



Hein Short Plat
File Number SP-20-00004
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. General Information

Requested Action: Hein & Hein Enterprise, LLC, landowners, have submitted a preliminary short plat application to subdivide approximately 50 acres into one (1) 30.09-acre parcel, (1) 5.91-acre parcel, (1) 7.26-acre parcel, (1) 6.72-acre parcel. The subject property is zoned Agriculture 5 within a Rural Residential Land Use designation.

Location: two parcels, located approximately 2.08 miles east of the City of Cle Elum off Airport Road in a portion of Section 29, TWN 20N, RGE 16E, WM in Kittitas County, bearing Assessor's map numbers 20-16-29000-0010 and 20-16-29000-0011, parcel #267336 and #107336.

Site Information

Total Property Size:	50 acres
Number of existing lots:	2 Parcels – Must be sold together
Number of proposed lots:	4
Domestic Water:	Well
Existing sewage Disposal:	On-site septic
Power/Electricity:	PSE
Fire District:	Fire District 7 (Cle Elum)
Irrigation District:	None

Site Characteristics: The site consists of undeveloped land with agricultural and forested lands surrounding it.

Surrounding Property:

- North: Privately owned forested lands with Rural Working uses.
- South: Privately owned lands with Rural Residential uses
- East: Privately owned lands with Rural Working uses.
- West: Privately owned lands with Rural Residential uses.

Access: The proposed project will have access from Airport Road.

II. Administrative Review

Notice of Application: A Short Plat permit application was submitted to Kittitas County Community Development Services on June 18, 2020. The application was deemed complete on July 16, 2020. A Notice of Application for the Hein Short Plat (SP-20-00004) 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 July 27, 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): Kelly Bacon, Staff Planner. P: (509) 962-7539, E: Kelly.bacon.cd@co.kittitas.wa.us

III. Zoning and Development Standards

The subject property is located approximately 2.08 miles east of the City of Cle Elum and has a zoning designation of Agriculture 5. The intent of this zoning classification is to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. 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 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 and the applicant has work voluntarily with Kittitas County to develop an authorized conservation easement, see section 16.08.061. 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 Residential 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 new lots located within an area identified for residential and agricultural use. All lots meet the minimum density.

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. 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-5 density of 1 unit per 5 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 5 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 Hein 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, CDS determined that the Hein short plat was exempt from SEPA review via WAC 197-11-800 (6)(d). A critical area review was performed; A type 2 stream located on the westerly edge of the property and three type 9 streams were all identified on the GIS mapping system. These streams are not associated with Shoreline Jurisdiction of the State.

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 Public Works, Kittitas County Public Health, Washington State Department of Health – Office of Drinking Water (DOH-ODW), Washington State Department of Fish and Wildlife. Substantive comments are addressed below.

Washington State Department of Health (DOH) Office of Drinking Water commented that because the lots are under the same ownership, they would be considered a “project” with respect to drinking water wells and would require them to be completed as a combined water system and will most likely be a “Group B” water system administered by Kittitas County Health.

Applicant Response: No response provided.

Staff Response: As conditioned, the proposed Hein Short Plat is required to meet all Kittitas County adequate water standards and be consistent with Kittitas County Code Title 13 prior to final approval.

Kittitas County Public Works submitted comments noting road standards, plat notes, and specific addressing and final plat information. After the comment period, the applicant worked with Arden in Public Works on a Conservation Easement pursuant to KCC 13.35. The comments received from Arden required the approved Conservation Easement to be recorded and noted on the plat prior to final approval.

Applicant Response: No response provided.

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 for final approval. As conditioned, the applicant is also required to record the Conservation Easement pursuant to KCC 13.35 and note the recorded document on the plat prior to final approval.

Washington State Department of Fish and Wildlife submitted comments stating WDFW worked with the landowner previously to type the stream along the western boundary of parcel 107336 and issued an HPA for bank stabilization work near the existing garage. WDFW agreed that the location of the mapped stream is inconsistent with the actual location of the stream, they do not agree with the classification in



the stream report prepared by Sewall. WDFW determined the stream to be characteristic of a Type F stream. WDFW commented that "prior to any building on lot 4, a Forest Practice Application from Washington Department of Natural Resources is likely required, and the streams and slope stability would need to be reviewed under that application before any forest clearing could occur on lot 4."

Applicant Response: "WDFW, through Mr. Scott Downes, issued a comment letter dated August 3, 2020, which took issue with Applicant's hydrogeologic site analysis prepared by Sewall Wetland Consulting, Inc. (the "Sewall Report"), specifically, the stream typing/classification for a north-south running dry stream bed that roughly parallels a portion of the western boundary of the proposed Short Plat. As confirmed in the Sewall Report, this feature is dry nearly the entire year, with the exception of a very short period of time in early spring, when snowmelt runoff is present. Accordingly, Applicant asserts this feature is correctly classified as a Type 4 water source under KCC 17A.02.300 and subject to only minimal buffer requirements (10' - 20') under KCC 17A.07.010. WDFW nevertheless takes the position that this feature is a "Type F" stream under WAC 222-16-030, associated with moderate to high fish habitat characteristics. Under the County Code, this would be equivalent to either a Type 2 or Type 3 stream and subject to buffer requirements as much as 100' from the Ordinary High-Water Mark ("OHWM"). KCC 17A.07.010.

While the parties obviously have different views concerning the status and habitat potential of the dry stream bed in question, that disagreement need not delay the Short Plat approval process in this case. Applicant reserves all rights to challenge WDFW's stream typing decision in another forum in the future. In the meantime, Applicant and WDFW, through Mr. Downes, have informally agreed that a setback of 25' from the OHWM will be sufficient for Applicant's development purposes, which, in addition to Short Plat requirements, include a planned remodeling of his existing home, adjacent to the stream bed and within proposed Lot 1 of the Short Plat. See attached Exhibit "A," an email exchange between Messrs. Hein and Downes, which confirms WDFW's consent to 25' setbacks, provided that: (1) existing vegetation in the vicinity of the stream bed are maintained; and (2) Applicant applies for and receives from Kittitas County any required variance from applicable setback requirements in connection with his anticipated building application.

KITT 17A.04.045 (Building setback lines from wetland buffers) provides in relevant part, "Minor intrusions into the area of the building setback may be allowed if the director determines that such intrusions will not negatively impact the wetland. The setbacks shall be shown on all site plans submitted with the application." In connection therewith, Applicant will seek any required variance or permission in connection with a future-filed construction permit application. For purposes of the pending Application, Applicant asks that 25' buffers from the OHWM be noted on the face of the Short Plat as a permanent restriction on construction and all non-exempt activities in the vicinity of the stream bed.¹

A second issue raised by WDFW in this case does not have immediate implications for Short Plat approval. WDFW notes that it has not "field verified" the Sewall Report finding that two unclassified streams depicted in Department of Natural Resources ("DNR") mapping and said to run in the wooded, upland portion of proposed Lot 4 do not, in fact, exist. Accordingly, WDFW concludes that future construction within portions of Lot 4 might require specialized DNR Forest Practice permitting authority. In Applicant's view, future site observation will likely corroborate the Sewall Report. But, in any case, Applicant understands and agrees that future construction (if any) within Lot 4 must be consistent with all applicable permitting and regulatory requirements."



Staff Response: The applicant will be responsible for adhering to all County, State and Federal regulations as they relate to critical areas and FPA designations. Stream setbacks will be established through KCC 17A at the time of building application submittal. Deviation from Kittitas County GIS stream data may require submittal of a stream delineation by a professional licensed in the State of Washington CDS may utilize sources identified in KCC 17A.03.025 to assist in stream type verification.

Kittitas County Public Health Submitted comments in regard to the north property line for lot 3 needing to be a minimum of 50 feet from the existing well, on-site septic systems and individual and shared wells.

Applicant Response: "County Health, through Jesse Cox and Holly Erdman, submitted a comment letter dated August 11, 2020. Applicant agrees with most of County Health's Findings as to water and septic-related requirements in connection with Preliminary and Final Plat approvals, respectively. Specifically, we understand and agree that on-site septic systems must comply with all applicable State and County requirements (Onsite Sewage, Finding 1). Likewise we agree that metering will be required for all new uses of domestic water for residential well connections, as well as with the County Health's caution that Short Plat approval does not ensure that any lawful use of "exempt" wells within the Short Plat may be subject to judicial or administrative pro-rationing or curtailment of use under Washington water law's prior appropriation principle (Water, Findings 2 and 3; Final Plat Notes, C-1 and C-2). Applicant does, however, need to respond to several items under County Health's Finding 1, concerning Adequate Water Supply-related requirements ("AWS") under Chapter 13.35 KCC.

As a threshold matter, Applicant is considering proposing that conservation easements be imposed against proposed Lots 2 and 4 of the Short Plat, which would effectively suspend all AWS requirements for those Lots, which otherwise must be satisfied as a condition of Short Plat approval. The availability of and procedures for imposing conservation easement restrictions are addressed at KCC 16.32.050 and 16.08.061. Applicant may, prior to Preliminary Plat approval, propose terms for conservation easements to prohibit use of domestic water on the subject Lots - as well as for future termination of such restrictions. In connection therewith, Applicant is researching KCC 16.08.061 - particularly with respect to the process for later termination of conservation easements, if desired by the landowner/developer.2 We ask that you allow us additional time to supplement these responses, when we have a clearer understanding of the practical considerations of imposing conservation easements under the Application.

With the above caveats - and in the event conservation easements are not recorded against Lots 2 and 4 of the Short Plat - Applicant intends to satisfy all applicable AWS requirements for the entire Short Plat. Domestic water is already provided, on a permit- exempt basis, to existing structures on proposed Lots 1 and 3, via existing groundwater wells located on said Lots. If domestic deliveries are to be made to all Lots, Applicant is prepared to either (1) record Shared Well Agreements and Covenants against Lots 1 and 2 and against Lots 3 and 4; or (2) drill new wells on Lots 2 and 4 to individually serve those respective Lots, as necessary to comply with other applicable AWS requirements concerning physical availability of potable water supply. Two issues in connection therewith merit additional consideration.

One of the two exempt well sources within the Short Plat is a 1970's era well that serves the existing home on proposed Lot 1. For unknown reasons, no well driller's report or log for that well exists. A drawdown test likely was conducted at the time of well construction, but we cannot be certain. KCC 13.03.070 requires that a four-hour draw down test be conducted on potable water wells to ensure operational capability and satisfactory water quality. In the absence of a known well log or draw down report for the



Lot 1 well, County Health now requires that a new test be conducted in connection with approval of two-party/shared well arrangements. This poses an onerous and expensive challenge in this case. The subject well is located within an existing structure and likely can be accessed for testing purposes only by removal of the entire roof. Nevertheless, and absent a future agreement with County Health on a variance or modification of draw down test requirements, Applicant is prepared to undertake the necessary structural changes to facilitate a draw down test as described in Finding 1.

The other AWS consideration in this case is County Health's comment that Short Plat shared wells must be located a minimum of 50' from Lot boundary lines. We understand this is in response to guidance recently provided by County Counsel. We respectfully suggest that well location standards under KCC13.20.040 do not require 50' setbacks for shared wells, or for larger systems including Group B systems.

KCC 13.20.040 provides in relevant part:

A well for a Shared or Group B Water System shall also be located:

In accordance with Ground Water Source Approval and Protection Rules for Group B Water Systems (Chapter 246-291 WAC), including but not limited to a minimum one-hundred-foot sanitary control area and a duly recorded restrictive covenant:

A well for a Shared or Group B Water System shall have a recorded easement granting access to the well, pump house and pipeline to the future owners of the water system.

A well for an individual water system shall also be located:

... a minimum of fifty feet from all roads and property lines. *The meaning of road for this Chapter shall include but is not limited to, any county, state or federal right of ways and any private road. Driveways are not considered roads under this Chapter.*

Setbacks not meeting Kittitas County Code may be allowed at the discretion of the health officer. *(Emphases added.)*

Separately, KCC 13.03.110 confirms that an "individual water system" serves only a single dwelling unit.

In our view, the above-quoted well location standards establish two separate - but not cumulative - requirements: one for individual wells and another for shared or two-party wells. If and to the extent Applicant determines to use the well on Lot 3 as a shared/two-party well with Lot 4, the above-quoted 100' sanitary control zone requirement for shared wells will apply. And because the subject well is located near the proposed Lot boundary line, portions of both Lots will be subject to the required control zone covenants. That said, KCC 13.20.040 separately confirms that the 50' setback requirement cited by County Health applies exclusively to individual water systems, i.e., to wells that serve only a single domestic connection.

In this case, Applicant's engineering consultant, Encompass, has separately confirmed with Ms. Erdman that County Health will not insist upon a 50' setback - presumably in recognition of the fact



that Applicant was unaware of County Counsel's interpretation of KCC 13.20.040 when the original Application survey was submitted."

Staff Response: Kittitas County Community Health Department requirements will be addressed prior to final approval. Final plat approval requires consistency with KCC Title 13.

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 a type 2 stream and three type 9 streams located on the property. The applicant is working with WDFW in regard to the typing associated with the type 2 stream and associated setbacks. The proposal will not adversely impact this stream.

Consistency with the provisions of KCC 17.28A, Agriculture-5 Zone:

This proposal is consistent with the Kittitas County Zoning Code for the Agriculture 5 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: Hein & Hein Enterprise, LLC, landowners, have submitted a preliminary short plat application to subdivide approximately 50 acres into one (1) 30.09-acre parcel, (1) 5.91-acre parcel, (1) 7.26-acre parcel, (1) 6.72-acre parcel. The subject property is zoned Agriculture 5 within a Rural Residential Land Use designation.
2. Location: two parcels, located approximately 2.08 miles east of the City of Cle Elum off of Airport Road in a portion of Section 29, TWN 20N, RGE 16E, WM in Kittitas County, bearing Assessor’s map numbers 20-16-29000-0010 and 20-16-29000-0011, parcel #267336 and #107336.

3. Site Information:

Total Property Size:	50 acres
Number of existing lots:	2 Parcels – Must be sold together
Number of proposed lots:	4
Domestic Water:	Well
Existing sewage Disposal:	On-site septic
Power/Electricity:	PSE
Fire District:	Fire District 7 (Cle Elum)
Irrigation District:	None

Site Characteristics: The site consists of undeveloped land with agricultural and forested lands surrounding it.

Surrounding Property:

- North: Privately owned forested lands with Rural Working uses.
- South: Privately owned lands with Rural Residential uses
- East: Privately owned lands with Rural Working uses.
- West: Privately owned lands with Rural Residential uses.

4. The proposed project will have access from Airport Road.
5. The Comprehensive Plan land use designation is “Rural Residential.”
6. The subject property is zoned “Agriculture 5.”
7. A Short Plat permit application was submitted to Kittitas County Community Development Services on June 18, 2020. The application was deemed complete on July 16, 2020. A Notice of Application for the Hein Short Plat (SP-20-00004) 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 July 27, 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 Public Works, Kittitas County Public Health, Washington State Department of Health – Office of Drinking Water (DOH-ODW), Washington State Department of Fish and Wildlife.
10. No public comments were submitted during the comment period.
11. 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.
12. The proposed short plat is consistent with KCC Title 17A Critical Areas as conditioned.
13. The proposed short plat is consistent with KCC 17.28A Agriculture 5 as conditioned.
14. The proposed short plat is consistent with KCC Title 14 Building and Construction as conditioned.
15. The proposed short plat is consistent with KCC 12 Roads and Bridges as conditioned.
16. The proposed short plat is consistent with KCC 20 Fire and Life Safety as conditioned.
17. Kittitas County Public Health requires water mitigation under KCC 13.35.027 and KCC 13.35.020 and 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 Hein Short Plat SP-20-00004 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. 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.

2. Roads and Transportation

- A. A driveway shall serve no more than four tax parcels. At the time the access serves more than four tax parcels, it shall be constructed and certified to private road standards. See Kittitas County Road Standards, 12/15/15 edition.
- B. 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.
- C. The 30' access & utility easement crossing lot 3 must be amended so the home does not encroach upon the easement.

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. The Conservation Easement in conformance with KCC 13.35 is to be recorded and the easement along with the recording number be noted on the plat prior to final approval.
- C. 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 plat note identifying the conservation easement and associated recording number shall be on the face of the plat for final approval. Please work with KC Public Works to determine the specifics of this note.
- 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. Include a surveyor's stamp and signature.
 - B. Include the requirements of RCW:332-130-145
 - C. Applicant is notified that basis of bearing, survey procedures, set corners, surveyors statement, auditors statement, will need to be addressed on the final submittal.
 - D. Ties to found section corners to be included
 - E. Both sides of county right of way to be shown on final
 - F. Easement shown as herein dedicated to be mathematically retraceable on final.
 - G. It is assumed that the found evidence was held, despite discrepancies with the record description. As such, a note explaining surveyors' opinion would prove valuable.
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-20-00004 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.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

"Building Partnerships – Building Communities"

CDS@CO.KITTITAS.WA.US

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 December 23, 2020 at 5:00p.m. Appeals submitted on or before December 23, 2020 shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official



Kelly Bacon

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7539

Date: December 9, 2020