval by KCCDS in consultation with WDFW. The crossing shall be a box culvert or pipe-arch, with not less than 42-inch span by 29-inch rise, sized to convey snowmelt runoff and stormwater and accommodate passage of small mammals and amphibians.

44. The proponent shall obtain a Hydraulic Project Approval (HPA) from WDFW for the two road crossings of streams and any other in-channel work. A copy of the JARPA and HPA shall be provided to KCCDS.

45. A Stormwater management plan shall be prepared and submitted to KCCDS for review and approval in consultation with WDOE.

46. A snow removal and storage plan shall be submitted to KCCDS for review and approval in consultation with WDOE and WDFW.

47. Proposed Conditions, Covenants and Restrictions shall be submitted to KCCDS for review and approval in consultation with WDOE and WDFW.

48. Connection to the Snoqualmie Pass Utility District water and sewer systems shall require that the applicant enter into a developer extension agreement with the Snoqualmie Pass Utility District to extend the water and sewer mains to and throughout the subject property.

49. The Snoqualmie Pass Utility District will require a performance bond to insure that all extensions are not only installed but also installed pursuant to the District's approved design, details and specifications.

50. In addition to the execution of a developer extension agreement, providing a performance bond and the payment of all other applicable District fees and charges, payment of the District's water and sewer general facility charges per hook-up/ equivalent residential unit (ERU) requested must be made to the District as a condition of the issuance of certificates of availability. The District's present water facility charge per ERU is $2,580 and the present sewer general facility charge per ERU is $3,870. These amounts are subject to change at any time up to the time of actual connection to the District's water and sewer systems.

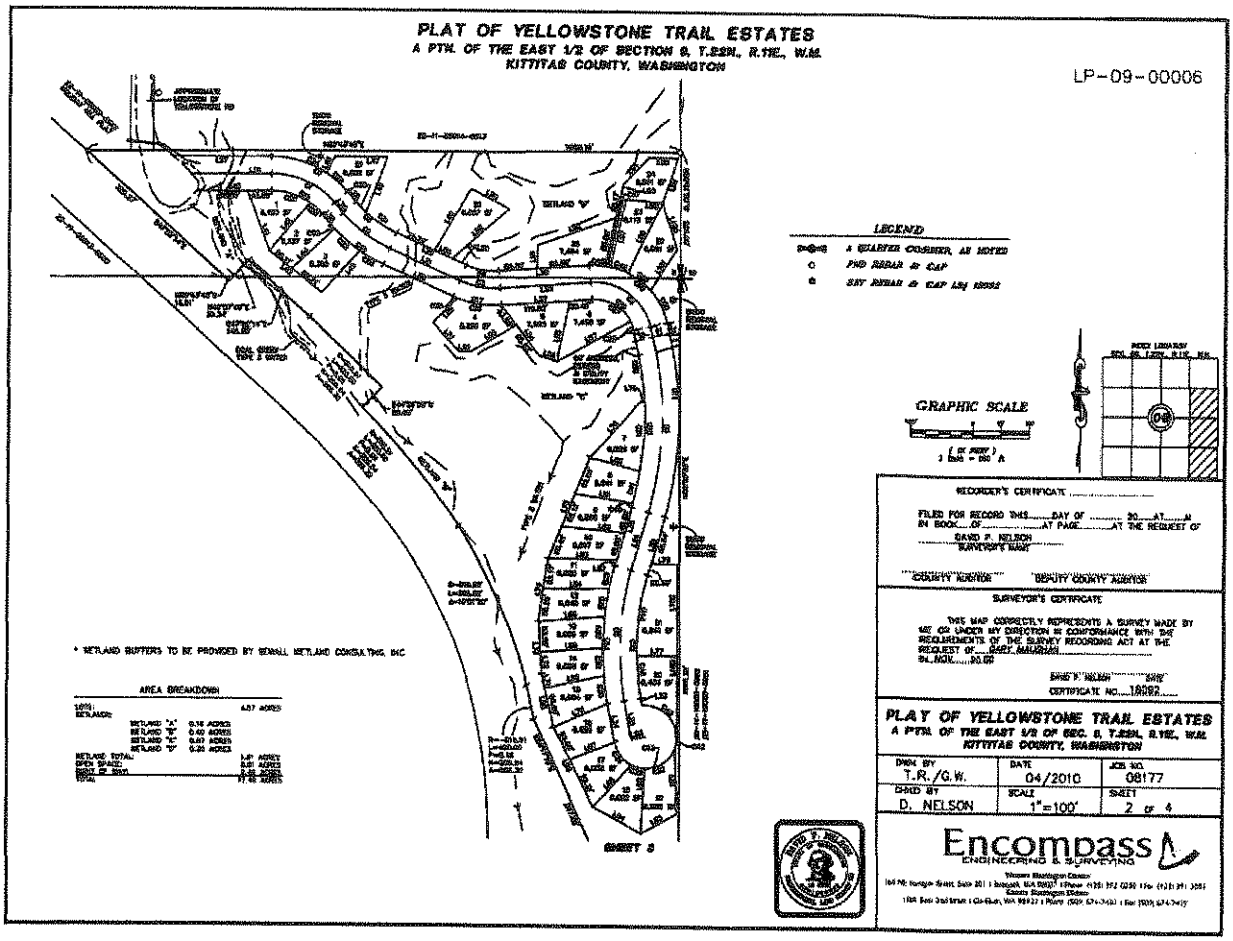
51. The applicant shall work with Kittitas County Community Development Services and Public Works to modify the width of the driveway to Lot 24 in order to permit snow removal without impacting adjacent properties. This may include widening the driveway up to a minimum of 20 feet. Any changes to the width of the driveway to Lot 24 are subject to approval by Kittitas County Department of Community Services and Public Works.

Dated this 28th day of June, 2010.

KITTITAS COUNTY HEARING EXAMINER

Andrew L. Kottkamp

Exhibit "B"


PLAT OF YELLOWSTONE TRAIL ESTATES
A PTN. OF THE EAST 1/2 OF SECTION 8, T.22N., R.11E., W.M.
KITTITAS COUNTY, WASHINGTON
LP-09-00006
LEGEND
GRAPHIC SCALE
RECORDER'S CERTIFICATE
SURVEYOR'S CERTIFICATE
AREA BREAKDOWN
PLAT OF YELLOWSTONE TRAIL ESTATES
A PTN. OF THE EAST 1/2 OF SEC. 8, T.22N., R.11E., W.M.
KITTITAS COUNTY, WASHINGTON
DRAWN BY T.R./G.W.
DATE 04/2010
JOB NO. 08177
CHKD BY D. NELSON
SCALE 1"=100'
SHEET 2 OF 4
Encompass
ENGINEERING & SURVEYING