



FINDINGS OF FACT

Dicken Luft Short Plat

File Number SP-09-00013

Pursuant to RCW 58.17.195, the Kittitas County Community Development Services Department formally establishes the following Findings of Fact:

- 1. The Dicken Luft Short Plat (SP-09-00013) has satisfied all current subdivision and zoning requirements. This short plat has been reviewed and approved in conformance with the Kittitas County Subdivision (Title 16) and Zoning (Title 17) Codes.**
- 2. A notice of application for the Dicken Luft Short Plat (SP-09-00013) was mailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A)**
- 3. The applicant has demonstrated to the satisfaction of the County Environmental Health Director the availability of potable water supplies.**
- 4. The applicant has demonstrated that sewage disposal will be provided by individual septic systems.**
- 5. The applicant has demonstrated to the County Public Works Department that the access provisions are in the interest of public safety and general welfare.**
- 6. A statement indicating the County's intent to approve this short plat was mailed to parties of record on February 22, 2010.**
- 7. The Dicken Luft Short Plat (SP-09-00013) is located on land zoned Commercial Agriculture; a plat note has been attached reading the following: "The subject property is within or near designated resource lands of long-term commercial significance on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state, and federal laws are not subject to legal action as public nuisances (RCW 7.48.305).**
- 8. The subject property contains areas designated on FEMA Flood Insurance Rate Map panel 5300950558B as having a 1% or greater annual chance of flooding. Any development within these areas shall be subject to all applicable Federal, State, and County regulation. Kittitas County flood damage prevention code (KCC Chapter 17A.05; Ord. 93-18 by reference) requires any development within this area to obtain a permit. Flood insurance may be required for any structures on the subject properties.**
- 9. 10. Both lots of the Dicken Luft Short Plat have a L10WHX wetland across the west end of the property. The final mylars reflect the location of this wetland and a statement on the plat reads as follows: "Future development of lots may require a study by a certified wetland biologist to determine wetland classification and for buffer requirements pursuant to KCC Critical Areas Code."**
- 10. The County GIS indicates that these parcels lie within the Ellensburg Water Company**

Irrigation District. County staff has affirmed through representatives of EWC and Bull Ditch that neither irrigation entity provides service to the subject parcels.

- 11. The Dicken Luft Short Plat (SP-09-00013) has exhausted the use of the one-time split provision allowed per Kittitas County Code. No further one time splits are allowed for the subject parcels and subsequent parcels created via this short plat.**
- 12. 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.**
- 13. All development within the Dicken Luft Short Plat (SP-09-00013) must comply with International Fire Code.**

Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until officially filed.

Approved

This 19th Day of February, 2013

A handwritten signature in black ink that reads "Robert 'Doc' Hansen". The signature is written in a cursive style with a horizontal line underneath the name.

Robert "Doc" Hansen, Planning Official