

MLH SP-24-00014 Compliance Document

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 MLH Short Plat, SP-24-00014, 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 Residential 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. This application is subject to the latest revision of the Kittitas County Road Standards. The following conditions apply and must be completed prior to final approval of this project. A performance guarantee may be used in lieu of the required improvements, per the conditions outlined. (KCC 12.01.150)
- B. A driveway shall serve no more than four tax parcels. See Kittitas County Road Standards.
- C. New access easements shall be a minimum of 30'. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150', or 16' if the length of the driveway is more than 150'.
- D. Driveways longer than 150' in length are required to provide a Fire Apparatus Road Turnaround meeting the requirements of appendix D in the International Fire Code.
- E. Max grade shall be 10%.
- F. Crush surface depth per WSDOT Standards.
- G. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- H. 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.

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- I. 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.
 - J. Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
 - K. Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.
 - L. 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).

3. State and Federal

- A. Applicant shall meet all state and federal regulations.
- B. A Forest Practices Application shall be required if merchantable timber is removed at any point during future development. Applicants shall contact the Washington State Department of Natural Resources to obtain an FPA permit.
- C. Prior to new parcels being created as part of this project, the applicants must clearly demonstrate that they are not creating lots that will require variances and/or reasonable use exceptions from the critical areas requirements or other relevant sections of code when development is proposed. Washington State Dept. of Fish and Wildlife recommends the following:
 - i. Prior to approval of this application, complete a Critical Areas Report that identifies all critical areas present within the project area and the required setbacks. Completing this report and assessment will result in the identification of areas where development would be allowed without the need for variances or reasonable use exceptions.
 - ii. If a Critical Areas Report is not completed prior to approval, we recommend identifying the water course and the development envelope outside of critical areas and their setbacks to ensure future development will protect the unnamed stream.
- D. If the applicants plan on withdrawing groundwater for a new use within the boundaries of WAC 173-539A, the project must be water budget neutral. Before withdrawing or using any water, please submit a Request of Determination of Water Budget Neutrality or an Application for a New Water Right Permit, depending on the size of the project either form may be required. If the applicants have any questions, please contact Nathan Longoria at (509) 907-1752 or email at nathan.longoria@ecy.wa.gov.

4. Plat Notes

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

Note 12 ✓ 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.

Note 7 ✓ All development shall comply with International Fire Code.

Note 4 ✓ Maintenance of the access is the responsibility of the property owners who benefit from its use.

Note 5 ✓ 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.

Note 10 ✓ 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.

Note 6 ✓ Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.

Note 2 ✓ 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.

Note 9 ✓ Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations. 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.

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Note 8 ✓ The subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities and mineral operations may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities and/or mineral operations performed in accordance with County, State and federal laws are not subject to legal action as public nuisances.

Note 9 ✓ Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County

Code Chapter 13.35.027 and Ecology regulations.

Note 10/

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.

5. Other

- A. Taxes shall 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. Per Kittitas County Public Health: Lot A1 will need to submit an adequate water supply determination as well as a well log for drinking water on the lot. Lot A1 will also need to submit a soil log.
- 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) and the Confederated Tribes of the Colville Reservation. 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.
- D. Both sheets of the final mylars shall reflect short plat number SP-24-00014 and an accurate legal description shall be shown on the face of the final plat. Engineers and Surveyors need to be cognizant of all 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.
- E. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
- F. Requirements for legal availability of water and metering for the proposed short plat: The applicant must provide legal water availability for all new uses on the proposed lots of this project, which can be provided through mitigation certificates. This parcel is not within the service area of the Kittitas County Water Bank. Prior to final plat approval and recording, the following conditions shall be met. In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:
- A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
 - An adequate water right for the proposed new use; or
 - A certificate of water budget neutrality from the Department of Ecology or other

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adequate interest in water rights from a water bank.

Noted { 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. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.

- G. 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 \$1670 to Kittitas County. The appeal deadline for this project is December 27, 2024, at 5:00 p.m. Appeals submitted on or before December 27, 2024, shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official



Zach Torrance-Smith

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7079

Date: December 9, 2024