



**Colson Short Plat
File Number SP-20-00002
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

I. General Information

Requested Action: Chris Cruse authorized agent for Michael and Sandra Colson, landowners, has submitted a preliminary short plat application to subdivide approximately 160.33 acres into one (1) 20 acre parcel which includes the existing home and one (1) 140.33 acre parcel that is undeveloped. The subject property is zoned Agriculture 20 within a Rural Working Land Use designation.

Location: One parcel, located approximately 4.5 miles east of the City of Kittitas, in a portion of the E ½ of Section 10, TWN 17N, RGE 20E, WM in Kittitas County, bearing Assessor’s map number 17-20-10010-0003, parcel #840633.

Site Information

Total Property Size:	160.33 acres
Number of existing lots:	1
Number of proposed lots:	2
Domestic Water:	Well
Existing sewage Disposal:	On-site septic
Power/Electricity:	Kittitas PUD
Fire District:	Fire District 2
Irrigation District:	KRD

Site Characteristics: The site consists of open space and agriculture lands. The parcel is intersected near the center of the parcel by Stevens Rd.

Surrounding Property:

- North: Privately owned lands with residential and agriculture uses.
- South: Primarily undeveloped privately-owned lands
- East: Privately owned land primarily undeveloped.
- West: Privately owned land primarily used for residential and agriculture purposes.

Access: The proposed project will have access from Stevens Rd.

II. Administrative Review

Notice of Application: A Short Plat permit application was submitted to Kittitas County Community Development Services on March 17, 2020. The application was deemed complete on May 11,2020. A Notice of Application for the Colson Short Plat (SP-20-00002) 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 May 21, 2020. 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): Jeremy Johnston, Staff Planner. P: (509) 962-7065, E: jeremy.johnston@co.kittitas.wa.us.

III. Zoning and Development Standards

The subject property is located approximately 4.5 miles east of the City of Kittitas and has a zoning designation of Agriculture 20. 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.

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

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) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for both 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. 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 Rural Working 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-G7: The County should consistently work to preserve and maintain the rural character of Kittitas County for the benefit of its residents.

Consistency Statement

The application proposes no changes to the existing rural character of the parcel. The proposal will separate the existing residential area from the remaining undeveloped rural landscape.

RR-G8: The County should strive to sustain and protect the westerly mountainous, recreational open space, and its easterly non-resource agricultural and rangeland activities.

Consistency Statement

The proposed short plat is consistent with the density requirements of the zones. The proposal will separate the existing residential development area from the undeveloped area of the parcel. No adverse impact is anticipated to recreational open spaces or non-resource agriculture and rangeland activities.

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 Agriculture-20 density of 1 unit per 20 acres.

RR-P10: 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.

Consistency Statement

The proposal is consistent with the density requirements of the Agriculture 20 zone and is consistent with the development pattern of the area.

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 application is consistent with the density requirements of the zone. There will be no change to public service demands and water/septic systems will remain private.

Staff Comments

The Colson short plat as conditioned is consistent with the Kittitas County Comprehensive Plan Goals and Policies 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 Colson short plat was exempt from SEPA review via WAC 197-11-800 (6)(d). A critical area review was performed; two irrigation ditch channels were noted (type 9 streams) along with a type 4 non-fish bearing stream along the northern half of the parcel. The proposal will have no impact on the identified critical areas.

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 County Building Department, Kittitas County Public Health, Kittitas County Public Works, Kittitas County Fire Marshal, and the Kittitas Reclamation District. Substantive comments are addressed below.

Kittitas County Public Works submitted comments noting road standards, plat notes, and specific addressing and final plat information.

Applicant Response: The applicant did not address Public Work's comments in their response letter.

Staff Response: The comments submitted from Kittitas County Public Works reference standards established in Title 12 of Kittitas County Code. The applicant is required to adhere to all regulations outlined in Title 12.

Kittitas County Public Health submitted comments noting water and septic requirements.

Applicant Response: The applicant's agent stated in his response letter that the project will "meet all health departments requirements."

Staff Response: The applicant has met the standard for preliminary approval by Kittitas County Public Health. All additional requirements outlined by Public Health in their amended comment letter (dated 08/05/2020) will be required prior to final approval.

WA State Department of Ecology submitted concerns that wetlands may exist on the property and requested a wetland investigation prior to any development.

Applicant Response: In their response letter the applicant's agent noted that no wetlands have been identified on the property and that any wetland characteristics that exist on the parcel are the result of irrigation leakage.

Staff Response: Staff performed a critical area review of the parcel. Utilizing the County GIS system and the National Wetland Inventory, no wetlands were found. Kittitas County Code 17A.02.310 excludes "artificial wetlands" from the standards established for wetlands in Kittitas County. Artificial wetlands



are defined, in part, as wetlands established through irrigation leakage. Due to the lack of evidence regarding any natural wetland on the property, CDS considers any wetland characteristics likely the result of irrigation leakage and therefore not subject to wetland standards under KCC Title 17A. A plat note condition has been added to this determination that will inform future property owners of the possibility of additional review/studies associated with development if natural wetlands are found to exist on the property.

Kittitas Reclamation District submitted comments stating that the project must be consistent with KRD General Guidelines.

Applicant Response: The applicant did not respond to KRD's comments.

Staff Response: The determination has been conditioned to ensure the project is consistent with KRD General Guidelines.

Public Comments:

No public comments were received during the comment period.

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-G7, RR-G8, RR-P9, RR-P10, and RR-P17.

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

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates two type 9 (irrigation) and one type 4 non-fish bearing stream. The proposal will not adversely impact these streams.

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

This proposal is consistent with the Kittitas County Zoning Code for the Agriculture 20 zoning designation.

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) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for both 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: Chris Cruse authorized agent for Michael and Sandra Colson, landowner, has submitted a preliminary short plat application to subdivide approximately 160.33 acres into one (1) 20 acre parcel which includes the existing home and one (1) 140.33 acre parcel that is undeveloped. The subject property is zoned Agriculture 20 within a Rural Working Land Use designation.
2. Location: One parcel, located approximately 4.5 miles east of the City of Kittitas, in a portion of the E ½ of Section 10, TWN 17N, RGE 20E, WM in Kittitas County, bearing Assessor’s map number 17-20-10010-0003, parcel #840633.

3. Site Information:

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- East: Privately owned land primarily undeveloped.
- West: Privately owned land primarily used for residential and agriculture purposes.

4. The proposed project will have access from Stevens Rd.



5. The Comprehensive Plan land use designation is "Rural Working."
6. The subject property is zoned "Agriculture 20."
7. A Short Plat permit application was submitted to Kittitas County Community Development Services on March 17, 2020. The application was deemed complete on May 11, 2020. A Notice of Application for the Colson Short Plat (SP-20-00002) 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 May 21, 2020. 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 County Building Department, Kittitas County Public Health, Kittitas County Public Works, Kittitas County Fire Marshal, and the Kittitas Reclamation District.
11. No public comments were submitted during the comment period
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 17.29 Agriculture 20 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 13 Water and Sewers, 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 Colson Short Plat SP-20-00002 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. 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.
- C. The applicant shall provide evidence to CDS of project consistency with KRD General Guidelines prior to final approval.

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. Water/Sewer

- A. The applicant shall demonstrate proof of water adequacy in conformance with KCC 13.35 prior to final plat approval.
- B. In accordance with Kittitas County Code 13.04.090, a minimum of one soil log for each proposed lot where individual sewage disposal systems are contemplated must be completed prior to final approval.

5. 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.
 - 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.
 - Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.



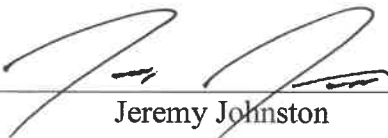
- A public utility easement 10 feet in width is reserved along all lot lines. The 10 foot easement shall abut the exterior plat boundary and shall be divided by 5 feet on each side of interior lot lines. Said easement may also be used for irrigation.

6. Survey

- A. Final plat must show the location of the identified type four stream
 - B. Address Signature blocks shall be constructed and worded in conformance with KCC Chapter 16.24.
 - C. The division line between lots 1 and 2 shall be staked in the field.
7. 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.
 8. Both sheets of the final mylars shall reflect short plat number SP-20-00002 and an accurate legal description shall be shown on the face of the final plat. Engineers and 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.** A final plat file number will be assigned when CDS receives your final plat application. This file number will also be required on the face of the final plat.
 9. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
 10. This preliminary approval will expire 5 years from the date of this determination if no extension is filed in accordance with KCC 16.32.090.

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 \$1540 to Kittitas County. The appeal deadline for this project is August 27, 2020 at 5:00p.m. Appeals submitted on or before August 27, 2020 shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official



Jeremy Johnston

Title: Planner II

Address: Kittitas County Community Development Services



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

"Building Partnerships – Building Communities"

CDS@CO.KITTITAS.WA.US

411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7506

Date: August 13, 2020