

Carey Reasonable Use
File Number RU-24-00002
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

I. GENERAL INFORMATION

Requested Action: Nick Carey property owner, submitted a reasonable use to build a driveway & single family residence on parcels 20560 & 20561. Reasonable Use exceptions are processed under KCC 17A.01.060.

Location: The subject property is parcel # 20560 & 20561 on Telluride Drive, east of the intersection of Breckenridge Drive & Telluride Drive by 0.15 miles in Ronald, WA. bearing Assessor's Map number 21-14-34065-0003 & 21-14-34065-0004 in Kittitas County.

II. SITE INFORMATION

Total Property Size:	6.78
Number of Lots:	2
Domestic Water:	Well
Sewage Disposal:	Onsite future drain fields
Fire Protection:	Fire District 6 (Ronald)

Site Characteristics:

<u>North:</u>	Primarily residential & forest lands
<u>South:</u>	Primarily residential & forest lands
<u>East:</u>	Primarily residential & forest lands
<u>West:</u>	Primarily residential & forest lands

Access: The site is accessed via Telluride Drive.

III. ZONING, ENVIRONMENTAL AND DEVELOPMENT STANDARDS

The subject properties have a zoning designation of Rural Recreation. The subject properties have a land use designation of Rural Recreation.

The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County.

The Rural Recreation zoning designation has required setbacks of 25 feet for the front, 15 feet for the side and 15 feet for the rear. The proposed project occurs within the associated Type 2 (F) fish-bearing stream buffers on the properties.

The applicant is requesting to utilize the reasonable use exception process pursuant to KCC 17A.01.060(2), to deviate from the prescribed critical area buffer requirements in KCC 17A.04.030 regarding the required Type F stream buffer (150 ft). Title 17A.01.060(2)(c) of the Kittitas County Code outlines seven criteria in which a reasonable use can be granted. The applicant must demonstrate that the proposal **has met all seven criteria**. The following is a summary describing whether or not each criterion has been satisfactorily demonstrated:

KCC 17A.01.060(2)(c) Granting Criteria (all seven must be met):

1. The application of this Title would deny all economic use of the property.

Applicant Response

“The restrictive geometry of the parcels relative to stream location and local topography preclude buffer averaging per county code. Under the existing critical areas code, the stream buffer causes the parcels to be practicably unbuildable, denying all reasonable economic use of the property.”

Staff Response

CDS staff have reviewed the complete file information, including but not limited to the applicant submitted information and comments received during the comment period. The current critical areas and associated buffers for the lot, as outlined in the Critical Areas report, deny all reasonable economic use of the property.

The applicant has demonstrated in a factual and meaningful way that the application of this Title (KCC 17A) would deny all economic use of the property. The reasonable use exemption request, as presented, is consistent with KCC 17A.01.060(2)(c)(i).

2. No other reasonable economic use of the property has less impact on the critical area and its buffer.

Applicant Response

“The proposal to build residential homes on the parcels within the established Crest Neighborhood is reasonable. The build footprints have been reduced to the greatest practicable extent to minimize critical areas buffer impacts. Refer to the attached Critical Areas Report by GG Environmental, LLC, dated 10-29-2024.”

Staff Response

CDS staff have reviewed the complete file information, including but not limited to the applicant’s submitted information and comments received during the comment period. CDS believes that unless the applicant does nothing with the property, a single-family residence has the least amount of impact on the critical areas & their associated buffers.

The applicant has demonstrated in a factual and meaningful way there are no other reasonable economic uses that have less impact on the critical area and its buffer on the property. The reasonable use exemption request, as presented, is consistent with KCC 17A.01.060(2)(c)(ii).

3. The proposed impact to the critical area is the minimum necessary to allow for reasonable economic use of the property.

Applicant Response

“The proposal to build residential homes on the parcels within the established Crest Neighborhood is a reasonable economic use of the parcels. The build footprints have been reduced to the greatest practicable extent yet still allow for residences to be constructed. Refer to the attached Critical Areas Report by GG Environmental, LLC, dated 10-29-2024.”

Staff Response

The single-family home will present the minimum necessary impact to the critical area while allowing reasonable use of the property.

The applicant has demonstrated in a factual and meaningful way that the proposed impact to the critical area is the minimum necessary to allow for reasonable economic use of the property. The reasonable use exemption request, as presented, is consistent with KCC 17A.01.060(2)(c)(iii).

4. The inability of the applicant to derive reasonable economic use of the property is not the result of actions by the applicant after the effective date of this Title.

Applicant Response

"The inability to derive reasonable economic use of the properties is not the result of action by the applicant after the effective date of KCC 17 A.01 .060(2)(c)."

Staff Response

The critical areas and their corresponding buffers cover much of the buildable area property, making it difficult to utilize the property for any economic means. The current critical areas buffer (effective 2/7/2022) increased the buffers on this property that derived the property of reasonable economic use.

The applicant has demonstrated in a factual and meaningful way that the proposal is not the result of actions taken by the applicant after the effective date of this Title (KCC 17A). The reasonable use exemption request, as presented, is consistent with KCC 17A.01.060(2)(c)(iv).

5. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site.

Applicant Response

"The project proposes to construct residential homes within an existing residential neighborhood. WDFW and the county have been consulted, including a collaborative site visit to view the properties. No concerns have been raised to suggest the project would pose an unreasonable threat to public health, safety, or welfare."

Staff Response

The proposal has similar qualities to other single-family developments and will not pose an unreasonable threat to public health, safety and welfare.

The applicant has demonstrated in a factual and meaningful way that the proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site. The reasonable use exemption request, as presented, is consistent with KCC 17A.01.060(2)(c)(v).

6. The proposal will result in no net loss of critical area functions and values consistent with the best available science.

Applicant Response

"Early consultation with WDFW and the county has been completed and proposed mitigation is consistent with regulatory input. Given the positive existing buffer baseline condition, the proposed reduction in vegetative buffer width to accommodate construction is expected to preserve sufficient riparian vegetation to provide buffer functions and values to the creek reach. Nevertheless, riparian buffer mitigation measures are proposed for the buffer impact; measures deemed achievable and reasonable given the restrictive parcel geometry and limited buildable terrain. As a result, the project would not result in a net loss of critical area functions and values, consistent with best available science. Refer to attached Critical Areas Report by GG Environmental, LLC, dated 10-29-2024."

Staff Response

With the assistance of the Washington Department of Fish & Wildlife, the applicant is proposing mitigation measures to protect and enhance the stream buffer and stream. CDS has conditioned this determination to ensure the applicant works with the Washington Department of Fish & Wildlife to develop a mitigation plan that results in a no net loss of critical area functions and values.

The applicant has demonstrated in a factual and meaningful way that the proposal will result in no net loss of critical area functions and values consistent with the best available science. The reasonable use exemption request, as presented, is consistent with KCC 17A.01.060(2)(c)(vi).

7. The proposal is consistent with other application regulations and standards.

Applicant Response

"The project is consistent with other application regulations and standards as it proposes to build homes in an established neighborhood. The constructed homes would be similar in size and architecture to that of the existing homes."

Staff Response

The proposal is conditioned to be consistent with all other applicable regulations and standards.

The applicant has demonstrated in a factual and meaningful way that the proposal is consistent with other application regulations and standards. The reasonable use exemption request, as presented, is consistent with KCC 17A.01.060(2)(c)(vii).

Staff Conclusions

Staff finds that the reasonable use exception request **does** meet all seven criteria outlined in KCC 17A.01.060(2)(c) as described above. Therefore, the critical areas reasonable use request is consistent with the conditions necessary to grant a reasonable use exception under KCC 17A.01.060(2)(c).

IV. ADMINISTRATIVE REVIEW

Deem Complete: The application was determined complete on November 19, 2024.

Notice of Application: Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on November 21, 2024, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on December 9, 2024, and all comments were transmitted to the applicant on December 17, 2024.

V. ENVIRONMENTAL REVIEW

A critical area review was performed by CDS staff and GIS data indicates an R4SBC wetland and Type 2 (F) fish bearing stream on the proposed lots. Through a Critical Area report performed by GG Environmental, LLC., it was discovered that the site contains a Type 2 (F) fish-bearing stream and no wetlands.

For a Type 2 (F) Stream, the current required buffer in KCC 17A.04.030(4) is a 150-foot buffer from the Ordinary High-Water Mark (OHWM) of the creek since it is within the Cascade Ecoregion. This does not include the additional 15' building setback in KCC 17A.01.090.5. The proposal is within the required buffers for the Type 2 (F) stream and requires a reasonable use exception.

With the assistance of the Washington Department of Fish & Wildlife, the applicant is proposing mitigation measures to protect and enhance the stream buffer and stream. CDS has conditioned this determination to ensure the applicant works with the Washington Department of Fish & Wildlife to develop a mitigation plan that results in a no net loss of critical area functions and values.

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:

Comments were received from the following agencies during the comment period: Washington Department of Natural Resources, Confederated Tribes of the Colville Reservation, Kittitas County Public Health Department, Kittitas County Public Works, Washington Department of Fish & Wildlife, WA State Dept of Health. All comments are on file and available for public review.

Washington Department of Natural Resources

Based on remote review of this parcel(s) it appears that some or all of the parcel(s) consist of forestland, and it will require a Forest Practices Application (FPA) from the DNR if merchantable timber is removed/harvested as part of the proposal and/or is being converted out of forest land (RCW 76.09 and WAC 222). The FPA would need to meet the requirements of the Forest Practices Act and its rules. It is our recommendation that the applicant meet with our local forest practices forester to discuss.

Applicant Response

The applicant provided no response.

Staff Response

CDS has conditioned this determination to ensure the applicant shall work with DNR to determine if a Forest Practices Application is required.

Confederated Tribes of the Colville Reservation

This project involves intense ground disturbing activity related to the proposed construction of two residential homes. The project area falls within the Very High probability area according to the DAHP predictive model for Inadvertent Discovery Risk.

The proposed project lies within the traditional territory of the Wenatchi Tribe, 1 of the 12 constituent tribes of the Confederated Tribes of the Colville Reservation (CTCR), which is governed by the Colville Business Council (CBC). The CBC has delegated to the Tribal Historic Preservation Officer (THPO) the responsibility of representing the CTCR with regard to cultural resources management issues throughout the traditional territories of all of the constituent tribes under Resolution 1996-29. This area includes parts of eastern Washington, northeastern Oregon, the Palus territory in Idaho, and south-central British Columbia.

The CCT H/A requests a cultural resource survey prior to any initial ground breaking activity and for this parcel to be subsurface tested with shovel test probes at an appropriate interval to ensure the presence or absence of subsurface cultural materials within the project APE. We look forward to reviewing the findings in the subsequent cultural resource report.

Applicant Response

The history and archaeology survey needed from Connor Armi. This plat im building in was platted in 2007. It was at that time they could have done the study. I also built 2 homes right next door that were on

the same stream that did not require this as well. I don't believe I should have to pay for a study on my land as it had the opportunity to do so already.

Staff Response

CDS has conditioned this determination to ensure the applicant shall have an Inadvertent Discovery Plan (IDP) in place prior to beginning construction.

Kittitas County Public Health Department

1. If a septic system is proposed for these parcels in the future, a site evaluation will be required to assess soil conditions.
2. Any future septic system installation must adhere to setback requirements, which include:
 - a. A 100-foot setback from wells and surface water for the drain field.
 - b. A 50-foot setback from wells and surface water for sewage tanks and the distribution box.
3. The parcels will need to submit an adequate water application for well connections.

Applicant Response

The applicant provided no response.

Staff Response

CDS has conditioned this determination to ensure the applicant shall work with the KC Public Health Department for water and septic requirements.

Kittitas County Public Works (KCPW)

Kittitas County Public Works provided comment on this application on January 9, 2024. KCPW commented that they recommend approval of the reasonable use application based on the following conditions:

1. An approved access permit shall be required from the Kittitas County Department of Public Works prior to creating any new driveway access or altering an existing access.
2. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
3. Lots 4C and 4D have a recorded easement #200711270030 for ingress, egress, and utility.
4. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
5. No driveway or road shall be constructed within five feet of the side yard boundary, unless the driveway or road is part of an easement shared with the neighboring property owner. (KCC 12.05.080)
6. A fire apparatus turnaround is required within 150' of the purposed home build site for accesses exceeding 150' in length. Existing cul-de-sac at the end of Telluride Drive may requirement improvements to qualify as an approved fire apparatus turnaround. Per Kittitas County Standard Plans 5 or 6, Title 12.
7. Driveways greater than 150 feet in length to be a minimum of 16 feet wide with 2 feet of clear zone on both sides and constructed with compacted gravel surface layer.
8. Driveway not to exceed 10% grade. Driveway between 10-15% grade shall be hard surfaced. Driveways exceeding 15% grade will require a variance KCC Title 12.
9. In addition to the above-mentioned conditions, all applicable Kittitas County Road Standards apply to this proposal. Access is not guaranteed to any existing or created parcels on this application.
10. Except as exempted in 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).

Applicant Response

The applicant provided no response.

Staff Response

CDS has provided these comments to the applicant and conditioned this determination to ensure the applicant shall obtain all necessary permits required by KCPW for this development and meet all Kittitas County Road and Bridge Standards.

Washington State Department of Fish & Wildlife (WDFW)

The Washington Department of Fish and Wildlife (WDFW) is familiar with the property and met with Mr. Carey (landowner) and Kittitas County on-site in August 2024. Our comments are regarding the project's impact on Fish and Wildlife Habitat Conservation Areas (FWHCAs, CAO Chapter 17A.04), particularly riparian habitat.

As discussed during the site visit, Spring Creek, a fish bearing tributary to Cle Elum Lake, bisects each parcel. The proposed home sites are located within the Spring Creek riparian management zone (RMZ, CAO 17A.04.030). To ensure no net loss, we recommend avoiding and minimizing impacts to the riparian buffer, particularly the mature conifer trees, as much as possible, by utilizing already disturbed areas and locations lacking mature overstory vegetation. Where impacts cannot be avoided, mitigation will be needed to offset the impacts to the riparian buffer.

We appreciate the Wetland and Stream Critical Areas Evaluation and Stream Buffer Mitigation Plan included with the application materials. However, we're unable to quantify the mitigation proposed to offset the 0.85 acre riparian impact. As currently proposed, the large wood additions are the only mitigation and thus its footprint should be equivalent to or greater than the loss of riparian habitat in order to achieve no net loss of functions and values. Please have the applicant quantify the amount of large wood (ex: number of trees) to be cleared during construction and placed into Spring Creek as mitigation, including the placement location(s) and how the wood will be positioned within the stream.

We recommend development of a detailed mitigation plan, to be reviewed and approved by WDFW prior to construction, as a condition of the reasonable use approval. The mitigation plan should quantify the proposed mitigation measures and demonstrate equivalent or greater biological functions of FWHCAs consistent with Kittitas County's Critical Areas Ordinance (CAO 17A.04.070). If additional mitigation measures are needed to offset the 0.85 acre riparian impact, we are glad to further discuss options.

Applicant Response

The applicant provided no response.

Staff Response

CDS has provided these comments to the applicant and conditioned this determination to ensure the applicant shall work with the Washington Department of Fish and Wildlife to develop a mitigation plan.

Public Comments:

There were no public comments for this reasonable use request.

All comments received during the comment period were transmitted to the applicant on December 17, 2024. The applicant responded to comments on December 23, 2024.

VII. PROJECT ANALYSIS

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

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

A critical area review was performed by CDS staff and GIS data indicates an R4SBC wetland and Type 2 (F) fish bearing stream on the proposed lots. Through a Critical Area report performed by GG Environmental, LLC., it was discovered that the site contains a Type 2 (F) fish-bearing stream and no wetlands.

For a Type 2 (F) Stream, the current required buffer in KCC 17A.04.030(4) is a 150-foot buffer from the Ordinary High-Water Mark (OHWM) of the creek since it is within the Cascade Ecoregion. This does not include the additional 15' building setback in KCC 17A.01.090.5.

The proposal is within the required buffers for the Type 2 (F) stream and requires a reasonable use exception.

The applicant shall develop and submit a mitigation plan, per KCC 17A.04.070, that is approved by the Washington Department of Fish & Wildlife. The mitigation plan is to include minimizing impacts to the riparian buffers and mature conifer trees as well as planting natural plants, shrubs & trees typically found near streams. The mitigation plan is to include improvements to the stream reach.

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

All buildings must be consistent with International Building Codes and approved building plans as issued by Kittitas County.

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

The proposal must be consistent with the provisions of KCC Title 20.

Consistency with the provisions of the KCC Title 17, Zoning:

The proposal must be consistent with the provisions of KCC Title 17.

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

The proposal must be consistent with the provisions of KCC Title 17A.

VIII. FINDINGS OF FACT

1. Nick Carey property owner, submitted a reasonable use exception to build a driveway and single-family residence on both parcel # 20560 & parcel # 20561.
2. Parcel #'s: The subject property is parcel # 20560 & 20561 on Telluride Drive, east of the intersection of Breckenridge Drive & Telluride Drive by 0.15 miles in Ronald, WA. bearing Assessor's Map number 21-14-34065-0003 & 21-14-34065-0004 in Kittitas County.
3. Site Information

Total Property Size:	6.78
Number of Lots:	2
Domestic Water:	Well
Sewage Disposal:	Onsite future drain fields

Fire Protection: Fire District 6 (Ronald)

4. Site Characteristics:

North: Primarily residential & forest lands
South: Primarily residential & forest lands
East: Primarily residential & forest lands
West: Primarily residential & forest lands

Access: The site is accessed via Telluride Drive.

5. The Comprehensive Plan land use designation is Rural Recreation. The zoning is Rural Recreation.
6. The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County.
7. A Reasonable Use Application was submitted to Kittitas County Community Development Services department on October 31, 2024.
8. The application was determined complete on November 19, 2024.
9. Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on November 21, 2024, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on December 9, 2024, and all comments were transmitted to the applicant on December 17, 2024.

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

A critical area review was performed by CDS staff and GIS data indicates an R4SBC wetland and Type 2 (F) fish bearing stream on the proposed lots. Through a Critical Area report performed by GG Environmental, LLC., it was discovered that the site contains a Type 2 (F) fish-bearing stream and no wetlands.

For a Type 2 (F) Stream, the current required buffer in KCC 17A.04.030(4) is a 150-foot buffer from the Ordinary High-Water Mark (OHWM) of the creek since it is within the Cascade Ecoregion. This does not include the additional 15' building setback in KCC 17A.01.090.5.

The proposal is within the required buffers for the Type 2 (F) stream and requires a reasonable use exception.

10. The proposal is consistent with the provisions of KCC 17A, Critical Areas as conditioned.
11. The proposal is consistent with the reasonable use exception criteria in KCC 17A.01.060(2)(c). All seven criteria have been satisfied.
12. This proposal is consistent with the provisions of the KCC Title 14.04, Building Code as conditioned.
13. The proposal is consistent with the provisions of KCC Title 20, Fire and Life Safety, as conditioned.
14. The proposal is consistent with the provisions of KCC Title 12, Roads and Bridges as conditioned.
15. Comments were received from the following agencies during the comment period: Washington

Department of Natural Resources, Confederated Tribes of the Colville Reservation, Kittitas County Public Health Department, Kittitas County Public Works, Washington Department of Fish & Wildlife, WA State Dept of Health. All comments are on file and available for public review.

16. No public comments were received.

IX. STAFF CONCLUSIONS:

1. This proposal has satisfied all seven criteria of KCC Title 17A.01.060(2)(c).
2. The proposal is consistent with state and federal regulations.
3. The proposal is consistent with local regulations including Kittitas County Code Title 12 Roads and Bridges, Title 14.04 Building Code, Title 17 Zoning, Title 17A Critical Areas, and Title 20 Fire and Life Safety.

X. DECISION AND CONDITIONS OF APPROVAL:

Kittitas County Community Development Services finds that the Carey Reasonable Use Exception Request (RU-24-00002) is hereby **approved**. The Carey Reasonable Use Exception Request has satisfied the requirements of a reasonable use exception pursuant to KCC 17A.01.060(2)(c).

CONDITIONS OF APPROVAL:

1. The project shall proceed in substantial conformance with the plans and application materials on file with CDS dated October 31, 2024 and subsequent information included in the complete file index except as amended by the conditions herein.
2. The applicant shall comply with all local, State and Federal regulations, including environmental standards and regulations in place at the time of building permit application submittal.
3. The applicant shall comply with local regulations including Kittitas County Code Title 12 Roads and Bridges, Title 14.04 Building Code, Title 17 Zoning, Title 17A Critical Areas, and Title 20 Fire and Life Safety.
4. No driveway or road shall be constructed within five feet of the side yard boundary, unless the driveway or road is part of an easement shared with the neighboring property owner. (KCC 12.05.080).
5. A fire apparatus turnaround is required within 150' of the purposed home build site for accesses exceeding 150' in length. Existing cul-de-sac at the end of Telluride Drive may requirement improvements to qualify as an approved fire apparatus turnaround. Per Kittitas County Standard Plans 5 or 6, Title 12.
6. Driveways greater than 150 feet in length to be a minimum of 16 feet wide with 2 feet of clear zone on both sides and constructed with compacted gravel surface layer.
7. Driveway not to exceed 10% grade. Driveway between 10-15% grade shall be hard surfaced. Driveways exceeding 15% grade will require a variance KCC Title 12.
8. In addition to the above-mentioned conditions, all applicable Kittitas County Road Standards apply to this proposal. Access is not guaranteed to any existing or created parcels on this application.

9. Except as exempted in 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).
10. All current and future owners must comply with International Fire Code.
11. All current and future owners must comply with International Building Code.
12. The applicant is to work with KC Public Health Department for septic design, placement, and approval.
13. The applicant is to work with Washington Department of Natural Resources to determine if a Forest Practices Application is needed.
14. The applicant shall have an Inadvertent Discovery Plan (IDP) in place prior to beginning construction.
15. Should ground disturbing or other activities related to this proposal 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 findings are 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.
16. The applicant shall develop and submit a mitigation plan, per KCC 17A.04.070, that is approved by the Washington Department of Fish & Wildlife. The mitigation plan is to include minimizing impacts to the riparian buffers and mature conifer trees as well as planting natural plants, shrubs & trees typically found near streams. The mitigation plan is to include improvements to the stream reach.
17. The applicant shall work with the Kittitas County Fire Marshall and Washington Department of Fish and Wildlife to meet the requirements of the critical area mitigation plan and the Wildland Urban Interface code.

Per Title 17A.01.090(5), notice on Title shall be recorded with the Kittitas County Auditor's office for all lots involved describing the following:

- i. The presence and location of the critical area and buffer.
- ii. A statement of as to the applicability of Title 17A to the property including this reasonable use exception.
- iii. A statement describing limitations on action in or affecting critical area and buffers approved as part of this reasonable use.

A copy of the recorded notice shall be provided to Kittitas County Community Development Services.

Responsible Official _____

Bradley Gasawski

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7539

Date: February 11, 2025

Pursuant to Chapter 15A.07 KCC, this determination may be appealed by submitting specific factual objections in writing with a fee of \$1670 to the Kittitas County Community Development Services at 411 N Ruby St Ste. 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00pm February 27, 2025. Aggrieved parties are encouraged to contact Community Development Services at (509) 962-7506 for more information on the appeal process.