

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

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Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

August 12, 2008

Cruse & Associates
PO Box 959
Ellensburg, WA 98926

RE: Mr. Rogers Short Plat (SP-08-00023)

Dear Mr. Cruse:

The Kittitas County Community Development Services Department has determined that the Mr. Rogers Short Plat (SP-08-00023) is a complete application and hereby grants **conditional preliminary approval** subject to the following conditions:

1. Both sheets of the final mylars shall reflect Short Plat number SP-08-00023 and an accurate legal description shall be shown on the face of the final plat.
2. Full year's taxes shall be paid on all tax parcel numbers per requirement of the Kittitas County Treasurer's Office.
3. The following plat notes shall be recorded on the final mylar drawings:
 - All development must comply with International Fire Code.
 - The subject property is within or near existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performance in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted the right to farm provisions contained in Section 17.74 of the Kittitas County Zoning Code.
 - All three lots of the Mr. Rogers Short Plat SP-08-00023 shall share a single ground water withdrawal of no more than 5,000 gallons per day combined. No more than ½ acre of lawn and garden shall be irrigated from this ground water withdrawal.
 - The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. 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 will be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements.
 - Per Kittitas County Code 16.18.060, only sprinkler or drip irrigation is allowed for lots 3 acres or less in size.
4. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administered by the Washington State Department of Ecology. This includes the use of water for irrigation.
5. Per Kittitas County Environmental Health soil logs need to be performed and proof of water availability is needed. Evidence of both shall be provided to Community Development Services prior to final approval.
6. This property is within the Cascade Irrigation District boundaries. Proof that all Cascade Irrigation District General Guidelines have been met for all newly created lots shall be provided to Community Development Services prior to final approval.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

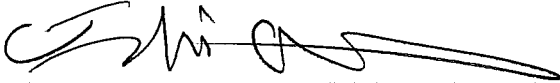
COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

7. The addresses shall be clearly visible from both directions at the County Road for all properties.
8. The Fire Department access road shall be capable of supporting 75,000 lbs in all weather, be 20' wide, provide 13'6" vertical clearance and provide for adequate turn-around for fire department apparatus.
9. Please see the attached comments from Kittitas County Department of Public Works for plat notes and further issues that shall be addressed prior to final approval.
10. All conditions of the Road Variance (RV-08-22) issued by the Department of Public Works shall be conditions of this Short Plat.

Approval of the Mr. Rogers Short Plat may be appealed to the Kittitas County Board of Commissioners upon request of any aggrieved party within 10 working days, and shall accordingly be eligible for final administrative approval after August 28, 2008. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until so filed. If you have any questions, please do not hesitate to contact our office.

You may appeal this determination pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$500 to the Kittitas County Board of Commissioners (205 W. 5th, Room 108) by August 28, 2008 at 5:00p.m.

Sincerely,



Trudie Pettit
Staff Planner

CC: Michael & Dottie Rogers
Required parties (KCC 15A)



RECEIVED

JUN 18 2008

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
KITITAS COUNTY
GOV

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

June 17, 2008

Trudie Pettit
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Dear Ms. Pettit:

Thank you for the opportunity to comment on the short plat of approximately 4.89 acres into 3 lots, proposed by Michael and Dottie Rogers [SP-08-00023]. We have reviewed the application and have the following comments.

Water Resources

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in your area becomes limited your use could be curtailed by those with senior water rights.

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than .5 acre of lawn and garden are irrigated.

The Attorney General's opinion suggests that caution should be used in finding developments to be exempt from needing a water right permit if the possibility exists that the development of the project will result in the ultimate withdrawal of water in excess of 5,000 gallons per day or the irrigation of more that .5 acre of lawn and garden.

With the Supreme Court's guidance on the limitations of groundwater exemptions, all lots within this proposed subdivision would be covered by a single groundwater exemption provided this development is not part of a larger project.



To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. Water use data should be recorded by the property owner of the well monthly. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions. For metering information, please contact Ken Schuster at (509) 454-4263.

To comply with irrigating up to 0.5 acre of lawn and garden, Ecology recommends requiring property covenants for each lot to limit the amount of the lawn and garden to be irrigated so it adds up to the maximum allowable acreage.

The Department of Ecology encourages the development of public water supply systems, whether publicly or privately owned, to provide water to regional areas and developments.

If you have any questions concerning the Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

Water Quality

Dividing or platting of a piece of property is often the first step in a proposed development. If a subsequent individual or common plan of development exceeds 1 acre of disturbed ground in size an NPDES Construction Stormwater Permit may be required. Ground disturbance includes all utility placements and building or upgrading existing roads. The process requires going through SEPA, developing a stormwater pollution prevention plan, submitting an application and a 30 day public notice process. This may take 45-60 days. A permit and a stormwater plan are required prior to beginning ground-breaking activities. Please contact Bryan Neet with the Department of Ecology, (509) 575-2808, with questions about this permit

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012



To Protect and Promote the Health and the Environment of the People of Kittitas County

June 19, 2008

Trudie Pettit
Community Development Services

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JUN 19 2008
KITTITAS COUNTY
CDS

Dear Trudie:

Thank you for the opportunity to comment on Mr. Rogers Short Plat, SP-08-00023. In order to meet the requirements set forth by Kittitas County Public Health's Environmental Health Division the following items must be submitted:

- Soil logs for each lot where installation of a septic system is intended
- Well log for the existing well on the property.

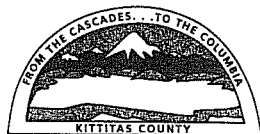
I look forward to assisting you if you have further questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Holly Myers". The signature is fluid and cursive.

Holly Myers
Environmental Health Director
Kittitas County Public Health
(509)962-7584

**Kittitas County
Public Health Department**
507 N. Nanum Street, Suite 102
Ellensburg, WA 98926
T: 509.962.7515
F: 509.962.7581



www.co.kittitas.wa.us/health/

**Environmental
Health Services**
411 North Ruby Street, Suite 3
Ellensburg, WA 98926
T: 509.962.7698
F: 509.962.7052



KITTITAS VALLEY FIRE & RESCUE

PO Box 218 • Ellensburg, WA 98926 • (509) 933-7235 • Fax (509) 962-7254 • elliotttr@kvfr.org

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JUN 25 2008

June 24, 2008

Trudie Pettit, Staff Planner
Kittitas County Community Development Services
411 N Ruby St
Ellensburg, WA 98926

KITTITAS COUNTY
CBS

Trudie:

I have reviewed the application for the Hungry Junction, Mr. Rogers, Strange Road, and Tilton Short Plats (SP-08-25, 23, 16 and 24 respectively). This information is provided for informational purposes to the developer. During development, the following issues will need to be addressed:

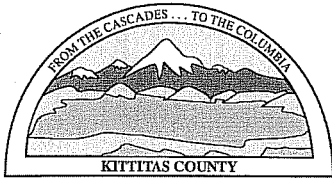
1. The addresses need to be clearly visible from both directions at the county road for all properties.
2. The fire department access road needs to be capable of supporting 75,000lbs in all weather, be 20' wide, provide 13'6" vertical clearance and provide for adequate turn-around for fire department apparatus in accordance with IFC 2006 – Appendix D.

Thank you for your time and consideration in these matters.

Respectfully,

Rich Elliott – Deputy Fire Chief
Kittitas County Fire District 2

CC – Kittitas County Fire Marshal



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Trudie Pettit, Community Development Services
FROM: Christina Wollman, Planner II CW
DATE: July 30, 2008
SUBJECT: Mr. Rogers Short Plat SP-80-23

RECEIVED
JUL 31 2008
Kittitas County
CDS

Our department has reviewed the short plat application and has the following comments:

- “Conditional Preliminary Approval”** is recommended based on the information provided. See below for conditions of preliminary approval.
- “Additional Information Requested”**. Prior to continuing the approval process for the submitted development, additional information is requested for analysis.

The following shall be conditions of preliminary approval:

1. 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 current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.
2. Easement Width: Road Variance 08-22 was approved allowing the applicant to construct the road within a 30' easement instead of the required 40' easement.
3. Private Road Improvements: Access from Judge Ronald Road to the cul-de-sac shall be constructed to meet or exceed the requirements of a High-Density Private Road that serves 3-14 tax parcels. The applicant has received a variance for easement width. See Kittitas County Road Standards, 9/6/05 edition.
 - a. 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'.
 - b. Minimum centerline radius will be 60'.
 - c. Surface requirement is for a minimum gravel surface depth of 6".
 - d. Maximum grade 8% flat, 12% rolling or mountainous.
 - e. Stopping site distance, reference AASHTO.

Page 1 of 4

- f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road 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.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road.
4. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2006 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
5. Plat Notes: The following plat note shall be included on the final plat:
- a. Entire private road shall achieve 95% compaction and shall be inspected and certified by a licensed engineer in the State of Washington specifying that the road meets current Kittitas County Road Standards prior to the issuance of building permit for this plat.
6. Joint-Use Driveway: A joint-use access shall serve no more than two tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
- a. Access easements shall be a minimum of 20' wide. The roadway width shall have a minimum width of 12'.
 - b. The surface requirement is for a minimum gravel surface depth of 6".
 - c. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - d. Any further subdivision or lots to be served by proposed access may result in further access requirements.
- Single-Use Driveway: A single-use access shall serve no more than one lot. See Kittitas County Road Standards, 9/6/05 edition.
- a. The roadway shall be a minimum of 8' wide with gravel surface.
 - b. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.

- c. Any further subdivision or lots to be served by proposed access may result in further access requirements.
7. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
8. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
9. 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.
10. 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.
11. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
12. Mailbox Placement: Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.

Current Kittitas County Road Standards, as adopted 9/6/05.

Chapter 12 – PRIVATE ROADS

12.12.010 General

Private roads shall meet the following conditions:

1. Private roads shall meet the minimum access requirements of the International Fire Code as adopted by the County, and
2. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400) 2001, as now exists or hereafter amended, and
3. Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works Director. If certification by the public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and
4. Permanently established by an easement recorded with the Kittitas County Auditor or right-of-way, providing legal access to each affected lot, dwelling unit, or business, and

5. Will not result in land locking of existing or proposed parcels, and
6. Maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and
7. Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
8. The following note shall be placed on the face of the plat, short plat, or other development authorization:

"Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel."

Please let me know if you have any questions or need further information.

ROAD STANDARDS VARIANCE REQUEST

RECEIVED
JUL 16 2008
KITITAS COUNTY
CDS

MR. ROGERS ROAD VARIANCE 08-22

Findings of Fact:

The applicants have applied to short plat property on Judge Ronald Road approximately 1000' west of Wilson Creek Road. The short plat will create 3 lots with an average lot size of 1.62 acres. A 40' easement is required. The subject property is a flag lot with a 30' wide by 330' long stem leading to the county road, which makes a 40' easement impossible without receiving an easement from neighboring property.

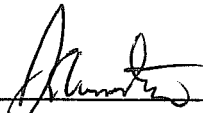
The applicant states they will be able to construct a road that meets all road standards within the 30' easement.

Conditional Approval

Denial

Conditions of Approval:

Road may be constructed within the 30' easement and shall meet all other requirements of Kittitas County Road Standards.



Public Works Director

7-16-08

Date

APPEAL

Date Appealed: _____

Board of County Commissioners Hearing Date: _____