

Blue: Not applicable for current purposes

Green: OK

Purple: Jurisdiction of other agencies

Yellow: Possible Issue

Chapter 16.09

CLUSTER PLATTING, CONSERVATION and AGRICULTURAL PLATTING

Sections

16.09.010 Purpose and Intent.

16.09.020 Repealed.

16.09.025 Applicability.

16.09.030 Repealed.

16.09.040 Development Regulations.

16.09.060 Lot Size.

16.09.080 Process for Approval.

16.09.090 Repealed.

16.09.100 Repealed.

16.09.010 Purpose and Intent.

With the recognition of the value of retention of rural densities in rural lands, while protecting our critical areas, water resources and resource lands, and with recognition that urban densities belong in urban designated lands, Kittitas County also recognizes the need for innovative planning tools to achieve these goals. Encouraged by the Growth Management Act (GMA), this chapter provides innovative land division techniques that will accommodate appropriate resource, rural and urban densities and uses at levels that are consistent with the conservation of resource lands and preservation of rural character.

In order to provide tools to foster appropriate densities, while making development economically feasible, to recognize benefits to the greater community through an effort to conserve natural resource lands, ensure the continued existence of open space, conserve water resources, protect public health by reducing the number of septic drain fields, concentrate urban densities in urban growth areas and minimize the impact of "Rural Sprawl" in rural lands as designated in the Kittitas County Comprehensive Plan, Cluster Platting, Conservation and Agricultural Platting techniques will foster the development of urban, rural and resource designated lands at appropriate densities while conserving resource lands, protecting rural character, protecting the environment and maintaining a high quality of life in Kittitas County. (Ord. 2014-015, 2014; Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.020 Repealed

(Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.025 Applicability.

Cluster Platting and Conservation Platting are an alternative method for the division of land.

1. Cluster platting is permitted in the following zone Plan designations:
 - a. All zones in the Urban land use designation;
 - b. All zones in the Rural Residential land use designation;
 - c. All zones in the Rural Recreation land use designation; and
 - d. All zones in Rural LAMIRDs.
2. Conservation and Agricultural platting is permitted in the following zone classifications, provided the parcel or combination of contiguous parcels meets the following required minimum land area:
 - a. Agriculture 20, with a minimum land area of forty (40) acres which 40 acres may be in one (1) or more tax parcels, provided, however, if the applicant relies on more than one tax parcel all tax parcels relied on must be; i) used for agricultural activities as that term is defined in RCW 90.58.065(2)(a); and ii) be designated as open space or as farm and agriculture land under Chapter 84.34 RCW; and iii) be owned by the same individual or entity for a minimum of 5 years; and iv) all parcels relied on shall be contiguous with the other parcels, but, parcels separated by county roads, streams and irrigation canals shall be deemed contiguous;
 - b. Forest and Range, with a minimum land area of forty (40) acres; and
 - c. Commercial Agriculture, with a minimum land area of eighty (80) acres which 80 acres may be in one (1) or more tax parcels, provided, however, if the applicant relies on more than one tax parcel all tax parcels relied on must be; i) used for agricultural activities as that term is defined in RCW 90.58.065(2)(a); and ii) be designated as open space or as farm and agriculture land under Chapter 84.34 RCW; and iii) be owned by the same individual or entity for a minimum of 5 years; and iv) all parcels relied on shall be contiguous with the other parcels, but, parcels separated by county roads, streams and irrigation canals shall be deemed contiguous.

(Ord. 2014-015, 2014; Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2010-014, 2010)

16.09.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.040 Development Regulations.

1. Cluster plats, Conservation and Agricultural plats are subject to the following provisions:
 - a. Notification Requirement. If appropriate, the final plat and all conveyance instruments shall contain the following notice: "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 performed in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has

adopted right to farm provisions contained in the Section 17.74 of the Kittitas County Zoning Code."

- b. 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, Cluster Platting and Conservation Platting shall not be used prospectively in conjunction with the Kittitas County planned unit development zone (KCC Chapter 17.36).
 - c. Applications. Applications shall be evaluated for the possible impacts to adjacent agricultural uses. Residential parcel densities allowed in rural and resource areas can have a significant impact on agricultural, forestry and mineral resource uses. Conditions may be placed on development proposals through the normal Kittitas County permitting authority, which protect agricultural lands from possible impacts related to incompatible land uses.
 - d. Farmstead. The farmstead, including the pre-existing residential and associated outbuildings within the project boundary, will not be required to become part of a cluster of residences.
 - e. Location. Clustered lots and Agricultural Lots shall be located within the project boundary in a manner that best recognizes the purpose and intent of cluster plats, conservation plats or Agricultural plats, including but not limited to, the location of the natural resource lands, critical areas as identified in KCC 17.A, purpose of open space, natural or topographical features serving as a functional division, etc.
 - f. Access to Public Lands. Applications that included parcels which share property line boundaries with public lands which allow public use must maintain or enhance existing public access points. Maintained or enhanced public access points to public lands shall be in conformance with requirements as identified by federal, state, and local agencies having jurisdiction over said public lands. Documentation demonstrating such shall be submitted as part of the project application. (BLM notified both times, no comment).
 - g. Open Space. All open space shall contain appropriate covenants and restrictions to ensure the area will not be further subdivided in the future, the use of the open space for the purpose specified will continue in perpetuity, and the open space will be appropriately maintained to control noxious weeds and fire hazards.
2. Open Space. All plats which include open space shall contain appropriate plat notes to ensure the area will not be further subdivided in the future, the use of the open space for the purpose specified will continue in perpetuity, and the open space will be appropriately maintained to control noxious weeds and fire hazards. The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. Open space lots shall not be required to be transferred to the other lot owners to be held in common ownership so long as the lots are used for the purposes of agricultural activities as that term is defined by RCW 90.58.065(2)(a) or the lots are designated as timber and forestlands according to RCW 84.33. Open space lots created as a result of an Agricultural Plat shall not be required to be transferred to the other lots owners to be held in common ownership.
 3. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for the purpose of providing improved recreational facilities serving the benefited

parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value

4. Non-buildable Lots. Any lots created specifically for, or dominated by, easements, roadways, storm water retention facilities, septic facilities or other purposes and as a result are non-buildable shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation.
5. Cluster plats are subject to the following provisions:
 - a. The cluster development does not exceed the density permitted by the zone in which the development is located;
 - b. The proposed cluster is not within one thousand three hundred twenty (1,320) feet between the lot lines of any other cluster or existing residential structure unless the residential structure(s) is part of the proposed development;
 - c. The cluster development does not exceed six (6) residences per cluster;
 - d. No residential dwelling within the cluster is further than one hundred (100) feet from another residential dwelling; and
 - e. Sixty percent (60%) of the land outside of the cluster remains in contiguous open space in perpetuity. Open space in cluster plats shall be held in common ownership or maintained at existing land use or agricultural use.
6. Conservation plats are subject to the following provisions:
 - a. The conservation development does not exceed the density permitted by the zone in which the development is located;
 - b. No conservation plat is adjacent to another cluster or conservation plat so that the total conservation development exceeds six (6) units unless the proposed developments are separated by an existing County road;
 - c. In a residential development in a conservation plat, lots must be located adjacent to one another upon no more than fifty percent (50%) of the total property being divided;
 - d. Seventy percent (70%) of the land outside of the conservation cluster remains in open space for resource use in perpetuity. Open space in conservation plats may either be held in common ownership, owned by a conservation entity, or remain in the ownership of the farmstead or resource parcel.
7. Agricultural plats are subject to the following provisions:
 - a. No Agricultural plat shall be adjacent to another cluster, conservation or agricultural plat so that the total development on the parcels within the adjacent plats exceeds 10 units;
 - b. The agriculture development does not exceed the density permitted by the zone in which the agricultural land is located.
 - c. The agricultural plat is necessitated or pursued for one or more of the following reasons:
 - i. to accommodate housing for farm labor or farm family members; or
 - ii. to implement an irrigation improvement; or
 - iii. to create parcels of real property for financing purposes; or
 - iv. to improve or increase agricultural efficiencies or dispose of property no longer useful to the agricultural activities; or
 - v. to allow gradual or sequential platting as needed to ensure the economic viability of the farm's future; or
 - vi. to facilitate residential dwellings on acreages with varying sizes to allow "small" farms such as Community Support Agriculture (CSA), local farmer's market suppliers to exist

in Ag and other zones while acres in excess of those purchased remain with original owner but carry nondevelopment status to meet the density of the underlying zone.

- d. Dwellings shall be located with the plat in a manner which secures the necessity of the plat as defined in 4(c) above and in a manner which does not adversely impact productive farmland or on- or off-site agricultural activities. The possibility that lots and dwellings may be located where they are impacted by dust, irrigation water, or agricultural treatments or chemicals, or will encourage trespass, or will interfere with the movement of agricultural vehicles or livestock, or may be adversely impacted by noise or odor, should be minimized. All lots shall have a notation on the face of the plat or a deed restriction that runs with the title that provides notice that the lot is located in an area where agricultural activities occur and may impact lot owners' use and enjoyment of their property.
- e. Lots smaller than two acres and, for all lots, home sites and facilities that support the residential development, such as onsite waste disposal systems, residential units shall be located on lands with poor soils or otherwise not suitable for agricultural purposes.

(Ord. 2016-023, 2016; Ord. 2014-015, 2014; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2010-014, 2010; Ord. 2006-36, 2006; Ord. 96-6 (part), 1996)

16.09.060 Lot Size.

1. Generally: The size of the lots to be developed shall be no larger than necessary to meet the minimum Washington State Department of Health requirements and the Kittitas County Code.
2. Exceptions:
 - a. The existing farmstead lot can be up to ten (10) acres in size; and
 - b. New lots may be as large as five (5) acres if building envelopes are established on the plat that ensure the same development pattern that would occur with smaller lots created consistent with subsection 16.09.060.1 above.
 - c. Agricultural plats.

(Ord. 2014-015, 2014; Ord. 2013-001, 2013; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.080 Process for Approval.

1. Submit preliminary Cluster Plat or Conservation Plat map in conformance with requirements in KCC Chapter 15A Project Permit Application Review, KCC Chapter 16.12 Preliminary Plats or KCC Chapter 16.32 Short Plat Requirements, as applicable, and Title 12 Road Standards.
2. Cluster Plats and Conservation Plats are to be processed as a short subdivision or subdivision, depending on the number of lots proposed, and are subject to the review process as provided for in KCC Title 15A Project Permit Application Process.
3. Final Cluster Plat or Conservation Plat approval must be in conformance with KCC Chapter 16.20 Final Plats.
4. Process for Approval of Agricultural Plats
 - a. Agricultural Plats
 - i. The Agricultural Plat shall be processed as a short plat or long plat as defined in Title 16.

5. Documentation shall be submitted by the applicant stating how the proposed development meets the intent of KCC Chapter 16.09.

(Ord. 2018-001, 2018; Ord. 2014-015, 2014; Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.090 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.100 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

Chapter 16.20 FINAL PLATS

Sections

- 16.20.010 Requirements.
- 16.20.020 Final plat general information.
- 16.20.030 Certificate of title - Computer sheets.
- 16.20.040 Plat drawing.
- 16.20.050 Dedications, easements, alleys.
- 16.20.060 Receipt of final plat.
- 16.20.070 Submission to board.
- 16.20.080 Approval or disapproval.

16.20.010 Requirements.

The final plat shall conform substantially to the preliminary plat, as approved by the board of county commissioners, and shall meet the requirements in Sections 16.20.020 through 16.20.050 of this chapter. (Ord. 2005-31, 2005)

16.20.020 Final plat general information.

1. The final plat shall be drawn on polyester film in a neat and legible manner.
2. The final plat shall be drawn to such a scale as to make a sheet eighteen inches by twenty-four inches. Should this size sheet unduly congest the drawing, the plat may be submitted on two or more sheets of the above dimensions. The perimeter of the subdivision shall be depicted with heavier lines than appear elsewhere on the plat. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch on the sides. The scale shall be one (1) inch equals two hundred (200) feet, or greater, unless otherwise approved by the director.
3. All lettering shall be printed with permanent ink.

4. Each sheet of the final plat shall contain the subdivisions name at the top of the sheet in large letters followed underneath with the section, township, range, county and state. The space for recording the receiving number is in the upper right hand corner, sheet numbers at the bottom of the sheets.
5. It shall show all courses and distances necessary to re-stake any portion of said plat.
6. Required monuments shall be shown together with a legend of monuments on the face of each plat sheet. (Ord. 2005-31, 2005)

16.20.030 Certificate of title - Computer sheets.

The following items are to be submitted together with the final plat sheets:

1. Certificate of Title. A certificate of title of the property proposed to be platted shall be submitted with the plat for examination by the county engineer, said abstract to show fee simple title in the proponents of the plat unencumbered. (Item # 10 on title report: "Possibility of unpaid assessments" The only message Keli sent was "*In regards to the Swauk Valley Ranch project, it appears that some of the lots are outside of the KRD service area. This will need to be address with the Landholder as well, prior to approval. Thank you*"
2. Computer Sheets. Computer sheets shall be submitted with the final plat showing the closure of plat boundaries, blocks, lots or any other area with no more error than one foot in five thousand feet, together with the acreage of each lot. (Ord. 2005-31, 2005)

16.20.040 Plat drawing.

The plat drawing shall contain all the following requirements:

1. Section Data. All section, township, municipal and county lines lying within or adjacent to the subdivision;
2. Tie Monuments. The location of all monuments or other evidence used as ties to establish the subdivision's boundaries;
3. Plat Monuments. The location of all permanent control monuments found or established within the subdivision;
4. Boundaries. The boundary of the subdivision, with complete bearings and lineal dimensions in heavier lines;
5. Bearing and Distances. The length and bearings of all straight lines, the radii, arcs, and central angles of all curves;
6. Lot Dimensions. The length of each lot line, together with bearings and other data necessary for the location of any lot line in the field;
7. Road Names. The location, width, centerline, and name or names or number of all streets within and adjoining the subdivision;
8. Easements. The location and width, shown with broken lines, and description of all easements. Easements may be described in the plat restrictions in lieu of being shown on the plat drawings; (Might be an issue, I will see if Justin has a problem: Easements shown with solid lines)
9. Lot Numbers. Numbers assigned to all lots and blocks within the subdivision;
10. Adjacent Owners. Names of owners of land adjacent to the subdivision, and the names of any adjacent subdivisions;

11. Surrounding Area. All surrounding property shall be shown in dotted lines and letters with names of plats, roads, adjoining lots, canals, and etc., and if un-platted shall be so indicated; (Might be a code cleanup issue: I only see this in older plats).
12. Vicinity Maps. A vicinity map showing the boundary of the plat in relation to the surrounding area such as adjacent subdivisions, rivers, creeks, roads or highways, canals, etc. Minimum area shown would be the section or sections containing the platted area with a scale of approximately 4" = 1 mile;
13. Contours. Contour lines are not shown on a final plat as required on the preliminary plat;
14. Miscellaneous Items. North arrow, scale and legend of monuments to be shown on open area of sheets;
15. Grid Coordinates. A tie shall be made and shown on the plat if plat is within one mile of any such monument. (Ask Justin)
16. Well location. The drawings shall be marked with a "w" indicating location of the well and a broken line showing the one hundred foot radius around such.
17. Ditches. Location of existing ditches apparent or of record. (Ord. 2005-31, 2005)

16.20.050 Dedications, easements, alleys.

No plat shall be approved unless adequate provision is made in the subdivision for such drainage ways, roads, alleys, easements, and other general purposes as may be required to protect the public health, safety, and welfare.

1. Dedications - Shown on Plat. All dedications of land shall be clearly and precisely indicated on the face of the plat in the order listed in Sections 16.24.070 through 16.24.140.
2. Protective Improvements. Protective improvements and easements to maintain such improvements shall be dedicated.
3. Open Space. All plats which include open space shall contain appropriate plats notes to ensure the area will not be further subdivided in the future, the use of the open space for the purpose specified will continue in perpetuity, and the open space will be appropriately maintained to control noxious weeds and fire hazards. The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. Open space lots shall not be required to be transferred to the other lot owners to be held in common ownership so long as the lots are used for the purposes of agricultural activities as that term is defined by RCW 90.58.065(2)(a) or the lots are designated as timber and forestlands according to RCW 84.33. Open space lots created as a result of an Agricultural Plat shall not be required to be transferred to the other lots owners to be held in common ownership.
4. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value.
5. Non-buildable Lots. Any lots created specifically for, or dominated by, easements, roadways, storm water retention facilities, septic facilities or other purposes and as a result are non-buildable shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. (Ord. 2016-023, 2016; Ord. 2005-31, 2005) (I do not believe they are dedicating anything)



Chapter 16.24

SURVEY DATA - DEDICATIONS

Sections

- 16.24.010 Survey data requirements.
- 16.24.020 Orientation of the subdivision.
- 16.24.030 Survey - Permanent control monuments establishment.
- 16.24.040 Survey - Permanent control monuments setting.
- 16.24.050 Lot corner marking.
- 16.24.060 Survey - Property contiguous to natural bodies of water.
- 16.24.070 Dedications required.
- 16.24.080 Property description.
- 16.24.090 Dedications - Required.
- 16.24.110 Private road dedication.
- 16.24.120 Sewage disposal, potable water supply, drainage improvements.
- 16.24.130 Dedications - Exemption, conveyance to corporation.
- 16.24.140 Corporate membership and responsibilities, conditions.
- 16.24.150 Certifications required.
- 16.24.160 Certificate from platter's land surveyor.
- 16.24.170 Certificate of county public works director.
- 16.24.180 Certificate of director.
- 16.24.200 Certificate from Kittitas County Treasurer.
- 16.24.210 Certificate of county health officer.
- 16.24.215 Assessor's certificate.
- 16.24.220 Certificate of State Department of Transportation (if adjacent to state highway).
- 16.24.230 Certificate of city council (if adjacent to city).
- 16.24.240 Certificate of further restrictions.
- 16.24.250 Certificate of board of county commissioners.
- 16.24.260 Filing certificate for county recording.

16.24.010 Survey data requirements.

1. The survey of every proposed subdivision, and the preparation of preliminary and final plats thereof, shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. All surveys shall conform to standard practices and principles for land surveying.
2. The surveyor shall furnish the county engineer with a full set of survey notes, which notes shall clearly show:
 1. The ties to each permanent monument;
 2. At least three durable, distinctive reference points or monuments;
 3. Sufficient data to determine readily the bearing and length of each line;

4. The base meridian referred to. (Ord. 2005-31, 2005)

16.24.020 Orientation of the subdivision.

Primary survey control points shall be referenced to section corners and monuments. Corners of adjoining subdivisions or portions thereof shall be identified and ties shown. (Ord. 2005-31, 2005)

16.24.030 Survey - Permanent control monuments establishment.

1. Permanent control monuments shall be established at:
 1. All controlling corners on the boundaries of the subdivision;
 2. The intersections of centerlines of roads within the subdivision;
 3. The beginning and ends of curves on road centerlines;
 4. The beginning and ends of road centerlines.
2. Permanent control monuments may be placed on offset lines. The position and type of every permanent monument shall be noted on all plats of the subdivision. Permanent control monuments shall be set in two inch pipe, twenty-four inches long, filled with concrete or shall be constructed of an approved equivalent. (Ord. 2005-31, 2005)

16.24.040 Survey - Permanent control monuments setting.

Permanent control monuments within the roads shall be set after the roads are graded. In the event a final plat is approved before roads are graded, the surety deposited to secure grading shall be sufficient to pay the costs estimated by the county public works director of setting such monuments. (Ord. 2005-31, 2005)

16.24.050 Lot corner marking.

Every lot corner shall be marked by a three-fourths inch galvanized iron pipe or approved equivalent driven into the ground. (Ord. 2005-31, 2005)

16.24.060 Survey - Property contiguous to natural bodies of water.

1. If any land in a subdivision is contiguous to a natural body of water, a meander line shall be established along the shore at a safe distance back from the ordinary high-water mark. Property lying beyond the meander line shall be defined by distances along the side property lines extended from the meander line.
2. If the thread of a stream lies within a subdivision or forms the boundary of a subdivision, such thread shall be defined by bearings and distances as it exists at the time of the survey. (Ord. 2005-31, 2005)

16.24.070 Dedications required.

The dedication sheet shall contain a full legal description of land, notarized dedication of legal owners and interested parties of property, signed approvals and statements as required and all as described as follows in Sections 16.24.080 through 16.24.140. (Ord. 2005-31, 2005)

16.24.080 Property description.

1. The completed plat must show description of property platted which shall be the same as that recorded in previous transfer of said property, or that portion of said transfer covered by the plat.
2. Should this description be cumbersome and not technically correct, a true and exact description shall be shown upon the plat together with original description. The corrected description shall read as follows: "The intent of above description is to embrace all the following described property": (Description). (Ord. 2005-31, 2005)

16.24.090 Dedications - Required.

1. There are five types of dedications and acknowledgments. The applicable dedication (below) must be followed verbatim. The following list distinguishes the individual dedications:
 1. Corporations platting proposed private roads;
 2. Corporations platting proposed public roads;
 3. Individuals platting proposed private roads;
 4. Individuals platting proposed public roads;
 5. Proposed private roads on private property; and
 6. Proposed public roads on private property.
2. Dedications for dedications (2),(4) and (6) above:
(copy as follows)

KNOW ALL MEN BY THESE PRESENTS that do hereby declare this plat and dedicate to the public forever all roads and ways hereon with the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon. Following original reasonable grading of roads and ways hereon no drainage water on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road rights-of-way, or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner.

(If a non-profit corporation is selected above add these paragraphs)

The costs of construction, maintaining and snow removal of all roads, streets, and alleys within this plat and all access roads to this plat shall be the obligation of a nonprofit corporation composed of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys.

In the event that the owners of any of the lots of this plat or any additional plats shall petition the County Commissioners to include the roads in the county road system, it is understood that the roads shall first be built up to minimum county standards by said non-profit corporation.

IN WITNESS WHEREOF, We have hereunto set our hands and seal this day of _____, A.D., 20____.
(Print name of Corporation)

(Signature of President)

President

(Signature of Secretary)
Secretary

(Use this if individual owner(s))
(Print signer's name under line)

(As many of the following acknowledgments are to be used as required to acknowledge all signatures.)

ACKNOWLEDGEMENT

STATE OF WASHINGTON) SS
COUNTY OF KITTITAS)

THIS IS TO CERTIFY That on this day of A.D., 20, before me, the undersigned, a Notary Public, personally appeared to me known to the person(s) who executed the foregoing dedication and acknowledged to me that signed and sealed the same as free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS My hand and official seal the day and year first written.
Notary Public in and for the State of Wash., residing at

(Alternate when plattor is a corporation)

STATE OF WASHINGTON) SS
COUNTY OF)

On this day of A.D., 20, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared and , to me known to be the president and secretary, respective, of the Corporation, and acknowledged the said instrument to be the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the said instrument and that the seal affixed is the corporate seal of said Corporation.

WITNESS My hand and official seal the day and year first written.
Notary Public in and for the State of Washington, residing at

In addition to owners of platted property signing the dedication, all interested parties (mortgagee, easement grantee, etc.) shall sign and acknowledge before a notary public a dedication of all land shown on the plat to be dedicated for public uses and a waiver by them and their successors of all claims for damages against any governmental authority arising from the construction and maintenance of public facilities and public property within the subdivision.

(copy as follows)

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS That (name of person or persons or corporation having interests) the undersigned (mortgagee, easements grantee or others) of the herein described real "property", does hereby declare, subdivide and plat as herein described, and dedicate to the use of the public forever all roads, streets, avenues, alleys, places, easements or whatever public

property shown thereon which shall be maintained by (county road system or private non-profit corporation) and do hereby waive all claims for damages whatsoever against any government agency arising from the construction and maintenance of public facilities and public property within the subdivision so platted.

IN WITNESS WHEREOF, We have hereunto set our hands and seal this day of A.D., 20 .
(Applicable signatures as hereinbefore described)
ACKNOWLEDGEMENT: (copy as hereinbefore shown verbatim)

(Ord. 2005-31, 2005)

16.24.110 Private street dedication.

(copy as follows)

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, owner(s) in fee simple of the described real property, does hereby declare this plat and description and in lieu of dedication of roads hereby grants forever unto all owners of lots in this plat and all future plats in (name of plat) common ownership of all roads shown as private roads.

(If applicable add these paragraphs)

The costs of construction, maintenance and snow removal of all roads, streets, and alleys within this plat and all access roads to this plat shall be the obligation of a nonprofit corporation composed of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys.

In the event that the owners of any of the lots of this plat or any additional plats shall petition the County Commissioners to include the roads in the County Road System, it is understood that the roads shall first be built up to minimum county standards by said non-profit corporation.

WITNESS my (our) hand(s) and seal(s) this day of A.D., 20 .
(Applicable signatures as hereinbefore described)

ACKNOWLEDGEMENT: (copy as hereinbefore shown verbatim) No dedications, but I will see what PW has to say.

(Ord. 2005-31, 2005)

16.24.120 Sewage disposal, Potable water supply, Drainage improvements.

A statement is required describing the contemplated sewage system and potable water supply. Mitigation for water use is required per Kittitas County Code Chapter 13. Did

(Ord. 2014-015, 2014; Ord. 2005-31, 2005)

16.24.130 Dedications - Exemption, conveyance to corporation.

If the board concludes that the public interest will be served thereby, the board may, in lieu of requiring the dedication of land in a subdivision for protective improvements, drainage ways, roads,

alleys, recreational, community or other general purposes, allow the said land to be conveyed to a homeowner's association or similar non-profit corporation. (Ord. 2005-31, 2005)

16.24.140 Corporate membership and responsibilities, conditions.

A subdivider who wishes to make a conveyance as permitted by Section 16.24.130, shall, at or prior to the time of filing a final plat for approval, supply the board with copies of the grantee organization's articles of incorporation and bylaws with evidence of the conveyance or a binding commitment to convey. The articles of incorporation shall be appurtenant to ownership to land in the subdivision; that the corporation is empowered to assess the said land for costs of construction and maintenance of the improvements and property owned by the corporation; and that such assessments shall be a lien upon the land. The board may impose such other conditions as it deems appropriate to assure that property and improvements owned by the corporation will be adequately constructed and maintained. (Ord. 2005-31, 2005)

16.24.150 Certifications required.

The certification in Sections 16.24.160 through 16.24.260 shall appear on the dedication sheet unless not applicable. (Ord. 2005-31, 2005)

16.24.160 Certificate from platter's land surveyor.

A certificate of the registered land surveyor who made, or under whose supervision was made, the survey of the subdivision in substantially the following language:

(copy as follows)

I hereby certify that the plat of is based on actual survey and subdivision of Section , Township Range W.M.; that the distances and courses and angles are shown thereon correctly; that the monuments have been set and lot and block corners staked on the ground.

Dated this day of , A.D., 20 .

(seal)

Licensed Land Surveyor

(Ord. 2005-31, 2005)

16.24.170 Certificate of county public works director.

No plat shall be approved by the board of county commissioners until the county public works director shall have affixed his or her signature thereto and forwarded same to the board of county commissioners with a letter stating that requirements will be met, or suitable deposit made or bond filed to cover estimated cost of work, prior to the issuance of the first building permit.

(copy as follows)

EXAMINED

AND APPROVED This day of , A.D., 20 .

(seal)

Kittitas County Engineer

(Ord. 2005-31, 2005)

16.24.180 Certificate of county planning director.

A statement of the director that the subdivision conforms to the comprehensive plan.

(copy as follows)

I hereby certify that the plat of has been examined by me and find that it conforms to the comprehensive plan of the Kittitas County Planning Commission.

Dated this day of , A.D., 20 .
Kittitas County Community Development Services Director

(Ord. 2005-31, 2005)

16.24.200 Certificate from Kittitas County Treasurer.

Certified statement from the county Treasurer showing taxes are paid for preceding year; also taxes for the year in which the plat is filed, the latter being in an amount equal to last year's taxes, plus twenty-five percent.

(copy as follows)

I hereby certify that the taxes and assessments are paid for the preceding years and are current as of the date of my signature below.

Dated this day of , A.D., 20 .
Kittitas County Treasurer

(Ord. 2005-31, 2005)

16.24.210 Certificate of county health officer.

A note on any approved plat shall contain the following note: I hereby certify that the plat has been examined and conforms with current Kittitas County Code Chapter 13.

Dated this day of , A.D., 20 .
Kittitas County Health Officer

(Ord. 2014-015, 2014; Ord. 2005-31, 2005)

16.24.215 Assessor's certificate.

Certified statement from the county assessor that no conditions exist which would encumber or obstruct the proposed subdivision.

(copy as follows)

I hereby certify that the plat of has been examined by me and I find the property to be in an acceptable condition for platting.

Dated this day of , A.D., 20 .
Kittitas County Assessor

(Ord. 2005-31, 2005)

16.24.220 Certificate of State Department of Transportation (if adjacent to state highway).

In the event that the property described in such plat or any part thereof shall be adjacent to a state highway, the district administrator of the Department of Transportation shall approve such plat before the approval of the board of county commissioners. The following form of certificate shall be filled out on said plat and signed by the district administrator.

EXAMINED AND APPROVED This day of , A.D., 20 .
Washington State Department of Transportation
Administrator, District No. 5

(Ord. 2005-31, 2005)

16.24.230 Certificate of city council (if adjacent to city).

In the event that the property described in such plat, or any part thereof, shall be adjacent to the corporate limits of any city or town, the council of such city or town shall approve such plat before its approval by the board of county commissioners. The following form of certificate shall be filled out on said plat and signed by the mayor of such city or town.

EXAMINED AND APPROVED This day of , A.D., 20 , pursuant to Ordinance No. , of the
(city/town) of , Washington, passed, 20 , and approved by the Mayor thereof , 20 .
COUNCIL OF city/town, Washington

By
Mayor

(Ord. 2005-31, 2005)

16.24.240 Certificate of further restrictions.

In the event that there are further restrictions or covenants which are to be made a part of the plat, the following certificate shall be filled out on said plat and signed by the platters and the county auditor.

(copy as follows)

KNOW ALL MEN BY THESE PRESENTS: That this plat of Kittitas County, Washington is subject to additional restrictions entitled, which are filed with the Kittitas County Auditor and which are hereby made a part of this plat. This is to certify that the above mentioned restrictions have been filed this day of , 20 , at minutes past o'clock M., in Volume of Deeds , Page , Records of Kittitas County, Washington.
Kittitas County Auditor

(Ord. 2005-31, 2005)

16.24.250 Certificate of board of county commissioners.

(copy as follows)

EXAMINED AND APPROVED This day of , A.D., 20 .

Board of County Commissioners

Kittitas County, Washington

By

Chairman

ATTEST:

Clerk of the Board

(Ord. 2005-31, 2005)

16.24.260 Filing certificate for county recording.

(copy as follows)

Filed for record at the request of the Kittitas County Board of Commissioners, this day of , A.D., 20 , at minutes past o'clock M., and recorded in Volume of Plats , on page , Records of Kittitas County, Washington.

Kittitas County Auditor

Receiving No.

By

Deputy County Auditor

NOTE: "Receiving No." to be shown in the upper right hand corner on each page of the plat (if more than one page). (Ord. 2005-31, 2005)

Chapter 17.29

A-20 - AGRICULTURE ZONE*

Sections

17.29.010 Purpose and intent.

17.29.020 Allowed uses.

17.29.030 Repealed.

17.29.040 Lot size required.

17.29.050 Yard requirements - Front yard.

17.29.060 Yard requirements - Side yard.

17.29.070 Yard requirements - Rear yard.

17.29.075 Yard requirements- Zones adjacent to Commercial Forest Zone.

17.29.080 Yard requirements - Sale or conveyance restrictions.

17.29.090 Dimensional requirements.

17.29.100 Repealed.

17.29.110 Access.

17.29.120 Special setback requirements.

17.29.130 Repealed.

* For provisions on the right to farm for protection of agricultural activities, see Ch. 17.74. For provisions on the commercial agricultural and commercial agricultural overlay zones, see Ch. 17A.55.

Prior history: Ords. 81-Z-1, 80-Z-2, 68-1.

17.29.010 Purpose and intent.

The agriculture (A-20) zone is an area wherein farming, ranching and rural life styles are dominant characteristics. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture. (Ord. 2013-008, 2013; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.29.020 Allowed uses.

Uses allowed in the agriculture (A-20) zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 92-1 (part), 1992; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.29.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-1 (part), 1992; Ord. 90-10 (part), 1990; Res. 83-10, 1983)

17.29.040 Lot size required.

1. Minimum lot (homesite) requirements in the agricultural (A-20) zone are:

- a. (20) acres, unless within a conservation plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting
- b. In no case shall there be more than one dwelling (residence) on any lot or tax parcel unless such parcel is twice the required minimum (twenty-(20)-acre) size.
- c. One-half (½) acre for lots in a conservation plat.

2. Agriculture Study Overlay Zone: Properties containing prime farmland soils with capability grades between 1 and 4 shall be a minimum of twenty (20) acres in size. (Ord. 2016-023, 2016; Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25; 2009; Ord. 2007-22, 2007; Ord. 96-15 (part), 1996; Ord. 95-13 (part), 1995; Ord. 83Z-2 (part), 1983; Res. 83-10, 1983)

17.29.050 Yard requirements - Front yard.

There shall be a minimum front yard of twenty-five (25) feet. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.29.060 Yard requirements - Side yard.

Side yard shall be a minimum of five (5) feet; on corner lots the side yard shall be a minimum of fifteen (15) feet on the side abutting the street. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.070 Yard requirements - Rear yard.

There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building. (Ord. 2013-001, 2013; Res. 83-10, 1983) (New Lots meet setbacks)

17.29.075 Yard requirements - Zones Adjacent to Commercial Forest Zone

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC 17.57.050(1)). For properties where such setback isn't feasible, development shall comply with KCC 17.57.050(2). (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.29.080 Yard requirements - Sale or conveyance restrictions.

No sale or conveyance of any portion of a lot for other than a public purpose shall leave a structure or the remainder of the lot with less than the minimum lot, yard, or setback requirements of this zone. (Res. 83-10, 1983)

17.29.090 Dimensional requirements.

The minimum average lot width shall be two hundred (200) feet. No platted lot or parcel may be created with a dimensional ratio greater than 4:1. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.100 Division of nonconforming lots.

Repealed by Ord. 95-13. (Res. 83-10, 1983)

17.29.110 Access.

No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-(60)-foot right-of-way or existing county road. (Ord. 2013-001, 2013; Res. 83-10, 1983) (Road Variance)

17.29.120 Special setback requirements.

None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted):

1. Within one and one-half (1½) miles:
 - a. (Deleted by Ord. 88-5)
 - b. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
 - i. Provisions made that all other operations (subdivisions 1 and 2 of Section 17.28.110A1) shall be conducted in compliance with all state and county health regulations, and
 - ii. Reasonable protection from any potential detrimental effects such use might have on surrounding properties will be provided.
2. (Deleted by Ord. 87-11)
3. Within one hundred (100) feet:

- a. Barns, shelters or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic.
4. Feed lots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 88-5 (part), 1988; Ord. 87-11 (part), 1987; Res. 83-10, 1983)

17.29.130 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 16.32

SHORT PLAT REQUIREMENTS

Sections

- 16.32.010 Drawings - General information requirements.
- 16.32.020 Short plat design standards.
- 16.32.030 Required improvements, road standards and irrigation easements.
- 16.32.050 Short plat review.
- 16.32.070 Board review - Appeals.
- 16.32.080 Final approval - Filing.
- 16.32.090 Expiration.
- 16.32.100 Alterations.

16.32.010 Drawings - General information requirements.

1. All short plats shall contain information set forth in Sections 16.20.010 through 16.20.050.
2. Short plats shall be prepared according to standard formats which are to be available in the Kittitas County community development services department. (Ord. 2005-31, 2005)

16.32.020 Short plat design standards.

Design standards for short plats are the same as those provided for in Chapter 16.12. (Ord. 2005-31, 2005)

16.32.030 Required improvements, road standards and irrigation easements.

Road standards and irrigation easement standards for short plats shall be the same as those outlined in Chapter 16.18 and Title 12 of this code. Exceptions to minimum road standards shall be made only by the board of county commissioners. Other improvements (drainage, etc.) may be established during short plat review by the director who shall base such determination on the written recommendation of those officials responsible for such matters. (Ord. 2005-31, 2005)

16.32.050 Short plat review.

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

1. 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.
2. Its conformance to all standards and improvements required under this title.
3. Potential hazards created by flood potential, landslides, etc.
4. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
5. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.
6. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
7. 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.
8. Its compliance with Kittitas County Code Chapter 13.35, Adequate Water Supply Determination or work voluntarily with Kittitas County to develop an authorized conservation easement, see section 16.08.061.

(Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2011-013, 2011; Ord. 2005-31, 2005)

16.32.070 Board review - Appeals.

Any person(s) aggrieved by any decision of the director may request a review of that decision by the board of county commissioners. Such request must be made pursuant to Title 15A of this code, Project permit application process. (Ord. 2005-31, 2005)

16.32.080 Final approval - Filing.

1. If improvements are required, final approval and filing may be withheld until:
 1. Roads within the subdivision are constructed to meet minimum platting requirements.
 2. All required irrigation delivery systems are completed.
 3. There is compliance with the recommendations of the Kittitas County health department regarding improvements or additional information.
 4. It has been determined as evidenced by letters from affected agency and department heads that satisfactory conditions exist for the subdivision of the subject property. Where any department or agency has failed to respond to a proposed short plat within two (2) weeks, it shall be assumed no recommendation is intended.
 5. A certificate signed by all persons having any interest in the property is filed with the short plat indicating the subdivision is their free act and deed.
2. If all improvements and plat requirements are fulfilled, the director shall affix his (her) name to the face of the original plat document and present it to the county auditor for official filing. (Ord. 2005-31, 2005)

16.32.090 Expiration.

A final short plat meeting all requirements of this chapter shall be submitted and approved within the timeframe specified by RCW 58.17.140 . Failure to do so will result in the short plat being expired and no longer valid. No further action is necessary regarding an application once the short plat has expired pursuant to this chapter. Any applicant who files a written request with the administrator at

least 30 days prior to the expiration date, showing that the applicant has attempted in good faith to submit the final short plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times. (Ord. 2018-001, 2018; Ord. 2010-014, 2010)

16.32.100 Alterations.

Once a short plat has been recorded with the county auditor it can be altered in a manner not involving a re-subdivision into no more than four lots from the original short plat. When a proposed alteration or vacation involves a public dedication, the alteration or vacation shall be processed in accordance with RCW Chapter 58.17. If the proposed alteration or vacation does not involve a public dedication, the short plat alteration shall be processed in accordance with the following provisions:

1. The short plat alteration shall be processed administratively. A new survey shall not be required except for new lines created by the amended short plat.
2. Revisions that result in any substantial changes shall be treated as a new application for purposes of vesting.
3. The short plat alteration shall show all of the land shown on the original short plat and shall bear the acknowledged signatures of all parties having ownership interest in the affected lots, tracts, parcels, sites or divisions within the original short plat as shown by a current title certificate.
4. The short plat alteration shall not increase the number of lots, tracts, parcels, sites or divisions into more than four from the original short plat for a period of five years from the date of recording of the original short plat, unless a final plat has been approved and filed for record pursuant to the regular plat provisions of this title.
5. Minor errors not involving a change in lines may be corrected by the surveyor upon approval of the administrator by recording an affidavit with the county auditor specifically referencing the short plat by number and the correction. (Ord. 2011-013 , 2011)

II DESIGN STANDARDS

16.12.040 Comprehensive plan and zoning regulation conformance.

All proposed subdivisions shall conform to the county comprehensive plan and all applicable zoning regulations in effect at the time they are submitted for approval. Lots shall be of sufficient area, width and length to satisfy zoning requirements, or, where zoning controls do not apply, to satisfy the minimum health and sanitation requirements of the county health department. (Ord. 2016-023, 2016; Ord. 2005-31, 2005)

16.12.060 Open space and non-buildable lots.

1. **Open Space.** All plats which include open space shall contain appropriate plats notes to ensure the area will not be further subdivided in the future, the use of the open space for the purpose specified will continue in perpetuity, and the open space will be appropriately maintained to control noxious weeds and fire hazards. The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. Open space lots shall not be required to be transferred to the other lot owners to be held in common

ownership so long as the lots are used for the purposes of agricultural activities as that term is defined by RCW 90.58.065(2)(a) or the lots are designated as timber and forestlands according to RCW 84.33. Open space lots created as a result of an Agricultural Plat shall not be required to be transferred to the other lots owners to be held in common ownership.

2. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value.
3. Non-buildable Lots. Any lots created specifically for, or dominated by, easements, roadways, storm water retention facilities, septic facilities or other purposes and as a result are non-buildable shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation.

(Ord. 2016-023, 2016)

16.12.090 Lot size.

Lot sizes shall comply with minimum zoning, health, and sanitation codes where applicable. (Ord. 2005-31, 2005)

16.12.110 Required easements.

All lots will have utility easements shown on the face of the plat or in the plat restrictions. Said easements shall be of a width adequate to allow for future utility installations.

1. Drainage and Storm Water Easements. Easement for drainage channels and ways shall be of sufficient width to assure that the same may be maintained and improved. Easements for storm water shall be provided and shall be 10 feet in width and properly located to permit future installations. No storm water discharge to irrigation entity facilities shall be authorized without a permit from the irrigation entity or ditch owner.
2. Utility Installations. Utility lines, including, but not limited to electricity, water, natural gas, sewer, telephone and television cable, serving and located within the subdivision, shall be placed underground. Where topography, soil, or other conditions make underground installations impracticable, and the board, upon recommendation from the county engineer, so finds upon written evidence presented by the supplier of such utilities, may waive this requirement for underground utilities. Utility installations shall be in conformance with requirements of KCC Title 12 (Utilities within the right of way).
3. Public Utilities. Where alleys are not provided, easements for public utilities shall be provided along lot lines where necessary, including any necessary access easements. There shall be a minimum of ten (10) feet in width. Where possible, the width of rear and side lot line easements shall be equally shared by abutting lots and easements shall be continuous and aligned from block to block within the subdivision and with adjoining subdivisions.
4. Irrigation Easements. Any plat which includes a lot or lots consisting, in whole or in part, of irrigated land, or un-irrigated land classified by an irrigation district as irrigable to which there is a water right, shall provide adequate irrigation easements to each such lot. Any plat proposed for land through which irrigation water flows to downstream users shall provide easements for

existing ditches, channels, conveyances and structures through which such water flows and such shall be shown on the plats, maps and polyester originals.

All easements and rights of way required pursuant to this subsection shall be of sufficient width for maintenance, and the plat shall contain on its face a note of access to downstream water users for the purpose of maintenance. Preliminary applications for the division of land shall conform to [KCC Title 12](#) stormwater regulations and stormwater easements shall be shown prior to final approval of the document.

Any new easement necessary for Irrigation and delivery of water shall be reviewed by the Irrigation district or entity serving the site to make recommendations as to the final location and placement of new easements. It is recognized that the preference is to place new easements outside any existing right of way and the County road. Additional easement width may be required to accommodate the delivery or tail water. Existing irrigation conveyances within the County road right of way shall continue to exist under the Right to Farm Ordinance within this code. (Ord. 2005-31, 2005)