

# KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

## MEMORANDUM

TO: Community Development Services  
FROM: Christina Wollman, Planner II *aw*  
DATE: April 24, 2009  
SUBJECT: No 6 Road Short Plat SP-09-00003

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. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed prior to the issuance of a building permit for any of the residence within this plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
2. 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.
3. Access: The access onto the County road shall be shown clearly on the face of the plat.
4. Private Road Improvements: Access from No. 6 Road to the cul-de-sac shall be constructed to meet or exceed the requirements of a Low-Density Private Road. See Kittitas County Road Standards, 9/6/05 edition.
  - a. Access easements shall be a minimum of 60' 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'.

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- c. The surface requirement is for a minimum gravel surface depth of 6”.
  - d. Maximum grade is 12%.
  - e. Stopping site distance, reference AASHTO.
  - 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 of county road.
  - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right of way.
5. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or 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.
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: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements 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.



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

April 24, 2009

Jeff Watson, Staff Planner  
Community Development Services  
411 N Ruby Street, Suite 2  
Ellensburg, WA 98926

Dear Mr. Watson,

Thank you for the opportunity to comment on the No. 6 Road Short Plat, SP-09-00003. Pursuant to the Memorandum of Agreement between Kittitas County and the Washington State Department of Ecology all residential well connections serving the proposed lots shall be required to have meters installed. Metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements. The requirement to meter only applies if you rely upon the RCW 90.44.050 exemption from permitting through ecology.

The final plat notes shall include the following two statements:

*"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. "*

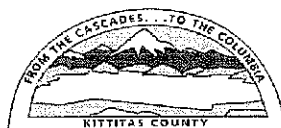
**AND**

*"Metering will be required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements."*

The Public Health Department's recommendation shall state that final approval be conditioned upon the developer/owner of the plat providing proof of water availability. Water availability can be provided through several different ways depending on the source of water proposed.

If a public water system is proposed for the plat, the public water system information shall be submitted and reviewed by Kittitas County Public Health Department or Washington State Department of Health which includes final issuance of the well ID number to meet the water availability requirement for plat approval.

**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/](http://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



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

If individual wells are proposed for the parcels and there is an existing well located on the plat, a well log from Washington State Department of Ecology will meet the water availability requirement. If there is not an existing well on the plat, then a **water availability report** with documentation and evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted for review.

At this time the application does not contain sufficient information to make a determination of adequate water availability or soil assessment to determine the land area is suitable for onsite sewage systems. The above mentioned items need to be submitted to the Public Health Department in order for the plat application to be recommended for approval.

If you should have any further questions please don't hesitate to contact me by phone 509-962-7005 or email [james.rivard@co.kittitas.wa.us](mailto:james.rivard@co.kittitas.wa.us).

Sincerely,

A handwritten signature in cursive script that reads "James Rivard".

James Rivard  
Environmental Health Supervisor  
Kittitas County Public Health Department

**Kittitas County  
Public Health Department**  
507 N. Nanum Street, Suite 102  
Ellensburg, WA 98926  
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Confederated Tribes and Bands of the Yakama Nation  
Established by the Treaty of June 9, 1855

Post Office Box 151  
Toppenish Washington 98948



Dan Valoff  
Kittitas County Community Development Services  
411 North Ruby Street, Suite 2  
Ellensburg, Washington 98926

March 30, 2009

RE: No. 6 Road Short Plat, SP-09-00003

Dear Mr. Valoff,

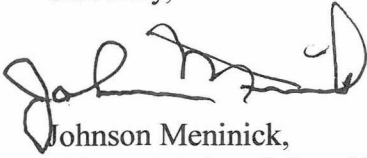
Thank you for contacting the Yakama Nation Cultural Resource Program regarding the short-plat listed above. The location of this short-plat falls within the ceded lands of the Yakama Nation, the legal rights to which were established by the Treaty of 1855, between the Yakama Nation and the United States Government. This Treaty defined the ceded lands of the Yakama Nation as the usual and accustomed areas utilized by the ancestors of the Yakama People for gathering foods and medicines, as well as for ceremonial purposes. Today, these lands and their resources continue to play a central role in the practice of traditional lifeways for the members of the Yakama Nation, and will continue to do so in the future.

Project documentation indicated that the proposed development consists of a 4-lot short-plat on approximately 41.98 acres of land located west of No. 6 Road, in Ellensburg, Washington, within a portion of Sections 29 and 30, T17N R19E. The Yakama Nation Cultural Resource Program staff has reviewed the short-plat in terms of its potential for adverse impacts to environmental resources, sacred areas, traditional cultural properties, and archaeological sites. In doing so, we have identified Wilson Creek and Yakima Canyon, areas well known to the Yakama Nation as places of resource gathering, home-sites, as well as burial sites and places of spiritual significance. Furthermore, review of the Washington State Department of Archaeology and Historic Preservation cultural site database indicated the presence of several historic sites within just over one mile of the subject property, as well as a Native American burial site KT204, within less than one mile.

Given the close proximity of the above mentioned archaeological/cultural sites, there exists a heightened potential to encounter additional and previously undocumented cultural resources at the proposed short-plat location. Therefore, we recommend that a professional cultural resource investigation be conducted prior to the commencement of any groundbreaking activities, and should include surface-survey, subsurface testing, and historical documentation of the project area. Based on the findings of the investigation, additional measures may be necessary in order to protect cultural resources during any type of ground disturbing activities related to the short-plat.

Please feel free to contact me at 509-865-5121 ext. 4737, or tribal archaeologist Jessica Lally at ext. 4766, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Johnson Meninick', written in a cursive style.

Johnson Meninick,  
Yakama Nation Cultural Resources Program Manager

CC: Gretchen Kaehler, Assistant State Archaeologist, Washington State Department of  
Archaeology and Historic Preservation (DAHP)

Kate Valdez, Yakama Nation Tribal Historic Preservation Officer (THPO)





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

April 10, 2009

Dan Valoff  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Dear Mr. Valoff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the short plat of approximately 41.98 acres into 4 lots, proposed by Randy Fiorito, George Bender and John Derocco [SP-09-00003]. We have reviewed the documents 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.



Mr. Valoff  
April 10, 2009  
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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 than .5 acre of lawn and garden.

**This project is subject to WAC 173-539A. Source meter(s) must be installed at the point(s) of withdrawal in compliance with WAC 173-173-100. Metering and reporting will be required in compliance with 173-539A-070.**

There is a concern about irrigation with a single groundwater exemption, which only allows up to ½ acre. With the proposed lot size, irrigation could easily be over 0.5 acre. If irrigation water is available through an irrigation district, know that the water purveyor is responsible for ensuring that the proposed use(s) are within the limitations of its water rights. If the proposal's actions are different than the existing water right (source, purpose, the place of use, or period of use), then it is subject to approval from the Department of Ecology pursuant to Sections 90.03.380 RCW and 90.44.100 RCW.

However, if irrigation water is not available through an irrigation district, Ecology encourages the use of covenants to help property owners stay within the groundwater exemption criteria until a valid water right is obtained for irrigation. For metering information, please contact Ken Schuster at (509) 454-4263. **The key element will be to obtain valid irrigation rights.**

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

Sincerely,



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