

Notice of Decision

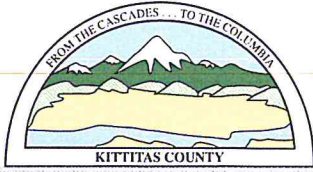
Mitchell Short Plat
(SP-16-00001)

Notice is hereby given that on July 15, 2016, conditional preliminary approval was granted to Ron and Deborah Mitchell, landowners, for a short subdivision of 81.14 acres into three 20 acre lots and one 21.14 acre lot. The subject property is located approximately 8 miles east of the City of Cle Elum at 820 Hidden Valley Terrace Road, in a portion of Section 31, T20N, R17E, WM in Kittitas County, bearing Assessor's map number 20-17-31050-0004.

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$750.00 to the Kittitas County Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. The appeal deadline for this project is:

July 29, 2016 at 5:00p.m.

Original short plats, comments, approval documentation, and other related information may be examined during the business hours at the Kittitas County Community Development Services Department, 411 N. Ruby Suite 2, Ellensburg, WA 98926 or on line at: www.co.kittitas.wa.us/cds/land-use/default.aspx.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

July 15, 2016

Ron and Deborah Mitchell
P.O. Box 695
Cle Elum WA 98922

RE: Mitchell Short Plat (SP-16-00001)

Dear Mr. and Mrs. Mitchell,

Kittitas County Community Development Services has determined that the Mitchell Short Plat (SP-16-00001) is compliant with the Comprehensive Plan and Kittitas County Code (KCC) and hereby grants preliminary approval.

CONDITIONS OF APPROVAL

The following conditions shall be met prior to final Short Plat Approval:

1. Both sheets of the final mylars shall reflect short plat number SP-16-00001 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 Short Plats (KCC16.32), 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.**
2. 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.
3. The current year's 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).
4. The Mitchell Short Plat (SP-16-00001) and all future development, construction, and improvements shall conform to all of the provisions and requirements of KCC Title 12. Please see the attached comment letter from Kittitas County Public Works dated June 6, 2016 for specific requirements related to Title 12. Paved aprons are not required when the access connects to dirt or gravel roads (Condition 5-j).
5. The Mitchell Short Plat (SP-16-00001) and all future development, construction, and improvements shall conform to all of the provisions and requirements of KCC Title 13. Please see the attached comment letter from Kittitas County Public Health dated May 20, 2016 for specific requirements related to Title 13.
6. The Mitchell Short Plat (SP-16-00001) and all future development, construction, and improvements shall conform to all of the provisions and requirements of KCC Title 20 and the International Fire Code (IFC). Please see the attached comment letter from the Kittitas County Fire Marshal dated May 27, 2016 for specific requirements related to Title 20 and the IFC.

7. A potential wetland exists on lot 4D of the Mitchell Short Plat **which shall be depicted on the face of the final plat**. Any future development, construction, or improvements which are proposed to occur within 200 feet of said wetland will require a wetland assessment by a certified wetland biologist to determine whether a wetland exists, if so what type it is, and any appropriate and buffers or mitigation measures.
8. The Kittitas County GIS shows a Type 9 stream traversing lot 4B **which shall be depicted on the face of the final plat**. Any future development, construction, or improvements which are proposed to occur within 15 feet of said stream will require a riparian assessment to determine whether a stream exists, if so the type of stream, and any appropriate buffers or mitigation measures.

REQUIRED PLAT NOTES

The following plat notes shall be recorded on the final mylar drawings:

1. 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.
2. All development must comply with International Fire Code.
3. The subject property is within or near designated natural resource land 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)
4. 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 and formally adopted by the Kittitas County Board of County Commissioners.
5. Maintenance of the access is the responsibility of the property owners who benefit from its use.
6. 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.
7. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
8. 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 5 feet on each side of interior lot lines. Said easement may also be used for irrigation.
9. 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.
10. A potential wetland exists on lot 4D of the Mitchell Short Plat. Any future development, construction, or improvements which are proposed to occur within 200 feet of said wetland will require a wetland assessment by a certified wetland biologist to determine whether a wetland exists, if so what type it is, and any appropriate and buffers or mitigation measures.
11. The Kittitas County GIS shows a Type 9 stream traversing lot 4B; any future development, construction, or improvements which are proposed to occur within 25 feet of said stream will require a riparian assessment to determine whether a stream exists, if so the type of stream, and any appropriate buffers or mitigation measures.
12. The placement of buildings and structures on or adjacent to ascending or descending slopes steeper than 1 unit vertical in 3 units horizontal (33.3-percent slope) shall conform to the building setback requirements of current adopted building codes (IRC Section R403.1.7 and IBC Section 1805.3.1). Alternate setbacks and clearances are permitted, subject to the approval of the building official. The building official is permitted to require an investigation and recommendation of a qualified engineer to demonstrate the requirements necessary to construct a building on or

adjacent to ascending or descending slopes. Such an investigation shall include consideration of material, height of slope, slope gradient, load intensity and erosion characteristics of slope material.

13. The Kittitas County GIS shows that a "deep-seated rotational" landslide occurred in part on the southern half of the Mitchell Short Plat at an undocumented time. Current and future property owners are encouraged to take proportionate precautions and conduct appropriate studies based on the magnitude of any proposed development.

SUPPLEMENTAL INFORMATION

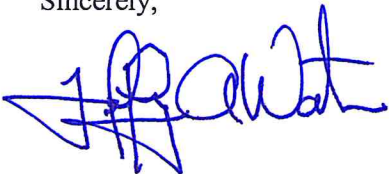
The applicant and/or all future owners of any lot or lots within this subdivision should be cognizant of the following:

1. Kittitas County contains a substantial quantity of cultural and archaeological materials. Should ground disturbing or other activities related to the proposed short plat or its future development 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 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. Prospective purchasers of lots are urged to make inquiries at the Kittitas County Department of Public Works regarding road and access development requirements and permits.
3. The State of Washington has an open range law (RCW 16.24.010.). The Mitchell Short Plat is currently not under a Stock Restricted Area designation; all territory not so designated shall be range area, in which it shall be lawful to permit cattle, horses, mules, or donkeys to run at large.
4. Landowners are responsible for controlling and preventing the spread of noxious weeds (RCW 17.10.140). Accordingly, the Kittitas County Noxious Weed Board recommends immediate reseedling of areas disturbed by development to preclude the proliferation of noxious weeds.

This preliminary approval of the Mitchell Short Plat (SP-16-00001) may be appealed to the Kittitas County Board of Commissioners upon request of any aggrieved party with standing within 10 working days. In the absence of such an appeal it shall accordingly be eligible for final administrative approval. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed finalized until so filed. If you have any questions, please do not hesitate to contact our office.

Any aggrieved party with standing may appeal this determination pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$750 to the Kittitas County Board of Commissioners (205 W. 5th, Room 108) by July 29, 2016 at 5:00p.m.

Sincerely,



Jeff Watson
Staff Planner

CC: Traci Shallbetter (via email)
Cruse and Associates (via email)
Required parties (per KCC 15A; via email or USPS)



KITTITAS COUNTY FIRE MARSHAL'S OFFICE

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

Office (509) 962-7657 Fax (509) 962-7682

May 27, 2016

Jeffery Watson
Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Re: Mitchell (SP-16-00001)

Dear:

After conducting a review of the above named project, I have the following comments:

- The driveway(s) for the new property must comply with Kittitas County Code, i.e. any driveway greater in length than 150' shall be no less than 16 feet in width.
- The addresses shall be posted at the front of the property and easily visible from the road to emergency responders.
- Any new structures or substantial development to existing structures will require compliance with the Wildland Urban Interface Code. The lots will not be able to mitigate out of the residential sprinkler requirement due to location.
- All future development must comply with the International Fire Code.

Any questions or concerns regarding fire service features may be directed to the Kittitas County Fire Marshal's Office at 509-962-7000.

Sincerely,

Josh Hink
Fire Marshal

Jeff Watson

From: Holly Duncan
Sent: Wednesday, May 18, 2016 2:28 PM
To: 'Mau, Russell E (DOH)'; Jeff Watson
Cc: Holly Myers; Serr, Ben A (DOH)
Subject: RE: Notice of Application: SP-16-00001 Mitchell

That is the plan. I just did a well site inspection for the approval of a Group B well to serve the project.

From: Mau, Russell E (DOH) [<mailto:Russell.Mau@DOH.WA.GOV>]
Sent: Wednesday, May 18, 2016 11:02 AM
To: Jeff Watson
Cc: Holly Duncan; Holly Myers; Serr, Ben A (DOH)
Subject: RE: Notice of Application: SP-16-00001 Mitchell

Mr. Watson:

DOH ODW (Office of Drinking Water) agrees with applicant statement for Item 9 on Page 3 of 3 of the "General Application Information" portion of the submittal – drinking water will be a Group B water system.

This is a single "project" and should be served via a water system, instead of individual wells.

Thanks,

Russell E. Mau, PhD, PE
Regional Engineer
Department of Health, Office of Drinking Water
16201 East Indiana Avenue, Suite 1500, Spokane Valley, WA 99216
Desk: 509-329-2116
Fax: 509-329-2104
Russell.Mau@DOH.WA.GOV

Public Health - Always Working for a Safer and Healthier Washington

Visit our web site at www.doh.wa.gov/ehp/dw

From: Jeff Watson [<mailto:jeff.watson@co.kittitas.wa.us>]
Sent: Wednesday, May 18, 2016 10:43 AM
To: Lisa Iammarino; Myers, Holly (DOHi); Lisa Lawrence; Patti Johnson; Kelly Bacon; Candie M. Leader; 'jessica@yakama.com'; 'jmarvin@yakama.com'; 'johnson@yakama.com'; 'enviroreview@yakama.com'; ECY RE SEPA REGISTER; ECY RE SEPA REGISTER; Clear, Gwen (ECY); Reed, Catherine D. (ECY); Renfrow, Brent D (DFW); Downes, Scott G (DFW); Nelson, Jennifer L (DFW); SEPA (DAHP); Kaehler, Gretchen (DAHP); 'Jan Jorgenson (jorgenja@cwu.edu)'; 'nelmsk@cwu.edu'; Michael Flory; Lou Whitford; Amber Green; Steph Mifflin; Mau, Russell E (DOH); Serr, Ben A (DOH); HAZLETT, LINDA (DNR); PRESTON, CINDY (DNR); DNR RE AQ LEASING RIVERS; 'Allison Kimball (brooksideconsulting@gmail.com)'; 'cid@fairpoint.net'; 'Joanna Markell (jmarkell@kvnews.com)'; 'Knaub, Deborah J NWS (Deborah.J.Knaub@usace.army.mil)'; Josh Hink; 'office@kcf7.com'; 'wargog@cersd.org'; 'montgomeryr@cersd.org'
Cc: Doc Hansen
Subject: Notice of Application: SP-16-00001 Mitchell

[SP-16-00001 Mitchell](#) (Hyperlink to On-Line file)

[SP-16-00001 Mitchell](#) (Hyperlink to County Network File)

NOTICE OF APPLICATION:

Kittitas County Community Development Services has received the above referenced application for a 4 lot short plat up in the Swauk\Hidden Valley area. See attached documentation for additional information or use one of the hyperlinks above to access the on-line or network file. Comments within the body of an email are encouraged but may be sent as attachment or via USPS as a hard copy.

COMMENTS DUE BY 6/2/2016 AT 5 PM

Jeffrey A. Watson
Planner II
[Community Development Services](#)
411 North Ruby
Ellensburg WA 98926
jeff.watson@co.kittitas.wa.us
509-933-8274

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

Jeff Watson

From: Holly Myers
Sent: Tuesday, May 24, 2016 4:40 PM
To: Jeff Watson
Subject: SP-16-0001 Mitchell short plat
Attachments: SP-16-0001 Mitchell short plat.odt

Follow Up Flag: Follow up
Flag Status: Completed

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14



Subdivision PH Comments

To: Jeff Watson

From: Holly Myers, Environmental Health Supervisor

Date: 05/20/16

RE: SP-16-0001 Mitchell

Thank you for the opportunity to comment on the above mentioned [SP-16-0001](#) regarding water and septic requirements to comply with Kittitas County Public Health requirements. The following items must be addressed *prior to final plat approval*: Proof of water adequacy includes a well log or 4 hour draw down test and a mitigation certificate for each proposed lot. Site evaluations for Onsite Septic Systems must be completed at the frequency of one soil log per lot. (KCC 13.04.090 (1(f)).

Specific Conditions: Prior to final plat approval, the group B system must be installed and include proof of water mitigation for all 4 lots within this plat.

WATER

All persons who are making applications for land use including, but not limited to, short plats must comply with KCC Chapter 13.35.027 per KCC Chapter 13.35.020 Adequate Water Supply Determination.

Chapter 13.35.027

1. All new uses of ground water shall require either:
 - 1) A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
 - 2) An adequate water right for the proposed new use; or
 - 3) A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank. No new use to which this chapter is applicable shall be approved without one of these required submissions.
2. All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in [WAC 173-539A-030](#) and otherwise demonstrate how the proposed new use will not violate [RCW 90.44.050](#) as currently existing or hereafter amended.
3. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under [Title 18 KCC](#).

16.20.040 Plat drawing.

The plat drawing shall contain all the following requirements:

Well location. The drawings shall be marked with a "w" indicating location of the well and a broken line showing the one hundred foot radius around such.

WELL LOCATION

All wells must meet the distance requirement of 50 feet from the property line, 50 feet from the septic tank and 100 feet from the drain field as per Kittitas County Critical Areas Ordinance 17A.08.25, and KCC Chapter 13. If existing wells do not meet the setback requirement from property lines, the two adjoining parcels nearest the well must enter into a legal, shared well-users agreement.

ON SITE SEWAGE

16.20.030 Existing conditions – (7) Except for administrative segregations, one soil log shall be performed and information recorded for each lot within the proposed subdivision. Soil logs shall be in accordance with WAC 246.272A.

Since the type of soil and water source supplying the property can ultimately determine the minimum lot size, it is recommended that soil logs be conducted early in the plat planning process.

REQUIRED PLAT SIGNATURE BLOCK

16.24.210 Certificate of county health officer.

A note on any approved plat shall contain the following note:

I hereby certify that the plat has been examined and conforms with current Kittitas County Code Chapter 13.

Dated this day of _____, A.D., 20____.
Kittitas County Health Officer

(Ord. 2014-015, 2014; Ord. 2005-31, 2005)

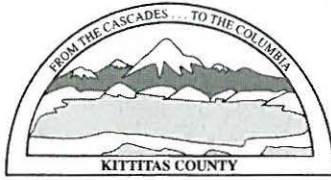
REQUIRED PLAT NOTES

16.12.020 Unless otherwise specified, information required below may be placed on either sheet one or subsequent sheets or on all sheets as necessary. A statement attesting to the sewage disposal, potable water supply, and drainage improvements for the proposed subdivision.

“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.”



Sincerely, Holly Myers, Environmental Health Supervisor



KITTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Community Development Services

FROM: Kelly Bacon, Engineer Technician I *KB*

DATE: June 6, 2016

SUBJECT: Mitchell Short Plat SP-16-0001

The following shall be conditions of preliminary approval:

1. Transportation Concurrency: Applicant needs to submit their application for Transportation Concurrency to the Department of Public Works.
2. 20' Private Access Easement: The intent of this access easement needs to be specific to lot 4C. Lot 4D will need to come directly off of the 60' Easement Q of Bk 18 pgs 196-200. If the applicant chooses to make the private access easement a shared easement, the easement will need to meet the joint use access requirements.
3. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 12/15/15. The following conditions apply and must be completed prior to final approval of this project. A performance guarantee may be used, in lieu of the required improvements, per the conditions outlined KCC 12.01150.
4. 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, 12/15/15 edition. Kittitas County Public Works shall require this road certification to be completed prior to final approval of the project. If a performance guarantee is used in lieu of the required improvements, the private road shall be constructed and certified to comply with the minimum requirements of the International Fire Code prior to issuance of a building permit.
5. Private Road Improvements: Access from Emerick Road shall be constructed as a Low-Density Private Road. See Table 4-4, current Kittitas County Road Standards, 12/15/15 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'.
 - c. The surface requirement is for a minimum gravel surface depth of 6".
 - d. Maximum grade is 10%.

Page 1 of 3

- e. Stopping site distance, reference AASHTO.
 - f. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - g. 20' Private Access Easement: The intent of this access easement needs to be specific for lot 4C. Lot 4D will need to come directly off of the 60' Easement Q of Bk 18 pgs 196-200. If the applicant chooses to make the private access easement a shared easement, the easement will need to meet the joint use access requirements Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - h. 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.
 - i. All easements shall provide for AASHTO radius at the intersection of county road.
 - j. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right of way.
6. Driveways: A driveway shall serve no more than two tax parcels. See Kittitas County Road Standards, 12/15/15 edition.
- a. New access easements shall be a minimum of 30' wide. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150', or 16' if the length of the driveway is more than 150'.
 - b. Maximum grade shall be 15%.
 - c. Crushed surface depth per WSDOT standards.
 - d. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - e. Any further subdivision or lots to be served by proposed access may result in further access requirements.
7. Plat Notes: Plat notes shall reflect the following:
- a. 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 and formally adopted by the Kittitas County Board of County Commissioners.
 - b. Maintenance of the access is the responsibility of the property owners who benefit from its use.
 - c. 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.
 - d. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.

- e. 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 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation
8. Plat Approvals: All plats must show the acceptance signature of the County Engineer. The acceptance block shall be as follows (per KCC 16.24.170):

EXAMINED AND APPROVED
This ____ day of ____, A.D., 20__.

Kittitas County Engineer

9. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
10. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
11. 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.
12. 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.
13. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
14. 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.