

Re: Applicant comment for the record public hearing LP-22-00003 Haybrook Farm Phase 3

September 20, 2022

Dear Hearing Examiner

As applicant, I submit the following comments.

1. Application LP-22-00003 Haybrook Farm Phase 3 was deemed complete on June 24, 2022. Any vested rights under Washington law attach on the date of complete application.
2. I enclose notice decision for Haybrook Farms Phase 1 & Phase 2. Both short plats are adjacent to Haybrook Farms Phase 3 and form a common boundary to Haybrook Farms Phase 3 on its western boundary. Both are within the City of Ellensburg UGA and the Zone 3 airport overlay with density limited to 1 DU/Acre. Both are nearly identical, so I will comment on Phase 2. Please review the highlighted portions in particular part as follows:

Page 1 Administrative Review, Page 2 Zoning & Development Standards in particular paragraph 2, Page 3 Staff Conclusions, Page 3 Comprehensive Plan Consistency Statement, Page 4 Consistency Statement, Page 4 VI Agency comments note only city gas department responded, Page 6 Staff Response from Kittitas County Public Works references county road standards, Page 7 consistent as submitted to KCC 17.11 UGA, Page 7 consistent KCC 16.32.050 short plat, KCC Title 12 Roads and Bridges (note the City of Ellensburg has no code or ordinance mandating city development standards on unincorporated lands in the UGA not requiring urban city utilities that have always been developed on well & septic tanks and built to county road standards, Page 9 Notice of Application mailed to the City of Ellensburg with no response except city gas department, Page 8 #8 short plat consistent with KCC 16.32.050, Page 9 short plat consistent with KCC 17.11 urban growth area and KCC 12 Roads and Bridges, Page 10 road standards subject to Kittitas County road standards 12/15/15, Page 11: D, 1X never has the since Kittitas adopted KCC 2.04.040 UGA in 2015 has the city applied city development code to application in the unincorporated portion of the UGA unless it was subject to a pre annexation where the applicant requested urban utilities from the city and was able to build urban densities, unlike Zone 3 of the airport overlay where density is restricted to 1 DU/Acre.

3. KCC code 12.01.170 joint review was not done in those referenced plats. Joint review is not typical for plats in the unincorporated lands in the City of Ellensburg UGA, inside or outside the airport overlay. This is particularly relevant in Zone 3 which has density restrictions which make City of Ellensburg standards prohibitive to using city utilities. Further, city infrastructure does not exist in any of Zone 3 of

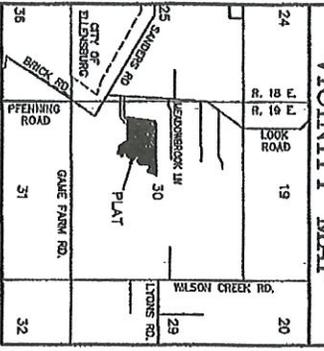
the City of Ellensburg UGA airport overlay. Therefore, it is impossible to mandate city development standards where urban densities are by code prohibited and city utilities do not exist.

Respectfully Submitted



Matt Willard  
Manager  
Haybrook Land Holding LLC

VICINITY MAP



HAYBROOK FARMS PHASE 3  
 PART OF SECTION 30, T. 18 N., R. 19 E., W.M.  
 KITITAS COUNTY, WASHINGTON  
 - PRELIMINARY PLAT -



- LEGEND
- SET 5/8" REBAR W/ "FELC CAP" - CRUSE 58615
  - FOUND PIN & CAP
  - x— FENCE
  - EASEMENT

ILLUSTRATED NOT VISITED

OWNER:  
 HAYBROOK LAND HOLDINGS LLC  
 PO BOX 1358  
 ELLENBURG, WA 98925-1358

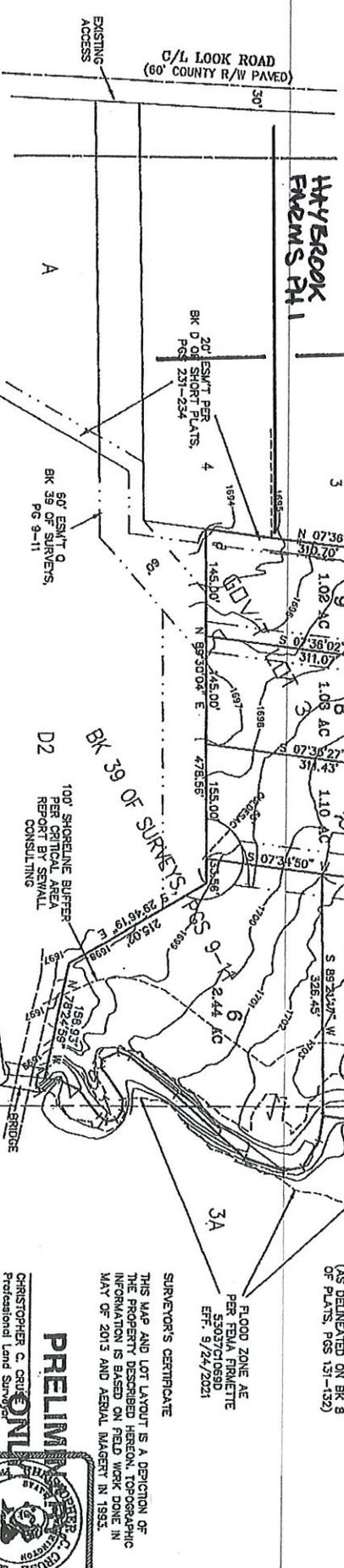
TOTAL ACREAGE: 14.08 ACRES  
 NO. OF LOTS: 9  
 ZONE: URBAN RESIDENTIAL/AIRPORT OVERLAY  
 ASSESSOR'S PARCEL NO. 659136

SOURCE OF WATER: GROUP B WELL  
 SEWER SYSTEM: INDIVIDUAL SEPTIC SYSTEMS  
 DRAINAGE: NO IMPROVEMENTS PER THIS APP.  
 ACCESS: PRIVATE DRIVEWAY

OWNER:  
 HAYBROOK LAND HOLDINGS LLC  
 PO BOX 1358  
 ELLENBURG, WA 98925-1358

TOTAL ACREAGE: 14.08 ACRES  
 NO. OF LOTS: 9  
 ZONE: URBAN RESIDENTIAL/AIRPORT OVERLAY  
 ASSESSOR'S PARCEL NO. 659136

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 SEWER SYSTEM: INDIVIDUAL SEPTIC SYSTEMS  
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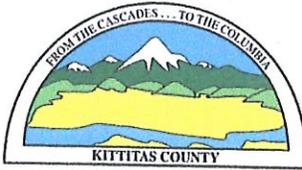
LEGAL DESCRIPTION  
 PARCEL D1 OF THAT CERTAIN SURVEY RECORDED  
 DECEMBER 20, 2013, IN BOOK 39 OF SURVEYS AT  
 PAGES 9-11, UNDER AUDITOR'S FILE NO. 20131220004-1,  
 RECORDS OF KITITAS COUNTY, WASHINGTON, BEING A  
 PORTION OF THE SOUTHWEST QUARTER OF SECTION 30,  
 TOWNSHIP 18 NORTH, RANGE 19 EAST, W.M., IN THE  
 COUNTY OF KITITAS, STATE OF WASHINGTON.

SURVEYOR'S CERTIFICATE  
 THIS MAP AND LOT LAYOUT IS A DERIVATION OF  
 THE PROPERTY DESCRIBED HEREON. TOPOGRAPHIC  
 INFORMATION IS BASED ON FIELD WORK DONE IN  
 MAY OF 2013 AND AERIAL IMAGERY IN 1993.

PRELIMINARY  
 CHRISTOPHER C. CRUSE  
 Professional Land Surveyor  
 License No. 56815



DATE \_\_\_\_\_  
 CRUSE & ASSOCIATE  
 PROFESSIONAL LAND SURVEYOR  
 217 E. Fourth St.  
 Ellensburg, WA 98926 (509) 962-8  
 HAYBROOK FARMS PH.



# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

## NOTICE OF DECISION

**TO:** Applicant  
Interested Parties (KCC 15A.06)

**FROM:** Jeremiah Cromie, Staff Planner

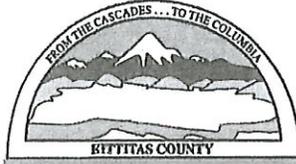
**DATE:** June 9, 2022

**SUBJECT:** Notice of Decision  
Haybrook Farms Ph. 2 (Willard) Short Plat (SP-22-00004)

Notice is hereby given that on June 9, 2022, conditional preliminary approval was granted to Haybrook Land Holdings LLC for a short plat application to subdivide 4.82 acres into two (2) 1.22 acre lots and two (2) 1.19 acre lots. The subject property is zoned Urban Residential within the Ellensburg Urban Growth Area and within the Inner Turning Zone of the Airport Overlay District. The property has an Urban Land Use designation. The property is two tax parcels (#10595 and #10596), located just northeast of the City of Ellensburg off of Look Road in Section 30, T18, R19, W.M. and Section 25, T18, Range 18, W.M.; Kittitas County parcel map numbers 18-19-30055-0001 and 18-19-30055-0002. Lots 1 and 2 of the previously recorded Haybrook No. 2 Short Plat (SP-94-00026). Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506 or found online at:  
<http://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "Short Plats" and "SP-22-00004 Willard".

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1550 to Kittitas County. The appeal deadline for this project is **June 24, 2022 at 5:00p.m.** Appeals shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2, Ellensburg, WA 98926.



**Haybrook Farms Phase 2 (Willard) Short Plat  
File Number SP-22-00004  
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

**I. General Information**

**Requested Action:** Haybrook Land Holdings LLC, landowners, have submitted a preliminary short plat application to subdivide 4.82 acres into two (2) 1.22-acre parcels and two (2) 1.19-acre parcels. The subject property is zoned Urban Residential within the Inner Turning Zone of the Airport Overlay Zone. It is within an Urban Land Use designation.

**Location:** Two tax parcels (#10595 and #10596), located just northeast of the City of Ellensburg off of Look Road in Section 30, T18, R19, W.M. and Section 25, T18, Range 18, W.M.; Kittitas County parcel map numbers 18-19-30055-0001 and 18-19-30055-0002. Lots 1 and 2 of the previously recorded Haybrook No. 2 Short Plat (SP-94-00026).

**Site Information**

Total Property Size: 4.82 acres  
Number of existing lots: 2  
Number of proposed lots: 4  
Proposed Domestic Water: Group B Water System (None Currently)  
Proposed sewage Disposal: On-site septic (None Currently)  
Fire District: Fire District 2 (KVFR)  
Irrigation District: KRD

**Site Characteristics:** The site consists of undeveloped land with a few residential houses and farming uses around it.

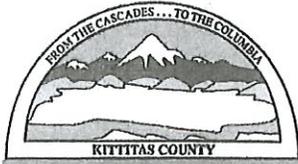
**Surrounding Property:**

North: Privately owned lands with farming and few residential uses.  
South: Privately owned lands with few residential uses  
East: Privately owned lands with farming.  
West: Privately owned land with a few residential uses.

**Access:** The proposed project will have access from Look Road.

**II. Administrative Review**

Notice of Application: A Short Plat permit application was submitted to Kittitas County Community Development Services on April 14, 2022. The application was deemed complete on April 22, 2022. A Notice of Application for the Haybrook Farms Phase 2 (Willard) (SP-22-00004) short plat was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the contiguous boundary of the owner's tax



parcels (including those proposed) on April 28, 2022. Notice was published in the Northern Kittitas County Tribune, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

**Designated Permit Coordinator (staff contact):** Jeremiah Cromie, Staff Planner. P: (509) 962-7046, E: [jeremiah.cromie@co.kittitas.wa.us](mailto:jeremiah.cromie@co.kittitas.wa.us).

### III. Zoning and Development Standards

The subject property is located approximately 2.18 miles northeast of Downtown Ellensburg, and has a zoning designation of Urban Residential within the Airport Overlay Zone. It is also within the City of Ellensburg's Urban Growth Area.

The purpose and intent of Urban Growth areas is to provide areas that are suitable for urban densities as determined by the sponsoring city's ability to provide urban services, and to allow for alternative methods of development that allows for infill and development at urban levels. The minimum density in urban growth areas requires 4 units per acre but this provision does not apply to the Airport Overlay zone as seen in KCC 17.11.050.

The intent of the Urban Residential zoning classification is to provide for and protect areas for home-site development and/or urban levels of development where municipal services can be provided or is already available. The minimum lot size does not apply to properties in the Airport Overlay Zone as seen in KCC 17.22.030.

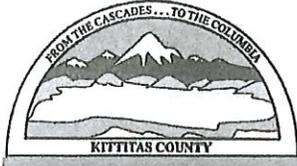
The purpose and intent of the Airport Overlay Zone is to establish an airport overlay zoning district on properties located on, adjacent to, and in the vicinity of public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field), in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community; and also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zoning district, with regulations set forth in the Adopted 14 CFR Federal Aviation Regulations Part 77. The property is located within the Inner Turning Zone of the Airport Overlay. For lands that are inside the inner turning zone that are zoned urban residential, the average density needs to be one unit per one acre of property per KCC 17.58.050 (2). Since the airport overlay district is more restrictive, its standards apply.

The proposed lots average to 1.205 acres, which is consistent with the intent of KCC 17.58.050(2).

This project is being proposed under KCC 16.32.050 Short Plat Requirements.

**KCC 16.32.050 Short plat review:** The planning official shall be vested with the responsibility of processing short plat applications. The county shall review and consider the proposed short subdivision with regard to:

1. Its conformance with all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington.
2. Its conformance to all standards and improvements required under this title.
3. Potential hazards created by flood potential, landslides, etc.
4. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
5. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.



6. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
7. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in RCW 58.17.060
8. Its compliance with Kittitas County Code Chapter 13.35, Adequate Water Supply Determination or work voluntarily with Kittitas County to develop an authorized conservation easement, see section 16.08.061.

#### **Staff Conclusions**

The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for all proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply. Staff finds that the proposed short plat as conditioned is consistent with all applicable Washington State and Kittitas County code section 16.32.050.

#### **IV. Comprehensive Plan**

The Kittitas County Comprehensive Plan designates the proposal as a short plat in an Urban land use designation. Kittitas County has established the following goals and policies to guide activities in these areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

LU-G4: Maintain a flexible balance of land uses which will protect, preserve, and enhance the rural character, historical forest lands, agricultural industries, mineral lands, and high-quality environment.

#### **Consistency Statement**

*The proposed short plat has density of 1 unit/acre preserving some of the rural character in the Urban Growth Area while not creating a ton of units in an airport zone.*

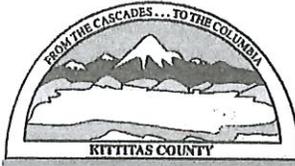
LU-P1: Minimize the cost of providing public services and utilities by directing urban growth and development to areas where public roads and services can support such growth.

#### **Consistency Statement**

*The short plat will be served by an existing county road (Look Rd).*

LU-P21: The County will continue to implement the following Federal Aviation Administration safety zones within the airport overlay zone(s) to protect airport operations and reduce safety risks: Inner Safety Zone; Inner Turning Zone; Outer Safety Zone; Sideline Zone; and Traffic Pattern Zone

#### **Consistency Statement:**



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*The plat map will be conditioned to include a plat note that notices all potential buyers that the property is within the Airport Overlay Zone and likely to have noise and activities associated with aircraft in the vicinity of the property.*

LU-P67: The county should consider notifying all property owners within the Airport Overlay Zone of airport activities

### Consistency Statement

*The plat map will be conditioned to include a plat note that notices all potential buyers that the property is within the Airport Overlay Zone and likely to have noise and activities associated with aircraft in the vicinity of the property.*

### Staff Comments

*The Haybrook Farms Phase 2 (Willard) short plat as conditioned is consistent with the Kittitas County Comprehensive Plan Goals and Policies listed above. The proposal is adequately served by local services and meets density requirements for the zoning designations.*

### **V. Environmental Review**

Based upon an initial Critical Area review and prior SEPA review, CDS determined that the Haybrook Land Holdings short plat was exempt from SEPA review via WAC 197-11-800 (6)(d). A critical area review was performed; and no critical areas were found to be on the property.

### **VI. Agency and Public Comments**

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

### Agency Comments:

The following agencies provided comments during the comment period: Kittitas PUD, Kittitas Reclamation District (KRD), Washington State Department of Health – Office of Drinking Water (DOH-ODW), Washington State Department of Archeological and Historical Preservation (DAHP), Washington State Department of Ecology, Snoqualmie Tribe, City of Ellensburg – Gas Department, Kittitas Valley Fire & Rescue, Kittitas County Public Health, and Kittitas County Public Works.

### Kittitas PUD

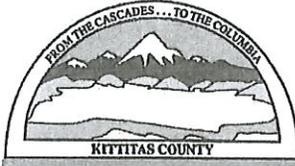
Kittitas PUD mentioned that power is available to the property from PUD, but it would need to be extended approximately 1,000 feet to serve the lots.

*Staff Response: Power is not a requirement for the platting of the property but power will need to be extended to the property for future development on the parcels.*

### Kittitas Reclamation District (KRD)

KRD commented that the property lies within the KRD and will be required to meet KRD General Subdivision Guidelines.

*Staff Response: The comments submitted from Kittitas Reclamation District refer to the KRD General*



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*Guidelines. The applicant is required to comply with all guidelines and demonstrate this for final approval.*

### Washington State Department of Health (DOH) Office of Drinking Water

Washington State Department of Health (DOH) Office of Drinking Water commented that because the lots are under the same ownership, they would be considered a "project" with respect to drinking water wells and would require them to be completed as a combined water system and will most likely be a "Group B" water system administered by Kittitas County Health. They mentioned that they wondered why these don't connect to the City of Ellensburg Water's System.

*Staff Response: As conditioned, the proposed Haybrook Farms Phase 2 (Willard) is required to meet all Kittitas County adequate water standards and be consistent with Kittitas County Code Title 13 prior to final approval. The applicant has proposed a Group B Water System to serve the parcels.*

### Department of Archaeology & Historic Preservation (DAHP)

DAHP commented that there is a high probability of encountering cultural resources within the proposed project area. However, due to the small footprint of the project, they are not requesting a cultural resources survey. They requested an Inadvertent Discovery Plan (IDP) to be prepared and to prepare construction crews for the possibility of encountering archaeological material during ground disturbing activities.

*Staff Response: The proposed Haybrook Short Plat will be conditioned to have an Inadvertent Discovery Plan (IDP) prepared prior to ground disturbing activities.*

### Washington State Department of Ecology

Ecology commented that future development may require an NPDES Construction Stormwater Permit if there is potential for stormwater discharge from a construction site with disturbed ground and the permitting process that goes with it.

*Staff Response: Future development will be subject to state and federal requirements*

### Kittitas Valley Fire & Rescue (KVFR)

KVFR commented on fire apparatus road access and requirements.

*Staff Response: The proposed plat has been conditioned to meet all international fire codes.*

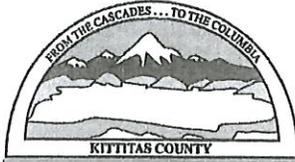
### Kittitas County Public Health (KCPH)

KCPH Submitted comments in regards to on-site septic systems and a Group B Water System. They mentioned that the applicant must prove legal and physical availability of water for all new uses of water on the proposed lots. They mentioned a soil log must be done on each lot prior to final approval and that the Group B Water system must be approved by them prior to final approval.

*Staff Response: Kittitas County Community Health Department requirements will be addressed prior to final approval.*

### Kittitas County Public Works

Kittitas County Public Works submitted comments noting road standards (including City of Ellensburg),



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plat notes, and specific addressing and final plat information including information needed to be corrected on the survey.

*Staff Response: The comments submitted from Kittitas County Public Works references standards established in Title 12 of Kittitas County Code. The applicant is required to adhere to all regulations outlined in Title 12 for final approval. It is also conditioned to meet City of Ellensburg standards if required.*

### Snoqualmie Tribe

The Snoqualmie Tribe commented that they have no substantive comments at this time but reserve the right to modify their current position if the scope or parameters of the project change.

*Staff Response: These comments have been provided to the applicant. Major revisions to the plat would require re-noticing.*

### City of Ellensburg- Gas Department

The City of Ellensburg Gas Department commented that there are no requirements at this time for the creation of lots but if the lots are to be developed in the future, each lot would be required to have a gas stub and would need to work with the City Gas Division to coordinate the construction and layout of the gas facilities.

*Staff Response: These comments have been provided to the applicant. The plat has been conditioned to contact the City of Ellensburg Gas Department for future gas stub locations and lines*

### Public Comments:

No public comments were received during the comment period.

The applicant was transmitted all comments on May 16, 2022 and given until June 1, 2022 to submit any response comments. The applicant responded on June 1, 2022 saying they had reviewed everything and have no comments.

## VII. Project Analysis & Consistency Review

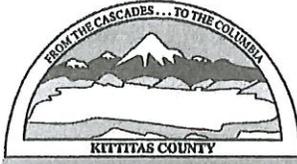
In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

### Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: LU-G4, LU-P1, LU-P21, LU-P67.

### Consistency with the provisions of KCC 17A, Critical Areas:

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates no critical areas on the property or within the vicinity of 250 feet of the property.



**Consistency with the provisions of KCC 17.11, Urban Growth Areas:**

This proposal is consistent with the Kittitas County Zoning Code for the Urban Growth Area

**Consistency with the provisions of KCC 17.22, Urban Residential Zone:**

This proposal is consistent with the Kittitas County Zoning Code for the Urban Residential zoning designation.

**Consistency with the provisions of KCC 17.58, Airport Zone:**

This proposal is consistent with the Kittitas County Zoning Code for the Airport Overlay zoning designation.

**Consistency with the provisions of KCC 16.32.050, Short Plat Review:**

This proposal, as conditioned, is consistent with the Kittitas County Short Plat Review requirements. The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for both proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply.

**Consistency with the provisions of the KCC Title 14.04, Building Code:**

All buildings must be consistent with International Building Codes.

**Consistency with the provisions of KCC Title 12, Roads and Bridges:**

As conditioned, the proposal must be consistent with the provisions of KCC Title 12.

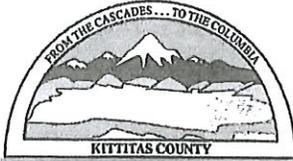
**Consistency with the provisions of KCC Title 20, Fire and Life Safety:**

As conditioned, the proposal must be consistent with the provisions of KCC Title 20.

**VIII. Findings of Fact**

1. Requested Action: Haybrook Land Holdings LLC, landowners, have submitted a preliminary short plat application to subdivide 4.82 acres into two (2) 1.22-acre parcels and two (2) 1.19-acre parcels. The subject property is zoned Urban Residential within the Inner Turning Zone of the Airport Overlay Zone. It is within an Urban Land Use designation.
2. Location: Two tax parcels (#10595 and #10596), located just northeast of the City of Ellensburg off Look Road in Section 30, T18, R19, W.M. and Section 25, T18, Range 18, W.M.; Kittitas County parcel map numbers 18-19-30055-0001 and 18-19-30055-0002. Lots 1 and 2 of the previously recorded Haybrook No. 2 Short Plat (SP-94-00026).
3. Site Information:

Total Property Size:	4.82 acres
Number of existing lots:	2



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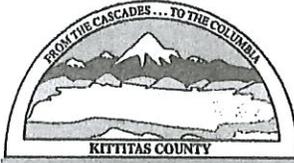
Number of proposed lots:	4
Proposed Domestic Water:	Group B Water System (None Currently)
Proposed sewage Disposal:	On-site septic (None Currently)
Fire District:	Fire District 2 (KVFR)
Irrigation District:	KRD

Site Characteristics: The site consists of undeveloped land with a few residential houses and farming uses around it.

Surrounding Property:

North: Privately owned lands with farming and few residential uses.  
South: Privately owned lands with few residential uses  
East: Privately owned lands with farming.  
West: Privately owned land with a few residential uses.

4. The proposed project will have access from Look Road.
5. The Comprehensive Plan land use designation is "Urban."
6. The subject property is zoned "Urban Residential" within the City of Ellensburg's Urban Growth Area. It is also located within the "Inner Turning Zone" of the Airport Overlay Zoning district.
7. A Short Plat permit application was submitted to Kittitas County Community Development Services on April 14, 2022. The application was deemed complete on April 22, 2022. A Notice of Application for the Haybrook Farms Phase 2 (Willard) Short Plat (SP-22-00004) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the contiguous boundary of the owner's tax parcels (including those proposed) on April 28, 2022. Notice was published in the Northern Kittitas County Tribune, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).
8. The proposal is consistent with Kittitas County Subdivision Code 16.32.050, Short Plat Review. Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections.
9. The following agencies provided comments during the comment period: Kittitas PUD, Kittitas Reclamation District, Washington State Department of Health – Office of Drinking Water (DOH-ODW), Washington State Department of Archeological and Historical Preservation (DAHP), Washington State Department of Ecology, Snoqualmie Tribe, City of Ellensburg – Gas Department, Kittitas Valley Fire & Rescue, Kittitas County Public Health, and Kittitas County Public Works.
10. No public comments were submitted during the comment period.



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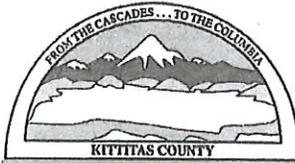
12. SEPA review was not required. This project is exempt under WAC 197-11-800 (6)(d). The proposed short plat is consistent with KCC Title 15.
13. The proposed short plat is consistent with KCC Title 17A Critical Areas.
14. The proposed short plat is consistent with KCC 17.11 Urban Growth Areas.
15. The proposed short plat is consistent with KCC 17.22 Urban Residential Zone
16. The proposed short plat is consistent with KCC 17.58 Airport Zone
17. The proposed short plat is consistent with KCC 16.32.050 as conditioned.
18. The proposed short plat is consistent with KCC Title 14 Building and Construction as conditioned.
19. The proposed short plat is consistent with KCC 12 Roads and Bridges as conditioned.
20. The proposed short plat is consistent with KCC 20 Fire and Life Safety as conditioned.
21. Kittitas County Public Health requires water mitigation under KCC 13.35.027 and KCC 13.35.020 prior to final approval of a short plat.

### IX. Conclusions

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. As conditioned the proposal is consistent with Kittitas County Code Title 16.32 Short Plat.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Building Code, Title 13 Water and Sewers, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

### X. Decision and Conditions of Approval

Kittitas County Community Development Services grants *preliminary approval* of the Haybrook Farms Phase 2 (Willard) short plat (SP-22-00004), based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.



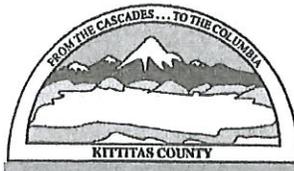
Conditions of Approval:

**1. Building**

- A. All new construction must meet the International Building Code requirements.
- B. 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.
- C. Required gas stubs and lines shall be coordinated with the City of Ellensburg for construction and location.

**2. Roads and Transportation**

- A. All access easements shall be shown on the face of the plat. A 60' Joint Access Easement serving lots 1 & 2 is shown on the Haybrook No. 2 SP-94-26. This easement is not referenced or shown on the preliminary short plat submittal.
- B. A recorded easement with a minimum width of 30' is required to serve all four lots. The 30' joint use driveway detailed on the preliminary submittal is not described as an easement. Please provide an easement for this access.
- 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. **Road Standards:** This application is subject to the latest revision of the Kittitas County Road Standards, dated 12/15/15.
  - i. **Driveways:** The access off Look Road shall be constructed to the current joint-use driveway standard. A driveway shall serve no more than four tax parcels. If the access ever serves more than four tax parcels, additional road standards may be applied at that time
  - ii. New access easements shall be a minimum of 30' wide.
  - iii. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150'. If the length of the driveway is over 150', the minimum roadway width shall be 16' with 2' of clear zone on each side
  - iv. Maximum grade shall be 10%
  - v. Crushed surface depth per WSDOT standards
  - vi. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.



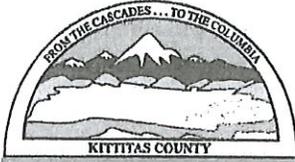
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- vii. Any further subdivision or lots to be served by proposed access may result in further access requirements
  - viii. Roads proposed within the Urban Growth Area (UGA) shall conform and support the road system or grid, Transportation Plan and Comprehensive Plan of the City of Ellensburg
  - ix. Roads Constructed in the UGA shall comply with the road standards of the affected City (Ellensburg) or Kittitas County Road Standards, whichever is more stringent. The City shall have the final approval of the road alignments, geometry, and construction requirements.
- E. 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
- F. 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.
  - G. Driveways and roads within this plat will be required to meet the standards of the International Fire Code. Any access longer than 150' shall provide a fire apparatus turnaround that meets the minimum design standards of the 2018 International Fire Code Appendix D.
  - H. Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
  - I. 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.
  - J. Utilities constructed within the Urban Growth Area (UGA) shall comply with the requirements of the City of Ellensburg
  - K. Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080) and SEPA application.
  - L. A Transportation Impact Analysis (TIA) shall be required for all development that will generate more than nine (9) peak hour vehicle trips. Please provide estimated traffic



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generation for peak hours to determine if a TIA will be required (KCC 12.10.040(c)). If required, a TIA shall be submitted to the county and any subsequent findings and recommendations shall be adhered to.

### 3. State and Federal

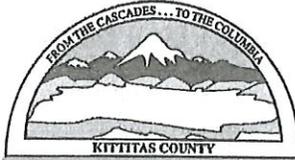
- A. Applicant must meet all state and federal regulations.

### 4. Water/Sewer

- A. The applicant shall demonstrate proof of water adequacy in conformance with KCC 13.35 prior to final plat approval.
- B. In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:
  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.
- C. 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.
- D. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.
- E. 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 water for the 4 proposed lots must be provided.
- F. In accordance with Kittitas County Code 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.

### 5. Plat Notes

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



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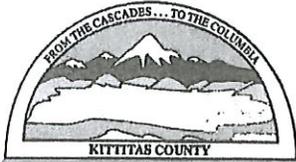
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incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.

- All development must comply with International Fire Code.
- Maintenance of the access is the responsibility of the property owners who benefit from its use.
- 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.
- 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 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.
- Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- 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.
- 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.
- 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.
- 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.

### 6. Survey

- A. Please submit a Lot Closure Sheet with Final Plat



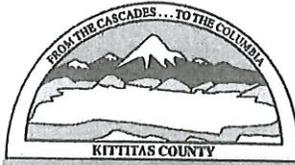
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- B. Title Report must be submitted with final plat with matching legal descriptions for the plat.
  - C. The purpose of the survey shall be identified along with the application number (SP-22-00004) on the final plat (KCC 16.10.020(1))
  - D. The Basis of Bearing shall be identified on the map and/or in the notes (WAC: 332-130-050(1)(b)(iii))
  - E. Roadway ownership, ROW and surfacing shall be on the map
  - F. If elevations or contours are to be shown, then the map must meet Topo Standards per WAC: 332-130-145
  - G. Irrigation easements should be shown on the map (KCC 16.12.020(11))
  - H. Joint-use driveway does not identify an easement. All access easements are to be shown (KCC 16.12.020(10))
7. **Other**
- A. 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) prior to final plat recording.
  - B. The applicant shall provide evidence to CDS of project consistency with KRD General Subdivision Guidelines prior to final approval.
  - C. 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.
  - D. Any Ground Water withdrawals over 5,000 gallons per days shall require authorization from the Department of Ecology.
8. Both sheets of the final mylars shall reflect short plat number SP-22-00004 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 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 file number will be assigned



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when CDS receives your final plat application. This file number will also be required on the face of the final plat.

9. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
10. This preliminary approval will expire 5 years from the date of this determination if no extension is filed in accordance with KCC 16.32.090.

**From these conclusions and findings, the proposed Short Plat is approved with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1550 to Kittitas County. The appeal deadline for this project is June 24, 2022 at 5:00p.m. Appeals submitted on or before June 24, 2022 shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.**

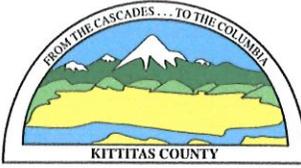
**Responsible Official**

  
Jeremiah Cromie

**Title:** Planner II

**Address:** Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA. 98926  
Phone: (509) 962-7046

**Date:** June 9, 2022



## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

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### NOTICE OF DECISION

**TO:** Applicant  
Interested Parties (KCC 15A.06)

**FROM:** Jeremiah Cromie, Staff Planner

**DATE:** April 7, 2022

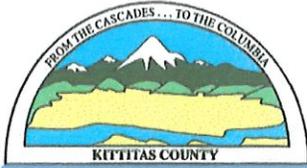
**SUBJECT:** Notice of Decision  
Haybrook Land Holdings Short Plat (SP-22-00002)

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**Notice** is hereby given that on April 7, 2022, conditional preliminary approval was granted to Haybrook Land Holdings LLC for a short plat application to subdivide 4.58 acres into two (2) 1.16 acre lots and two (2) 1.13 acre lots. The subject property is zoned Urban Residential within the Ellensburg Urban Growth Area and within the Inner Turning Zone of the Airport Overlay District. The property has an Urban Land Use designation. The property is two tax parcels (#10597 and #10598), located just northeast of the City of Ellensburg off Look Road in Section 30, T18, R19, W.M. and Section 25, T18, Range 18, W.M.; Kittitas County parcel map numbers 18-19-30055-0003 and 18-19-30055-0004. Lots 3 and 4 of the previously recorded Haybrook No. 2 Short Plat (SP-94-00026).

Related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506 or found online at: <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> under “Short Plats” and “SP-22-00002 Haybrook Land Holdings”.

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1550 to Kittitas County. The appeal deadline for this project is **April 21, 2022 at 5:00p.m.** Appeals shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2, Ellensburg, WA 98926.



**Haybrook Land Holdings Short Plat  
File Number SP-22-00002  
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

**I. General Information**

**Requested Action:** Haybrook Land Holdings LLC, landowners, have submitted a preliminary short plat application to subdivide 4.6 acres into two (2) 1.13-acre parcels and two (2) 1.16-acre parcels. The subject property is zoned Urban Residential within the Inner Turning Zone of the Airport Overlay Zone. It is within an Urban Land Use designation.

**Location:** Two tax parcels (#10597 and #10598), located just northeast of the City of Ellensburg off Look Road in Section 30, T18, R19, W.M. and Section 25, T18, Range 18, W.M.; Kittitas County parcel map numbers 18-19-30055-0003 and 18-19-30055-0004. Lots 3 and 4 of the previously recorded Haybrook No. 2 Short Plat (SP-94-00026).

**Site Information**

Total Property Size: 4.6 acres  
Number of existing lots: 2  
Number of proposed lots: 4  
Proposed Domestic Water: Group B Water System (none Currently)  
Proposed sewage Disposal: On-site septic (None Currently)  
Fire District: Fire District 2 (KVFR)  
Irrigation District: KRD

**Site Characteristics:** The site consists of undeveloped land with a few residential houses and farming around it.

**Surrounding Property:**

North: Privately owned lands with farming and few residential uses.  
South: Privately owned lands with few residential uses  
East: Privately owned lands with farming.  
West: Privately owned land with a few residential uses.

**Access:** The proposed project will have access from Look Road.

**II. Administrative Review**

Notice of Application: A Short Plat permit application was submitted to Kittitas County Community Development Services on February 1, 2022. The application was deemed complete on February 8, 2022. A Notice of Application for the Haybrook Land Holdings Short Plat (SP-22-00002) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels



on February 10, 2022. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

**Designated Permit Coordinator (staff contact):** Jeremiah Cromie, Staff Planner. P: (509) 962-7046, E: [jeremiah.cromie@co.kittitas.wa.us](mailto:jeremiah.cromie@co.kittitas.wa.us).

### III. Zoning and Development Standards

The subject property is located approximately 2.16 miles northeast of Downtown Ellensburg, and has a zoning designation of Urban Residential within the Airport Overlay Zone. It is also within the City of Ellensburg's Urban Growth Area.

The purpose and intent of Urban Growth areas is to provide areas that are suitable for urban densities as determined by the sponsoring city's ability to provide urban services, and to allow for alternative methods of development that allows for infill and development at urban levels. The minimum density in urban growth areas requires 4 units per acre but this provision does not apply to the Airport Overlay zone as seen in KCC 17.11.050.

The intent of the Urban Residential zoning classification is to provide for and protect areas for home-site development and/or urban levels of development where municipal services can be provided or is already available. The minimum lot size does not apply to properties in the Airport Overlay Zone as seen in KCC 17.22.030

The purpose and intent of the Airport Overlay Zone is to establish an airport overlay zoning district on properties located on, adjacent to, and in the vicinity of public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field), in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community; and also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zoning district. With regulations set forth in the Adopted 14 CFR Federal Aviation Regulations Part 77. The property is located within the Inner Turning Zone of the Airport Overlay. For lands that are inside the inner turning zone that are zoned urban residential, the average density needs to be one unit per one acre of property per KCC 17.58.050 (2). Since the airport overlay district is more restrictive, its standards apply.

The proposed lots average to 1.14 acres, which is consistent with the intent of KCC 17.58.050 (2).

This project is being proposed under KCC 16.32.050 Short Plat Requirements.

**KCC 16.32.050 Short plat review:** The planning official shall be vested with the responsibility of processing short plat applications. The county shall review and consider the proposed short subdivision with regard to:

1. Its conformance with all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington.
2. Its conformance to all standards and improvements required under this title.
3. Potential hazards created by flood potential, landslides, etc.
4. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
5. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.



6. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
7. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in RCW 58.17.060
8. Its compliance with Kittitas County Code Chapter 13.35, Adequate Water Supply Determination or work voluntarily with Kittitas County to develop an authorized conservation easement, see section 16.08.061.

### Staff Conclusions

The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for all proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply. Staff finds that the proposed short plat as conditioned is consistent with all applicable Washington State and Kittitas County code section 16.32.050.

### **IV. Comprehensive Plan**

The Kittitas County Comprehensive Plan designates the proposal as a short plat in an Urban land use designation. Kittitas County has established the following goals and policies to guide activities in these areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

LU-G4: Maintain a flexible balance of land uses which will protect, preserve, and enhance the rural character, historical forest lands, agricultural industries, mineral lands, and high-quality environment.

#### Consistency Statement

*The proposed short plat has density of 1 unit/acre preserving some of the rural character in the Urban Growth Area while not creating a ton of units in an airport zone.*

LU-P1: Minimize the cost of providing public services and utilities by directing urban growth and development to areas where public roads and services can support such growth.

#### Consistency Statement

*The short plat will be served by an existing county road (Look Rd).*

LU-P21: The County will continue to implement the following Federal Aviation Administration safety zones within the airport overlay zone(s) to protect airport operations and reduce safety risks: Inner Safety Zone; Inner Turning Zone; Outer Safety Zone; Sideline Zone; and Traffic Pattern Zone

#### Consistency Statement:



*The plat map will be conditioned to include a plat note that notices all potential buyers that the property is within the Airport Overlay Zone and likely to have noise and activities associated with aircraft in the vicinity of the property.*

LU-P67: The county should consider notifying all property owners within the Airport Overlay Zone of airport activities

#### Consistency Statement

*The plat map will be conditioned to include a plat note that notices all potential buyers that the property is within the Airport Overlay Zone and likely to have noise and activities associated with aircraft in the vicinity of the property.*

#### Staff Comments

*The Haybrook Land Holdings short plat as conditioned is consistent with the Kittitas County Comprehensive Plan Goals and Policies listed above. The proposal is adequately served by local services and meets density requirements for the zoning designations.*

#### **V. Environmental Review**

Based upon an initial Critical Area review and prior SEPA review, CDS determined that the Haybrook Land Holdings short plat was exempt from SEPA review via WAC 197-11-800 (6)(d). A critical area review was performed; and no critical areas were found to be on the property.

#### **VI. Agency and Public Comments**

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

#### Agency Comments:

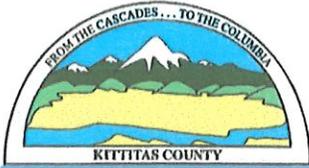
The following agencies provided comments during the comment period: Kittitas PUD, Kittitas Reclamation District, Washington State Department of Health – Office of Drinking Water (DOH-ODW), Washington State Department of Archeological and Historical Preservation (DAHP), Washington State Department of Ecology Kittitas County Airport Department, Kittitas Valley Fire & Rescue, Kittitas County Public Health, and Kittitas County Public Works.

Kittitas PUD mentioned that power is available at the property from PUD, but it would need to be extended along the County Right of Way to the entrance of the Haybrook Plat. They showed a map of where the existing power facilities are.

*Staff Response: Power is not a requirement for the platting of the property but power will need to be extended to the property for future development on the parcels.*

Kittitas Reclamation District commented that the property lies within the KRD and will be required to meet KRD General Subdivision Guidelines.

*Staff Response: The comments submitted from Kittitas Reclamation District refer to the KRD General Guidelines. The applicant is required to comply with all guidelines and demonstrate this for final*



approval.

Washington State Department of Health (DOH) Office of Drinking Water commented that because the lots are under the same ownership, they would be considered a "project" with respect to drinking water wells and would require them to be completed as a combined water system and will most likely be a "Group B" water system administered by Kittitas County Health. They mentioned if these lots connect to an existing water system, such as the one owned and operated by the City of Ellensburg, then DOH would only seek confirmation to the existing water system has sufficient capacity to convey additional flows.

*Staff Response: As conditioned, the proposed Haybrook Short Plat is required to meet all Kittitas County adequate water standards and be consistent with Kittitas County Code Title 13 prior to final approval. The applicant has proposed a Group B Water System to serve the parcels.*

The Department of Archaeology & Historic Preservation commented that there is a high probability of encountering cultural resources within the proposed project area. However, due to the small footprint of the project, they are not requesting a cultural resources survey. They requested an Inadvertent Discovery Plan (IDP) to be prepared and to prepare construction crews for the possibility of encountering archaeological material during ground disturbing activities.

*Staff Response: The proposed Haybrook Short Plat will be conditioned to have an Inadvertent Discover Plan (IDP) prepared prior to ground disturbing activities.*

Washington State Department of Ecology commented that prospective water uses must obtain authorization from the Department of Ecology if they plan on having ground water withdrawals of more than 5,000 gallons per day.

*Staff Response: The proposed plat will be conditioned to require authorization from the Department of Ecology if planning on withdrawing more than 5,000 gallons per day of water.*

Kittitas County Airport Department commented that the property owner be advised of the vicinity to Bowers Field Airport and to be advised of Kittitas County Code 17.75 that requires them to sign a notice of disclosure of airport vicinity. They also mentioned the encroachment of development near the airport is becoming a concern to noise and cause for public complaints. Providing appropriate awareness of airport proximity is necessary to combat the concerns.

*Staff Response: The proposed plat will be conditioned to require a plat note stating the vicinity to the airport to meet Kittitas County Code 17.75.*

Kittitas Valley Fire & Rescue (KVFR) commented on fire apparatus road access and requirements.

*Staff Response: The proposed plat has been conditioned to meet all international fire codes.*

Kittitas County Public Health Submitted comments in regard to on-site septic systems and a Group B Water System. They mentioned that the applicant must prove legal and physical availability of water for



all new uses of water on the proposed lots.

*Staff Response: Kittitas County Community Health Department requirements will be addressed prior to final approval.*

Kittitas County Public Works submitted comments noting road standards, plat notes, and specific addressing and final plat information including information needed to be corrected on the survey.

*Staff Response: The comments submitted from Kittitas County Public Works reference standards established in Title 12 of Kittitas County Code. The applicant is required to adhere to all regulations outlined in Title 12 for final approval.*

**Public Comments:**

No public comments were received during the comment period.

The applicant was transmitted all comments on March 1, 2022 and given until March 16, 2022 to submit any response comments. The applicant responded on March 15, 2022 saying they had reviewed everything and have no comments.

**VII. Project Analysis & Consistency Review**

In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

**Consistency with the Comprehensive Plan:**

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: LU-G4, LU-P1, LU-P21, LU-P67.

**Consistency with the provisions of KCC 17A, Critical Areas:**

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates no critical areas on the property or within the vicinity of 250 feet of the property.

**Consistency with the provisions of KCC 17.11, Urban Growth Areas:**

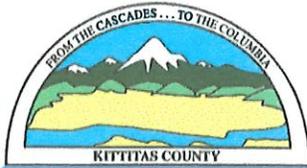
This proposal is consistent with the Kittitas County Zoning Code for the Urban Growth Area

**Consistency with the provisions of KCC 17.22, Urban Residential Zone:**

This proposal is consistent with the Kittitas County Zoning Code for the Urban Residential zoning designation.

**Consistency with the provisions of KCC 17.58, Airport Zone:**

This proposal is consistent with the Kittitas County Zoning Code for the Airport Overlay zoning designation.



**Consistency with the provisions of KCC 16.32.050, Short Plat Review:**

This proposal, as conditioned, is consistent with the Kittitas County Short Plat Review requirements. The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for both proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply.

**Consistency with the provisions of the KCC Title 14.04, Building Code:**

All buildings must be consistent with International Building Codes.

**Consistency with the provisions of KCC Title 12, Roads and Bridges:**

As conditioned, the proposal must be consistent with the provisions of KCC Title 12.

**Consistency with the provisions of KCC Title 20, Fire and Life Safety:**

As conditioned, the proposal must be consistent with the provisions of KCC Title 20.

**VIII. Findings of Fact**

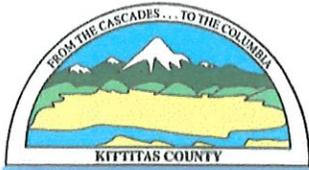
1. Requested Action: Haybrook Land Holdings LLC, landowners, have submitted a preliminary short plat application to subdivide 4.6 acres into two (2) 1.13-acre parcels and two (2) 1.16-acre parcels. The subject property is zoned Urban Residential within the Inner Turning Zone of the Airport Overlay Zone. It is within an Urban Land Use designation.
2. Location: Two tax parcels (#10597 and #10598), located just northeast of the City of Ellensburg off Look Road in Section 30, T18, R19, W.M. and Section 25, T18, Range 18, W.M.; Kittitas County parcel map numbers 18-19-30055-0003 and 18-19-30055-0004. Lots 3 and 4 of the previously recorded Haybrook No. 2 Short Plat (SP-94-00026).

3. Site Information:

Total Property Size:	4.6 acres
Number of existing lots:	2
Number of proposed lots:	4
Proposed Domestic Water:	Group B Water System (none Currently)
Proposed sewage Disposal:	On-site septic (None Currently)
Fire District:	Fire District 2 (KVFR)
Irrigation District:	KRD

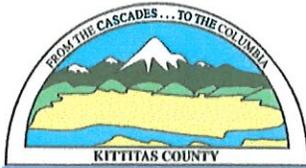
Site Characteristics: The site consists of undeveloped land with a few residential houses and farming around it.

Surrounding Property:



- North: Privately owned lands with farming and few residential uses.
- South: Privately owned lands with few residential uses
- East: Privately owned lands with farming.
- West: Privately owned land with a few residential uses.

4. The proposed project will have access from Look Road.
5. The Comprehensive Plan land use designation is "Urban."
6. The subject property is zoned "Urban Residential" within the City of Ellensburg's Urban Growth Area. It is also located within the "Inner Turning Zone" of the Airport Overlay Zoning district.
7. A Short Plat permit application was submitted to Kittitas County Community Development Services on February 1, 2022. The application was deemed complete on February 8, 2022. A Notice of Application for the Haybrook Land Holdings Short Plat (SP-22-00002) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels on February 10, 2022. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).
8. The proposal is consistent with Kittitas County Subdivision Code 16.32.050, Short Plat Review. Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections.
9. The following agencies provided comments during the comment period: Kittitas PUD, Kittitas Reclamation District, Washington State Department of Health – Office of Drinking Water (DOH-ODW), Washington State Department of Archeological and Historical Preservation (DAHP), Washington State Department of Ecology Kittitas County Airport Department, Kittitas Valley Fire & Rescue, Kittitas County Public Health, and Kittitas County Public Works.
10. No public comments were submitted during the comment period.
12. SEPA review was not required. This project is exempt under WAC 197-11-800 (6)(d). The proposed short plat is consistent with KCC Title 15.
13. The proposed short plat is consistent with KCC Title 17A Critical Areas.
14. The proposed short plat is consistent with KCC 17.11 Urban Growth Areas.
15. The proposed short plat is consistent with KCC 17.22 Urban Residential Zone
16. The proposed short plat is consistent with KCC 17.58 Airport Zone



17. The proposed short plat is consistent with KCC 16.32.050 as conditioned.
18. The proposed short plat is consistent with KCC Title 14 Building and Construction as conditioned.
19. The proposed short plat is consistent with KCC 12 Roads and Bridges as conditioned.
20. The proposed short plat is consistent with KCC 20 Fire and Life Safety as conditioned.
21. Kittitas County Public Health requires water mitigation under KCC 13.35.027 and KCC 13.35.020 prior to final approval of a short plat.

#### **IX. Conclusions**

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. As conditioned the proposal is consistent with Kittitas County Code Title 16.32 Short Plat.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Building Code, Title 13 Water and Sewers, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

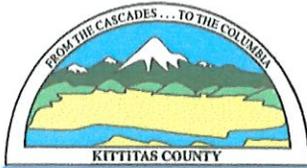
#### **X. Decision and Conditions of Approval**

Kittitas County Community Development Services grants *preliminary approval* of the Haybrook Short Plat SP-22-00002 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

##### Conditions of Approval:

#### **1. Building**

- A. All new construction must meet the International Building Code requirements.
- B. 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. Roads and Transportation

- A. All access easements shall be shown on the face of the plat. A 60' Joint Access Easement serving lots 3 & 4 is shown on the Haybrook No. 2 SP-94-26. This easement is not referenced or shown on the preliminary short plat submittal.
- B. A recorded easement with a minimum width of 30' is required to serve all four lots. The 30' joint use driveway detailed on the preliminary submittal is not described as an easement. Please provide an easement for this access.
- 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. Road Standards: This application is subject to the latest revision of the Kittitas County Road Standards, dated 12/15/15.
  - i. Driveways: The access off Look Road shall be constructed to the current joint-use driveway standard. A driveway shall serve no more than four tax parcels. If the access ever serves more than four tax parcels, additional road standards may be applied at that time
  - ii. New access easements shall be a minimum of 30' wide.
  - iii. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150'. If the length of the driveway is over 150', the minimum roadway width shall be 16' with 2' of clear zone on each side
  - iv. Maximum grade shall be 10%
  - v. Crushed surface depth per WSDOT standards
  - vi. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
  - vii. Any further subdivision or lots to be served by proposed access may result in further access requirements
- E. 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

- F. 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



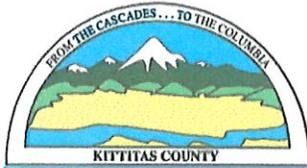
- G. Contact the Kittitas County Rural Addressing Coordinator at 509-962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
- H. Driveways and road within this plat will be required to meet the standards of the International Fire Code. Any access longer than 150' shall provide a fire apparatus turnaround that meets the minimum design standards of the International Fire Code Appendix D.
- I. 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.

**3. State and Federal**

- A. Applicant must meet all state and federal regulations.

**4. Water/Sewer**

- A. The applicant shall demonstrate proof of water adequacy in conformance with KCC 13.35 prior to final plat approval.
- B. In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:
  - 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.
- C. 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.
- D. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.
- E. 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 water for the 4 proposed lots must be provided.
- F. In accordance with Kittitas County Code 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.

**5. Plat Notes**

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

- 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.
- All development must comply with International Fire Code.
- Maintenance of the access is the responsibility of the property owners who benefit from its use.
- 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.
- 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 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.
- Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- 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.
- 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.
- 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.

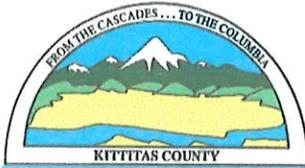


**6. Survey**

- A. Please submit a Lot Closure Sheet with Final Plat
- B. Title Report must be submitted with final plat.
- C. The purpose of the survey shall be identified along with the application number (SP-22-00002) on the final plat (KCC 16.10.020(1))
- D. The Basis of Bearing shall be identified on the map and/or in the notes (WAC: 332-130-050(1)(b)(iii))
- E. Roadway ownership, ROW and surfacing shall be on the map
- F. If elevations or contours are to be shown, then the map must meet Topo Standards per WAC: 332-130-145
- G. The lot line label in the joint use driveway may become unclear due to crossing linework. Please make sure this is clear on the final plat
- H. Please identify if the 40' joint use driveway is existing or herein created.

**7. Other**

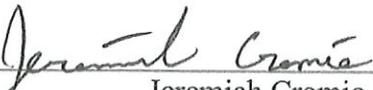
- A. Taxes must be paid in full on all tax parcels involved in this land use action as required by Washington State Law (RCWs 84.40.042 & 84.56.345) prior to final plat recording.
- B. The applicant shall provide evidence to CDS of project consistency with KRD General Subdivision Guidelines prior to final approval.
- C. 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.
- D. Any Ground Water withdrawals over 5,000 gallons per days shall require authorization from the Department of Ecology.



8. Both sheets of the final mylars shall reflect short plat number SP-22-00002 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 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 file 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.
9. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
10. This preliminary approval will expire 5 years from the date of this determination if no extension is filed in accordance with KCC 16.32.090.

**From these conclusions and findings, the proposed Short Plat is approved with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1550 to Kittitas County. The appeal deadline for this project is April 21, 2022 at 5:00p.m. Appeals submitted on or before April 21, 2022 shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.**

**Responsible Official**

  
\_\_\_\_\_  
Jeremiah Cromie

**Title:** Planner I

**Address:** Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA. 98926  
Phone: (509) 962-7046

**Date:** April 7, 2022