



Kittitas County Hearing Examiner Public Hearing

Thorp Landing Long Plat

(LP-23-00001)

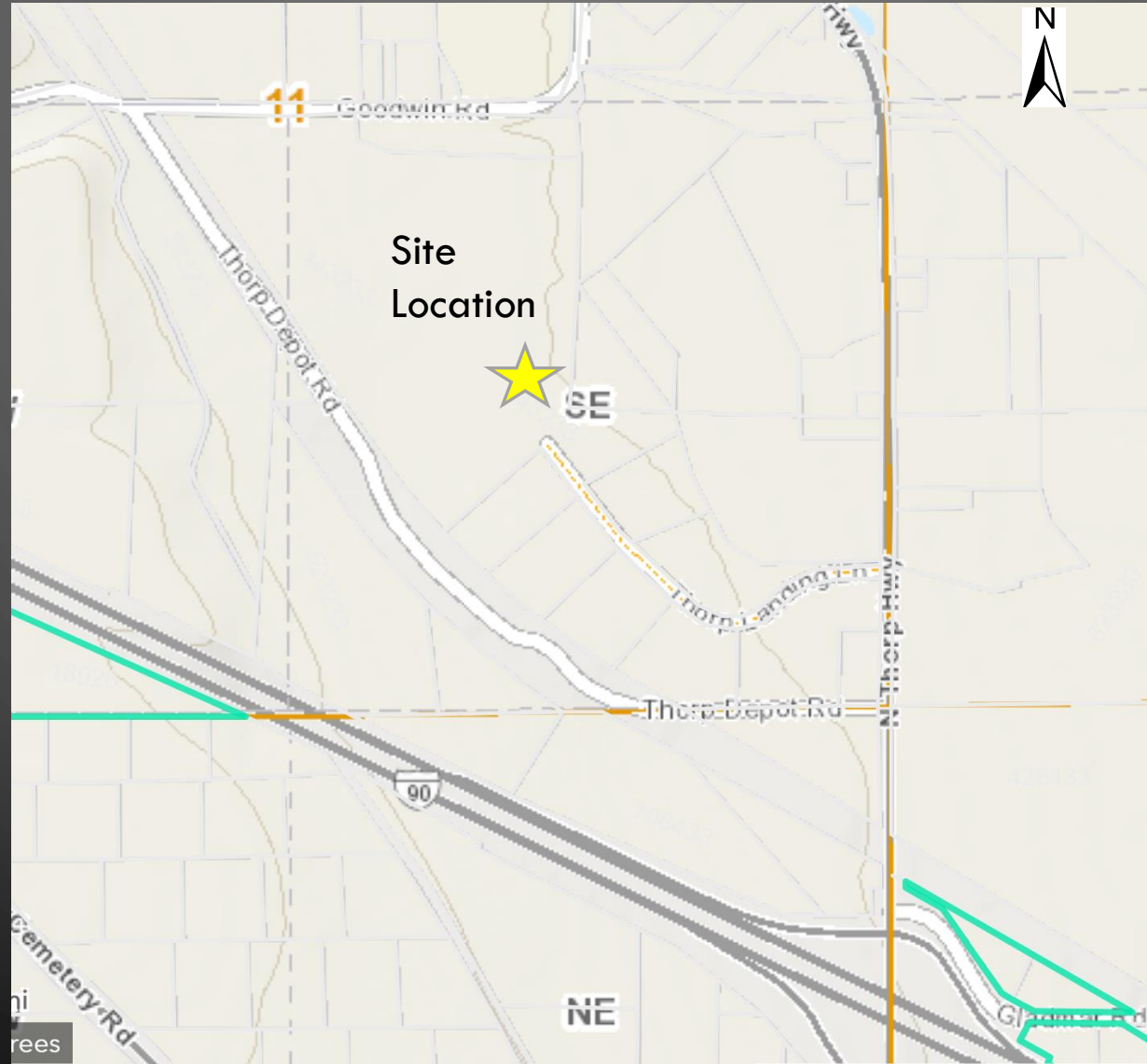
June 22, 2023

THORP LANDING LONG PLAT LP-23-00001

Project Description & Background Information

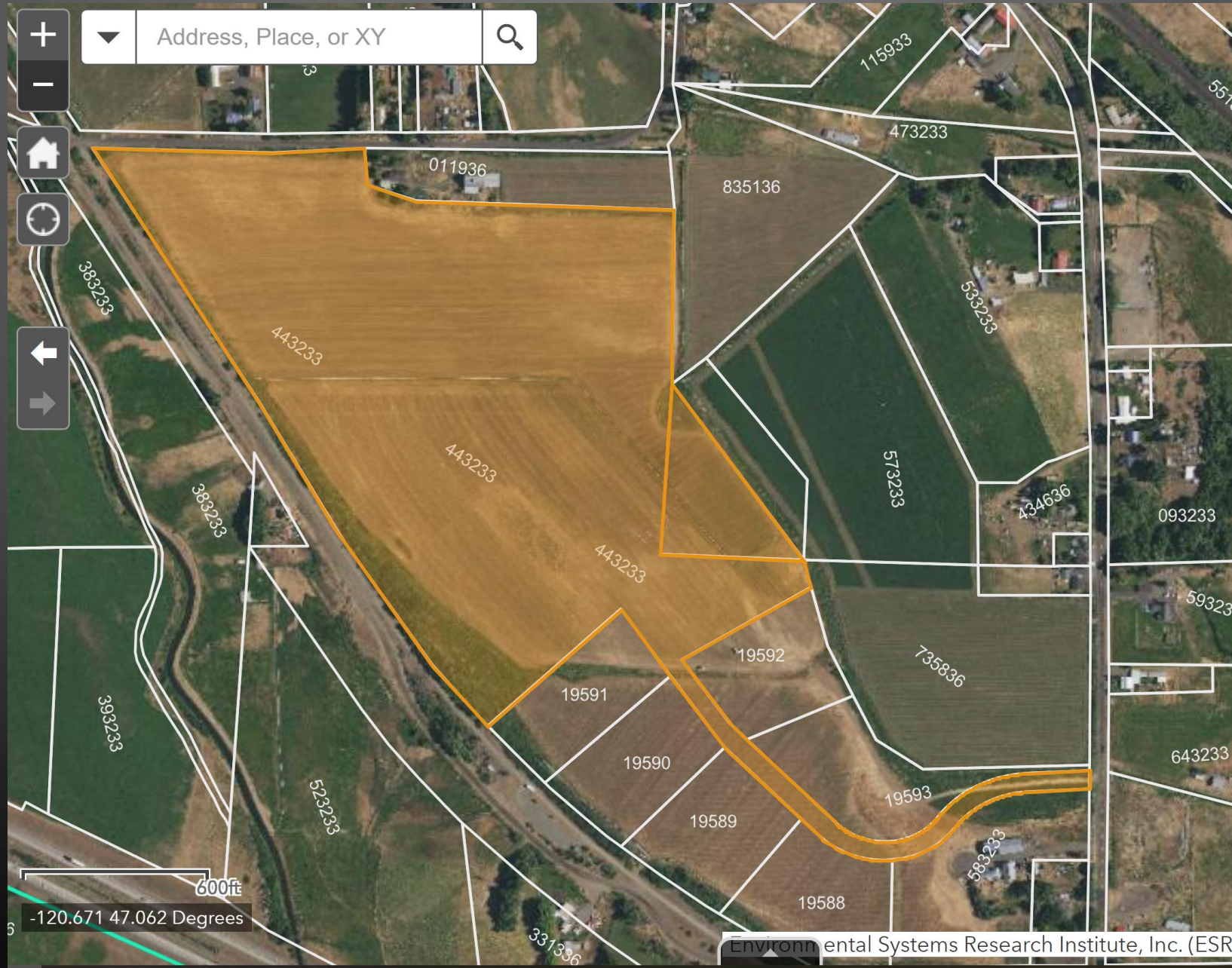
- Thorp Landing LLC submitted an application for a 10-lot plat on 2 parcels of land totaling 54.39 acres of land that is zoned Agriculture 5 within a Rural Residential Land Use designation. The property was rezoned from Agriculture 20 and had a comprehensive plan change from Rural Working as part of the 2022 Kittitas County Annual Docket changes under Ordinance 2022-017.

THORP LANDING PLAT SITE



Access is off N Thorp Hwy and Thorp Landing Lane (A Private Road)

THORP LANDING AERIAL VIEW (2021)



- x — FENCE
- ⊙ WELL
- ⊕ POINT OF DIVERSION

OWNER:
 THORP LANDING LLC
 1401 W DOLARWAY RD STE 301
 ELLENSBURG, WA 98926
 (509) 929-3980

TOTAL ACREAGE: 54.39 ACRES
 NO. OF LOTS: 10
 ZONE: AG 5
 ASSESSOR'S NO. 493233 & 443233

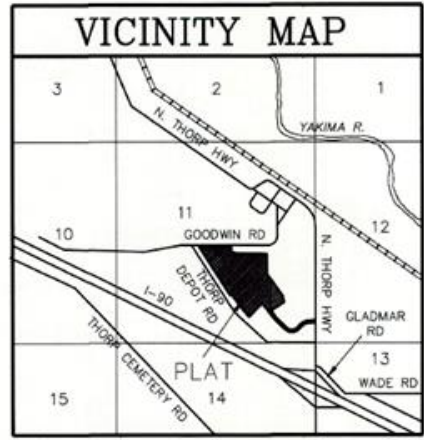
SOURCE OF WATER: GROUP B WATER SYSTEM

SEWER SYSTEM: SEPTIC TANKS
 DRAINAGE: AS PER KITTITAS CO. STANDARDS
 ACCESS: PRIVATE ACCESS ROAD &
 COUNTY ROAD R/W

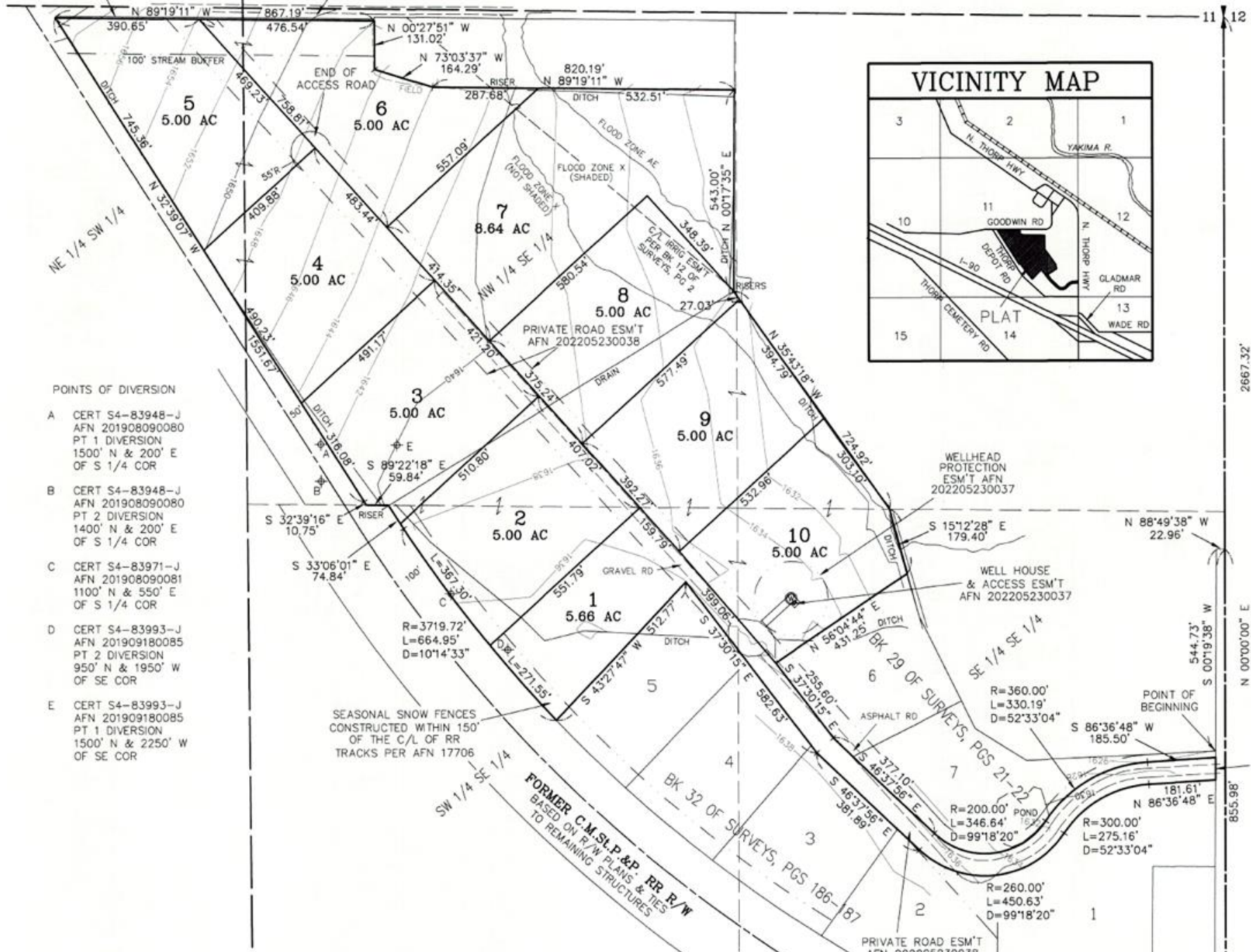
FLOOD ZONES SHOWN HEREON BASED ON FEMA
 FIRM PANELS 53037C 1033D & 1041D.

VERT. DATUM = NAVD88 BASED ON TIES TO
 NGS MONUMENT AA5991.

CONTOURS BASED ON FIELD LOCATES COMPLETED
 11/17/22 AND ARE ACCURATE TO 1' CONTOUR
 INTERVAL.



- POINTS OF DIVERSION
- A CERT S4-83948-J
 AFN 201908090080
 PT 1 DIVERSION
 1500' N & 200' E
 OF S 1/4 COR
 - B CERT S4-83948-J
 AFN 201908090080
 PT 2 DIVERSION
 1400' N & 200' E
 OF S 1/4 COR
 - C CERT S4-83971-J
 AFN 201908090081
 1100' N & 550' E
 OF S 1/4 COR
 - D CERT S4-83993-J
 AFN 201909180085
 PT 2 DIVERSION
 950' N & 1950' W
 OF SE COR
 - E CERT S4-83993-J
 AFN 201909180085
 PT 1 DIVERSION
 1500' N & 2250' W
 OF SE COR



THORP HIGHWAY
 ASSIGNED BASIS OF BEARINGS

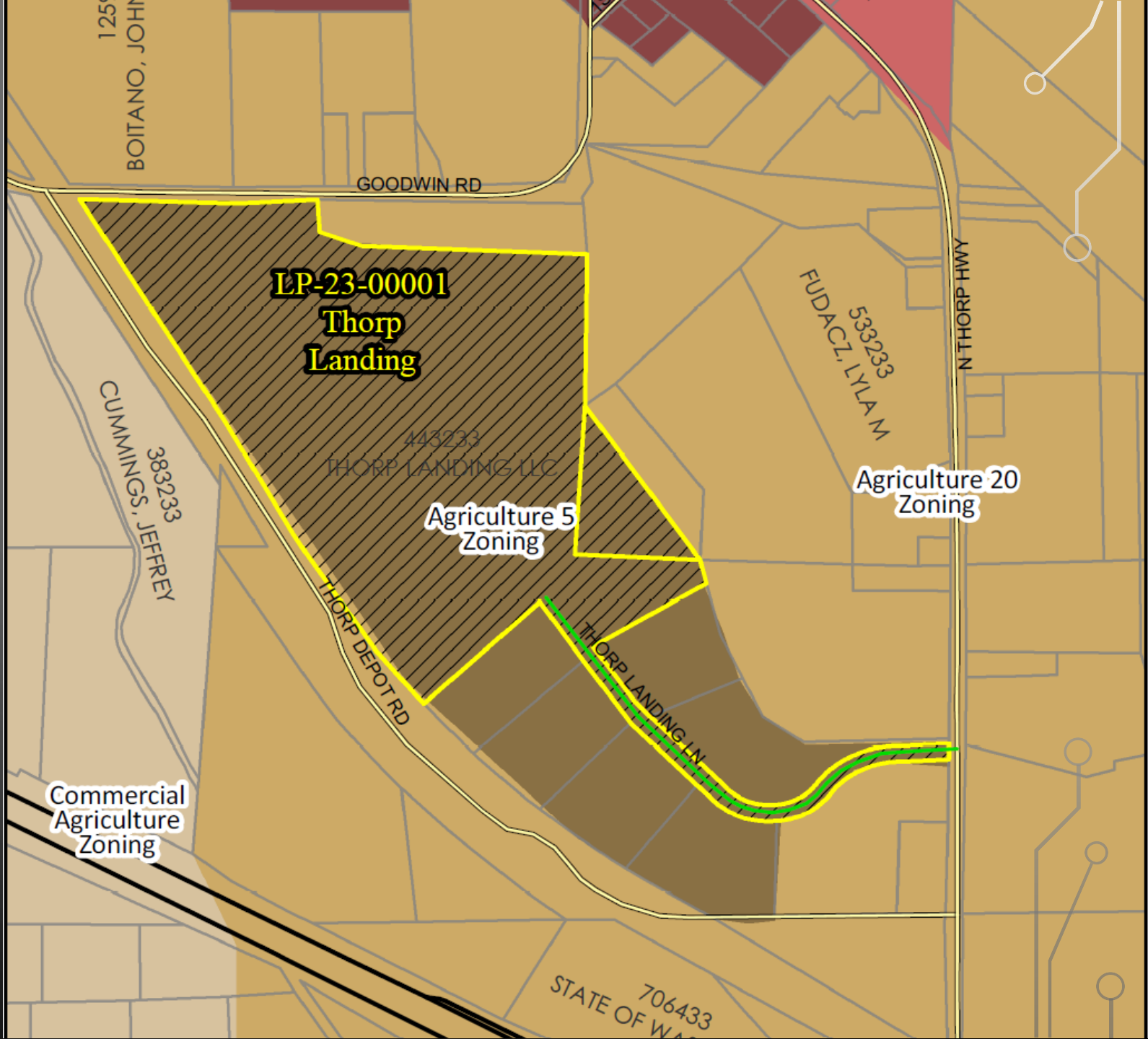
RECEIVED
 JAN 25 2023
 Kittitas County CDS



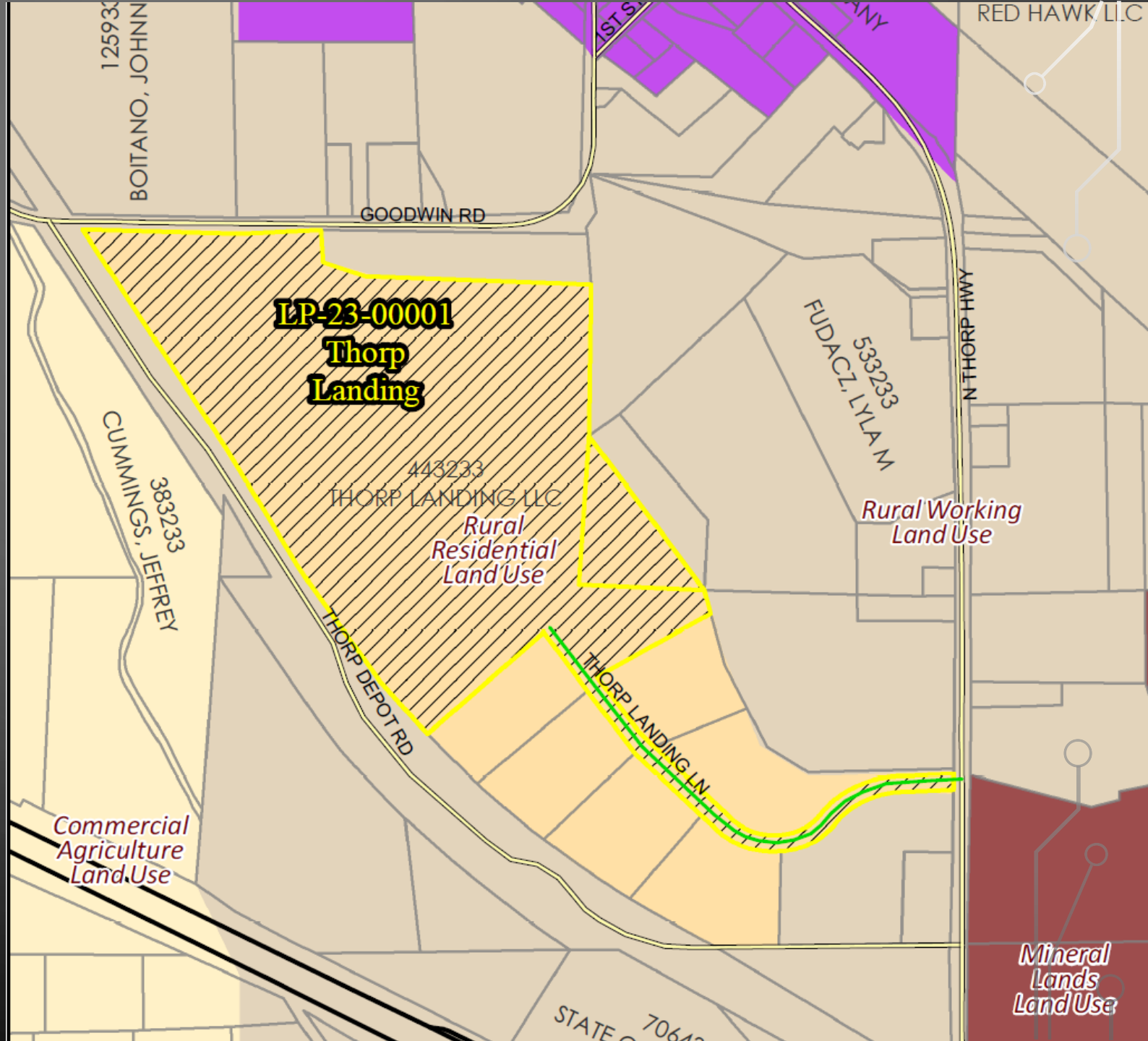
PRELIMINARY ONLY

1/25/2023

THORP LANDING ZONING



THORP LANDING LAND USE



THORP LANDING APPLICATION TIMELINE

- Application submitted January 10, 2023.
- Application determined complete on February 7, 2023.
- Site posted on February 9, 2023.
- Notice of Application (NOA) was issued on February 21, 2023. The notice was sent to to State and Local Agencies and neighbors within 500 feet of the proposal's contiguous tax parcels and published in the County newspaper of record in accordance with KCC 15A.



THORP LANDING APPLICATION TIMELINE (CONT.)

- The comment period ended on March 9, 2023
- Comments were received from various agencies
- A few public comments were received
- Comments were transmitted to the Applicant on March 13, 2023 with all comments being transmitted to the applicant on March 15, 2023.



THORP LANDING APPLICATION TIMELINE (CONT.)

- The applicant after multiple requests for extensions provided response comments on *May 1, 2023*
- CDS Staff requested a transportation concurrency for the plat on *May 5, 2023*
- The applicant provided the concurrency on *May 15, 2023*
- A concurrency determination was made with no mitigation measures required on *May 30, 2023*



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Environmental Review

- A SEPA checklist was submitted with the application and processed concurrently under the optional DNS process in WAC 197-11-355.
- CDS performed a Critical Areas Review of the parcel and identified a Type F, likely irrigation ditch as well as floodplain on a portion of the properties.
- The applicant submitted a Critical Areas Report with the application that also identified Type F stream under the County's critical areas code. There were no jurisdictional wetlands found on the property.
- The applicant also submitted a cultural resource report that looks at cultural resources at the road location and nearby and did not find any cultural resources on the property.
- After considering comments from various agencies and the public, CDS issued a Determination of Non-Significance (DNS) on June 1, 2023 as there was significant area outside critical areas to allow for development.

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Agency Comments

Snoqualmie Tribe

- Snoqualmie Tribe provided comments saying they did not have any substantive comments at this time with their understanding of the project.

Colville Tribe

- Colville Tribe commented their concerns about ground disturbing activities and recommended an inadvertent discovery plan (IDP) prior to implementation.

- ❖ Staff has proposed a condition to this proposal to have an inadvertent discovery plan in place prior to any ground disturbing activity as described in the applicant's cultural resources report.

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Agency Comments

Washington State Department of Health – Office of Drinking Water (DOH-ODW)

- DOH-ODW commented that the applicant needs to communicate with Ecology even if separating their projects into smaller pieces as all of the development would be considered a single project and drinking water use needs to be evaluated as a collective
- They commented that expanding a Group B water system and creating a new Group B water system would fall under Kittitas County Public Health's jurisdiction for approval
- They also commented that if the proposed 10 lots were to be served by a collective water system (being one system), then it would need to be a Group A well and submitted and approved by their department
- ❖ Staff has proposed a condition to this proposal to have two lots served by an expanded Group B system, the other 8 lots served by a new Group B system or have all 10 lots on a Group A system.

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Agency Comments

Kittitas County Fire Marshal's Office

- The Fire Marshal's office commented that all accesses and roads need to be compliant with the 2018 IFC including Appendix D and Public Works requirements. They mentioned that fire flow requirements are per the 2018 IFC including Appendix B. The Fire Marshal's office followed up with an e-mail on April 26, 2023 saying that fire flow requirements and fire hydrant system requirements are waived. They said the lots are in a low hazard area for wildland fires and that the lots are to be sprinkled from the irrigation canals.

❖ Staff has recommended conditions to have all roads meet fire access requirements and that all structures shall be sprinkled unless waived by the Kittitas County Fire Marshal.

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Agency Comments

West Side Irrigating Company (WSIC)

- WSIC commented that their service area includes the entirety of the proposed plat. They are concerned about appropriate arrangements for delivery of WSIC water to reconfigured parcels within the project. They mention the project lands are served by two turnouts at the Main Canal. They talk about Kittitas County Code Chapter 16.18 which includes provisions for the orderly system of providing irrigation water to newly created parcel. They also commented on their current bylaws.
 - ❖ Staff has recommended conditions to provide a water delivery system and required easements (as seen in KCC 16.18) that is approved by WSIC prior to final plat approval

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Agency Comments

Department of Ecology

- Ecology commented on the withdrawal of groundwater and saying there is one exception to having to obtain authorization from Ecology and that is ground water withdrawals of up to 5,000 gallons per day.

Kittitas County Public Health

- Public Health commented that on-site septic systems must adhere to the Washington Administrative Code and Kittitas County Code and that each lot must do a minimum of one soil log. Public Health stated that soil logs were done on each proposed lot. They then commented that the existing Group B well must be applied for and approved to expand to serve 2 lots in this plat and that the new Group B water system must be approved prior to final plat approval.
 - ❖ Staff has recommended conditions to make sure that authorization is obtained from Ecology if withdrawing over 5,000 gallons of water a day and that the Water System be approved prior to final approval.

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Agency Comments

Washington State Parks & Recreation

- Parks and Recreation voiced their concerns over trespassing, dumping, safety during construction, noise, light and glare issues as well as stormwater discharge
- ❖ Staff has recommended a condition to put up no trespassing signs at the property borders and to get a legal easement if they want access to parks property as well as keeping stormwater on site. The county currently does not have requirements for light and glare although the applicant stated that this would be addressed through private conditions, covenants and restrictions (CCR's)

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Agency Comments

Kittitas County Public Works (KCPW)

- KCPW provided comments on access requirements, roads meeting fire codes, and that no access should be done from Goodwin Road. They also commented about projected traffic trips and the possibility of needing a traffic impact analysis. They had comments about required plat notes, flood development and water mitigation.
- ❖ Staff has recommended conditions to have the plat meet all Kittitas County Road Standards and Fire apparatus access as well as plat notes suggested and water mitigation requirements. The applicant provided a transportation concurrency analysis which resulted in no mitigation measures determined needed by Public Works.

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Public Comments

Fudacz Family

- The Fudacz family commented on perennial springs on the property, concerns about irrigation drainage and water rights. They also said that the critical areas report was not sufficient as it did not consider the springs.
- ❖ Staff has recommended a condition to ensure that a water delivery system approved by the irrigation entity is in place prior to final plat approval including all required easements. The critical areas report submitted was in conformance with Kittitas County's Critical Areas Ordinance (KCC 17A). The applicant provided a thorough review of water rights on the property in their response comments.

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Public Comments

Johnny & Erinn Boitano

- The Boitano's voice their concerns about floodplain on the properties, aquifer depletion and flood irrigation bringing the water table up.
- ❖ Staff has recommended a condition to not allow flood irrigation and there is sufficient room outside of the floodplain and critical areas setbacks to build on the proposed lots. Public Health reviews wells and septic systems for conformance with code and approval (which reviews potential groundwater issues in that process).

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Public Comments

Paula Thompson

- Paula Thompson commented that the SEPA checklist should have included perennial springs and wetlands and talked about water rights. She also had comments about fire hydrants, that turn lane should be required on Thorp Hwy and further concerns about irrigation runoff.
- ❖ Staff has recommended conditions requiring a water delivery system approved by the irrigation district prior to final plat approval. This will include required easements/right-of-way for adjudicated water and for the irrigation district to deliver water. Structures on these properties will be required to be sprinkled unless waived by the Kittitas County Fire Marshal.
- ❖ The Critical Areas Report met County Code and the applicant provided a transportation concurrency application which resulted in no mitigation measures required to add a turn land on Thorp Hwy.

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- Staff has reviewed all the application materials and comments received. The proposal was reviewed for its consistency with Kittitas County Code (KCC) and the Comprehensive Plan. The specifics of the review can be found in the Staff Report provided in your review materials.

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Consistency

Staff finds the project to be consistent, as conditioned, with:

- Kittitas County Comprehensive Plan
- KCC Title 12 Roads and Bridges
- KCC Title 15 Environmental Policy
- KCC Title 16 Subdivisions
- KCC Title 17 Zoning
- KCC Title 17A Critical Areas
- KCC Title 20 Fire & Life Safety

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Recommendation

Staff recommends **APPROVAL** of the proposed Thorp Landing Long Plat subject to the conditions identified in the Staff Report.