



**Porter-Matthews Short Plat Amendment
File Number SP-18-00005
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

I. General Information

Requested Action: Daniel J. and Sunny M. Kent, landowners, have submitted an application for a short plat amendment (SP-18-00005) to remove an access and utility easement from parcels 1 and 2 of the Porter-Matthews Short Plat (SP-04-00045).

Location: Two parcels, located approximately 7 miles northwest of Roslyn, in a portion of Section 16, T21N, R14E, WM in Kittitas County, bearing Assessor's map number 21-14-16060-0001 (Parcel # 949594) and 21-14-16060-0002 (Parcel # 949595).

Site Information

Total Property Size: 13.33 acres
Number of existing lots: 4 existing lots; no changes to lot boundaries for this short plat amendment. This amendment affects lots 1 & 2 as described above.
Number of proposed lots: 4
Domestic Water: Individual Wells
Existing sewage Disposal: On Site Sewage
Power/Electricity: Puget Sound Energy
Fire District: Fire District 7
Irrigation District: None

Site Characteristics: The sites are undeveloped on steep terrain sloping upward to the east.

Surrounding Property:

North: Borders two privately owned undeveloped lots and one single family residence.
South: Undeveloped lot and another lot with single family residence.
East: Privately owned parcel with one single family residence.
West: Undeveloped parcel owned by Wenatchee National Forest

Access: The lots currently have access from Morgan Creek Road.

II. Administrative Review

Notice of Application: A Short Plat Amendment permit application was submitted to Kittitas County Community Development Services on July 30th, 2018. The application was deemed complete on August 16th, 2018. A Notice of application for the Porter-Matthews Short Plat Amendment (SP-18-00005) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on August 20th, 2018. Notice was published in the NKC Tribune on August 23rd, 2018. Notice was



also posted to the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website on April 20, 2018, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

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

III. Zoning and Development Standards

The subject properties are located approximately 7 miles northwest of Roslyn, on Morgan Creek Road and have a zoning designation of Rural Recreation. The purpose and intent of this zone is to provide for an area where residential development may occur on a low density basis or in residential clusters. Rural Recreation zones are intended to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. This amendment is being proposed under the provisions of 16.32.100 Alterations.

KCC 16.32.100 Alterations review: The planning official shall be vested with the responsibility of processing short plat alteration applications. The county shall review and consider the proposed short plat alteration with regard to:

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.

Staff Conclusions

Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections.

IV. Comprehensive Plan

The Kittitas County Comprehensive Plan designates the proposal as a short plat in a Rural Recreation Land Use. Kittitas County has established the following goals and policies to guide activities in Rural



Recreation zones. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

GPO 8.63 Secondary access for protection of life and property shall be required for development in higher rural density rural recreation areas.

Staff Analysis

The proposed amendment leaves the subject parcels with a single access from Morgan Creek Road. However, the area is sparsely developed, with several undeveloped lots to the north and south, and Wenatchee National Forest owned land to the west. Considering the low density, the proposal does not conflict with this GPO.

GPO 8.65 Specific natural hazards in rural recreation areas shall be considered before creation of habitable or residential structure.

Staff Analysis

The applicant has conferred with Kittitas County Fire District 7 and Kittitas Valley Fire and Rescue to address fire safety issues on the parcels. Proposed mitigation measures include removal of vegetation near the cul-de-sac, future plans to improve water access, and adherence to the Wildland- Urban Interface Code. Future development with adherence to these mitigation measures will comply with this GPO.

Staff Comments

The Porter-Matthews Short Plat Amendment as proposed is consistent with the Kittitas County Comprehensive Plan GPO's listed above. The proposal, as conditioned, preserves the rural character and is not a detriment to neighboring recreation activities. The property involved is adequately served by local service and meets density requirements for the zoning designation.

V. Environmental Review

Based upon an initial Critical Area review, CDS determined that the Porter-Matthews Short Plat Amendment was exempt from SEPA review via WAC 197-11-800 (6)(d).

VI. Agency and Public Comments

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file 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 in Section IV above, the following Comprehensive Plan GPOs apply to this proposal: GPO 8.63 and 8.65.

Provided the applicant follows and maintains the GPOs, they shall be in compliance with the Kittitas County Comprehensive Plan. The applicant is proposing a short plat amendment consistent with the goals, policies, and objectives of the land use designation. Therefore the County and applicant are in compliance with the Comprehensive plan.

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

Staff conducted an administrative critical area review in accordance with KCC 17A. The proposed access easement removal will not affect any Critical Areas setbacks.

Consistency with the provisions of KCC 17.30 Rural Recreation Zoning:

This proposal is consistent with the Kittitas County Zoning Code 17.30.

Consistency with the provisions of KCC 16.32.100 Alterations

This proposal, as conditioned, is consistent with the Kittitas County requirements under Kittitas County Subdivision Code 16.32.100. The short plat alteration was 1) was processed administratively and does not involve alterations of lines on the plat, 2) is a new application for vesting purposes, 3) shows the land shown on the original short plat and bears the 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) does not increase the number of lots, tracts or parcels, and 5) is not a minor error not involving a change in lot lines.

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

All buildings must be consistent with International Building Codes.

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

As conditioned, the proposal must be consistent with the provisions of KCC Title 12.

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

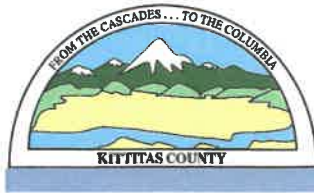
As conditioned, the proposal must be consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments during the comment period: Kittitas County Public Works, Kittitas Valley Fire & Rescue, and Kittitas Fire District 7. All comments are on file and available for public review.

Kittitas County Public Works provided a comment letter with conditions to be addressed at access permit submittal.

Kittitas Valley Fire and Rescue, and Kittitas Valley Fire District 7 both submitted comments with



concerns in regard to fire access and safety. The applicants have has conferred with both agencies to determine future mitigation efforts.

Public Comments:

There were no public comments submitted during the comment period.

VIII. Findings of Fact

1. **Requested Action:** Daniel and Sunny M. Kent, landowners, have submitted an application for a short plat amendment to remove an access and utility easement from parcels 1 and 2 of the Porter-Matthews Short Plat.
2. **Location:** Two parcels, located approximately 7 miles northwest of Roslyn, in a portion of Section 16, T21N, R14E, WM in Kittitas County, bearing Assessor’s map number 21-14-16060-0001 (Parcel # 949594) and 21-14-16060-0002 (Parcel # 949595).

3. **Site Information**

Total Property Size:	13.33 acres
Number of existing lots:	4 existing lots; no changes to lot boundaries for this short plat amendment. This amendment affects lots 1 & 2 as described above.
Number of proposed lots:	4
Domestic Water:	Individual Wells
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Fire District:	Fire District 7
Irrigation District:	None

Site Characteristics: The sites are undeveloped on steep terrain sloping upward to the east.

Surrounding Property:

- North: Privately owned, borders two undeveloped lots and one single family residence.
- South: Undeveloped lot and single family residence.
- East: Privately owned parcel with one single family residence.
- West: Undeveloped parcel owned by Wenatchee National Forest

4. The Comprehensive Plan land use designation is “Rural Recreation.”
5. The subject property is zoned “Rural Recreation.”

Notice of Application: A Short Plat Amendment permit application was submitted to Kittitas County Community Development Services on July 30th, 2018. The application was deemed complete on August 16th, 2018. A Notice of application for the Porter-Matthews Short Plat



Amendment (SP-18-00005) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on August 20th, 2018. Notice was published in the NKC Tribune on August 23rd, 2018. Notice was also posted to the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website on April 20, 2018, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

6. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced Section IV above, the following Comprehensive Plan GPOs apply to this proposal: GPO 8.63 and 8.65.
7. This proposal as conditioned is consistent with the Kittitas County requirements under Kittitas County Subdivision Code 16.32.100. The short plat alteration w 1) was processed administratively and does not involve changes to lines on the plat, 2) is a new application for vesting purposes, 3) shows the land shown on the original short plat and bears the 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) does not increase the number of lots, tracts or parcels, and 5) is not a minor error not involving a change in lot lines.
8. The following agencies provided comments during the comment period: Kittitas County Public Works, Kittitas Valley Fire & Rescue, and Kittitas Fire District 7. All comments are on file and available for public review.
9. Kittitas County Public Works provided a comment letter with conditions to be addressed at access permit submittal.
10. Kittitas Valley Fire and Rescue, and Kittitas Valley Fire District 7 both submitted comments with concerns in regard to fire access and safety. The applicant has conferred with both agencies to determine future mitigation efforts.
11. No comments from the public were received as of the time of staff review.
12. SEPA review was not required under WAC 197-11-800 (6)(d).
13. The proposed short plat amendment is consistent with KCC 17A as conditioned.
14. The proposed short plat amendment is consistent with KCC 17.30.
15. Access and driveways must be consistent with KCC 12.05.
16. Kittitas County Fire Marshal requires consistency with KCC Title 20 upon issuance of any building permits.



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 16.32.100 Alterations.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, 17B Shorelines, 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 *approval* of the Porter-Matthews Short Plat Amendment (SP-18-00005) based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

Conditions of Approval:

1. Easement

A Termination or Relinquishment of Easement, prepared by a Washington State licensed attorney and executed by the owners of Lots 1 and 2 of the Porter-Matthews Short Plat Amendment shall be recorded. Prior to recording, this document shall be submitted to Kittitas County Community Development Services for review.

2. Roads and Transportation

- a. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 15/15/2015. The following conditions apply and must be completed prior to final approval of this project. A performance guarantee may be used in lieu of the required improvements, per the conditions outlined in KCC 12.01.01150.
- b. 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 Kittitas County Road Standards, 12/15/15 edition. Kittitas County Public Works shall require this road certification to be completed prior to final approval of the project. If a performance guarantee is used in lieu of the required improvements, the private road shall be constructed and certified to comply with the minimum requirements of the International Fire Code prior to



issuance of the building permit.

- c. **Private Road Improvements:** Access from Morgan Creek Road shall be constructed to meet or exceed the requirements of a High-Density Private Road that serves 3-14 tax parcels. See table 4-4, Kittitas County Road Standards, 12/15/15 edition.
- i. New access easements shall be a minimum of 60' wide. Existing access easements shall be a minimum of 40' wide. The roadway shall have a minimum width of 20' with 1' shoulders, for a total width of 22'.
 - ii. Minimum centerline radius will be 60'.
 - iii. Surface requirement is for a gravel surface per WSDOT Standard Specifications.
 - iv. Maximum grade is 10%.
 - v. Stopping site distance, reference AASHTO.
 - vi. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - vii. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - viii. All roads located within this development or roads that provided access to this development shall be constructed to current county code 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.
 - ix. All easements shall provide for AASHTO radius at the intersection with a county road
 - x. A paved apron shall be constructed at the intersection with a county road.
- d. **Turnaround:** 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 shall be a cul-de-sac for roads serving five or more lots/units. The turnaround may be a hammerhead for roads serving for 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.

- e. Driveways: A driveway shall serve no more than two tax parcels. See Kittitas County Road Standards, 12/15/15 edition.
 - i. New access easements shall be a minimum of 30' wide. The roadway width shall have a 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'.
 - ii. Maximum grade shall be 15%.
 - iii. Crushed surface depth per WSDOT standards.
 - iv. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain access.
- f. Plat Notes: Plat notes shall reflect the following:
 - i. 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 and formally adopted by the Kittitas County Board of Commissioners.
 - ii. Maintenance of the access is the responsibility of the property owners who benefit from its use.
 - iii. An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work in the county road right-of-way.
 - iv. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
 - v. 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 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation.
- g. 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

- h. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions any pre-established or required Private Road Maintenance Agreements.
- i. Lot Closure: It is the responsibility of the Professional Licensed Surveyor to ensure



the lot closures are correct and accurate.

- j. 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.
- k. 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.
- l. Fire Protection: Contact the Kittitas County Fire Marshall regarding any additional access requirements for Emergency Response.

3. Fire & Life Safety

- 1. Access will be fully compliant with current IFC-Appendix D.
- 2. All access points will need to meet emergency vehicle access requirements.
- 3. Construction to meet WUI standards.

From these conclusions and findings, the proposed Short Plat amendment is approved 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 Roslyn, WA 98926. The appeal deadline for this project is October 22, 2018 at 5:00p.m.

Responsible Official

Dusty Pilkington
Dusty Pilkington

Title: Planner

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Roslyn, WA. 98926
Phone: (509) 962-7506 Fax: (509) 962-7682

Date: October 8th, 2018