



**Rampart Row Short Plat
File Number SP-19-00002
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

I. General Information

Requested Action: Trevor Kostanich authorized agent for East Peak Development LLC, landowner, has submitted a preliminary short plat application to subdivide approximately 29.13 acres into three (3) .11 acre parcels and one (1) 28.78 acre parcel. The subject property is zoned Planned Unit Development (PUD) as part of the Hyak Planned Unit Development Final Development Plan (Resolution No. 2018-070).

Location: One parcel, located approximately 1.5 miles south of Snoqualmie Pass, in a portion of the W ½ of Section 15, TWN 22N, RGE 11E, WM in Kittitas County, bearing Assessor's map number 22-11-15033-0001, parcel #198335.

Site Information

Total Property Size:	29.13 acres
Number of existing lots:	1
Number of proposed lots:	4
Domestic Water:	SPUD
Existing sewage Disposal:	SPUD
Power/Electricity:	PSE
Fire District:	Snoqualmie Pass Fire and Rescue
Irrigation District:	None

Site Characteristics: The site consists of sloped terrain with no existing structures.

Surrounding Property:

North: SR 906 & I90.
South: Wenatchee National Forest Land.
East: Privately owned land primarily used for residential purposes.
West: Privately owned land primarily used for residential and recreational purposes.

Access: The proposed project will have access from Rampart Drive.

II. Administrative Review

Notice of Application: A Short Plat permit application was submitted to Kittitas County Community Development Services on August 2, 2019. The application was deemed complete on August 9, 2019. A Notice of Application for the Rampart Row Short Plat (SP-19-00002) 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 22, 2019.



Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

Designated Permit Coordinator (staff contact): Chelsea Benner, Staff Planner. P: (509) 962-7065, E: chelsea.benner@co.kittitas.wa.us.

III. Zoning and Development Standards

The subject property is located approximately 1.5 miles south of Snoqualmie Pass, and has a zoning designation of Planned Unit Development. The intent of this zoning classification is to allow for departures from original zoning standards to accomplish or encourage developments that protect public interests. This project is being proposed under KCC 16.32.050 Short Plat Requirements.

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 as conditioned is consistent with all applicable Washington State and Kittitas County code section 16.32.050.

IV. Comprehensive Plan

The Kittitas County Comprehensive Plan designates the proposal as a short plat in a majority LAMIRD Land Use with a portion of Rural Recreation Land use designation. Kittitas County has established the following goals and policies to guide activities in these areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

RR- P9: Encourage development activities and establish development standards which enhance or result in the preservation of rural lands.



Consistency Statement

The proposed short plat preserves rural lands through adherence to the zoning and PUD density.

RR-P17: Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreation areas. Direct rural development to lands that have adequate public services.

Consistency Statement

The proposed short plat is in an area of high density residential development which is consistent with the proposed residential sized lots. The project will be served by existing public services.

RR-P56: Developments located for commercial, residential /recreational purposes, such as Master Planed Resorts or Planned Unit Developments, shall have adequate water, septic and public facilities to service such development without overburdening the County public services.

Consistency Statement

The proposed project has access to adequate water, septic, and public facilities. The applicants have provided space for snow storage to avoid overburdening county services.

Staff Comments

The Rampart Row short plat as conditioned is consistent with the Kittitas County Comprehensive Plan GPO's listed above. The proposal preserves the rural character and is adequately served by local services and meets density requirements for the zoning designation.

V. Environmental Review

Based upon an initial Critical Area review and prior SEPA review, CDS determined that the Rampart Row short plat was exempt from SEPA review via WAC 197-11-800 (6)(d). A critical area review was performed; staff mapped steep slopes on the south end of the property, and a possible non-fish stream running through the south end of the property as well.

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.

Agency Comments:

The following agencies provided comments during the comment period: Kittitas Building Department, WA State Department of Fish and Wildlife, WA State Department of Health, and Kittitas County Public Works.

Kittitas County Building Department submitted comments concerning propane tanks being able to meet required setbacks with the proposed lot configuration.

Applicant Response: Location of propane tanks will account for required setbacks.



WA State Department of Fish and Wildlife commented regarding known discrepancies between streams and wetlands present on the ground vs. what appears on maps or in databases. Either the locations are inaccurate, or not mapped.

Applicant Response: We do not believe the proposed 4 lot short plat will have any impact on existing streams or wetlands based upon the current site plan. The three lots designed for building pads do not fall within any mapped critical areas. We recognize there may be a stream feature on a small portion of the large, fourth lot, as recognized by the County's critical area mapping. But such critical area would not warrant further evaluation or mapping as no development is proposed in the vicinity under this application. The applicant does anticipate locating a building site on lot 4 near the stream corridor, but will ensure through necessary evaluation that said site is outside of any applicable setbacks and buffers. We expressly note the County will have jurisdiction to ensure that any such site is, in fact, consistent with Code-required setbacks and buffers at the time any further permits are applied for.

WA State Department of Health submitted comments containing water availability information and SPUD water moratorium concern.

Applicant Response: SPUD has lifted the moratorium as of September 17th.

Kittitas County Public Works commented with requirements and questions regarding roads, access, transportation, and storm water.

Applicant Response: Project will meet all Kittitas County Road Standards requirements. After further discussions with the applicant, we have decided to remove these parking easements from the proposed short plat map. A revised map reflecting this change will be provided at Final Short Plat. The lots are sized to comply with County Code. The attached conceptual plans reflect ability to manage snow storage and parking.

Public Comments:

The following Citizens provided comments during the comment period: Barbie McQuay, Renee DeLucia, Kevin Curd, Joanne Attaway, and Jeanne Ratcliffe.

Barbie McQuay voiced concerns regarding one way in/out of Hyak and that winter recreation causes congestion, illegal parking, litter, and impacts on first responders in the event of an emergency.

Applicant Response: This comment pertains to traffic generated by sources other than the proposed short plat. Adding a limited number of lots will likely assist in vigilance in the local area regarding improper usage by visitors during the busy season.

Renee DeLucia's comments expressed concern for setbacks, snow storage, water drainage, and water availability. She also has issues with development taking over existing parking areas where there is already a parking problem.

Applicant Response: The short plat does not propose to change the existing overflow parking lots.

Kevin Curd commented on the proposed lot size, and how small lots come with snow storage and parking



issues. His comments also included concerns with storm water.

Applicant Response: The lots are sized to comply with County Code. The provided conceptual plans reflect ability to manage snow storage and parking. These concerns have been taken into account. Future development of the larger parcel will address these concerns in more detail through detailed site planning and engineering.

Joanne Attaway expressed the need for storm water management and space for snow storage and removal. She requests traffic management and that the new development not block existing views.

Applicant Response: The lots are sized to comply with County Code. The provided conceptual plans reflect ability to manage snow storage and parking. We expressly note the County will have jurisdiction to ensure that any such site is, in fact, consistent with Code-required setbacks and buffers at the time any further permits are applied for. These concerns have been taken into account. Future development of the larger parcel will address these concerns in more detail through detailed site planning and engineering. This comment also pertains to traffic generated by sources other than the proposed short plat. Adding a limited number of lots will likely assist in vigilance in the local area regarding improper usage by visitors during the busy season.

Jeanne Ratcliffe requests a 16' height restriction for structures, and view corridor spacing between structures. She voiced concern for lot size in regards to snow and storm water management as well as maintaining the areas architectural standards.

Applicant Response: There are no recorded view easements or covenants; there is no basis to deviate from applicable County Code that addresses building heights. Conceptual plans attached address snow removal. The lots are not part of the Hyak Estates homeowner association but homes and layout will be designed to a modern aesthetic appropriate for the community and specific lot parameters. Building permit applications will take into account technical requirements including storm water management consistent with current County standards.

VII. Project Analysis & Consistency Review

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, the following Comprehensive Plan policies apply to this proposal: RR-P9, RR-P17, and RR-P56.

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

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates steep slopes on the south end of the property, and a possible non-fish stream running through the south end of the property as well.

Consistency with the provisions of KCC 17.36, PUD zoning:



This proposal is consistent with the Kittitas County Zoning Code and approved Final Development Plan for the Hyak PUD 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:

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.

VIII. Findings of Fact

1. Requested Action: Trevor Kostanich authorized agent for East Peak Development LLC, landowner, has submitted a preliminary short plat application to subdivide approximately 29.13 acres into three (3) .11 acre parcels and one (1) 28.78 acre parcel. The subject property is zoned Planned Unit Development (PUD) as part of the Hyak Planned Unit Development Final Development Plan (Resolution No. 2018-070).

2. Location: One parcel, located approximately 1.5 miles south of Snoqualmie Pass, in a portion of the W ½ of Section 15, T22N, R11E, W1M in Kittitas County, bearing Assessor's map number 22-11-15033-0001, parcel #198335.

3. Site Information:

Total Property Size:	29.13 acres
Number of existing lots:	1
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Existing sewage Disposal:	SPUD
Power/Electricity:	PSE
Fire District:	Snoqualmie Pass Fire and Rescue
Irrigation District:	None



Site Characteristics: The site consists of sloped terrain with no existing structures.

Surrounding Property:

North: SR 906 & I90.

South: Wenatchee National Forest Land.

East: Privately owned land primarily used for residential purposes.

West: Privately owned land primarily used for residential and recreational purposes.

4. The proposed project will have access from Rampart Drive.
5. The Comprehensive Plan land use designation is "Rural Recreation & LAMIRD."
6. The subject property is zoned "Planned Unit Development."
7. A Short Plat permit application was submitted to Kittitas County Community Development Services on August 2, 2019. The application was deemed complete on August 9, 2019. A Notice of Application for the Rampart Row Short Plat (SP-19-00002) 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 22, 2019. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).
8. 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.
9. The following agencies provided comments during the comment period: Kittitas Building Department, WA State Department of Fish and Wildlife, WA State Department of Health, and Kittitas County Public Works.
11. The following Citizens provided comments during the comment period: Barbie McQuay, Renee DeLucia, Kevin Curd, Joanne Attaway, and Jeanne Ratcliffe.
12. SEPA review was not required. This project is exempt under WAC 197-11-800 (6)(d). The proposed short plat is consistent with KCC Title 15.
13. The proposed short plat is consistent with KCC Title 17A Critical Areas as conditioned.
14. The proposed short plat is consistent with KCC 17.36 and the approved PUD Final Development Plan as conditioned.
15. The proposed short plat is consistent with KCC 16.32.050 as conditioned.



17. The proposed short plat is consistent with KCC Title 14 Building and Construction as conditioned.
18. The proposed short plat is consistent with KCC 12 Roads and Bridges as conditioned.
19. The proposed short plat is consistent with KCC 20 Fire and Life Safety as conditioned.
20. 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.

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 Short Plat.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 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 Rampart Row Short Plat SP-19-00002 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

Conditions of Approval:

1. Building

- A. All new construction must meet the International Building Code requirements.
- B. All Structures shall meet the following setbacks:
 - i. Front 25'
 - ii. Side 10'
 - iii. Rear 25'



C. Any LP tanks shall meet all required setbacks pursuant to the International Fuel Gas Code and the NFPA 58 (adopted versions at the time of permit submittal).

2. Roads and Transportation

A. 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.

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

3. State and Federal

A. Applicant must meet all state and federal regulations.

4. Fire & Life Safety

A. Access shall be fully compliant with current IFC-Appendix D.

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

C. Construction shall meet WUI standards.

5. Historic and Cultural Preservation

A. 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.

6. Plat Notes

A. The following plat notes shall be recorded on the final mylar drawings:

- Environmental and statutory review may be required for all current and future development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.



- All development must comply with International Fire Code.
- Maintenance of the access is the responsibility of the property owners who benefit from its use.
- 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.
- 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.
- Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- 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.
- Signature blocks shall be constructed and worded in conformance with KCC Chapter 16.24.
- No variances for setback encroachment shall be approved for any lots created by this short plat.

7. Survey

- A. Final plat must show the location of the identified type four stream
- B. Address the new requirements of WAC 332-130-145.
- C. The two labels for Lot 4 should be labeled as "part of" or "portion of", so as not to appear to be two separate Lots.
- D. The Parking Lot Easements shall be removed.

8. 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 recording.

9. As the overall site development for the three proposed residential lots exceeds 5,000 square feet, an approved stormwater plan through the Public Works Department is required prior to final plat.

10. Both sheets of the final mylars shall reflect short plat number SP-19-00002 and an accurate legal description shall be shown on the face of the final plat. Engineers and



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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Surveyors need to be cognizant of all of the requirements related to Final Plats (KCC 16.20) and Survey Data and Dedications (KCC 16.24). The final plat must be submitted in full conformance with these chapters of Kittitas County Code; **non-compliant mylars will be rejected and returned to the applicant.**

- 11. 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 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 \$1560 to Kittitas County. The appeal deadline for this project is December 9, 2019 at 5:00p.m. Appeals submitted on or before December 3, 2019 shall be submitted to the Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. Any appeals submitted December 4, 2019 through December 9, 2019 shall be submitted to Community Development Services at 411 N Ruby St Ste. 2, Ellensburg, WA 98926.

Responsible Official

Chelsea Benner

Title: Planner

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Date: November 21, 2019