

Swauk Valley Plat
File Number LP-17-00007
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. GENERAL INFORMATION

Requested Action: Alex Cordas, agent for Swauk Valley Ranch, LLC, is proposing a 4 lot conservation short plat which will divide parcel #207734 (151 acres) into one 130.72 acre lot, two 4.99 acre lots, and 9.54 acre lot.

Location: The subject property is located approximately 8 miles northwest of Ellensburg, in portions of Section 17 and 20, T19N, R17E, WM in Kittitas County, bearing Assessor's map number: 19-17-20000-0015.

SITE INFORMATION

Total Property Size:	151 Acres
Number of existing lots:	1
Number of proposed lots:	4
Domestic Water:	Class B Well System
Existing sewage Disposal:	Existing Septic on Parcel B
Power/Electricity:	Kittitas County PUD
Fire District:	Fire District 7
Irrigation District(s):	None

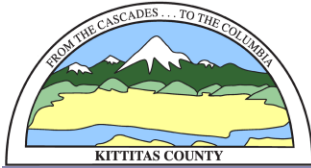
Site Characteristics: The site is relatively flat field/pasture with one existing residence.

North: Partially Developed, BPA Right of Way
South: Partially Developed, Swauk Creek
East: Tributary to Swauk Creek, BPA Right of Way
West: Tributary to Swauk Creek

Access: Access to the parcel is provided from State Route 10.

II. ADMINISTRATIVE REVIEW

Notice of Application: A plat application was submitted to Community Development Services on October 11th, 2017. On October 26th, 2017, the application was deemed incomplete, and a revised plat application was requested. The application was deemed complete on November 3rd, 2017. On November 16th, 2017, a Notice of Application was sent to agencies with jurisdiction. Notice of Application was sent to all property owners within 500 feet of the project site. On December 22nd, 2017, a request for additional information was sent. On February 20th, 2018, additional information was requested. On February 28th,



2018, a corrected request for additional information was sent. On April 11th, 2018, a revised plat drawing was submitted in response to the request for additional information. The revised plat drawing reduced the number of requested lots, and the proposal was processed administratively as a short plat.

Designated Permit Coordinator (staff contact): Dusty Pilkington, Staff Planner. P: (509) 962-7079, E: dusty.pilkington@co.kittitas.wa.us.

III. ZONING AND DEVELOPMENT STANDARDS

The subject property is located approximately 9 miles north west of the City of Ellensburg on State Route 10 and has a zoning designation of Agriculture 20. The purpose and intent of this zone is to provide for an area where 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. This project is being proposed under KCC 16.32.050 Short Plat Requirements and 16.09 Cluster Platting, Conservation, and Agricultural Platting. Specifically, this request is for a short plat.

KCC 16.09 Cluster Platting, Conservation and Agricultural Platting:

16.09.025 Applicability:

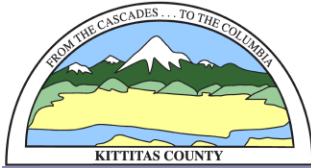
2. Conservation and Agricultural platting is permitted in the following zone classifications, provided the parcel or combination of contiguous parcels meets the following required minimum land area:
 - a. Agriculture 20, with a minimum land area of forty (40) acres which 40 acres may be in one (1) or 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;

Staff Conclusions

Staff finds that the proposed conservation short plat is consistent with all applicable Washington State and Kittitas County code sections. The subject parcel falls within the Agriculture 20 zoning classification and exceeds the minimum parcel size necessary for conservation platting.

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."



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.
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.

Staff Conclusions

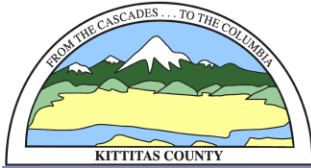
Staff finds that the proposed short plat is consistent with these provisions, as conditioned. Appropriate plat notes shall be added to the final plat pursuant to 16.09.040(1)(a). After review of shorelines, critical areas, and review of access and fire life safety concerns by relevant agencies, planning staff review has found the proposal consistent with 16.09.040(1) (b-e). As conditioned, the proposal is consistent with 16.09.040(1)(f-g) and 16.09.040(2-4) concerning the open space tract. As proposed, the development meets 16.09.040(6).

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.

Staff Conclusions

The proposal is consistent with 16.09.060, with new all new lots under 5 acres in size, and the existing farmstead lot below 10 acres in size.



KCC 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.

Staff Conclusions

Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections. A critical area review was performed and appropriate conditions applied to mitigate habitat and shorelines concerns. Agencies with jurisdiction have had opportunity to comment on the proposal to address concerns related to floods, landslides, easements, and rights of way. An Adequate Water Supply Determination has been submitted for the project.

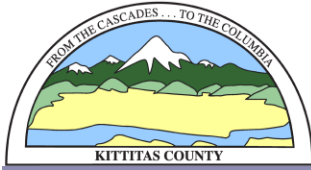
IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the proposal as a short plat in a Rural Working Land Use. Kittitas County has established the following goals and policies to guide activities in Rural Working Land Use zones. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

GPO 8.12 Incentive-based land use strategies will be examined and adopted to encourage land uses which are compatible to the rural environment.

Staff Consistency Statement: Conservation plats have been established by the County to support this GPO and the proposed subdivision is consistent with conservation platting.

GPO 8.13 Encourage development activities and establish development standards which enhance or result in the preservation of rural lands.



Staff Consistency Statement: The proposed subdivision supports this GPO by conserving 130.72 acres in perpetuity, and providing limited building envelopes.

GPO 8.14 Allow for a variety of rural densities which maintain and recognize rural character, agricultural activities, rural community and development patterns, open spaces and recreational opportunities.

Staff Consistency Statement: The proposed subdivision provides variation in density while conserving rural lands.

GPO 8.14A Only allow comprehensive plan amendments, rezones, bonus densities, and other measures that increase rural densities where adequate supplies of potable water are available that will not adversely affect surface and ground water and agriculture.

Staff Consistency Statement: The applicant has demonstrated Adequate Water Supply by providing an Adequate Water Supply determination approved by Kittitas County Environmental Health.

GPO 8.41 Creative land use techniques such as TDRs and small cluster development suitable to rural character shall be considered to aid in preservation of farmland.

Staff Consistency Statement: The proposed conservation short plat achieves this GPO by creating a small cluster development with open space in perpetuity.

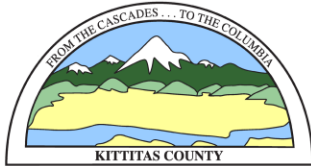
GPO 8.44 Growth and development in Rural lands will be planned to minimize impacts upon adjacent natural resource lands.

Staff Consistency Statement: Limited building envelopes and open space provisions achieve this GPO.

The Swauk Valley conservation short plat as proposed is consistent with the Kittitas County Comprehensive Plan GPO listed above. The proposal, as conditioned, preserves the rural character and is not a detriment to neighboring agricultural activities. The property involved is adequately served by local services, meets density requirements for the zoning designation, and adequately protects adjacent water resources with appropriate setbacks.

V. ENVIRONMENTAL REVIEW

Based upon an initial Critical Area review, CDS determined that the Swauk Valley short plat was exempt from SEPA review via WAC 197-11-800 (6)(d). CDS critical areas review identified Swauk Creek, classified as a Shoreline of the State, and a tributary crossing the property. Comments from the Washington Department of Fish and Wildlife identified concerns with the fish bearing stream. Washington State Department of Ecology comments identified concerns with possible wetland vegetation, and shorelines of the state. As conditioned, these concerns have been addressed.



VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments received are on file with CDS and available for public review.

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.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, this proposal is located within the Rural Working land use designation and the following Comprehensive Plan GPOs apply to this proposal: GPO 8.12, 8.13, 8.14, 8.14A, 8.41, and 8.44. Kittitas County values its rural lands and critical areas, while retaining the private property rights of individuals. The applicant is proposing a conservation short plat parcel division consistent with the goals, policies, and objectives of the land use designation. As conditioned, this proposal is consistent with the County's Comprehensive Plan.

Consistency with the provisions of KCC 17A, Critical Areas:

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates a type 2 stream feeding into Swauk Creek. The stream has been field verified and a 100 foot buffer is shown on the face of the plat drawings.

Consistency with the provisions of KCC 17.29, Agriculture 20 Zone:

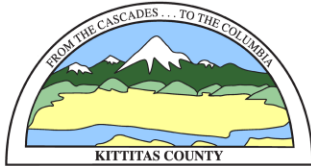
This proposal is consistent with the provisions of KCC 17.29 as conditioned.

Consistency with the provisions of KCC 16.09, Cluster Platting, Conservation and Agricultural Platting:

This proposed subdivision is consistent with the provisions of 16.09 as conditioned.

Consistency with the provisions of KCC 16.32.050, Short Plat Review:

This proposal, as conditioned, is consistent with the Kittitas County Short Plat Review requirements. The proposal; 1) conforms to 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) conforms to all standards and improvements required under this title, 3) addresses hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for all proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply.



Consistency with the provisions of the KCC Title 14.04, Building Code:

This proposal is consistent with the provisions of KCC 14.04.

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

This proposal is consistent with the provisions of KCC Title 12.

Consistency with the provisions of KCC Title 20, Fire and Life Safety:

As conditioned, the proposal is consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments during the comment period: Kittitas County Public Works, Kittitas County Public Health, Kittitas Reclamation District, Washington State Department of Transportation, Washington Department of Archeology and Historic Preservation, the Yakama Nation, the Washington State Department of Fish and Wildlife, and the Washington State Department of Ecology. At the completion of the comment period, all comments were provided to the applicant/agent of this proposal. All comments are on file and available for public review.

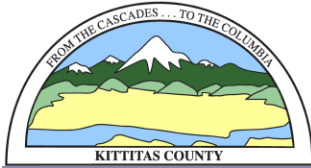
Washington State Department of Fish and Wildlife submitted concerns during the comment period recommending revisions to the plat showing all critical area and shoreline buffers and setbacks, along with a wetland delineation. The Department of Ecology also noted concerns with shorelines and critical areas buffers, requesting a wetlands delineation and verification of the Swauk Creek Ordinary High Water Mark. The Washington Department of Archeology and Historic Preservation requested an archeological survey prior to any ground disturbing activity. The Yakama Nation stated that the subject property contains two archeological resources considered potentially eligible for the National Register of Historic Places, and requested an archeological survey prior to any ground disturbing activity. The Kittitas County Public Health Department requested soil logs prior to preliminary plat approval and a well log with a water mitigation certificate prior to final plat approval.

Public Comments:

There were no public comments submitted during the comment period.

VIII. FINDINGS OF FACT

1. Alex Cordas, agent for Swauk Valley Rach, LLC, is proposing a 4 lot conservation short plat which will divide parcel #207734 (151 acres) into one 130.72 acres lot, two 4.99 acres lots, and 9.54 acre lot.
2. The subject property is located approximately located approximately 8 miles northwest of Ellensburg, in portions of Section 17 and 20, T19N, R17E, WM in Kittitas County, bearing Assessor's map number: 19-17-20000-0015.



3. Site Information:

Total Property Size:	151 Acres
Number of existing lots:	1
Number of proposed lots:	4
Domestic Water:	Class B Well System
Existing sewage Disposal:	Existing Septic on Parcel B
Power/Electricity:	Kittitas County PUD
Fire District:	Fire District 7
Irrigation District(s):	None

4. Site Characteristics: The site is relatively flat field/pasture with one existing residence.

<u>North:</u>	Partially Developed, BPA Right of Way
<u>South:</u>	Partially Developed, Swauk Creek
<u>East:</u>	Tributary to Swauk Creek, BPA Right of Way
<u>West:</u>	Tributary to Swauk Creek

Access: Access to the parcel is provided from State Route 10.

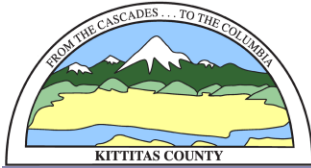
5. The Comprehensive Plan land use designation is "Rural Working."

6. The subject property is zoned "Agriculture 20".

7. Notice of Application: A plat application was submitted to Community Development Services on October 11th, 2017. On October 26th, 2017, the application was deemed incomplete, and a revised plat application was requested. The application was deemed complete on November 3rd, 2017. On November 16th, 2017, a Notice of Application was sent to agencies with jurisdiction. Notice of Application was sent to all property owners within 500 feet of the project site On December 22nd, 2017, a request for additional information was sent. On February 20th, 2018, more additional information was requested. On February 28th, 2018, a corrected request for additional information was sent. On April 11th, 2018, a revised plat drawing was submitted in response to the request for additional information.

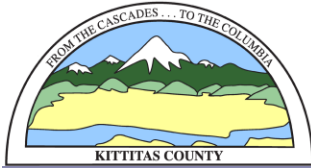
8. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, this proposal is located within the Rural Working land use designation and the following Comprehensive Plan GPOs apply to this proposal: GPO 8.12, 8.13, 8.14, 8.14A, 8.41, and 8.44. Kittitas County values its rural lands and critical areas, while retaining the private property rights of individuals. The applicant is proposing a conservation short plat parcel division consistent with the goals, policies, and objectives of the land use designation. As conditioned, this proposal is consistent with the County's Comprehensive Plan.

9. Staff finds that the proposed short plat is consistent with KCC 16.09.040 as conditioned. Appropriate plat notes shall be added to the final plat pursuant to 16.09.040(1)(a), and other conditions to meet the intent of conservation platting. Staff review has found the proposal



consistent with 16.09.040(1) (b-e). As conditioned, the proposal is consistent with 16.09.0401(f-g) and 16.09.040(2-4). The proposal is consistent with 16.09.040(6) and 16.09.060.

10. The proposal is consistent with Kittitas County Subdivision Code 16.32.050, Short Plat Review. Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections. Environmental review was performed and appropriate conditions applied to mitigate critical areas and shorelines concerns.
11. The following agencies provided comments during the comment period: Kittitas County Public Works, Kittitas County Public Health, Kittitas Reclamation District, Washington State Department of Transportation, Washington Department of Archeology and Historic Preservation, the Yakama Nation, the Washington State Department of Fish and Wildlife, and the Washington State Department of Ecology. All comments are on file with CDS and available for public review.
12. No comments from the public were received as of the time of this staff report.
13. SEPA review was not required under WAC 197-11-800 (6)(d), "Except upon lands covered by water, the approval of short plats or short subdivisions pursuant to the procedures required by RCW [58.17.060](#), and short plats or short subdivisions within the original short subdivision boundaries provided the cumulative divisions do not exceed the total lots allowed to be created under RCW [58.17.020](#)."
14. Private road standards must be consistent with KCC 12.04.070, 12.04.080, and 12.04.090.
15. Access and driveways must be consistent with KCC 12.05.
16. Kittitas County Public Health requires water mitigation under KCC 13.35.027 and KCC 13.35.020 prior to final approval of a short plat.
17. KVFR requires consistency with KCC Title 20 upon issuance of any building permits.
18. The current on-site sewage system has sufficient capacity to accommodate 8.3 bedrooms. Soil logs are required on the proposed lots.
19. The subject property is adjacent to a Washington State Department of Transportation State Route.
20. The proposal must be consistent with WAC 246-291, KCC 13.35.027, 13.35.020, 16.20.040, 16.12.030, 16.12.020, and 16.24.210.
21. The subject property contains two archeological resources that are considered potentially eligible to the National Register of Historic Places.



22. Vegetation shifts and hydrologic signatures on the parcel suggest possible riverine wetlands on the subject property.
23. The proposed plat intersects a type 2 tributary of Swauk Creek, with a 100 foot critical area buffer.
24. The proposed plat intersects the Rural Conservancy designation associated with Swauk Creek.
25. The proposal must be consistent with KCC Title 20 Fire and Life Safety.

IX. CONCLUSIONS

1. As conditioned, the proposal 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. As conditioned the proposal is consistent with Kittitas County Code Title 16.09 Cluster Title 16.32 Short Plat Requirements.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.04 Building Code, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

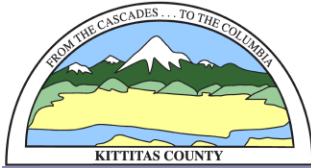
X. DECISION AND CONDITIONS OF APPROVAL

Kittitas County Community Development Services grants *preliminary approval* of the Swauk Valley LP-17-00007 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

Conditions of Approval:

Critical Areas

1. Future building on all lots shall be located a minimum of 100 feet landward of the OHWM of Swauk Creek tributaries within the subdivision.
2. Swauk Creek tributaries shall be delineated on the final mylar and indicate the 100 foot vegetated buffer.
3. The 200' shoreline buffer from the OHWM of Swauk Creek shall be delineated on the final mylar.



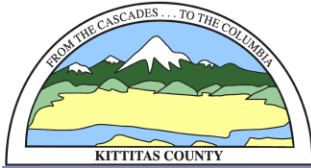
4. A 100' vegetated buffer and an additional 15' construction setback shall be observed from the OHWM of Swauk Creek . Within 200' of the Swauk Creek OHWM, development shall require a shoreline exemption if listed in SMP 7.3(2). All other development will require shoreline permitting pursuant to KCC 17B.

Water/Sewer

5. Proof of water adequacy including a well log or 4 hour draw down test, and a mitigation certificate for each proposed lot shall be submitted to Kittitas County prior to final approval.
6. A signed SMA (Satellite Management Agency) contract is needed for this system as it is a requirement of all Group B water systems pursuant to WAC 246-291 and shall be provided prior to final plat approval.

Roads and Transportation

7. A copy of access approval/permit from WSDOT allowing for the change in use shall be provided prior to final plat approval.
8. The private road and driveway easements shall be clearly depicted on the face of the plat in accordance with the driveway standards as shown in the Kittitas County Code 12: section 12.04.080 table 4-4 Private Road Minimum Design Standards.
9. This application is subject to the latest revision of the Kittitas County Road Standards, dated 12/15/15.
10. When a road extends more than 150' from the centerline of a County road or other publicly maintained road or serves more than three lots, a turnaround shall be provided. The turnaround may be a hammerhead for roads serving four or less lots/units or for a land use development activity occurring prior to the end of the road. Cul-de-sac and hammerhead designs must conform to the specifications of the International Fire Code. A cul-de-sac shall have an easement diameter of at least 110 feet and a driving surface of at least 96 feet in diameter.
11. A driveway shall serve no more than two tax parcels. See Kittitas County Road Standards, 12/15/15 edition.
 - a. New access easements shall be a minimum of 30' wide. The roadway width shall have minimum width of 12' if the length of the driveway is less than 150', or 16' if the length of the driveway is more than 150'.
 - b. Maximum grade shall be 15%.
 - c. Crushed surface depth per WSDOT standards.
 - d. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.



e. Any further subdivision or lots to be served by proposed access may result in further access requirements.

12. Plat Approvals: All plats must show the acceptance signature of the County Engineer. The acceptance block shall be as follows (per KCC 16.24.170):

EXAMINED AND APPROVED

This ____ day of ____, A.D., 20__.

Kittitas County Engineer

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

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

15. 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.

16. 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.

17. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.

18. 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.

Fire & Life Safety

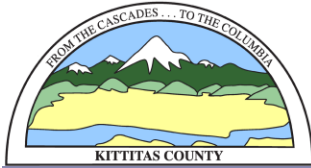
19. Access will be fully compliant with current IFC-Appendix D.

20. Addressing to buildings shall be clearly visible from both directions of travel.

21. Construction shall meet WUI (Wildlife Urban Interface) standards.

Historic and Cultural Preservation

22. An archeological survey prepared by a qualified professional shall be conducted prior to final plat approval.



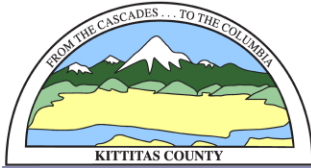
23. Should ground disturbing or other activities related to the proposed subdivision result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP). Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.

Open Space

24. The final plat shall include plat notes and appropriate covenants and restrictions ensuring that the open space tract will not be further developed or subdivided in the future.
25. The applicant will place the open space tract of 130.72 acres in Open Space for perpetuity and will be designated on the final Mylar.
26. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09.

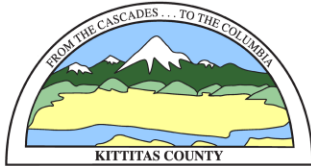
Plat Notes

27. The following plat notes shall be recorded on the final mylar drawings:
- a. All development must comply with International Fire Code.
 - b. All water proposed to be used must be obtained from a water budget neutral source and meet conditions of Kittitas County Code 13.35.
 - c. Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations.
 - d. 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.
 - e. Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel.
 - f. Maintenance of the access is the responsibility of the property owners who benefit from its use.



- g. An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right-of-way.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
 - i. A public utility easement 10 feet in width is reserved along all lot lines. The 10 foot easement shall abut the exterior plat boundary and shall be divided by 5 feet on each side of interior lot lines. Said easement may also be used for irrigation.
 - j. 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."
 - k. This short plat was platted as a conservation plat pursuant to KCC 16.09. Conservation platting allows for an alternative method for land division while conserving resource lands and preserving rural character. Future subdivision shall not exceed the maximum density allowed in the Agriculture 20 zone of this entire short plat. Pursuant to KCC 16.09.040(6), development within the platted parcels shall respect the underlying density of the Agriculture 20 zone.
- 28.** Taxes must be paid in full on all tax parcels involved in this land use action as required by Washington State Law (RCWs 84.40.042 & 84.56.345), prior to final plat approval and recording.
- 29.** It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.

From these conclusions and findings, the proposed Short Plat is granted *PRELIMINARY APPROVAL* with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1,400 to the Kittitas County Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. The appeal deadline for this project is June 11th, 2018 at 5:00p.m.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

"Building Partnerships – Building Communities"

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Responsible Official _____ *Dusty Pilkington*
Dusty Pilkington

Title: Planner I

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Date: May 25th, 2018