

Haybrook LP-22-00003 Compliance Document

3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
4. Public use and interest will be served by approval of this proposal.
5. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 17B Shorelines, Title 15 Environmental, Title 12 Roads and Bridges and Title 20 Fire & Life Safety.
6. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. DECISION

Based on the above Findings of Fact and Conclusions of Law, LP-22-0003 – Haybrook Land Holdings, LLC, Long Plat is hereby **APPROVED** subject to the following Conditions of Approval.

IV. CONDITIONS OF APPROVAL

All Conditions of Approval shall apply to the Applicant, and the Applicant's heirs, successors in interest and assigns.

1. The project shall proceed in substantial conformance with the plans and application materials on file submitted on June 24, 2022 except as amended by the conditions herein.

Building

2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. 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.
4. If natural gas is desired for this development, the applicant must work with and get approval from the City of Ellensburg's Gas Division to coordinate construction and layout of gas facilities.
5. All structures will need to be permitted and built to the current Kittitas County adopted building codes at the time of construction.

Roads and Transportation

6. Road Standards: This application is subject to the latest revision of the Kittitas County Road Standards, dated 12/15/2015. A performance guarantee may be used, in lieu of the required improvements, per the conditions outlined in KCC 12.01.150.
 - 6.1 Driveways:

Noted

Noted

- 6.1.1 A driveway shall serve no more than four tax parcels. See Kittitas County Road Standards, 2015 edition.
- 6.1.2 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'.
- 6.1.3 Driveways longer than 150' in length are required to provide a Fire Apparatus Road Turnaround meeting the requirements of appendix D in the International Fire Code.
- 6.1.4 Maximum grade shall be 10%
- 6.1.5 Crushed surface depth per WSDOT standards.
- 6.1.6 Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.

Noted

6.2 Urban Growth Area (UGA):

- 6.2.1 Roads proposed within the UGA shall conform and support the road system or grid, Transportation Plan and Comprehensive Plan of the City of Ellensburg.
- 6.2.2 Roads constructed within the UGA shall comply with the road standards of the City of Ellensburg or Kittitas County Road Standards after a joint review decision by the City of Ellensburg Public Works and Kittitas County Public Works Departments. The City of Ellensburg shall have final approval of the road alignments and geometry.
- 6.2.3 Utilities constructed within the UGA shall comply with requirements of the City of Ellensburg.

6.3 Other:

- 6.3.1 If over 100 cubic yards of material are displaced during construction, a grading permit shall be required. If over 500 cubic yards, an engineered grading permit shall be required. If the applicant plans on applying for final plat prior to building, a bond for construction shall be required
- 6.3.2 Prior to the final platting process, a Civil Review of the plans will be required by Public Works. If the applicant is getting an engineered grading permit, the Civil Review will be included in the permit
- 6.3.3 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

- 6.3.4 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.

Noted

- 6.3.5 Mailboxes must be approved the U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.
- 6.3.6 All accesses and roads need to be compliant with the 2018 IFC including Appendix D.

Survey

- 7. Engineer and Surveyor of Record shall be on final plat.
- 8. A Title Report shall be submitted and the legal description on the Title Report shall match the legal description on the final plat.
- 9. Controlling corners shall be noted, and property corners set.
- 10. The boundaries along Wilson Creek shall be delineated
- 11. Access easements shall be labeled and the new access easement outside the plat boundaries shall be dedicated via separate easement
- 12. Lot Closures shall be submitted. Computer sheets shall be submitted with the final plat showing the closure of plat boundaries, blocks, lots or any tract. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.

Water/Sewer

- 13. In accordance with KCC 13.35.027, the applicant shall provide one of the following documents before final plat approval:

- 13.1 A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use
- 13.2 An adequate water right for the proposed new use
- 13.3 A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.

- 14. 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.
- 15. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.
- 16. In accordance with KCC 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.

17. A group B water system must be installed and approved with a state ID# issued. A well site inspection must be performed by the Kittitas County Public Health Department prior to drilling the well. Mitigation for the 9 proposed lots must be provided.
18. Any Ground Water withdrawals over 5,000 gallons per day shall require authorization from the Department of Ecology.

Other

- Noted {
19. Applicant must meet all state and federal regulations
 20. Taxes must be paid in full on all tax parcels involved in this land use actions as required by Washington State Law (RCW 84.40.042 & 84.56.345) prior to final plat recording
 21. The applicant shall provide evidence to CDS of project consistency with KRD General Subdivision Guidelines prior to final approval.
 22. All sheets of the final mylars shall reflect plat number LP-22-00003 and an accurate legal description shall be shown on the face of the final plat. Engineers and Surveyors need to cognizant 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 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.
 23. Any work done within 200 feet of the Ordinary High Water Mark (OHWM) that is subject to the County's Shoreline Master Program (SMP) shall obtain shoreline permits from the county and any state or federal agency prior to starting work.

Plat Notes

- See Plat Map {
24. The following plat notes shall be recorded on the final mylar drawings:
 - 24.1 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.
 - 24.2 All development must comply with International Fire Code.
 - 24.3 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.

See
Plat
Map

- 24.4 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.
- 24.5 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.
- 24.6 Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- 24.7 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.
- 24.8 A hydrant system, or other system as approved by the Fire Marshal, shall be installed and operational to support required fire flow before building permits are issued.
- 24.9 The subject property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibrations, or odors). Individual sensitivities to those annoyances can vary from person to person.
- 24.10 The property is located within the Airport Overlay Zoning District in which a variety of airport aviation activities occur. Such airport aviation activities may impact the use of your property.

In addition to the conditions noted above, the following MDNS conditions shall also apply:

Noted

- 25. Critical Areas:
 - 25.1 All final surveys shall include denotation of Wilson Creek and it's 100' buffer.
 - 25.2 All final surveys shall include denotation of boundary of the 100-year floodplain and floodway.
- 26. Cultural Resources:
 - 26.1 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.

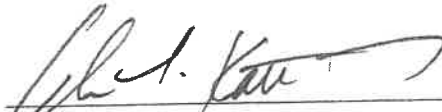
27. Hearing Examiner:

Noted

- 27.1 The Applicant shall have prepared a Cultural Resource Survey on the subject property prior to any ground disturbance activities. Further, the Applicant shall comply with all recommendations set forth within the Cultural Resource Survey.
- 27.2 The reason why the Hearing Examiner is setting this Condition of Approval is because in the SEPA Environmental Checklist, Section 13(c) and (d), the Applicant stated that it was "not applicable" for the Applicant to describe methods used to assess potential cultural impacts on or near the project site. The Applicant further stated, that it was "not applicable" for the Applicant to take measures to avoid or minimize disturbance to cultural resources.
- 27.3 The Hearing Examiner further sets this condition based upon the comment from the Washington State Department of Archeology and Historic Preservation (DAHP), that indicates that there is a high probability of the Applicant encountering cultural resources within the proposed project area. DAHP indicates that identification of cultural artifacts during construction is not a recommended detection method. This letter from DAHP was not challenged by the Applicant.

Dated this 26th day of September, 2022.

KITTITAS COUNTY HEARING EXAMINER



Andrew L. Kottkamp

This Decision is subject to appeal pursuant to the Kittitas County Code and the Revised Code of Washington.