

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT SASSE RIDGE PRELIMINARY PLAT

TO: Kittitas County Hearing Examiner
FROM: Kittitas County Community Development Services Staff
RE: Sasse Ridge Preliminary Plat (LP-11-00002)
DATE: January 10, 2013

I. GENERAL INFORMATION

Requested Action: Wayne Nelson, agent for the property owner, Sasse Ridge LLC, submitted a preliminary plat application to subdivide approximately 30.61 acres into 10 three acre single-family residential lots. The lots range in size from 3.01 to 3.12 acres in size and are proposed to be served by a community water system with individual onsite septic systems or a community drain field. The project is proposed on a site zoned R-3.

Location: The subject property is located approximately 7 miles northwest of the city of Roslyn, east of Salmon La Sac Road and north of Hex Mountain Drive, Ronald WA in a portion of Section 21, T. 21 N., R. 14 E., W.M., in Kittitas County, Washington. Assessor's map number: 21-14-21000-0016.

II. SITE INFORMATION

Total Project Size:	30.61 acres
Number of Lots:	10
Domestic Water:	Community Water System
Sewage Disposal:	Individual on-site septic system or community drainfields
Power/Electricity:	Puget Sound Energy
Fire Protection:	Fire District 7
Irrigation District:	None

Site Characteristics:

North: Vacant

South: Vacant

East: Vacant

West: Vacant / across Salmon La Sac Road is Lake Cle Elum

Access: The proposed project will have access from Hex Mountain Drive, a 60-foot private access easement. A second access route is not required.

Zoning and Development Standards: The subject property is located within the Rural-3 zoning district. The purpose and intent of the Rural-3 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting R-3 zones will be to minimize adverse effects on adjacent natural resource lands. Applicable development standards set forth in KCC Chapter 17.30 include, but are not limited to the following:

Lot Size: The minimum residential lot size shall be three acres in the Rural-3 zone. The overall density of any residential development shall not exceed one dwelling for each three acres, except as provided for in Kittitas County Code 16.09, Performance Based Cluster Platting.

Setbacks: There shall be a minimum front yard setback of twenty-five feet. Side yard and rear yard setbacks shall be 15 feet.

Preliminary Plats: The requirements of KCC Chapter 16.08.200, "Subdivision" means the division or re-division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership any one of which is less than 20 acres.

III. ADMINISTRATIVE REVIEW

Notice of Application: A complete long plat application was submitted to Community Development Services on August 17, 2011. The Notice of Application for the preliminary plat application was issued on November 17, 2011. 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 December 2, 2011.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Rural. Kittitas County has established the following goals and policies to guide future housing developments. These goals and policies were developed in response to existing housing conditions and identified needs within the county, and support the County Wide Planning Policies:

GPO 3.1 Provide a sufficient number of housing units for future populations in rural areas of Kittitas County.

GPO 3.6 Provide for future populations while protecting individual property rights.

GPO 3.17 Provide a sufficient number of housing units for future populations while maintaining the rural character of Kittitas County.

GPO 3.18 Provide sufficient housing units while maintaining environmental quality.

GPO 8.5 Kittitas County recognizes and agrees with the need for continued diversity in densities and uses on Rural Lands.

GPO 8.46 Residential development in rural lands must be in areas that can support adequate private water and sewer systems.

V. ENVIRONMENTAL REVIEW

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 December 21, 2012. The appeal period ended on January 9, 2013 at 5:00 p.m. No appeals were filed.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments have been included as Exhibits in the Hearing Examiner packet.

VII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable

county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive Plan Consistency:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by a community water system and individual septic systems or community drainfields. Staff has conducted an administrative critical area review in accordance with KCC 17A and found critical areas which include steep slopes.

Consistency with the provision of KCC 17.30, Rural 3 zoning:

This proposal is consistent with the Kittitas County Zoning Code 17.30. The minimum lot size is 3 acres. The lots in this proposal range in size from 3.01 ac. to 3.12 ac.

Consistency with the provisions of KCC 16.12: Preliminary Plat Subdivision Code:

This proposal is consistent with the Kittitas County Subdivision Code for Preliminary Plats.

Consistency with the provisions of KCC Title 12: Roads and Bridges:

All roads are required to meet all Kittitas County Road Standards as outlined in the November 14, 2012 memorandum issued by the Department of Public Works. As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Agency Comments:

The following agencies provided comments during the comment period: Washington State Department of Health, Washington State Department of Ecology, Kittitas County Department of Public Works, Kittitas County Public Health and Kittitas County Fire Marshal. These comments have been included as conditions of approval to address these agency concerns.

Comments were also provided by the Yakama Nation.

Public Comments:

No public comments were submitted on this proposal at the time of staff review.

VIII. RECOMMENDATION

As conditioned below, the application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 16.08, Title 16.12 and Title 17.30 of the Kittitas County Code and the Kittitas County Comprehensive Plan. Staff recommends approval of the Sasse Ridge Preliminary Plat LP-11-00002, subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. Wayne Nelson, agent for the property owner, Sasse Ridge LLC, submitted a preliminary Plat application to subdivide approximately 30.61 acres into 10 three acre single-family residential lots. The lots range in size from 3.01 to 3.12 acres in size and are proposed to be served by a community water system with individual onsite septic systems or a community drain field. The project is proposed on a site zoned R-3.
2. The subject property is located approximately 7 miles northwest of the city of Roslyn, east of Salmon La Sac Road and north of Hex Mountain Drive, Ronald WA in a portion of Section 21, T. 21 N., R. 14 E., W.M., in Kittitas County, Washington. Assessor's map number: 21-14-21000-0016.
3. Site Information:

Total Project Size:	30.61 acres
Number of Lots:	10
Domestic Water:	Community Water System
Sewage Disposal:	Individual on-site septic system or community drainfields
Power/Electricity:	Puget Sound Energy
Fire Protection:	Fire District 7
Irrigation District:	None

4. Site Characteristics:

North: Vacant
South: Vacant
East: Vacant
West: Vacant / across Salmon La Sac Road is Lake Cle Elum

5. Site Characteristics: The area is primarily covered in forest and relatively steep slopes exceeding 25% slope. The property is separated from Lake Cle Elum by vacant land and Salmon La Sac Road with no direct access to the shoreline.
6. The Comprehensive Plan designation is Rural.
7. The subject property is zoned Rural-3, which allows for one residential unit per 3 acres.
8. A complete long plat application was submitted to Community Development Services on August 17, 2011. The Notice of Application for the preliminary plat application was issued on November 17, 2011. 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 December 2, 2011.
9. 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 December 21, 2012. The appeal period ended on January 9, 2013 at 5:00 p.m. No appeals were filed.
10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by a community water system and individual septic systems or community drainfields. Staff has conducted an administrative critical area review in accordance with KCC 17A and found critical areas which include steep slopes.
11. This proposal is consistent with the Kittitas County Zoning Code 17.30. The minimum lot size is 3 acres. The lots in this proposal range in size from 3.01 ac. to 3.12 ac.
12. This proposal is consistent with the Kittitas County Subdivision Code for Preliminary Plats.
13. All roads are required to meet all Kittitas County Road Standards as outlined in the November 14, 2012 memorandum issued by the Department of Public Works. As conditioned, the proposal is consistent with the provisions of KCC Title 12.
14. The following agencies provided comments during the comment period: The Yakama Nation, Washington State Department of Health, Washington State Department of Ecology, Kittitas County Department of Public Works, Kittitas County Public Health and Kittitas County Fire Marshal. These comments have been included as conditions of approval to address these agency concerns.

Comments were also provided by the Yakama Nation.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. 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.

Suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file dated August 17, 2011 except as amended by the conditions herein.
2. A certificate of title of the property proposed to be platted shall be submitted with the final plat.
3. A note shall be placed on the final plat stating that any construction within areas of 33% or greater slope will require geotechnical engineering per IRC R403.7.7 and/or IRC 1805.3.1 or current adopted code.
4. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
5. All current and future landowners must comply with the International Fire Code.
6. 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.
7. Computer sheets shall be submitted with the final plat showing the closure of plat boundaries, blocks, lots or any tract. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
8. Soil logs need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.
9. According to the Public Health Department, individual final plat approval will be conditioned upon:
 - a. Completion of soil logs which meet the septic availability requirement;
 - b. Documentation from the State of Washington Department of Ecology verifying that the quantity of water required for the plat has been transferred;
 - c. Placement of all proposed wells and submittal of well logs showing yields consistent with the requirement above and require nitrate and bacteriological tests showing potability of that water.
10. All applicants for subdivision utilizing wells shall have a note placed on the face of the final mylars that

states:

- a. "The approval of this division of land included no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law."
- b. "Metering will be required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements."

11. The Final Plat shall meet all requirements as listed in Chapter 16.20 of the Subdivision Code, as follows:

16.20.020 Final Plat General Information

- a. The final plat shall be drawn on polyester film in a neat and legible manner.
- b. 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.
- c. All lettering shall be printed with permanent ink.
- d. 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.
- e. It shall show all courses and distances necessary to re-stake any portion of said plat.
- f. Required monuments shall be shown together with a legend of monuments on the face of each plat sheet. (Ord. 2005-31, 2005)

16.20.040 Plat Drawing

- a. Section Data. All section, township, municipal and county lines lying within or adjacent to the subdivision;
- b. Tie Monuments. The location of all monuments or other evidence used as ties to establish the subdivision's boundaries;
- c. Plat Monuments. The location of all permanent control monuments found or established within the subdivision;
- d. Boundaries. The boundary of the subdivision, with complete bearings and lineal dimensions in heavier lines;
- e. Bearing and Distances. The length and bearings of all straight lines, the radii, arcs, and central angles of all curves;
- f. 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;
- g. Road Names. The location, width, centerline, and name or names or number of all streets within and adjoining the subdivision;
- h. 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;
- i. Lot Numbers. Numbers assigned to all lots and blocks within the subdivision;
- j. Adjacent Owners. Names of owners of land adjacent to the subdivision, and the names of any adjacent subdivisions;

- k. 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;
 - l. 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;
 - m. Contours. Contour lines are not shown on a final plat as required on the preliminary plat;
 - n. Miscellaneous Items. North arrow, scale and legend of monuments to be shown on open area of sheets;
 - o. Grid Coordinates. A tie shall be made and shown on the plat if plat is within one mile of any such monument.
 - p. 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.
 - q. Ditches. Location of existing ditches apparent or of record. (Ord. 2005-31, 2005)
12. 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 structures 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.
13. 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.
14. Private Road Improvements: Access 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 is 12%.
 - 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.
15. 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 2009 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
 16. Joint-Use Driveway: A joint-used access shall serve no more than two tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 20' wide. The roadway width shall have a minimum width of 12'.
 - b. The surface requirement is for a minimum gravel surface depth of 6".
 - c. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - d. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 17. Single-Use Driveway: A single-use access shall serve no more than one lot. See Kittitas County Road Standards, 9/6/05 edition.
 - a. The roadway shall be a minimum of 8' wide with gravel surface.
 - b. Maintenance or driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - c. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 18. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
 19. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
 20. 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.
 21. 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.
 22. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
 23. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.
 24. 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.

25. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precaution be taken to prevent dust from leaving the site. Also, dust is prohibited from interfering unreasonable with the use and enjoyment of property, causing health impacts, or damaging property or business.
26. A plat note discussing the spread of noxious weeds shall be shown on the plat and shall read: "Per RCW 17.10.140 Landowners are responsible for controlling and preventing the spread of noxious weeds, accordingly, the Kittitas County Noxious Weed Board recommends immediate reseeding of areas disturbed by development to preclude the proliferation of noxious weeds."
27. All applicable survey data and dedications shall be reflected pursuant to KCC 16.24: Survey Data-Dedications.
28. Both sheets shall reflect the Plat number: LP-07-00015.
29. 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.
30. 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.
31. Approved water storage of 40,000 gallons, with a private fire hydrant system shall be installed. This amount may be reduced by 50% when the plat note requires residential sprinkler systems to be installed.
32. Water storage and hydrant spacing shall comply with the International Fire Code.
33. No fire apparatus access lane shall have a slope greater than 12%. A Variance Permit will be required for any slopes or grades greater than allowed by County Code.
34. "No Parking-Fire Lane" signs must be posted per Fire Marshal requirements on all cul-de-sacs.
35. All bridges and gates across any private road shall be required to be permitted and certified.
36. All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2009 International Fire and Building Codes.
37. A separate permit is required for any private water storage or hydrant system. The hydrant system shall be subject to plan review through the Fire Marshal's Office and shall be subject to an annual Operational Permit.
38. Based on comments received during the public comment period and other information submitted with this project permit application, A SEPA Mitigation Determination of Non-Significance (MDNS) was issued by Community Development Services on December 21, 2012. The following are the mitigation contained within the MDNS and shall be conditions of approval:

Geotechnical

1. **Geotechnical**: This proposed subdivision is located on an identified landslide. Prior to final plat approval, the applicant shall conduct additional geotechnical analysis to better understand the site conditions and projected impacts of the proposed development on the identified landslide area. Results of this additional analysis may result in changes to the plat layout, including changes to the number of lots, location of internal access roads, location of septic drain fields, location of stormwater facilities, and other site elements. The analysis shall include a report indicating subsurface condition through subsurface exploration and appropriate analysis indicating overall stability.
2. **Final Design**: If the final design of the project changes because of geotechnical constraints or other reasons, the project will be re-evaluated for road construction requirements. Alterations to these requirements will be discussed and agreed upon by Public Works and the applicant.

Water and Septic

3. To satisfy the water requirements of Kittitas County Public Health Department, this project must meet the potable water requirements for preliminary and final approval as outlined in Resolution No. 2010-082 dated 8-17-10. This resolution has been attached to the MDNS.
4. Soil logs must be performed prior to the Public Health Department recommending preliminary approval of the plat application. Once the soil logs are conducted and approved by the Public Health Department, the requirement for septic availability will have been satisfied. Soil logs were conducted on 10/13/11 and were satisfactory to the Public Health Department.

Transportation

5. **Grading Plan**: A grading plan prepared by an engineer licensed in the state of Washington shall be presented to Public Works prior to final approval. Depending on the amount of fill to be imported and/or exported from the site, a haul route and road condition analysis may be required prior to approval of the grading plan. The grading plan shall be submitted in accordance with KCC 12.08.

Stormwater

6. Activities such as road widening, stump pulling and clearing grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan. It is the applicant's responsibility to contact the Department of Ecology.
7. **Stormwater**: On-site stormwater management that conforms to the specifications of the most current version of the Stormwater Management Manual for Eastern Washington is required of this development. Stormwater systems shall be designed to store stormwater generated by a 24-hour, 25-year storm event. Stormwater system designs shall be prepared and stamped by a civil engineer licensed in the State of Washington. The stormwater system design shall be presented for review to Public Works prior to final approval. The stormwater system construction shall be certified by a licensed engineer. The certification shall be included with the road certification and is required prior to the issuance of a building permit. Stormwater plans shall be submitted in accordance with KCC 12.06 and 12.08.

Cultural Resources and Historic Preservation

8. The applicant shall immediately contact the Washington State Department of Archaeology & Historic Preservation, and the Yakama Nation if any items of possible cultural or historic significance are encountered during construction activities. Work shall be immediately halted with the area and a large enough perimeter established in order to maintain the integrity of the site.

Light and Aesthetics

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

Noise

10. Development and construction practices during building of this project shall only occur between the hours of 7:00 am to 7:00 pm to minimize the effect of construction noise on nearby residential properties.
39. The following mitigation condition 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.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

RESOLUTION
NO. 2010- 082

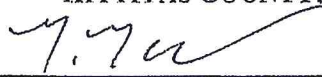
RATIFYING THE KITTITAS COUNTY PUBLIC HEALTH DEPARTMENT ADMINISTRATIVE POLICY RELATED TO POTABLE WATER SUPPLY FOR SUBDIVISIONS

- WHEREAS, Chapter 58.17 RCW requires the local health department make a recommendation for each preliminary plat as to whether the applicant has made appropriate provisions for water supply; and
- WHEREAS, Chapter 58.17 RCW requires the County make a determination if an applicant seeking to divide land has made appropriate provisions for, among other things, potable water supply; and
- WHEREAS, March 16, 2004, an administrative policy (Resolution 2004-36) related to potable water for subdivisions was presented, discussed and ratified through a public hearing process by the Board of County Commissioners ; and
- WHEREAS, in 2009, Resolution 2004-36 was reviewed to address citizen concerns and applicability to new County policies and regulations; and
- WHEREAS, during a June 9, 2010 public hearing, the Board of County Commissioners determined that Resolution 2004-36 was still applicable to current regulations; and
- WHEREAS, during a July 20, 2010 public hearing the Board of County Commissioners considered a revision to Resolution 2004-36 presented by Kittitas County Public Health Department; and
- WHEREAS, the revision to Resolution 2004-36 presented by Kittitas County Public Health Department addressed updates to current County policy and practices; and
- WHEREAS, due notice of the public hearing had been given as required by law, and the necessary inquiry has been made into the public interest and purpose to be served by such publication; and
- WHEREAS, it is the desire of the Board of County Commissioners to ratify the Kittitas County Public Health Department's revision to Resolution 2004-36 to reflect the current administrative policy related to potable water supply for subdivisions.

NOW, THEREFORE BE IT RESOLVED the Board of County Commissioners, after due deliberation and in the best interest of the public, does hereby approve and ratify the Kittitas County Public Health Department administrative policy related to potable water supply for subdivisions and the same is attached hereto.

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

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**



Commissioner Mark McClain, Chairman



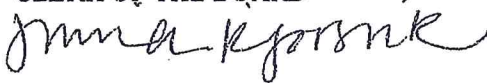
Commissioner Paul Jewell, Vice Chairman



Commissioner Alan Crankovich



ATTY CLERK OF THE BOARD



APPROVED AS TO FORM:

Suzanne M. Becker, WSBA #40546

**Kittitas County Public Health Department
Administrative Policy
Potable Water for Subdivisions**

Applications for subdivisions (short plats and long plats) in Kittitas County shall include the type of water system proposed in order to acquire preliminary approval. Prior to receiving final approval for subdivisions in Kittitas County, applicants shall be required to make appropriate provision for potable water supplies which includes:

1. **GROUP A PUBLIC WATER SYSTEM:** Applicants shall submit a signed letter of agreement between the public water system purveyor or official and the land developer/owner granting delivery of potable water for the entire development. If the public water system is being developed specifically for the subdivision/plat, the water system must be approved by Washington State Department of Health (DOH), including issuance of a public water system ID number, prior to recommendation by KCPHD for final plat approval.
2. **GROUP B PUBLIC WATER SYSTEM:** Applicants shall have a well site inspection performed by KCPHD staff; complete and submit a Group B Public Water System Workbook to either KCPHD for water systems with 3-9 connections or Washington State Department of Health (DOH) for water systems with 10-14 connections or as amended by DOH; have the well(s) drilled; and submit a copy of an agreement with an approved Kittitas County Satellite Management Agency. All infrastructure for the Group B Water System including the well/pump house and storage tanks must be completed or the developer/owner can bond for completion. Final approval of the Group B Public Water System including issuance of the public water system ID number from DOH is required prior to recommendation by KCPHD for final plat approval. If a bond is in place, final approval will still be recommended but all infrastructure must be completed before issuance of the first building permit within the subdivision.
3. **INDIVIDUAL OR SHARED WATER SYSTEM:** Applicants shall submit a well log(s) from a well located within the subdivision of land. If a well log does not exist, a four (4) hour well draw down test shall be provided prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, a recorded shared well user's agreement is required for each proposed parcel. If the proposed subdivision does not have an existing well within the boundaries, a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted prior to recommendation for final plat approval. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed hydrogeologist.

All applications for subdivision (short plats and long plats) using the ground water exemption as defined in RCW 90.44.050 shall have the following note placed on the face of the final mylars:

"The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law."

Compliance with all current state and local rules and regulations is required. Applicants are required to certify that they are in compliance with WAC 173-539A or that WAC 173-539A does not apply to the Applicant.