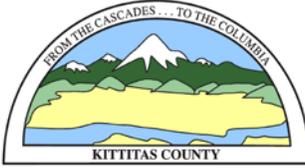


PROJECT NAME: **Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)**

<p style="text-align: center;">Index #</p> <p style="text-align: center;"><small>*Numbers in lower right hand corner</small></p>	<p style="text-align: center;">Document Name</p>
1	Submitted applications and attachments/exhibits
2	Notice of Application Memo and Legal
3	SEPA Notice of Action Memo and Legal
4	SEPA MDNS
5	Comments from DOE
6	Comments from WSDOT
7	Comments from Brad and Cheryl Bogart
8	Comments from KCCDS Investigation and Enforcement
9	Comments from John and Lila Hanson
10	Comments from Merwyn Blanchard
11	Comments from BPA
12	Comments from State of Washington Dept. of Archaeology and Historic Preservation
13	Archaeology Survey Correspondence and Information
14	9/26 PC Minutes and exhibits
15	PC revised staff report



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

STAFF REPORT

TO: Kittitas County Planning Commission
FROM: Joanna Valencia, Staff Planner
DATE: September 21, 2006 for September 26, 2006 Public Meeting (revised 10/10/06 -jv)
SUBJECT: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

I. GENERAL INFORMATION

Proposal:

Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners.

Applications for the following:

1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD)
2. Ranch on Swauk Creek Preliminary Plat Phase #1 Division 1, P-06-27, which is a 14-lot subdivision.

Pursuant to KCC 17.36: Planned Unit Development (PUD) any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The submitted application is proposing a phased approach and is as follows. Currently there is only one plan submitted which is that Phase #1 Division 1 Preliminary Plat proposing 14 lots.

Phase #1:

- A total of 81 lots divided into two segments (divisions)
 - Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
 - Phase #1 Division 2: 67 lots, Group A Water System and Community Septic

Phase #2

A total of 81 lots, Group A Water System and Community Septic

Phase #3

A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System

Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space: is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek, will be used for continued Agricultural use which includes production of hay and grass and

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.

The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed.

Pursuant to KCC 17.36.040: final development plan for Planned Unit Development, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.

Location:

The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

Site Information: The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures.

Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20.

II. POLICY AND REGULATORY REQUIREMENTS

Countywide Planning Policies: provide for the orderly development of Planned Unit Developments within and outside of UGA's and UGN's.

Kittitas County Comprehensive Plan: The Comprehensive Plan's Land Use Element designates the subject parcel as Rural. Such areas are generally characterized by lands that can support residential development, but also farming, mining and forestry. Consequently, particular precaution must be taken to minimize conflict between new residential developments and natural resource activities. The economy of our rural community has traditionally been based on natural resource activities and Kittitas County encourages and supports their continuation in Rural Lands.

Comprehensive Plan –

Rural Residential Land Use:

GPO 2.145 – Rural residential development must be in areas that can support adequate private water and sewer systems.

GPO 2.147 – Densities should be determined by water and sewage systems provided and by compatibility with existing and projected development in the vicinity. The proximity of fire protection facilities should be considered in addition.

Zoning Code:

The subject property is currently zoned the following:

Agricultural-3. The purpose and intent of the agricultural (A-3) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 83-Z-2 (part), 1983).

Agricultural-5. The purpose and intent of the agricultural (A-5) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-5 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 2005-05, 2005).

Forest and Range-20. The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. (Ord. 92-6 (part), 1992).

Proposed Zoning: The requested zone change is to Planned Unit Development (PUD). Pursuant to Kittitas County Code 17.36, the purpose of this chapter is to provide for and encourage a harmonious mixture of land uses with greater flexibility in land use controls than is generally permitted by other sections of this title. (Ord. 90-6 (part), 1990; Res. 83-10, 1983).

The permitted uses include: all residential uses including multifamily structures, hotels, motels, condominiums, retail business, commercial-recreation businesses, restaurants, cafes, taverns, cocktail bars, and any other similar uses deemed by the Planning Commission to be consistent with the purpose and intent of KCC 17.36.

Pursuant to KCC 17.36.030: Planned Unit Development, Any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The submitted development plan includes the following:

1. A vicinity map showing the location of the site and its relationship to surrounding areas;
2. A map of the site drawn to a scale, no smaller than two hundred feet to the inch showing the following:
 - a. Arrangement of land uses by type (residential, commercial, open spaces, etc.). A statement on the approximate percentage of land in each category. The map should show proposed traffic circulation;
 - b. Names and dimensions of dedicated roads bounding or near the site;
 - c. Planned off-street parking areas including approximate number of spaces to be provided;
 - d. Elevation contours of no more than twenty-foot intervals;
3. A statement relating the development plan to adjacent development and natural areas;
4. A statement of the developer's intent with regard to providing landscaping and retention of open spaces;
5. A statement outlining future land ownership patterns within the development including homeowners associations if planned;
6. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;
7. Documentation from the planning department that environmental review (SEPA) has been completed;
8. Statement of planned residential (housing) densities expressed in terms of living units per building and per net acre (total acreage minus dedicated rights-of-way). (Ord. 90-6 (part), 1990; Res. 83-10, 1983).

Required Findings for Rezone: Pursuant to KCC 17.98.020(E), a petition requesting a change on the zoning map from one zone to another must demonstrate that the following criteria are met:

1. *The proposed amendment is compatible with the comprehensive plan*
2. *The proposed amendment bears a substantial relation to the public health, safety or welfare*
3. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county*
4. *The proposed amendment is appropriate because of changed circumstances or because of a*

need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property

5. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone*
6. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property*
7. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties*

Subdivision Code: Per Kittitas County Code Subdivision is defined as the division of land into 5 or more parcels (KCC 16.04.010 b (1)).

Critical Areas Review: An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is within the Swauk Prairie Deer and Ellensburg Mule Deer Winter Range, and is impacted by shorelines of the state (Swauk Creek), floodplains and wetlands. The following are findings from the review:

Shorelines of the State: Swauk Creek a shoreline of the state is located on the subject property and it is within the Rural Shoreline Environment per the Kittitas County Shoreline Master Plan. All development will need to comply with the Kittitas County Shoreline Master Plan and KCC 17A: Critical Areas.

100 year flood plain and Wetlands: Floodplains and Wetlands are located within the subject property, particularly in relation to Swauk Creek. All development will need to comply with the Kittitas County Shoreline Master Plan, KCC 17A: Critical Areas, KCC 14.08: Flood Damage Prevention and SEPA mitigations.

III. ADMINISTRATIVE REVIEW

Notice of Application: A Notice of Application was issued on August 1, 2006. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.

Written Testimony: Written comments were solicited and the final date to submit written comments was on August 31, 2006 by 5:00pm. Comments were received and were routed to you as part of your packet.

State Environmental Policy Act: Based on the review of the submitted application materials (including an environmental checklist), correspondence received during the 30 day comment period and other information on file with our office, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on September 8, 2006. The SEPA appeal period ends on September 25, 2006 at 5:00 pm.

The following are the mitigations contained with the MDNS:

I. Transportation

- A. Access to US-97 for these properties will be via the Burke and Bettas Road intersections. No direct access to US-97 will be allowed.
- B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.

- C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.

II. Light and Glare

- A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.

III. Water and Septic

- A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.
- B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.
- C. All development shall comply with the Kittitas County Shoreline Master Program.
- D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.
- E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown on the final mylars.
- F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.
- G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek.
- H. Stormwater and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.
- I. Stormwater and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.
- J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for stormwater generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.
- K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.
- L. Pond locations shall remain outside of Critical Areas.
- M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.
- N. The applicant will develop a Group "B" water system for Division one of Phase one of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division one of Phase one to the Group "A" water system that will provide water for future divisions and phases of the development.
- O. A Group "A" water system will be planned and constructed as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.
- P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.
- Q. A Class A Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of

the Class A Reclaimed Water Facility as approved by the Washington State Department Of Health and the Washington State Department of Ecology.

- R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.
- S. Site grading shall comply with Kittitas County Code 14.08.

IV. Noise

- A. All county noise ordinances shall apply to the project.
- B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the project hours shall be 7:30am to sunset.
- C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.

V. Land Use and Recreation

- A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.
- B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.
- C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.
- D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.
- E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
- F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.
- G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.

VII. Utilities and Services

- A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.
- B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.
- C. The Group A Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.
- D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.
- E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.
- F. All parcels located outside of a fire district shall be subject to the International Urban Wildland Interface Code.
- G. There shall be no parking on all access roadways for the project.
- H. All development shall comply with the International Fire Code (IFC) and Appendices.

- I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.

IV. SUGGESTED FINDINGS OF FACT

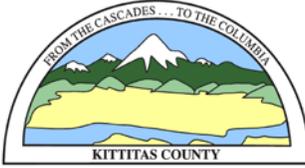
THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL, HOWEVER ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners has submitted applications for the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision.
2. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.
3. Pursuant to KCC 17.36: Planned Unit Development any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed. The submitted application is proposing a phased approach and is as follows:
 - Phase #1:
 - A total of 81 lots divided into two segments (divisions)
 - Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
 - Phase #1 Division 2: 67 lots, Group A Water System and Community Septic
 - Phase #2
 - A total of 81 lots, Group A Water System and Community Septic
 - Phase #3
 - A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System
- Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space: is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek, will be used for continued Agricultural use which includes production of hay and grass and pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.
4. Pursuant to KCC 17.36.040: final development plan for Planned Unit Development, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20.
6. A Notice of Application was issued on August 1, 2006 by Kittitas County Community

Development Services. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.

7. Written comments were solicited and the final date to submit written comments was on August 31, 2006 by 5:00pm. Comments were received and have been made part of the project record.
8. Based on the review of the submitted application materials (including an environmental checklist), correspondence received during the 30 day comment period and other information on file with our office, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on September 8, 2006. The SEPA appeal period ends on September 25, 2006 at 5:00 pm.
9. An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is within the Swauk Prairie Deer and Ellensburg Mule Deer Winter Range, and is impacted by shorelines of the state (Swauk Creek), floodplains and wetlands. The following are findings from the review: **Shorelines of the State:** Swauk Creek a shoreline of the state is located on the subject property and it is within the Rural Shoreline Environment per the Kittitas County Shoreline Master Plan. All development will need to comply with the Kittitas County Shoreline Master Plan and KCC 17A: Critical Areas. **100 year flood plain and Wetlands:** Floodplains and Wetlands are located within the subject property, particularly in relation to Swauk Creek. All development will need to comply with the Kittitas County Shoreline Master Plan, KCC 17A: Critical Areas, KCC 14.08: Flood Damage Prevention and SEPA mitigations.
10. An open record hearing was held by the Planning Commission on September 26, 2006 to consider this matter and testimony was taken from those persons who wished to be heard.
11. The Planning Commission finds that the proposed rezone is consistent with the underlying Comprehensive Plan designation of Rural.
12. The Planning Commission finds that the proposed rezone does meet all seven criteria of Kittitas County Code 17.98.020(E) as outlined below:
 - a. *The proposed amendment is compatible with the comprehensive plan.*
 - b. *The proposed amendment bears a substantial relation to the public health, safety or welfare.*
 - c. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county.*
 - d. *The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.*
 - e. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone.*
 - f. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.*
 - g. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.*
13. The Planning Commission finds that additional conditions are necessary to protect the public's interest.
14. All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

STAFF REPORT

TO: Kittitas County Planning Commission
FROM: Joanna Valencia, Staff Planner
DATE: September 21, 2006 for September 26, 2006 Public Meeting
SUBJECT: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

I. GENERAL INFORMATION

Proposal:

Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners.

Applications for the following:

1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD)
2. Ranch on Swauk Creek Preliminary Plat Phase #1 Division 1, P-06-27, which is a 14-lot subdivision.

Pursuant to KCC 17.36: Planned Unit Development (PUD) any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The submitted application is proposing a phased approach and is as follows. Currently there is only one plan submitted which is that Phase #1 Division 1 Preliminary Plat proposing 14 lots.

Phase #1:

- A total of 81 lots divided into two segments (divisions)
 - Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
 - Phase #1 Division 2: 67 lots, Group A Water System and Community Septic

Phase #2

A total of 81 lots, Group A Water System and Community Septic

Phase #3

A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System

Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space: is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek, will be used for continued Agricultural use which includes production of hay and grass and

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.

The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed.

Pursuant to KCC 17.36.040: final development plan for Planned Unit Development, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.

Location:

The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

Site Information: The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures.

Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20.

II. POLICY AND REGULATORY REQUIREMENTS

Countywide Planning Policies: provide for the orderly development of Planned Unit Developments within and outside of UGA's and UGN's.

Kittitas County Comprehensive Plan: The Comprehensive Plan's Land Use Element designates the subject parcel as Rural. Such areas are generally characterized by lands that can support residential development, but also farming, mining and forestry. Consequently, particular precaution must be taken to minimize conflict between new residential developments and natural resource activities. The economy of our rural community has traditionally been based on natural resource activities and Kittitas County encourages and supports their continuation in Rural Lands.

Comprehensive Plan –

Rural Residential Land Use:

GPO 2.145 – Rural residential development must be in areas that can support adequate private water and sewer systems.

GPO 2.147 – Densities should be determined by water and sewage systems provided and by compatibility with existing and projected development in the vicinity. The proximity of fire protection facilities should be considered in addition.

Zoning Code:

The subject property is currently zoned the following:

Agricultural-3. The purpose and intent of the agricultural (A-3) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 83-Z-2 (part), 1983).

Agricultural-5. The purpose and intent of the agricultural (A-5) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-5 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 2005-05, 2005).

Forest and Range-20. The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. (Ord. 92-6 (part), 1992).

Proposed Zoning: The requested zone change is to Planned Unit Development (PUD). Pursuant to Kittitas County Code 17.36, the purpose of this chapter is to provide for and encourage a harmonious mixture of land uses with greater flexibility in land use controls than is generally permitted by other sections of this title. (Ord. 90-6 (part), 1990; Res. 83-10, 1983).

The permitted uses include: all residential uses including multifamily structures, hotels, motels, condominiums, retail business, commercial-recreation businesses, restaurants, cafes, taverns, cocktail bars, and any other similar uses deemed by the Planning Commission to be consistent with the purpose and intent of KCC 17.36.

Pursuant to KCC 17.36.030: Planned Unit Development, Any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The submitted development plan includes the following:

1. A vicinity map showing the location of the site and its relationship to surrounding areas;
2. A map of the site drawn to a scale, no smaller than two hundred feet to the inch showing the following:
 - a. Arrangement of land uses by type (residential, commercial, open spaces, etc.). A statement on the approximate percentage of land in each category. The map should show proposed traffic circulation;
 - b. Names and dimensions of dedicated roads bounding or near the site;
 - c. Planned off-street parking areas including approximate number of spaces to be provided;
 - d. Elevation contours of no more than twenty-foot intervals;
3. A statement relating the development plan to adjacent development and natural areas;
4. A statement of the developer's intent with regard to providing landscaping and retention of open spaces;
5. A statement outlining future land ownership patterns within the development including homeowners associations if planned;
6. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;
7. Documentation from the planning department that environmental review (SEPA) has been completed;
8. Statement of planned residential (housing) densities expressed in terms of living units per building and per net acre (total acreage minus dedicated rights-of-way). (Ord. 90-6 (part), 1990; Res. 83-10, 1983).

Required Findings for Rezone: Pursuant to KCC 17.98.020(E), a petition requesting a change on the zoning map from one zone to another must demonstrate that the following criteria are met:

1. *The proposed amendment is compatible with the comprehensive plan*
2. *The proposed amendment bears a substantial relation to the public health, safety or welfare*
3. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county*
4. *The proposed amendment is appropriate because of changed circumstances or because of a*

- need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property*
5. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone*
 6. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property*
 7. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties*

Subdivision Code: Per Kittitas County Code Subdivision is defined as the division of land into 5 or more parcels (KCC 16.04.010 b (1)).

Critical Areas Review: An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is within the Swauk Prairie Deer and Ellensburg Mule Deer Winter Range, and is impacted by shorelines of the state (Swauk Creek), floodplains and wetlands. The following are findings from the review:

Shorelines of the State: Swauk Creek a shoreline of the state is located on the subject property and it is within the Rural Shoreline Environment per the Kittitas County Shoreline Master Plan. All development will need to comply with the Kittitas County Shoreline Master Plan and KCC 17A: Critical Areas.

100 year flood plain and Wetlands: Floodplains and Wetlands are located within the subject property, particularly in relation to Swauk Creek. All development will need to comply with the Kittitas County Shoreline Master Plan, KCC 17A: Critical Areas, KCC 14.08: Flood Damage Prevention and SEPA mitigations.

III. ADMINISTRATIVE REVIEW

Notice of Application: A Notice of Application was issued on August 1, 2006. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.

Written Testimony: Written comments were solicited and the final date to submit written comments was on August 31, 2006 by 5:00pm. Comments were received and were routed to you as part of your packet.

State Environmental Policy Act: Based on the review of the submitted application materials (including an environmental checklist), correspondence received during the 30 day comment period and other information on file with our office, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on September 8, 2006. The SEPA appeal period ends on September 25, 2006 at 5:00 pm.

The following are the mitigations contained with the MDNS:

I. Transportation

- A. Access to US-97 for these properties will be via the Burke and Bettas Road intersections. No direct access to US-97 will be allowed.
- B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.

- C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.

II. Light and Glare

- A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.

III. Water and Septic

- A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.
- B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.
- C. All development shall comply with the Kittitas County Shoreline Master Program.
- D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.
- E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown on the final mylars.
- F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.
- G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek.
- H. Stormwater and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.
- I. Stormwater and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.
- J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for stormwater generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.
- K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.
- L. Pond locations shall remain outside of Critical Areas.
- M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.
- N. The applicant will develop a Group "B" water system for Division one of Phase one of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division one of Phase one to the Group "A" water system that will provide water for future divisions and phases of the development.
- O. A Group "A" water system will be planned and constructed as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.
- P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.
- Q. A Class A Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of

the Class A Reclaimed Water Facility as approved by the Washington State Department Of Health and the Washington State Department of Ecology.

- R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.
- S. Site grading shall comply with Kittitas County Code 14.08.

IV. Noise

- A. All county noise ordinances shall apply to the project.
- B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the project hours shall be 7:30am to sunset.
- C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.

V. Land Use and Recreation

- A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.
- B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.
- C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.
- D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.
- E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
- F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.
- G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.

VII. Utilities and Services

- A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.
- B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.
- C. The Group A Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.
- D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.
- E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.
- F. All parcels located outside of a fire district shall be subject to the International Urban Wildland Interface Code.
- G. There shall be no parking on all access roadways for the project.
- H. All development shall comply with the International Fire Code (IFC) and Appendices.

- I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.

IV. SUGGESTED FINDINGS OF FACT

THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL, HOWEVER ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners has submitted applications for the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision.
2. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.
3. Pursuant to KCC 17.36: Planned Unit Development any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed. The submitted application is proposing a phased approach and is as follows:
 - Phase #1:
 - A total of 81 lots divided into two segments (divisions)
 - Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
 - Phase #1 Division 2: 67 lots, Group A Water System and Community Septic
 - Phase #2
 - A total of 81 lots, Group A Water System and Community Septic
 - Phase #3
 - A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System
- Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space: is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek, will be used for continued Agricultural use which includes production of hay and grass and pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.
4. Pursuant to KCC 17.36.040: final development plan for Planned Unit Development, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20.
6. A Notice of Application was issued on August 1, 2006 by Kittitas County Community

Development Services. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.

7. Written comments were solicited and the final date to submit written comments was on August 31, 2006 by 5:00pm. Comments were received and have been made part of the project record.
8. Based on the review of the submitted application materials (including an environmental checklist), correspondence received during the 30 day comment period and other information on file with our office, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on September 8, 2006. The SEPA appeal period ends on September 25, 2006 at 5:00 pm.
9. An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is within the Swauk Prairie Deer and Ellensburg Mule Deer Winter Range, and is impacted by shorelines of the state (Swauk Creek), floodplains and wetlands. The following are findings from the review: **Shorelines of the State:** Swauk Creek a shoreline of the state is located on the subject property and it is within the Rural Shoreline Environment per the Kittitas County Shoreline Master Plan. All development will need to comply with the Kittitas County Shoreline Master Plan and KCC 17A: Critical Areas. **100 year flood plain and Wetlands:** Floodplains and Wetlands are located within the subject property, particularly in relation to Swauk Creek. All development will need to comply with the Kittitas County Shoreline Master Plan, KCC 17A: Critical Areas, KCC 14.08: Flood Damage Prevention and SEPA mitigations.
10. An open record hearing was held by the Planning Commission on September 26, 2006 to consider this matter and testimony was taken from those persons who wished to be heard.
11. The Planning Commission finds that the proposed rezone is consistent with the underlying Comprehensive Plan designation of Rural.
12. The Planning Commission finds that the proposed rezone **does/does not** meet all seven criteria of Kittitas County Code 17.98.020(E) as outlined below:
 - a. *The proposed amendment is compatible with the comprehensive plan.*
 - b. *The proposed amendment bears a substantial relation to the public health, safety or welfare.*
 - c. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county.*
 - d. *The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.*
 - e. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone.*
 - f. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.*
 - g. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.*
13. The Planning Commission finds that additional conditions **are/are not** necessary to protect the public's interest.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

AGENDA STAFF REPORT

AGENDA DATE: November 7, 2006

ACTION REQUESTED: Set Closed Record Hearing for the Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

BACKGROUND:

Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners.

Applications for the following:

1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD)
2. Ranch on Swauk Creek Preliminary Plat Phase #1 Division 1, P-06-27, which is a 14-lot subdivision.

Pursuant to KCC 17.36: Planned Unit Development (PUD) any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The submitted application is proposing a phased approach and is as follows. Currently there is only one plan submitted which is that Phase #1 Division 1 Preliminary Plat proposing 14 lots.

Phase #1:

A total of 81 lots divided into two segments (divisions)

- Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
- Phase #1 Division 2: 67 lots, Group A Water System and Community Septic

Phase #2

A total of 81 lots, Group A Water System and Community Septic

Phase #3

A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System

Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space: is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek, will be used for continued Agricultural use which includes production of hay and grass and pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.

The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

The Comprehensive Plan's Land Use Element designates the subject parcel as Rural and the current zoning is Forest&Range-20, Agriculture-5 and Agriculture-3.

Kittitas County Community Development Services issued a Notice of Application on August 1, 2006.

Kittitas County Community Development Services issued a SEPA Mitigated Determination of Non-Significance (MDNS) on September 8, 2006. No SEPA Appeals were received.

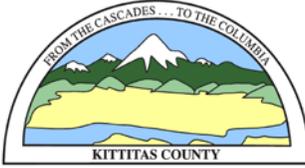
The Kittitas County Planning Commission held a public hearing on September 26, 2006 and forwarded their recommendation of approval of the Rezone and Preliminary Plat with a 4-0 decision to the Board of County Commissioners with one additional condition stating: All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.

INTERACTION: The BOCC did on October 17, 2006 set a closed record hearing for the November 7, 2006 agenda.

RECOMMENDATION: Take action on the Planning Commission recommendation to *approve* the rezone and preliminary plat, and direct staff to prepare enabling documents for signature at the next agenda scheduled on November 21, 2006 as appropriate.

ATTACHMENTS: Full project record was prepared and delivered to the BOCC as part of the October 17, 2006 agenda.

LEAD STAFF: Joanna Valencia, Staff Planner



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

AGENDA STAFF REPORT

AGENDA DATE: October 7, 2008

ACTION REQUESTED: Resolution approving the Final Development Plan for the Hyak Market PUD (Z-06-16).

BACKGROUND: On May 18, 2006 Chris Lyons and Gregory Craven of Stargazer Properties submitted an application for an amendment to the existing Planned Unit Development Amendment known as The Inn at Hyak, File # Z-94-10 approved in 1995. The amendment is to change the use from a Resort Hotel to a mixed use facility consisting of small shops/restaurants, community offices, 8 lodging units for overnight guests, 56 parking spaces, and a single family residence for the lodge managers.

The site is located West of Hyak Drive East and Keechelus Drive at 117 Hyak Drive East, Snoqualmie, WA 98068 in Section 15, T22N, R11E, W.M. in Kittitas County, map numbers 22-11-15031-0007 and 0008.

On October 17, 2006 the Board of County Commissioners signed Ordinance 2006-48 granting approval of the Hyak Market Planned Unit Development Amendment (Z-06-16). Pursuant to KCC 17.36.040, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.

On September 16, 2008 the Board of County Commissioners reviewed the final development plan and by a vote of 3-0 approved the project. Staff was directed to prepare enabling documents.

INTERACTION: The Prosecutor's office has reviewed the attached Resolution.

RECOMMENDATION: Review and sign the attached Resolution.

ATTACHMENTS: Resolution

LEAD STAFF: Dan Valoff, Staff Planner

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

Date

Mr. Chad Bala
Terra Design Group
P.O. Box 686
Cle Elum, WA 98922

RE: Final Development Plan for Ranch on Swauk Creek Planned Unit Development

Dear Chad:

I have received and reviewed your letter of Addendum to the Final Development Plan dated July 20, 2016 and compared your submitted changes with my letter from June 16, 2014 outlining the needed changes to the plan for us to recommend approval. I also compared the addendum to your response dated August 7, 2014 to my June 16th letter. From this evaluation and our meeting this morning with Pat, I have the following comments:

- **An enlarged map at a scale of no less than 1"=100' showing phasing is needed.**
This is a code requirement and one that is going to be necessary for future implementation and administration of the development plan as final plats are submitted and processed. I do not wish it upon future directors or those in charge of processing the development to conduct the amount of research that has been necessary to process almost all development within Kittitas County. The Code requires that such a plan be submitted for final approval, both for the protection of the County and for the applicant. Your plan that was submitted is very clear and adequate in regards to lot, road, open space, and location of other entities. What is not clear, and as was stated in the letter from me in 2014 is:
 - An indication of the amount of open space available, the amount of massive Common Open Space is proposed,
 - the purpose of the "equestrian center" to the southeast of the project,
 - a brief indication of the requirements for lots within the "Fire Affected Area" (what is its purpose for designation?),
 - the meaning of the "red" numbers noted inside some of the lots,
 - inaccuracy of the lines drawn on the Master Plan not accurately identifying Phase 1, Division 1 of the project when compared to the final plat filed,
 - a location of the current water plan either on this map or another map at the same scale (the current water plan in Attachment H does not meet the proposed Final Development Plan map,
 - location of the parking areas will be noted on the site plan or note indicated on the map of their approximate location (note under "Equestrian Area" that 200 parking stalls will be located.
- **Staging/Phasing must be more clearly identified with no division of proposed lots.**
Staging seems to be indicated as "Parcels." These parcels should be listed as "Divisions" and the divisions should not separate indicated parcels.
- **Preliminary Engineering will occur for approval of the Final Development Plan and final engineering will occur at time of final plat.**
It was not decided at the last meeting that no engineering would occur before the final

development plan is approved. While engineering has been done, it was indicated in the letter of 2014 that the engineering was adequate for a partial phase of the development plan. It is determined that final engineering of these elements (grading, road improvements, drainage and other utilities, etc.) could be finalized at the time of final subdivision. The County is going to have to know basic runoff patterns as they relate to the stormwater and where excess surface water is planned to be stored during a storm event.

The location and dimension of the roads has been laid out on the proposed Final Master Plan. The precise location and the road details will be provided at the time of final plat of any phase of the development.

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION

NO. 2013-_____

IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027 & LP-06-00027)

WHEREAS, on December 5th, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek Rezone (RZ-06-00027) and preliminary approval of Phase 1 Division 1 of the Ranch on Swauk Creek Preliminary Plat (LP-06-00027).

WHEREAS, according to Kittitas County Code 17.36.040 Final Development Plan, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.

WHEREAS,

WHEREAS, the Hearing Examiner recommended approval of said proposed conditional use and shoreline substantial development permits; and,

WHEREAS, a closed record public hearing was held by the Board of County Commissioners on September 17, 2013 to consider the Hearing Examiner's recommendation on this matter; and,

WHEREAS, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS AT LAW concerning said proposed conditional use and shoreline substantial development permits:

1. Grant County PUD and Washington State Parks & Recreation submitted a conditional use permit and shoreline substantial development permit applications for 10 tent campsites, associated parking, trails and other day use improvements on approximately 5.6 acres. The subject property is zoned Forest & Range. This is a conditional use per KCC 17.15.060.1.E – Allowed Uses in Rural Non-LAMIRD Lands (campground).
2. This proposal is located in a portion of Sections 18 & 19, Township 17 N., Range 23 E., W.M. in Kittitas County. Access to this proposal is off of Recreation Drive along the

Columbia River. It is roughly 1.75 miles north of the I-90 interchange in Vantage, WA.

3. The Kittitas County Comprehensive Plan's Land Use Element designates the subject property as Rural Working and the zoning for this proposal is Forest & Range.
4. A shoreline substantial development permit application was submitted to Community Development Services on April 19, 2013 and a conditional use permit application was submitted on May 10, 2013. Both of these applications were deemed complete on June 3, 2013. The Notice of Application for the conditional use and shoreline substantial development permits was issued on July 3, 2013. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on July 18, 2013.
5. Grant County PUD acted as the lead agency for the SEPA Environmental Checklist. Grant County PUD issued a DNS (determination of non-significance) for this project on March 14, 2013. An addendum to the SEPA determination was issued on March 28, 2013 to update the ownership within the project boundary to include Washington State Parks and Recreation. The appeal period for this SEPA determination ended on April 4, 2013 at 5:00 p.m. No appeals were filed.
6. The Hearing Examiner conditional use permit and shoreline substantial development permit hearing was held on August 15, 2013 at 6:00 p.m. Public comment was received from members of the public that were in attendance. On August 28, 2013 the Kittitas County Hearing Examiner recommended approval of the Rocky Coulee Tent Camping Conditional Use and Shoreline Substantial Development Permits (CU-13-00004 & SD-13-00001).
7. The Board of County Commissioners conducted a closed record meeting on September 17, 2013 for the purpose of considering the Rocky Coulee Tent Camping Conditional Use and Shoreline Substantial Development Permits (CU-13-00004 & SD-13-00001). A motion was made and seconded that the conditional use permit and shoreline substantial development permit be approved per the Hearing Examiner's recommendation subject to one (1) correction of a scrivener error in the Hearing Examiner's recommended findings of fact #26 (see Exhibit A), the motion carried with a vote of 2-0. Commissioner Obie O'Brien, Chairman was absent.
8. The Board of County Commissioners finds that Recommended Finding of Fact #26 of the Hearing Examiner's Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval document (Exhibit A) contains a scrivener's error. The word "There" shall be replaced with the word "The" at the beginning of the sentence.
9. The Board of County Commissioners finds that additional conditions **are not** necessary to protect the public's interest.

NOW THEREFORE,

BE IT HEREBY RESOLVED that the Kittitas County Board of Commissioners hereby grants approval of the **Rocky Coulee Tent Camping Conditional Use Permit and Shoreline Substantial Development Permit (CU-13-00004 & SD-13-00001)** and adopts the Kittitas County Land Use Hearing Examiner's Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval (Exhibit A) with the correction stated above and the same hereby is approved with the proposed development configuration (See Exhibit B).

DATED this _____ day of _____, 2013 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Obie O'Brien, Chairman

Paul Jewell, Vice Chairman

Gary Berndt, Commissioner

ATTEST:
CLERK OF THE BOARD

Julie A Kjorsvik

APPROVED AS TO FORM:

Greg Zempel WSBA #19125

Exhibit “A”

KITTITAS COUNTY LAND USE HEARING EXAMINER

IN THE MATTER OF)	RECOMMENDED FINDINGS OF
)	FACT, CONCLUSIONS OF LAW,
CU-13-00004 and SD-13-00001)	DECISION AND
Rocky Coulee)	CONDITIONS OF APPROVAL

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on August 15, 2013, the Hearing Examiner having taken evidence hereby submits the following Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

I. RECOMMENDED FINDINGS OF FACT

1. Grant County PUD and Washington State Parks submitted a conditional use application and shoreline substantial development permit for 10 tent campsites, associated parking, trails and other day use improvements on approximately 5.6 acres. The subject property is zoned Forest & Range. This is a conditional use per KCC 17.15.060.1.E – Allowed Uses in Rural Non-LAMIRD Lands (campground).
2. This proposal is located in a portion of Sections 18 & 19, Township 17 N., Range 23 E., W.M. in Kittitas County. Access to this proposal is off of Recreation Drive along the Columbia River. It is roughly 1.75 miles north of the I-90 interchange in Vantage, WA.
3. Site Information:

Total Property Size:	5.6 acres
Number of Lots:	1; no new lots are being proposed
Domestic Water:	None planned at this time
Sewage Disposal:	two vault restroom buildings
Power/Electricity:	Kittitas County PUD
Fire Protection:	Vantage Fire District 4
Irrigation District:	None
4. Site Characteristics:

<u>North:</u>	Private and Public Vacant land
<u>South:</u>	Public land and Ginkgo Interpretive Center
<u>East:</u>	Columbia River

West: Public Land

5. Site Characteristics: The area is the location of the old State Highway which is now Recreation Dr, ending at the Columbia River. This property has been used as informal camping and day recreation with hand boat launching at the end of the pavement. There are two Shoreline of the State designations, Natural and Urban, covering this proposal. The proposal area is primarily sagebrush, natural vegetation and gravel.
6. The Comprehensive Plan designation is “Rural Working.”
7. The subject property is zoned “Forest and Range,” which allows for campgrounds as a conditional use.
8. A shoreline substantial development permit was submitted to Community Development Services on April 19, 2013 and a conditional use permit application was submitted on May 10, 2013. Both of these applications were deemed complete on June 3, 2013. The Notice of Application for the conditional use and shoreline substantial development permits was issued on July 3, 2013. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on July 18, 2013.
9. Grant County PUD acted as the lead agency for the SEPA Environmental Checklist. Grant County PUD issued a DNS (determination of non-significance) for this project on March 14, 2013. An addendum to the SEPA determination was issued on March 28, 2013 to update the ownership within the project boundary to include Washington State Parks and Recreation. The appeal period for this SEPA determination ended on April 4, 2013 at 5:00 p.m. No appeals were filed.
10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan.
11. Staff conducted an administrative critical area review in accordance with KCC 17A and found that this proposal is located along the western shoreline of the Columbia River which is a Shoreline of the State. The applicant provided a critical areas assessment prepared by GeoEngineers on June 8, 2012 for the site and it is included in the file in Index #1. The Columbia River has a wetland designation of L1UBHH. Kittitas County agrees that the critical areas assessment document’s recommended wetland buffers meet KCC 17A. Wetlands A and B are classified as Category III wetlands and the buffers will be 20 feet. Wetland C is classified as a Category III wetland as well; however the buffer for this wetland will be 60 feet because of the size and its location immediately below the OHWM. Staff also found that there are steep slopes of 25-50% located on the southern portion of the property.
12. The proposal is covered by two shorelines of the state designations, Natural and Urban. From roughly the southern boundary of Recreation Drive north is Natural and south of

Recreation Drive is Urban. All work conducted on the site will take place above the OHWM per the Shoreline Substantial Development Permit application. There is a 100' setback associated with the Urban shoreline designation and it allows for the recreational activities being proposed in this application. There is a 200' setback associated with the Natural shoreline designation. The Natural shoreline designation does not allow for development, parking, or roads, however staff finds that because this is an existing use located off of the old State Highway, this use will be permitted. There is an aerial included in the file in Exhibit # 22 that shows the existing conditions of the road, boat launch and numerous cars parked within the shoreline. The improvements and designated parking areas being proposed will improve the site and direct inappropriate uses away from the shoreline. Portions of the Shoreline Master Program have been included in the file in Exhibit #22 for reference. The mitigation plan prepared by GeoEngineers on February 28, 2013 is acceptable to Kittitas County. As conditioned, the proposal is consistent with the Shoreline Master Program.

13. This proposal is consistent with the Kittitas County Zoning Code 17.56. The proposal is compatible with KCC 17.56.020 referring to the uses table in KCC 17.15. Specifically, this is compatible as a conditional use with KCC 17.15.060.1.E – Allowed Uses in Rural Non-LAMIRD Lands (campground).
14. As conditioned, this proposal is consistent with the Kittitas County Zoning Code for Conditional Uses. The proposed conditional use will be adequately served by rural levels of service. As conditioned, staff found that the proposal is 1) desirable to public convenience, 2) will not be detrimental to public health, safety or welfare, 3) is not economically detrimental to the public, and 4) is adequately serviced by public facilities.
15. This proposal is consistent with the Kittitas County Building Code as conditioned.
16. This proposal is for a campground with associated day use activities that are open to the public; therefore it must be licensed with Kittitas County Public Health Department.
17. As conditioned, the proposal is consistent with the provisions of KCC Title 12
18. The following agencies provided comments during the comment period: Kittitas County Public Health Department and Washington State Department of Ecology. Other comments were received by Kittitas County Building Department. These comments were included in the index file record and were considered when preparing the recommended conditions of approval for this proposal.
19. No comments from the public were received as of the time of staff review and completion of the staff report regarding this proposal.

20. Public and agency comments that were received were considered by the Hearing Examiner in rendering this recommended Decision and forming recommended Conditions of Approval.
21. The entire Planning Staff file was admitted into the record at the public hearing.
22. The Kittitas County Community Development Services recommended approval of this preliminary plat, subject to the recommended conditions of approval.
23. An open record public hearing after due legal notice was held August 15, 2013.
24. The following exhibits were admitted into the record:
 - 24.1. SSDP application submittal packet – 4/18/13
 - 24.2. KC SSDP fees receipt – 4/19/13
 - 24.3. CUP application submittal packet – 5/10/13
 - 24.4. KC CUP fees receipt – 5/10/13
 - 24.5. Reference page to all materials compiled into application number CU-13-00004
 - 24.6. Staff review info
 - 24.7. Deem Complete Letter – 6/3/13
 - 24.8. Affidavit of Posting – 6/10/13
 - 24.9. Notice of Application – 7/3/13
 - 24.10. Affidavit of Mailing & Publication – Notice of Application – 7/3/13
 - 24.11. Comment Email from Kittitas County Public Health – 7/10/13
 - 24.12. Letter and Comment Email from DOE – 7/18/13
 - 24.13. Transmittal of comments letter – 7/19/13
 - 24.14. Affidavit of published hearing in Daily Record – 7/11/13
 - 24.15. Order confirmation on publication of Re-scheduled hearing in Daily Record – 7/29/13;
 - 24.16. Email between GCPUD I. Shaporda and CDS L. Ozbolt – 7/29/13
 - 24.17. Notice of Re-Scheduled Public Hearing – 7/29/13
 - 24.18. Affidavit of Mailing & Publication – Re-Scheduled Hearing – 7/3/13
 - 24.19. Response by GCPUD to DOE comment letter – 8/7/13
 - 24.20. Email from KC Building Dept. M. Flory to CDS L. Ozbolt – 8/7/13
 - 24.21. Comment memo from KC Public Works – 8/8/13
 - 24.22. Kittitas County Shoreline Master Program excerpts and shoreline aerial
 - 24.23. HE Staff Report
 - 24.24. A determination of Concurrency finding from Kittitas County Department of Public Works dated August 15th, 2013;
 - 24.25. Staff power point presentation.

25. Appearing and testifying on behalf of the applicant was Brandon Little of the Grant County PUD. Mr. Little testified that he is an agent of the Grant County PUD, but is not testifying on behalf of Washington State Parks. Mr. Little testified that there were two ADA campsites and parking areas within the campground but otherwise all parking would be at a designated parking lot. He had no objection to any of the proposed conditions of approval.

26. There following members of the public gave testimony at the open record, public hearing:
 - 26.1. Linda Wright. Ms. Wright testified on behalf of the Kittitas County Water District #6, Waste Water and Sewer Division. Her concerns were related to the sanitation services that will be available at the site. She did not know what a vault toilet was and was concerned as to the impacts this may have on their system.

26.2. Pat Kelleher. Mr. Kelleher testified in support of the program. He strongly encouraged any development within the PUD property that preserve the public's access to the Columbia River. He supported the improvements of a new parking lot to stop people from parking along side of the roadway. In summary, he believed the project would improve the shoreline and wetlands because of the designated parking areas, designated camping sites and the toilet facility.

27. No Supplemental materials were submitted by Staff at the hearing.

28. Project acreage is 5.6 acres.

29. Number of lots: 1; no new lots are being proposed.

30. No domestic water is planned.

31. Vault toilets are proposed.

32. The proposal is appropriate in design, character and appearance with the goals and policies for the land use designation in which the proposed use is located.

33. The proposed use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval.

34. The proposal will be served by adequate facilities including access, fire protection, water, storm water control, and sewage disposal facilities.

35. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

II. RECOMMENDED CONCLUSIONS OF LAW

1. The Hearing Examiner has been granted authority to render this recommended decision.
2. As conditioned, the proposed use is consistent with the intent, purposes and regulations of the Kittitas County Code and Comprehensive Plan.
3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
4. Public use and interest will be served by approval of this proposal.
5. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.04 Building Code, and Title 12 Roads and Bridges.
6. As conditioned, the proposal does conform to the standards specified in Kittitas County Code.
7. As conditioned, the use will comply with all required performance standards as specified in Kittitas County Code.
8. As conditioned, the proposed use will not be contrary to the intent or purposes and regulations of the Kittitas County Code or the Comprehensive Plan.
9. As conditioned, this proposal does comply with Comprehensive Plan, the Shoreline Master Program, the zoning code and other land use regulations, and SEPA.
10. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. RECOMMENDED DECISION

Based on the above Recommended Findings of Fact and Recommended Conclusions of Law, the Hearing Examiner hereby recommends that Application CU-13-00004 and SD-13-00001, Rocky Coulee Tent Camping be **APPROVED** subject to the following recommended Conditions of Approval.

IV. RECOMMENDED CONDITIONS OF APPROVAL

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

1. All conditions imposed herein shall be binding on the “Applicant,” which terms shall include the owner or owners of the property, heirs, assigns and successors.
2. The project shall proceed in substantial conformance with the plans and application materials on file dated April 19, 2013 and May 10, 2013 except as amended by the conditions herein.
3. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
4. The buffers for Wetlands A and B shall be 20 feet and Wetland C’s buffer shall be 60 feet as designated in the Critical Areas Assessment completed by GeoEngineers on June 8, 2012.
5. Development shall occur in substantial conformance with the Overall Project Improvements Site Plan provided on April 18, 2013 to Kittitas County. Any alterations to this site plan shall be reviewed by Kittitas County prior to construction to ensure it still meets the requirements of the Shoreline Master Program and other applicable regulations.
6. All work conducted on the site shall take place outside of the OHWM.
7. The Mitigation Plan prepared by GeoEngineers on February 28, 2013 shall be adhered to. These conditions include the following mitigation improvements:
 - a. Compensate for the proposed 3,486 sf of new impervious surfaces within the forested riparian habitat by enhancing 3,486 sf of forested riparian habitat through installation of trees and shrubs. 3,174 sf of these mitigation planning areas will be within 10 feet of the OHWM of the Columbia River/Wanapum Reservoir.
 - b. Improve habitat conditions within the disturbed forested riparian habitat by restoring 6,309 sf of riparian forest areas through installation of trees and shrubs. 5,904 sf of these riparian restoration planting areas will be within 10 feet of the OHWM of the Columbia River/Wanapum Reservoir.

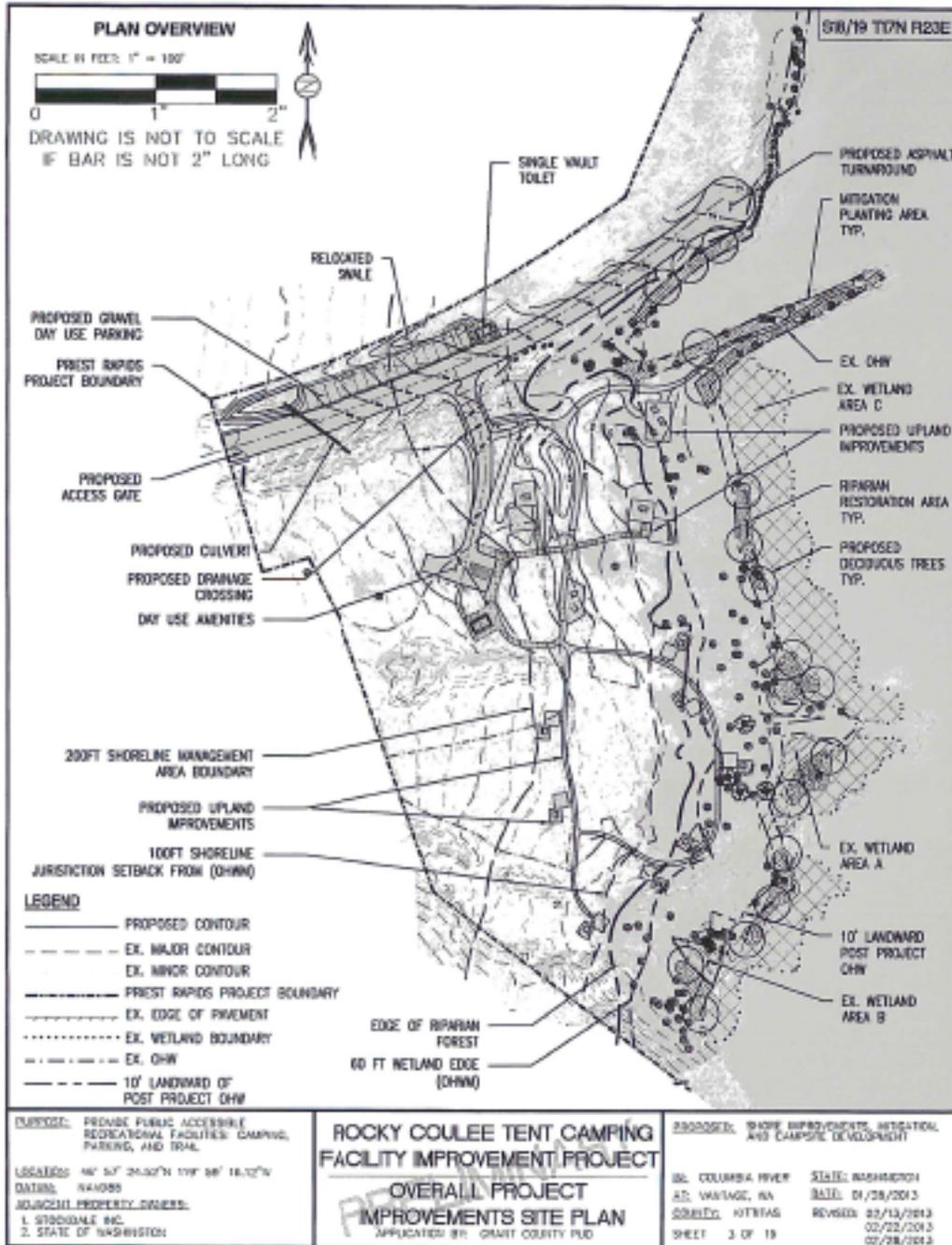
- c. Install 18 cottonwood trees along the shoreline of Wanapum Reservoir (within the forested riparian habitat). These 18 cottonwoods will be replacing the estimated two trees that will be removed during construction (greater than a 1:1 replacement ratio for trees).
 - d. Improve water quality and stormwater handling at the site by creating 2,400 sf of new stormwater handling areas adjacent to Recreation Drive.
 - e. Restore temporary disturbance areas above the OHWM within sagebrush (56,496 sf) and forested riparian (2,100 sf) habitats by stabilizing and seeding.
 - f. Restore existing disturbance areas above the OHWM within sagebrush (10,577 sf) and forested riparian (7,238 sf) habitats by stabilizing and seeding.
8. A Monitoring Plan shall be in place for 3 years as stated in the Mitigation Plan prepared by GeoEngineers on February 28, 2013.
 9. All current and future landowners must comply with the International Fire Code.
 10. All development, design and construction shall comply with all Kittitas County Codes and the International Fire and Building Codes.
 11. Building permits will be required for any construction or structure not exempted by 2012 IBC 105.2 Work exempt from permit.
 12. Upon approval of this conditional use permit, the applicant must contact Kittitas County Public Health to become permitted as a park per the provisions in WAC 246.376.
 13. The site must be constructed as designed and approved by the County Engineer.

Dated this 28th day of August, 2013.

KITTITAS COUNTY HEARING EXAMINER

ANDREW L. KOTTKAMP

Exhibit "B"



**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION

NO. 2017 - _____

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH
ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027 & LP-06-00027)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change of approximately 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads from Forest and Range-20, Agriculture-5, and Agriculture-3 to a Planned Unit Development; and

WHEREAS, After a SEPA Mitigated Determination of Non-Significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on the matter; and

WHEREAS, The November 7, 2006 hearing was continued to November 13, 2006, where after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch at Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027); and

WHEREAS, On October 21, 2008 the Board of County Commissioners approved the Ranch On Swauk Creek Phase 1, Division 1 plat and associated open space (LP-06-00027); and

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant submitted a final planned unit development plan application on May 9, 2013, and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016, further defining the final planned unit development plan; and

WHEREAS, the Board of County Commissioners on April 4, 2017 reviewed and approved the final development plan for the planned unit development provided language is included in the enabling documents ensuring maintenance of the open space; and

WHEREAS, the following FINDINGS OF FACT have been made concerning said development:

1. On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027).
2. The original proposal was a preliminary planned unit development on approximately 487.43 acres (Ordinance 2006-59).
3. On October 21, 2008 the Board of County Commissioners signed the Ranch on Swauk Creek PUD, Phase 1, Division 1, 14-lot plat and associated open space areas.
4. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. Mr. Chad Bala, authorized agent for the landowner, submitted a final development plan to Community Development Services on May 9, 2013 and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016.
6. After multiple reviews, Community Development Services staff has determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 2006 and meets the conditions imposed by Ordinance 2006-59.
7. The subject property is located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County.
8. The proposed location, phasing, and development character is consistent with the plans previously approved in 2006, and further meets the timelines of the Code.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, that the final planned unit development plan for the Ranch on Swauk Creek PUD Rezone (Z-06-00027) is hereby approved, subject to the following condition:

The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for; (i) the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value; (ii) for the purpose of continued farming, grazing, ranching and timber growing and harvesting or the like; and (iii) for the purpose of owning and maintaining the original homestead located within the open space.

DATED this 18th day of April, 2017 at Ellensburg, Washington.

**ATTEST:
CLERK OF THE BOARD**

**BOARD OF COUNTY COMMISSIONERS
KITITITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Paul Jewell, Chairman

APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney

Laura Osiadacz, Vice-Chairman

Obie O'Brien, Commissioner

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION

NO. 2017 - _____

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH
ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027 & LP-06-00027)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change of approximately 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads from Forest and Range-20, Agriculture-5, and Agriculture-3 to a Planned Unit Development; and

WHEREAS, After a SEPA Mitigated Determination of Non-Significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on the matter; and

WHEREAS, The November 7, 2006 hearing was continued to November 13, 2006, where after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch at Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027); and

WHEREAS, On October 21, 2008 the Board of County Commissioners approved the Ranch On Swauk Creek Phase 1, Division 1 plat and associated open space (LP-06-00027); and

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant submitted a final planned unit development plan application on May 9, 2013, and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016, further defining the final planned unit development plan; and

WHEREAS, the Board of County Commissioners on April 4, 2017 reviewed and approved the final development plan for the planned unit development provided language is included in the enabling documents ensuring maintenance of the open space; and

WHEREAS, the following FINDINGS OF FACT have been made concerning said development:

1. On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027).
2. The original proposal was a preliminary planned unit development on approximately 487.43 acres (Ordinance 2006-59).
3. On October 21, 2008 the Board of County Commissioners signed the Ranch on Swauk Creek PUD, Phase 1, Division 1, 14-lot plat and associated open space areas.
4. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. Mr. Chad Bala, authorized agent for the landowner, submitted a final development plan to Community Development Services on May 9, 2013 and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016.
6. After multiple reviews, Community Development Services staff has determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 2006 and meets the conditions imposed by Ordinance 2006-59.
7. The subject property is located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County.
8. The proposed location, phasing, and development character is consistent with the plans previously approved in 2006, and further meets the timelines of the Code.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, that the final planned unit development plan for the Ranch on Swauk Creek PUD Rezone (Z-06-00027) is hereby approved, subject to the following condition:

The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for; (i) the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value; (ii) for the purpose of continued farming, grazing, ranching and timber growing and harvesting or the like; and (iii) for the purpose of owning and maintaining the original homestead located within the open space.

DATED this 18th day of April, 2017 at Ellensburg, Washington.

ATTEST:
CLERK OF THE BOARD

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Julie A. Kjorsvik

Paul Jewell, Chairman

APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney

Laura Osiadacz, Vice-Chairman

Obie O'Brien, Commissioner

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION

NO. 2017 - _____

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH
ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change of approximately 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads from Forest and Range-20, Agriculture-5, and Agriculture-3 to a Planned Unit Development; and

WHEREAS, After a SEPA Mitigated Determination of Non-Significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on the matter; and

WHEREAS, The November 7, 2006 hearing was continued to November 13, 2006, where after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch at Swauk Creek PUD Rezone (RZ-06-00027); and,

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant submitted a final planned unit development plan application on May 9, 2013, and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016, further defining the final planned unit development plan; and

WHEREAS, the Planned Unit Development known as Ranch on Swauk Creek is located at the site of the originally approved preliminary planned unit development plan established in Ordinance 2006-59, and

WHEREAS, the Board of County Commissioners on April 4, 2016 reviewed and approved the final development plan for the planned unit development provided language is included in the enabling documents ensuring maintenance of the open space; and,

WHEREAS, the following FINDINGS OF FACT have been made concerning said development:

1. On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek PUD Rezone (RZ-06-00027).
2. The original proposal was a preliminary planned unit development on approximately 487.43 acres (Ordinance 2006-59).
3. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
4. Mr. Chad Bala, authorized agent for the landowner, submitted a final development plan to Community Development Services on May 9, 2013 and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016.
5. After multiple reviews, Community Development Services staff has been determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 2006 and meets the conditions imposed by Ordinance 2006-59.
6. The subject property is located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County.
7. The proposed location, phasing, and development character is consistent with the plans previously approved in 2006, and further meets the timelines of the Code.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, that the final planned unit development plan for the Ranch on Swauk Creek PUD Rezone (Z-06-00027) is hereby approved, subject to the following condition:

The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for; (i) the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value; (ii) and for the purpose of continued farming, grazing, ranching and timber growing and harvesting or the like; and (iii) for the purpose of owning and maintaining the original homestead located within the open space.

DATED this 18th day of April, 2017 at Ellensburg, Washington.

**ATTEST:
CLERK OF THE BOARD**

Julie A. Kjorsvik

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**

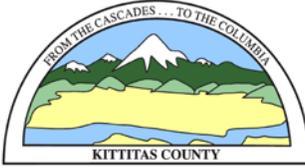
Paul Jewell, Chairman

Laura Osiadacz, Vice-Chairman

APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney

Obie O'Brien, Commissioner



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

AGENDA STAFF REPORT

AGENDA DATE: October 17, 2006

ACTION REQUESTED: Set Closed Record Hearing for the Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27) for November 7, 2006 at 2:00pm, Commissioners' Auditorium

BACKGROUND:

Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners.

Applications for the following:

1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD)
2. Ranch on Swauk Creek Preliminary Plat Phase #1 Division 1, P-06-27, which is a 14-lot subdivision.

Pursuant to KCC 17.36: Planned Unit Development (PUD) any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The submitted application is proposing a phased approach and is as follows. Currently there is only one plan submitted which is that Phase #1 Division 1 Preliminary Plat proposing 14 lots.

Phase #1:

A total of 81 lots divided into two segments (divisions)

- Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
- Phase #1 Division 2: 67 lots, Group A Water System and Community Septic

Phase #2

A total of 81 lots, Group A Water System and Community Septic

Phase #3

A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System

Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space: is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek, will be used for continued Agricultural use which includes production of hay and grass and pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.

The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

The Comprehensive Plan's Land Use Element designates the subject parcel as Rural and the current zoning is Forest&Range-20, Agriculture-5 and Agriculture-3.

Kittitas County Community Development Services issued a Notice of Application on August 1, 2006.

Kittitas County Community Development Services issued a SEPA Mitigated Determination of Non-Significance (MDNS) on September 8, 2006. No SEPA Appeals were received.

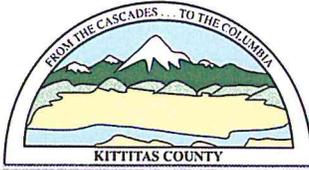
The Kittitas County Planning Commission held a public hearing on September 26, 2006 and forwarded their recommendation of approval of the Rezone and Preliminary Plat with a 4-0 decision to the Board of County Commissioners with one additional condition stating: All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.

INTERACTION: Transmittal of the Planning Commission recommendation of approval of the Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

RECOMMENDATION: Set Closed Record Hearing for November 7, 2006 to consider the Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

ATTACHMENTS: Staff Report
Written Record
Planning Commission Minutes
Planning Commission Audio Tapes Available Upon Request

LEAD STAFF: Joanna Valencia, Staff Planner



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

October 23, 2015

Mr. Chad Bala
Terra Design Group
P.O. Box 686
Cle Elum, WA 98922

RE: Ranch on Swauk Creek Planned Unit Development Final Development Plan

Dear Mr. Bala;

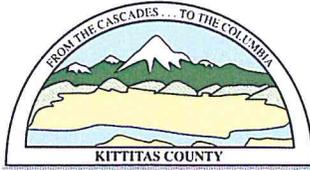
Thank you for your August 7, 2015 letter outlining the intent and plans for completing the proposed Ranch on Swauk Creek Planned Unit Development, file RZ-06-00027.

As presented within your letter, the strategy for creating the Final Planned Unit Development will meet the criteria outlined in KCC 17.36.040. Please note that the Final PUD must be submitted by December 31, 2017 as stipulated per KCC 17.36.090.6.

Again, thank you for the letter outlining your plans. It is filed and will be used for interpretation of actions taken in developing the project.

Sincerely,

Robert "Doc" Hansen
Interim Director
Kittitas County Community Development Services



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

“Building Partnerships – Building Communities”

August 10, 2015

Chad Bala
Terra Design Group
PO Box 686
Cle Elum, WA 98922

via email: bala.ce@gmail.com

RE: Response to project expiration dates email

Dear Mr. Bala:

This letter is in response to an email request for clarification of expiration dates on numerous projects. Staff has reviewed the table of projects presented in the email (attached to this letter for additional information) and confirms that the density and preliminary approval dates are correct. Below is a list of projects and their expiration dates.

File Number	Project Name	Expiration Date	Explanation
RZ-06-00027 LP-06-00027	Ranch on Swuak Creek PUD	December 31, 2017	Per KCC 17.36.090.7
RZ-05-00033 RZ-01-00010	Evergreen Ridge PUD	December 31, 2017	Per KCC 17.36.090.7
RZ-07-00008 LL-08-00002	Dunford PUD & 4 lot large lot plat	November 16, 2017	Per KCC 17.36.090.2 and RCW 58.17.140
RZ-07-00017 SP-07-00168	Ronald PUD & 2 lot short plat	September 7, 2018	Per KCC 17.36.090.2 and RCW 58.17.140
LP-07-00038	Ranch Road Cluster Plat	April 19, 2018	Per RCW 58.17.140
LP-06-00006	Marion Cluster Plat	November 17, 2016	Per RCW 58.17.140
LP-07-00048	Teanaway Ridge Plat	October 6, 2016	Per RCW 58.17.140
LP-09-00008	Airport Heights Plat	December 21, 2017	Per RCW 58.17.140
LP-07-00031	Palomino Fields Plat	November 18, 2016	Per RCW 58.17.140 - extension granted on 6/15/15 - original expiration: November 18, 2015
LP-12-00001	Reecer Ranch Plat	EXPIRED – April 6, 2014	A letter was sent dated October 8, 2013 allowing for postponement of a TIA. It stated that the TIA or an approved extension must be issued by April 6, 2014 or the project would be void. KC CDS has no record of

			a TIA or extension request, therefore the project has expired.
--	--	--	--

If you have any questions regarding this information, please feel free to contact me at 509.962.7637 or by email at lindsey.ozbolt@co.kittitas.wa.us.

Sincerely,



Lindsey Ozbolt
Planner II

Enclosures

Cc: Robert 'Doc' Hansen, Interim CDS Director and Planning Official
Christina Wollman, Floodplain Manager

via email
via email

Lindsey Ozbolt

From: Chad Bala <bala.ce@gmail.com>
Sent: Tuesday, March 17, 2015 2:09 PM
To: Lindsey Ozbolt
Subject: Expiration request letter
Attachments: KCCDSexpirlttr3-17-15.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hey Lindsey,

I have finally submitted a request to you asking clarification on the expiration time periods on our projects. I have included it in word in case you wanted to work with the table that is included. I think that I am close with these, since I created this table when the legislature made changes to the timing for subdivisions. I just want to make sure I am consistent with the County and these County projects. FYI the preliminary approved date is the date the enabling documents were signed.

thanks for the assistance.

Chad

3-17-15

Kittitas County Community Development Services Department
Lindsey Ozbolt

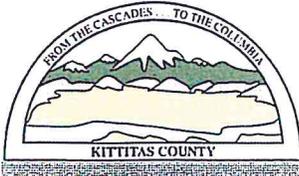
I am requesting a review and confirmation or correction of the expiration dates for our projects. I have included a table of our projects with the expected expiration time period pertaining to the legislative amendments (subdivision expiration time periods).

I am looking for a response in writing/email clarifying the expiration time periods for the projects presented in the table.

Thank you very much.

Chad Bala

Projects	Density	Preliminary Approved Date	Expiration Date
<i>Planned Unit Developments (PUDs)</i>			
ROSC PUD	243	Dec. 5, 2006	Final Dev Plan in process/Dec 6, 2016
Dunford PUD & 4 lot large lot plat	65	Nov. 16, 2010	Nov. 16, 2017
Ronald PUD & 2 lot short plat	2-16 dua	Sept. 7, 2011	Sept., 7, 2018
Evergreen Ridge PUD	2-16 dua	May. 16, 2006	Final Dev Plan in process/May 16, 2016
<i>Cluster Plats</i>			
Ranch Road Cluster Plat	20	Apr. 19, 2011	Apr. 2018
Marion Cluster Plat	12	Nov. 17, 2009	Nov. 2016
<i>Plats</i>			
Palomino Fields Plat	120	Nov. 18, 2008	Nov. 2015
Teaway Ridge Plat	14	Oct. 6, 2009	Oct. 2016
Airport Heights Plat	10	Dec. 21, 2010	Dec. 2017
Reecer Ranch Plat	33	On Hold	



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

June 15, 2015

Pat Deneen
PO Box 808
Cle Elum, WA 98922

Terra Design Group, Inc.
Chad Bala
PO Box 686
Cle Elum, WA 98922

Subject: Plat Extension Approval – Palomino Fields Plat (LP-07-00031)

Dear Mr. Deneen,

Kittitas County Community Development Services (CDS) received your Plat Extension application request (PE-15-00002) on April 29, 2015 requesting a one-year extension for the Palomino Fields Plat (LP-07-00031). Per Kittitas County Code 16.12.250 Expiration "...Any applicant who files a written request with the administrator within 30 days before the expiration date, showing that the applicant has attempted in good faith to submit the final plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times."

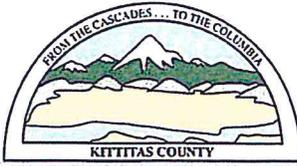
This project was granted preliminary approval on November 18, 2008 through Ordinance 2008-160. Kittitas County grants your extension request based on your statement that you are working through the process of satisfying the requirement of providing water for the proposal and that the process is currently stalled with WA Department of Ecology due to the current drought declaration. The expiration date for the Palomino Fields Plat has been extended to **November 18, 2016**. Should you require another plat extension in the future, your application must be submitted prior to 30 days of expiration to Community Development Services for consideration.

Additionally, in your extension request letter to CDS, you requested that staff confirm the Cordner's are no longer associated with the ownership of this property or project. According to Kittitas County Assessor's website, parcels #471033, 11800, 11801, & 11802 are owned by Cle Elum Pines West, LLC and parcels #491033 & 481033 are owned by Cle Elum Pines East, LLC. This letter in conjunction with your plat extension request letter serves as notice to Kittitas County that ownership has changed for a portion of the project and that the Cordner's are no longer involved.

If you have any questions, please feel free to contact me.

Sincerely,


Lindsey Ozbolt
Planner II



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

October 8, 2013

Chad Bala
Teaway Ridge LLC
P.O. Box 808
Cle Elum WA 98922

RE: Request for the delay of the Transportation Impact Analysis (TIA) for the Reecer Ranch Plat (LP-12-00001)

Mr. Bala,

Kittitas County Community Development Services (CDS) has reviewed your letter dated August 1, 2013 requesting that the requirement for a Traffic Impact Analysis (TIA) not be a precursor to the Notice of Application for the above application. CDS was also made aware of your subsequent letter dated August 6, 2013 requesting a waiver from the Public Works department of the TIA for the application. CDS felt it was appropriate to await a response to that second request prior to deliberating the first. On September 30, 2013 Kittitas County Public Works Director Holmes denied your TIA waiver request and forwarded a copy to our office. With that issue clarified, CDS is prepared to issue a determination on your first request.

CDS concurs with your assessment outlined in that first letter and will not require that the TIA be submitted prior to the issuance of the Notice of Application for the Reecer Ranch long Plat (LP-12-00001). Staff has been directed to proceed with the processing of the application. A Notice of Application shall be issued and a 15 day comment period will be set. Please be aware that while the County will be soliciting comments on the application, at the close of the comment period the processing clock will stop; no form of determination will be made or hearing be scheduled prior to the receipt of the TIA in question. Under the provisions of KCC 15A.03.045, 180 days has been deemed a reasonable deadline for the submission of the requested information. Failure to submit (in the absence of an approved extension) prior to **April 6, 2014** shall be cause for the application to be void.

Staff is always available should you have any additional questions or comments.

Sincerely,

Robert "Doc" Hansen
Planning Official
Kittitas County Community Development Services

CC: Terra Design via email: bala.ce@gmail.com

RECEIVED

AUG 08 2014

KITTITAS COUNTY
CDS

August 7th, 2014

Kittitas County Community Development Services Department
Doc Hansen
411 North Ruby Street
Ellensburg, WA 98926

RE: Ranch On Swauk Creek (ROSC) Planned Unit Development Final Development Plan

Dear Mr. Hansen

I would like to thank you for taking the time to meet with Pat Deneen and myself on Wednesday July 23rd, 2014. We are very appreciative of you for providing clarification on the Ranch On Swauk Creek Final Development response letter (June 6, 2014) from Kittitas County Community Development Services Department (KCCDS).

I wanted to provide, within this letter, the clarification and direction that was a result of our meeting regarding the staging plan and construction sequencing, phasing, lot layout/maps, preliminary engineering plans including site grading, road improvements drainage and public utilities, arrangement of building type and preliminary building plans, location & number of off-street parking areas, location and dimension of road and driveways including type and estimated cost of surfacing, location of total area of common open spaces, proposed location of fire protections facilities. With that said, the following will address each area individually.

Staging Plan & Construction Sequencing:

The staging plan and construction sequencing will be submitted addressing the overall build out time period. This plan will describe the general development schedule detailing out the timing of the development of lots. The construction sequencing will be lined out in similar fashion with the understanding that the cost of construction could change depending on the economic environment at the time of developing the lots.

Phasing:

Mr. Deneen has committed to clarify that the ROSC Final Development Plan will be over all phases (Phase 1, 2 & 3) for a total of 243 lots and will show the location of all lots and will be outlined out within the Staging Plan.

Lot Layout/Maps:

The lot layout will cover 243 lots throughout the complete subject properties. This lot layout/maps will consist of an architectural type of drawing (not a preliminary plat map) that will show all locations of lots, roads, etc. This type of drawing will be sufficient for the final development plan approval and will allow for the future review and approval of final plats (individual divisions within all phases) that are consistent with the Final Development Plan.

Preliminary Engineering plans including site grading, road improvements, drainage and public utilities:

The preliminary engineering road plans, site grading, and road improvements will be submitted through cross sections of all road serving all phases. Water and Septic utilities will be privately owned serving this development. Water has already been transferred and it is also agreed upon that changes may occur regarding the domestic potable water as long as the appropriate processes with the WA State Dept. of Health and the Dept. of Ecology. The water and sewer plans will be reviewed by the appropriate approving agencies (Washington State Department of Health and possibly by the Kittitas County Environmental Health Department. Power will be supplied by the Kittitas County PUD. We understand that all these utilities have been reviewed and approved by the State Agencies having the jurisdictional authority.

Arrangement of building type and preliminary building plans:

The arrangement of building type on the lots will be shown via a small box within the lots. The preliminary building plans will be submitted for all phases knowing that these plans may and will change due to market conditions and customer needs. Numerous plans will be submitted showing the floor plan, exterior design, and/or elevation views.

Location of off-street parking areas:

The location of off street parking will be shown on the preliminary lot plan, specifically pertaining to main entrance areas, community meeting place, and consolidating parking locations etc. Please note per the MDNS, Section VII. Utilities and Service, G. There shall be no parking on all access roadways for the project.

Location and dimension of road and driveways including type and estimated cost of surfacing:

The location and dimension of road and driveways including type will be on the preliminary map included with the Final Development Plan. The cross sections will also be provided for all roads therefore meeting the intent of this Final Development Plan requirement.

Location of total area of common open spaces:

The location of the total area of common open space has already been addressed. As part of the First Division of Phase 1 a separate map was recorded placing the required 30% (146 acres) open space in perpetuity (Recording Number 200811030046).

Proposed location of fire protection facilities:

The proposed location of fire protection facilities will be shown within the water plan, as approved by the Washington State Department of Health. As part of this water plan, fire flow and protections are required. For example the location of fire hydrants and water storage which includes fire flow.

Storm Drainage Plan:

A storm water pollution prevention plan will be submitted to the Washington State Department of Ecology for review. This plan will implement the Best Management Practices of the Eastern Washington Stormwater Manual addressing all stormwater needs pertaining to the Ranch On Swauk Creek Final Development Plan.

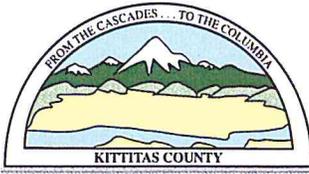
In conclusion the topics above were what was discussed, clarified and agreed to at the July 23rd, 2014 meeting with KCCDS, Pat Deneen (Ranch On Swauk Creek LLC), and Myself regarding the approval of the Ranch On Swauk Creek Final Development Plan. Please advise if I interpreted anything in correctly.

Best Regards,



Chad Bala, Authorized Agent

cc: Ranch On Swauk Creek LLC



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

June 16, 2014

Mr. Chad Bala
Terra Design Group, Inc.
P.O. Box 686
Cle Elum, WA 98922

Subject: Final Planned Unit Development Application for the Ranch on Swauk Creek

Dear Chad,

We have completed the review of your Final Development Plan (aka Final Planned Unit Development - FPUD) application for the Ranch on Swauk Creek preliminarily approved by Ordinance 2006-59. Our review of the FPUD submittal finds that the project meets most of the criteria for approval. As you note in your application, many of the roads are graded, mitigation relative to the Swauk Creek has been completed, and a plan for water rights is in place. However, there is a threshold question regarding whether you are seeking final approval of the entire PUD, or if as it appears from the submittal, you are providing information for approval of Phase 1 of the PUD with subsequent submittals to address other phases. Staff needs to resolve this question and receive additional plan information before we can recommend approval to the Commissioners.

As you know, the project applied for originally in 2006 is vested to the review criteria at Kittitas County Code (KCC) 17.36.040. Although projects are vested to the review criteria at the time of application, vesting does not extend to procedural rules adopted later. Under procedural rules adopted in 2013, the code timelines for phased versus non-phased PUDs at KCC 17.36.090 are stated as:

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to 17.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.

It appears that this application has fulfilled the requirement to file a final development plan (FPUD) within 5 years of approval of the preliminary PUD. However, based on the materials submitted it is not clear whether your application seeks overall final approval of all combined phases or phased approval under Section 2 of KCC 17.36.090 as follows:

2. Filing of final development plan - Phased PUDs. Applicants may develop a planned unit development in phases, provided a phasing plan is approved as part of the initial application. In such cases, a final development plan shall be submitted for phases in the time limit established in the approved phasing plan, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD phase is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.

This is an important distinction for two reasons. Firstly, whether you are seeking a FPUD for all combined phases or only a FPUD for Phase 1, the timelines of KCC 17.36.090(7) apply. These timelines, as stated below, require that you apply for final approval prior to December 31, 2017, and that implementing permits shall be submitted within 2 years of the FPUD.

6. Timeframe for implementing permits. Implementing permits, including land divisions for lot sales or building permits when there is no associated land division shall be submitted within two (2) years of final development plan approval.

7. PUDs approved prior to 2007. Planned unit developments with preliminary development plans approved prior to adoption of the expiration standards contained in Ordinance 2007-22 shall have until December 31, 2017, to submit final development plans and shall be subject to the timeframes established in subsection 6 above for implementing permits. Undeveloped PUDs with final development plans approved prior to 2007 shall have until December 31, 2015, to complete land divisions for lot sales or building permits when there is no associated land division. Failure to obtain final plan or permit approvals or make substantial progress toward such approvals within the time frames in this subsection shall result in expiration without prejudice.

The second reason this distinction is critical in this case is that the application, as submitted, does not provide sufficient information on the FPUD plan and lot layout to recommend approval of all combined phases (Phases 1-3). Below are the applicable code requirements and which areas the application needs to be amended.

Staging Plans and Construction Sequencing

KCC 17.36.040(1) states that the FPUD must include a staging plan describing the timing and sequence of construction for all elements of the plan. Further, these criteria require that the FPUD include:

- 1.A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval.

Your application reference table indicates the sequence plan is attached at C. Our review of Attachment C finds that it a copy of the Phase 1, Division 1 Subdivision creating 14 lots approved by the County in October, 2008. This plat document doesn't give sequence of construction information for the PUD as a whole, nor does it give complete information for the full build out of Phase 1, only 14 lots are shown, yet the FPUD application is clear that 81 lots are proposed in Phase One and 81 more lots each in Phases Two and Three.

In order to meet this criteria for Phase 1-3, at a minimum, the staging plan and construction sequence information needs to cover all 243 lots. If the proposal is only for Phase 1, then the staging and construction sequencing narrative needs to cover all 81 lots in Phase 1.

Maps of the Site

Another area of the application that needs to be augmented is with regards to the criteria at KCC 17.36.040.(2). In response to the criteria, your application references certain attachments as fulfilling those criteria. In several cases it is not clear that the attachment does fulfill the application requirements. Provided below is the criteria from KCC 17.36.040 (2) and how the provided attachment may need to be augmented to fully meet the criteria for approval of the PUD.

2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:

There is not a comprehensive map showing either, all 81 lots in Phase 1 or all 243 lots proposed for Phases 1-3. A schematic map meeting the scale requirements needs to be provided so that it is clear what is being approved. Attachment C is referenced in your application but this addresses only the Phase 1, Division 1 Subdivision.

- a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;

Attachment E addresses road grading but it does not appear to cover all three phases of the PUD nor does it appear on the main map required at a. At a minimum, all proposed roadways, utilities and preliminary grades for either Phase 1 (if seeking phased approval) or Phases 1-3 need to be shown on the map.

- b. Arrangement of all buildings which shall be identified by type;

Attachments B and C depict the range of building types proposed but only for the 14 lots in Division 1. What is not showing is the proposed buildings for all of Phase 1 (if seeking phased approval) or all of Phases 1-3.

- c. Preliminary building plans including floor plans and exterior design and/or elevation views;

Attachment B which shows typical housing styles seems to address this criterion. If additional housing styles are proposed throughout other Phases, these should be provided at Attachment B as well.

- d. Location and number of off-street parking areas including type and estimated cost of surfacing;

Attachment A and E are referenced in the application as being responsive to this criteria. However Attachment A is not a map, it is a narrative only. Attachment E includes roadway surfacing cost estimates but it is not clear that this covers more than Division 1 Phase 1. Further, the paved area needs to be shown on the overall PUD map exhibit, or if seeking phased approval, on the Phase 1 map exhibit.

- e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans.

Same as above, it is not clear that the roadways depicted in Attachment E cover only Phase 1, Division 1 or if they are intended to serve all of Phase 1's 81 lots. This needs to be shown on the required map exhibit.

- f. The location and total area of common open spaces;

Attachments C and K do show the common open spaces although there does not appear to be an area calculation. These open spaces and calculations need to also be reflected on the main map exhibit.

- g. Proposed location of fire protection facilities;

This does not appear to be reflected on any exhibits.

- h. Proposed storm drainage plan;

Attachment G is the Stormwater Pollution Prevention Plan. It appears to apply to all 3 Phases of the PUD. However, the information regarding storm drainage facilities or plans specific to the roadway construction does not appear to cover all Phases of the PUD. This needs to be clarified on the map exhibit required under this above reference section.

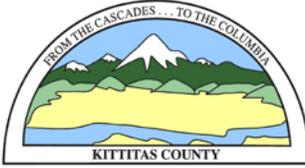
Please clarify whether your application is for only Phase 1 or combined Phases 1-3. Additionally, while the submitted application covers many key areas of the final PUD approval, such as the mitigation requirements and in stream work required under the preliminary PUD, the application is must be supplemented with narrative text and exhibits that are responsive to KCC 17.36.040 (2).

Let me know if you have any questions or would like to meet to discuss the necessary resubmittal and timing for Board review.

Sincerely,



Robert "Doc" Hansen
Planning Official



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

AGENDA STAFF REPORT

AGENDA DATE: December 5, 2006

ACTION REQUESTED: Sign ordinance approving the Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

BACKGROUND:

Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners.

Applications for the following:

1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD)
2. Ranch on Swauk Creek Preliminary Plat Phase #1 Division 1, P-06-27, which is a 14-lot subdivision.

Pursuant to KCC 17.36: Planned Unit Development (PUD) any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The submitted application is proposing a phased approach and is as follows. Currently there is only one plan submitted which is that Phase #1 Division 1 Preliminary Plat proposing 14 lots.

Phase #1:

A total of 81 lots divided into two segments (divisions)

- Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
- Phase #1 Division 2: 67 lots, Group A Water System and Community Septic

Phase #2

A total of 81 lots, Group A Water System and Community Septic

Phase #3

A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System

Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space: is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek, will be used for continued Agricultural use which includes production of hay and grass and pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.

The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

The Comprehensive Plan's Land Use Element designates the subject parcel as Rural and the current zoning is Forest&Range-20, Agriculture-5 and Agriculture-3.

Kittitas County Community Development Services issued a Notice of Application on August 1, 2006.

Kittitas County Community Development Services issued a SEPA Mitigated Determination of Non-Significance (MDNS) on September 8, 2006. No SEPA Appeals were received.

The Kittitas County Planning Commission held a public hearing on September 26, 2006 and forwarded their recommendation of approval of the Rezone and Preliminary Plat with a 4-0 decision to the Board of County Commissioners with one additional condition stating: All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.

- INTERACTION:** The Board of County Commissioners held a Closed Record Hearing to consider this rezone and preliminary plat on November 7, 2006. This hearing was continued to November 13, 2006. During the November 13th hearing the BOCC voted 3-0 to approve the rezone and preliminary plat, and staff was directed to prepare enabling documents for Board consideration during the December 5th Agenda.
- RECOMMENDATION:** Review and sign the attached ordinance to approve the Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27).
- HANDLING:** Forward signed ordinance to CDS Planner for Notice of Decision.
- ATTACHMENTS:** Ordinance
- LEAD STAFF:** Joanna Valencia, Staff Planner

CULTURAL RESOURCES SURVEY COVER SHEET

Author: Tucker O. Orvald, M.S.

Tucker O. Orvald

Title of Report: Cultural Resources Inventory Report Addendum for the Ranch on
Swauk Creek, LLC Forest Practices Application 05-08 Kittitas
County, Washington

Date: June 2007

County: Kittitas Sections: 27, 28, 33 & 34 Township: 20 North Range: 17 East

Quad: Swauk Prairie, Washington, provisional edition 1985 Acres: 1

CD submitted? Yes No

Does this replace a draft? Yes No

Sites Found? Yes No

TCP(s) found? Yes No

DAHP Archaeological Sites: 45KT2712 & 45KT2712

RECEIVED

JUL 30 2007

KITTITAS COUNTY
CDS

(+) Results
Kittitas County, Washington
Swauk Prairie, WA 7.5' Quad 1985
T20N-R17E, Sections 27, 28, 33 & 34
Project Acreage: 1

CULTURAL RESOURCES INVENTORY REPORT ADDENDUM
FOR THE RANCH ON SWAUK CREEK, LLC
FOREST PRACTICES APPLICATION 05-08
KITTTITAS COUNTY, WASHINGTON

Prepared for

THE RANCH ON SWAUK CREEK, LLC
1890 Nelson Siding Road
Cle Elum, WA 98922

Prepared by

Tucker O. Orvald, M.S.
NORTHWEST GEOCULTURAL CONSULTING
804 North B Street
Ellensburg, WA 98926

June 2007

CONTENTS

1.	INTRODUCTION	1
1.1	DAHP RESPONSE	2
1.2	NGC RESPONSE	4
2.	RESULTS	5
2.1	MCCALLUM GRAVES SITE INVENTORY FORM	5
2.2	45KT2712 CONTEXT	7
2.2.1	Swauk Prairie	8
2.2.2	Virden Farmstead	10
2.2.3	Virden the Miner	12
2.2.4	The Virden School	13
2.2.5	The Burke Ranch	13
2.3	45KT2712 SHOVEL PROBING	15
2.4	45KT2712 INVENTORY & MONITORING	17
3.	SUMMARY	18
4.	REFERENCES CITED	19
5.	APPENDIX A - DAHP LETTER TO KITTITAS COUNTY	20
6.	APPENDIX B - MCCALLUM GRAVES SITE FORM	22
7.	APPENDIX C - 45KT2712 ARTIFACT INVENTORY	33

LIST OF FIGURES

Figure 1. Project boundary for FPA 05-08 forestry activities & road construction.	2
Figure 2. McCallum homestead and graves (USDI 1897).	5
Figure 3. T20N-R17E GLO map of Swauk Creek cultural landscape (USDI 1894).	9
Figure 4. Virden log home with windmill, barn, and outbuilding (KCCC 1989).	11
Figure 5. Post-1902 image of Virden house, barn, and outbuildings (KCCC 1989).	12
Figure 6. ‘Virden’s Arrastra’ in Ellensburg Daily Record article, July 16, 1975.	13
Figure 7. Virden farm during Pat and Mary Burke ownership (KCCC 1989).	14
Figure 8. Modern image of Virden farm, 11/9/06 image by author.	14
Figure 9. Screening at shovel probe-2 west of Locus I, KT2712.	15
Figure 10. Site plan map for KT2712 with shovel probes and ROW upper edge.	16

PROJECT INFORMATION

Contracting Sponsor

The Ranch on Swauk Creek, LLC is the contracting sponsor and is responsible for cultural resources.

Lead Government Agency

The Kittitas County Development Services Department and the Washington State Department of Natural Resources (DNR) are the lead state government agencies.

Legal Location

Township 20 North, Range 17 East: SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 27, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of SE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 28, NE $\frac{1}{4}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33, and W $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34, based on the Willamette Meridian.

USGS Quadrangle

Swauk Prairie, Washington, 7.5' Series, provisional edition 1985.

Nature of Undertaking

Forest Practices Application/Notification with a Class IV Forest General Conversion Practices Application (FPA).

Landowner

The Ranch on Swauk Creek, LLC – Kittitas County Parcel No. 800058711.

Consultations

Pursuant to WAC 222-20-120, the Washington State Department of Natural Resources and the Kittitas County Development Services Department notified members of the Yakama Nation Cultural Resources Program of the Ranch on Swauk Creek Forest Practices Application.

Location of Project Data

All project related data are on file at the Northwest Geocultural Consulting office in Ellensburg, Washington.

1. INTRODUCTION

This report addendum addresses Department of Archaeology and Historic Preservation (DAHP) comments made to Kittitas County Community Development Services regarding a review of three documents: Department of Natural Resources (DNR) Forest Practice Application/Notification (FPA) 05-08, a State Environmental Policy Act (SEPA) environmental checklist, and a Northwest Geocultural Consulting (NGC) report of findings for a FPA 05-08 cultural resources inventory (Orvald 2006).

The Ranch on Swauk Creek, LLC (ROSC) is developing its Kittitas County timberland holdings in Hidden Valley and upper Horse Canyon in Sections 27, 28, 33 and 34 of Township 20 North, Range 17 East. The ROSC project includes construction of a paved roadway to access the property for forest thinning and timber harvesting and future residential development. In April 2006, ROSC contracted NGC to conduct a cultural resources records review and pedestrian archaeological survey for its FPA 05-08 project boundary to fulfill its obligations to the Yakama Indian Nation under WAC 222-20-120 (Figure 1). An element of the agreement between NGC and ROSC included archaeological construction monitoring for initial disturbance activities within the proposed access roadway right-of-way.

In May 2006, NGC conducted archival research and systematic archaeological pedestrian survey for the FPA project boundary depicted in the DNR application and the extent of the new access roadway right-of-way later staked by a ROSC survey contractor. As a result of historic records review and systematic pedestrian survey, NGC identified one talus pit feature site (with two pits), one historic refuse scatter/dump, and the McCallum Family grave plot (Orvald 2006). The talus pit site and the historic refuse scatter are located within the greater FPA boundary polygon; the McCallum Graves lie outside of the access roadway Area of Potential Effect, south of the main FPA boundary. Archaeological construction monitoring for installation of the access roadway progressed over the summer without identification of cultural resources.

NGC filled out Washington State inventory forms for the two archaeological sites, and ROSC submitted them to DAHP with a report of findings (Orvald 2006). DAHP issued trinomial number 45KT2711 for the talus pit site and number 45KT2712 for the historic refuse scatter. Talus pit feature site KT2711 lies in a rocky, sloping area that is not likely to be affected by forestry activities or by future residential development. Historic refuse scatter KT2712 is located within the right-of-way for the new access roadway; an existing dirt road bisects the site. Although NGC mentioned the McCallum Graves in the original 2006 report, NGC did

not fill out an inventory form. The McCallum Graves are depicted on the USGS Swauk Prairie 7.5' quadrangle with a "cross" symbol.

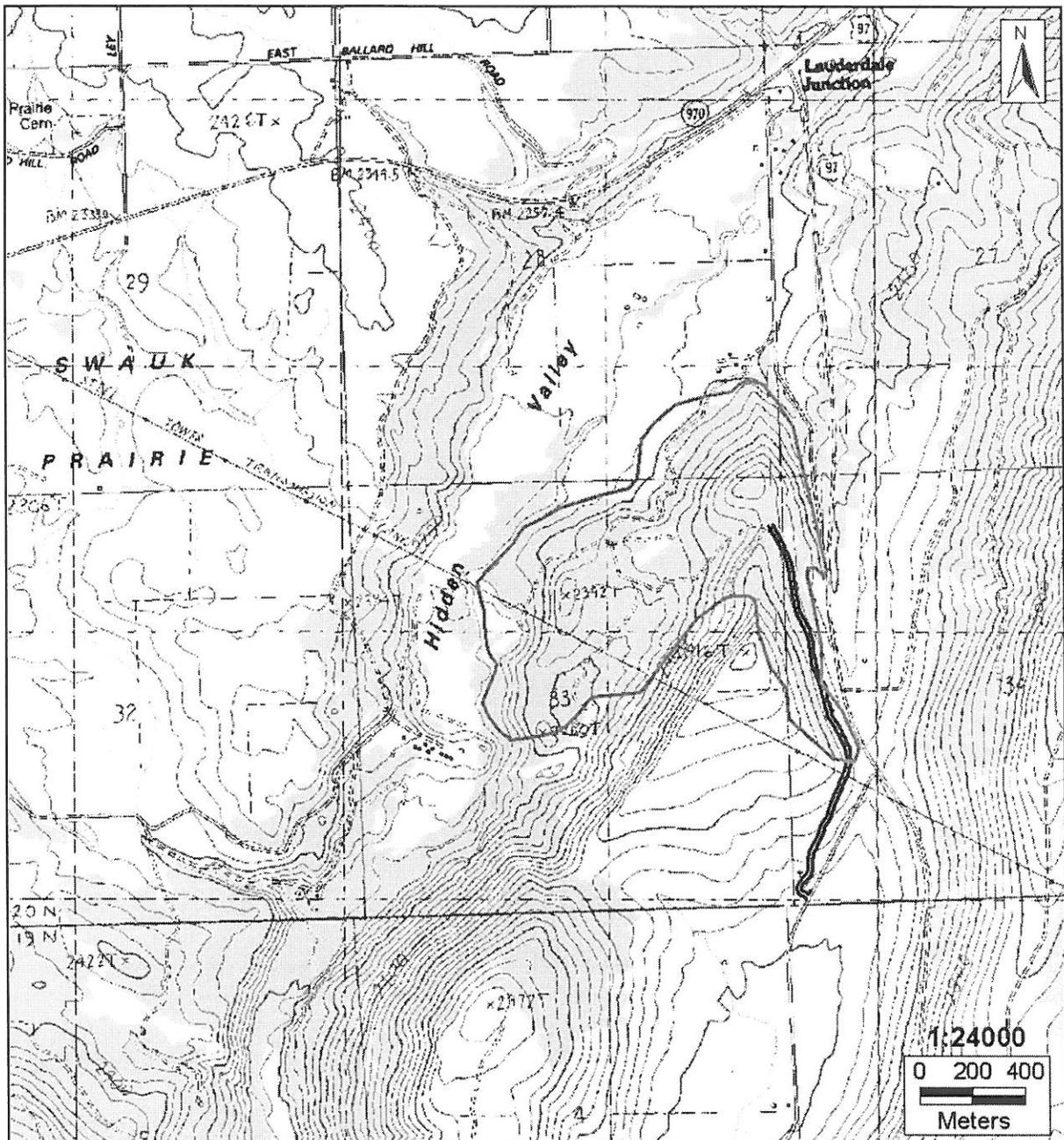


Figure 1. Project boundary for FPA 05-08 forestry activities & road construction.

1.1 DAHP RESPONSE

Following a conference call between ROSC proponent Chad Bala, of Terra Design Group, Inc., Yakama Nation TFW Archaeologist, David Powell, and Assistant State Archaeologist, Stephenie Kramer, DAHP responded to submission of the FPA 05-08 application, a SEPA

checklist, and the 2006 NGC report of findings (Appendix A). DAHP required additional information, and made six requests to Kittitas County Community Development Services regarding both the ROSC forest practice activities and its residential development plans (Table 1). The response and the six requests reference two state land use regulatory compliance requirements, the Forest Practices Application- Notification process and the Washington State Environmental Policy Act process.

Table 1. DAHP requests for Kittitas County Community Development Services.

-
1. We will need a site inventory form to be submitted for the McCallum Graves discussed in the report.
 2. We will need a historic property inventory form to be submitted for the 1897 Virden home.
 3. We concur that the talus pit site should be avoided and protected in place.
 4. The historic debris scatter ROSC-001 [45KT2712] appears to be an ephemeral scatter, based on surface investigation only. We do need some more information about the refuse scatter and its connection to the Virden family because they are not fully discussed in the text of the report. The report should document more in-depth details about the Virden farmstead, and the family's significance in the community.
 5. Before finishing the road, we request that the archaeologist dig the shovel probes per the recommendation on page 18 to determine if site ROSC-001 [45KT2712] is present in that area, and the depth of the site, if present. If the site has depth and is more than an ephemeral surface scatter, more documentation may need to be done prior to removing the artifacts and installing the road.
 6. The extent of the post-timber harvest developments are not entirely clear, and whether or not these activities have been surveyed for archaeological resources. Any future or further proposed developments outside of the timber harvest area should be surveyed for archaeological resources prior to project commencement. A copy of the report should be sent to the agency and the Yakama Nation for review.
-

DAHP Log 040706-12-KT

While ROSC contracted Northwest Geocultural Consulting to perform a cultural resources inventory for the FPA boundary, it did not request a review of the development area referenced in the SEPA checklist. The FPA document provided to NGC accurately depicted the extent of the timber harvest area; however it did not include the extent of the access roadway connecting the southeast area of the harvest boundary with Bettas Road, within

upper Horse Canyon basin. ROSC provided NGC with a copy of the eight-page DNR-SEPA Environmental Checklist, although project maps depicting the SEPA checklist boundary were not included.

These omissions generated some confusion during the conference call, as the report of findings from NGC addressed the FPA 05-08 boundary and not the extent of the SEPA checklist project area. At the time of the conference call, Ms. Kramer held all three documents, with maps. The NGC report of findings addressed the restrictive FPA project area, and the SEPA checklist addressed a larger division of the full ROSC development property area. This discrepancy is evident in request number six, where the “the extent of the post-timber harvest developments are not entirely clear.” To date, NGC is not aware of the boundary for SEPA checklist. It is clear from the historic background research for the FPA 05-08 boundary that at least two homesteads and the McCallum Graves are located within the general area.

The initial ROSC Forest Practice Application contained a shoreline substantial development permit application, SSDP-05-01; however, on February 23, 2006 ROSC amended the FPA to no longer include SSDP-05-01. The amended FPA included a revised SEPA document, which excluded any reference to a shoreline substantial development permit.

1.2 NGC RESPONSE

This addendum report addresses the DAHP letter to Kittitas County Community Development Services and to ROSC for additional information regarding the FPA 05-08 cultural resources survey and the NGC report of findings (Orvald 2006). In this addendum report, we attend to request *Number I*, for a McCallum Graves site inventory form, request *Number IV*, for additional contextual information on historic refuse scatter KT2712 and its relationship with the Virden Farmstead, and request *Number V*, for shovel probe excavation at KT2712 to determine its horizontal and vertical extent within the access roadway right-of-way (Orvald 2006:18). These three requests are the focus of additional fieldwork and background research conducted in August and September of 2006.

DAHP request *Number II*, for a Virden house historic property form, is beyond the scope of work defined between NGC and ROSC, and needs to be addressed in a separate investigation. The Virden house is part of the Virden farmstead, and although it has relevance to historic refuse scatter KT2712, it lies outside of the FPA boundary. The Virden house, its related structures, and the surrounding agricultural fields lie within the ROSC residential development area addressed by SEPA documentation. ROSC is actively developing the farmstead as the center of its residential community, with the Virden House as an office and

the refurbished Virden Barn as a gathering place. Request *Number III* addresses talus pit site KT2711. The request is of no consequence, as it represents DAHP concurrence with recommendations by NGC, which are endorsed by ROSC (Orvald 2006:19). ROSC will preserve the talus pit site. Request *Number VI* is also beyond the scope of work for the formal NGC – ROSC agreement, as it addresses the greater ROSC residential development.

2. RESULTS

2.1 McCALLUM GRAVES SITE INVENTORY FORM

The McCallum Graves comprise a small, historic family interment plot with a fenced enclosure, holding four grave markers and presumably, six descendents. Five of the six interments are for members of the McCallum family and one is for a family associate. The cemetery is named for Swauk Creek pioneers Peter and Sarah (Harrison) McCallum, who in 1882, homesteaded 160 acres of the southwest quarter of Section 34 in Township 20 North, Range 17 East, W.M. (Figure 2).

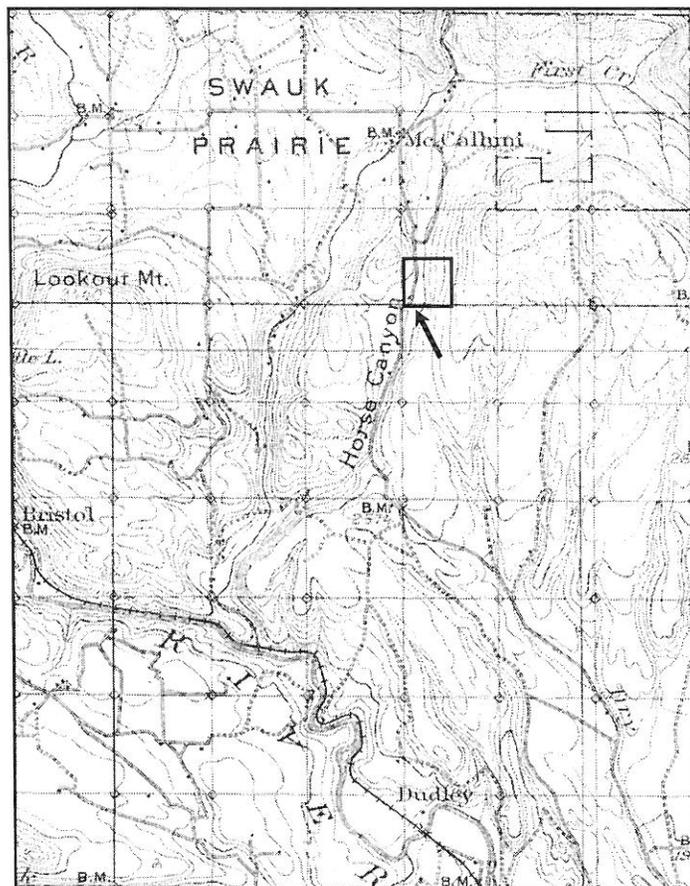


Figure 2. McCallum homestead and graves (USDI 1897).

Peter McCallum and his wife Sarah (Harrison) McCallum were among the first farmers to homestead south of the Swauk Mining District, and the earliest to settle the small valley of upper Horse Canyon. McCallum operated the first post office in the Swauk Creek area and a commercial business at the junction of the roads from Blewett Pass, Teanaway/Cle Elum, and Ellensburg (via Thorp and Dry Creek). During his tenure, the junction bore the name “McCallum” (USDI 1897). This crossroads changed configuration through time, and appears as ‘Lauderdale Junction’ on the most recent Swauk Prairie USGS 7.5’ quadrangle. The McCallum post office is described in the book *Postmarked Washington, Chelan, Douglas and Kittitas Counties* (Ramsey 1974:53).

Peter McCallum was born in Scotland January 12, 1849, the son of Robert and Annie (McKay) McCallum, both natives of Scotland. Robert McCallum was a foreman ship carpenter. Peter McCallum accompanied his parents to Canada as an infant, where his father died in 1863. His mother moved with Peter to Iowa, where he was educated and worked on local farms to support the family. In 1872, McCallum went to California to farm and engaged in logging. Two years later in 1874, he returned to Iowa and married Sarah B. Harrison, who was born in Wisconsin, and educated there and later, in Iowa. Sara was twenty-two at the time of her marriage to Peter McCallum.

The McCallums lived in Iowa for six years, after which they migrated to Olympia, Washington, where Peter returned to logging for some nine months. In August of 1882, Peter moved to Kittitas County and took up 160 acres of land as a homestead. Sarah followed with several children the following year. They lived on the farm for fifteen years and brought the land into a high state of cultivation. The McCallums purchased an additional 160 acres of adjoining land in 1891. Peter McCallum received a patent for the land from the North Yakima Land Office on June 4, 1896 (BLM 2006).

As other settlers followed suit, and McCallum saw an opportunity to serve both the farmers of Swauk Prairie and miners of the burgeoning Swauk Mining District with a grocery store and post office. His post office, established in 1884, was the first in Kittitas Valley proper, west of Ellensburg and north of the Yakima River (Ramsey 1973). McCallum initially operated his post office and grocery at the homestead in the southwest corner of Section 34 in Horse Canyon, on the road to Ellensburg. In 1882, he moved the operation two miles north to the wagon road junction on Swauk Creek. The place was originally called “McCallum,” after the post office, and served miners in the Swauk Mining Camp and farmers on Swauk Prairie (USDI 1897). McCallum appears on at least two historic maps for Washington State. In 1892, postmaster McCallum was elected Kittitas County Commissioner on the Democratic

ticket. He served in that capacity for two years. In that same year the Liberty post office was established just four miles north of McCallum's post office and store, as Liberty had become a locus of mining activity. Rail activity focused along the Yakima River led to the communities of Teanaway and Cle Elum to the southwest. In 1897 the McCallum post office closed and the area came to be called Virden, as the Virden School was located there.

For sixteen years Peter McCallum was post-master at McCallum, Washington on Swauk Creek. He also was an active member of the Presbyterian Church. Peter and Sarah had five children: Edgar, Jessie (McCallum) Dunford, Lewis, Peter, and William. Sarah McCallum died in 1893, and Peter remarried. His second wife was Julie Eldred, the daughter of Henry W. and Julie (Ryan) Eldred, of Ellensburg. In 1897, Peter McCallum moved to Seattle and engaged in the grocery business. In 1902 he sold out and moved back east of the mountains to Cle Elum, where he passed in 1912. Peter McCallum's descendents have described his pioneering efforts in the book *A History of Kittitas County Washington* (1989:638). A portion of the description is as follows:

In the spring of 1882, Peter McCallum and two friends hiked across Snoqualmie Pass via a narrow Indian trail, leading a horse packed with equipment to sell to miners in the Swauk Camps, and to search for land. Peter homesteaded 160 acres in Horse Canyon in August 1882. He built a log cellar where Sarah and his three children joined him in October 1883. He purchased 320 acres of railroad land that joined the homestead, 160 acres of it in 1891. He sold vegetables, beef, chicken, eggs, milk, cream, butter, cheese, pigs, cured hams and bacon to the camp of miners on the Swauk. He opened McCallum post office and store in his home, which was also used as a land office. He freighted goods from the Dalles, Oregon, to Liberty, and hauled much gold from the mines to Ellensburg, which he sent to the U.S. Mint. He opened a larger store and post office on the Swauk Creek. He gave land above the road from where Virden School now stands for McCallum School (District 15).

In response to DAHP request number one, NGC personnel filled out a *Washington State Archaeological Site Inventory Form* for the McCallum Graves for submission with this report to DAHP, Kittitas County, and ROSC (Appendix B). On the back of the headstone for Peter McCallum, his wife Sarah, and baby daughter Sadie, is an inscription, which reads, "This cemetery consists of one acre deeded forever."

2.2 45KT2712 CONTEXT

Based on surface investigation, historic debris scatter KT2712 appears to be a superficial pile and surrounding scatter and of domestic and agricultural artifacts (Orvald 2006). Given its proximity to the Virden farmstead, the site likely has its origin in discard activities of the Virden family, and later the Burke family, whose land tenures preceded ROSC's. Request number four from DAHP addresses information about the refuse scatter and its connection to

the Virden and Burke families. The following section provides context for the archaeological site, including details of the Virden family and farmstead, and the significance of the Virden and Burke families for the local Swauk Prairie community.

2.2.1 Swauk Prairie

KT2712 and the ROSC project area (FPA and SEPA) are located on Virden homestead land within the Swauk Prairie cultural landscape. Swauk Prairie was an early historic period family farming area in Kittitas County, with many of its farms established in the decade before statehood (KCCC 1989). The prairie is located six miles southwest of the Liberty and the Swauk mining district, ten miles east of the coal mining and railroad town of Cle Elum, and fifteen miles northwest of Ellensburg on the Swauk-Teanaway divide. Physiographically, it is centered on the expansive terminal moraine complex straddling the divide between the lower reaches of Swauk Creek and Teanaway Creek. Swauk Prairie is open, rolling country surrounded by the timbered slopes of Lookout Mountain, Teanaway Ridge, and the Wenatchee Mountains. The farming and ranching community includes Hidden Valley, Horse Canyon, and the lower Teanaway Valley. An annual twenty inches of precipitation on the prairie falls mostly as snow.

In 1889, a typical farm in the area included 160 acres or more of homesteaded and/or purchased land, partially under cultivation, with a log cabin domestic structure. At the turn of the century, two-story houses replaced the log cabins. Horse farming gave way to mechanization in the 1920s and 1930s, and farm size increased, as population declined (RCCC 1989). A typical Swauk Prairie farm 100 years after statehood included four or more of the late 19th Century farmsteads. Rural electrification occurred in the 1940s, with household implements and farm machinery rapidly increasing productivity between 1960 and the late 1970s. Although some land remains with families who have farmed it for up to three generations, recreational and residential subdividing is encroaching on the established agriculture landscape. The Swauk Cemetery includes some 250 graves, with burials dating back to 1884. The McCallum Graves represent historic and modern interment at an individual family scale on original homesteaded property.

Dryland wheat was the main crop across Swauk Prairie, and early settlers grew grain for their own use and for stock and workhorses. As a cash crop, wheat was shocked, threshed, sacked, and hauled to the railroad siding at Teanaway Junction for shipment to the Puget Sound. With better roads, farmers would haul their harvest over Snoqualmie Pass in farm trucks. In the early 1950s, fall-seeded, winter wheat proved successful. Dryland potatoes were once a cash crop, and livestock for home consumption and dairy and beef cattle were also important. Cattle and timber continue to provide income for those ranches whose location allows that

production. Prior ROSC land tenure, the Burke family operated one of the last cattle, hay, and timber ranches in the Swauk, a property centered about the Virden homestead. Two enclaves comprised the Swauk Prairie community, each situated at either end of the prairie's rolling terrain. Both of these settlements have largely disappeared as the local farm population declined, as transportation networks evolved, and as the county rezoned land to accommodate residential development schemes. The primary Swauk Prairie community remains centered east of the prairie along Swauk Creek and below the intersection of highways 97 and 970. Through time, the locale has borne the names of prominent landowners and entrepreneurs: McCallum, Virden, and Lauderdale (USDI 1897; 1958, USGS 1985). The 1892 GLO cadastral survey plat for the Township shows a well settled area, with numerous farmsteads, cabins, a school house, a granary, P. McCullum's Store, a post office, irrigation ditches, the "Ellensburg-Cle Ellam Road", the "Clellam Road," the "Swauk-Pechastin Road" and trails (Figure 3).

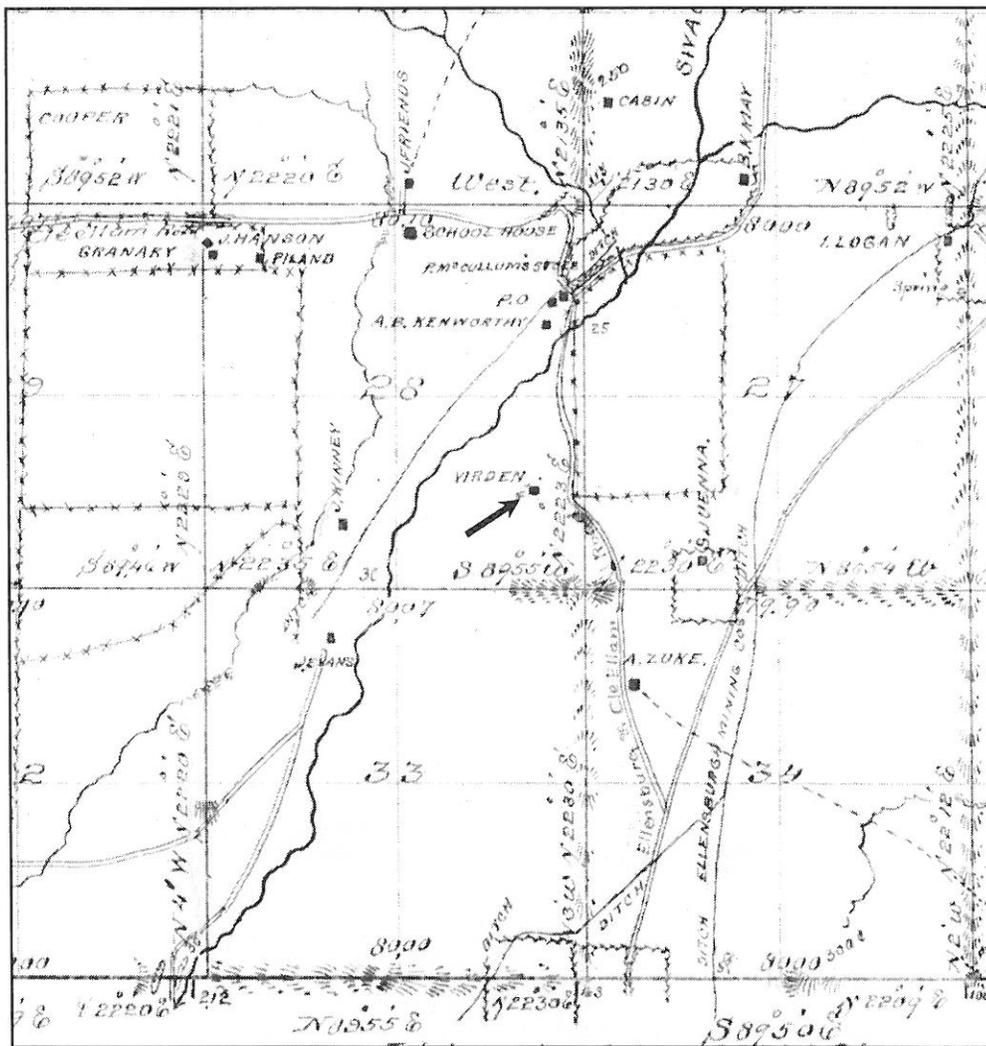


Figure 3. T20N-R17E GLO map of Swauk Creek cultural landscape (USDI 1894).

The early McCallum Post Office was discontinued at the turn of the century (Ramsey 1973). The one-room schoolhouse named for the Virden family operated in at least two different locations until closing in 1938 (KCCC 1989). Prior to modern highway construction, there was a traveler's lodge, called Lauderdale Lodge, at the road junction. Warren and Les Larsen ran a sawmill on Donald and Kenneth Hartman's lower ranch south of the bridge on Burke Road. East of the junction, up First Creek, the Cascade Lumber Company had a headquarters development in the thirties with a logging railroad that ran down the Swauk to its mouth. Until a combination of highway construction and rezoning in the late 1970s, there was a gas station with grocery and cabins at the junction of Dry Creek and Blewett Pass roads, known as Lauderdale Junction (USDI 1985). The Swauk Prairie Road, which runs north of the modern highway, was part of the main Seattle to Spokane Road. A state highway replaced it as the main Swauk Prairie crossing in 1928, and the highway was designated State Highway 970 in 1977, following realignment.

2.2.2 Virden Farmstead

Historic refuse scatter KT2712 is located on land initially homesteaded by George and Rebecca Virden and later owned by Pat and Mary Burke. The original Virden farmhouse, barn, and outbuildings lie approximately 500 meters (1,640 feet) northeast of KT2712 on the southeast margin of the Swauk Creek floodplain. Virden and his wife Rebecca arrived in the area in 1876, homesteaded the ranch on Swauk Creek, and George mined gold in the mountains east of Liberty. Mr. Virden was perhaps the Swauk's earliest homesteader, and a unique individual in his capacity as a seasoned farmer and an industrious and innovative gold miner. The Virden School was started on his land and the valley came to be called Virden (USDI 1958). KT2712 represents domestic and agricultural discards from both Virden family and Burke family land tenure in Section 28, Township 20 North, Range 17 East.

George Dunreath Virden was born February 23, 1847 in Illinois. He lived in Iowa in Blackhawk County where his parents owned a farm, and he attended school until the age of nineteen (KCCC 1989). Virden moved to Kansas to become a buffalo hunter, and then a farmer. George married Rebecca Walker on April 9, 1868 in Iowa. Walker was born April 20, 1849 in Ohio, and was the daughter of German descended Pennsylvanians. The Virdens lived in Kansas for five years and then migrated west in September 1876, via prairie schooner train, to Kittitas County in Washington Territory. Intending initially for the Puget Sound area, the Virdens stopped in Ellensburg for lack of money (Jordan 1964:109). The family initially stayed in Ellensburg, and George and his first son William, prospected throughout the upper Yakima basin and in the Swauk basin. The Virdens settled in the Swauk Creek valley in 1878.

The original Virden homestead consisted of 160 acres in the N½ SE¼, SW ¼ NE ¼, and the SW ¼ SE ¼ of Section 28, in Township 20 North, Range 17 East, which Virden acquired as a homestead entry in 1896. In 1902, Virden acquired another 40 acres (SE ¼ SE ¼) of Section 28, as a sale cash entry. Virden later purchased additional land from fellow homesteader, Alexander Piland. Over their period of land tenure, the Virdens expanded their holdings in the Swauk to a 320-acre farm, well equipped with a blacksmith shop, machinery, stock, and irrigation.

The first Virden family home on Swauk Creek was a log cabin built just east of the present nine-room home (Figure 4). Years later in 1902, George and his son William built an elegant two-story, nine-room house, which is still in use (Figure 5). The Virdens remained on the homestead until death in 1921; George Virden died August 5, 1921 and Rebecca Virden died October 10, 1925. They are buried in Swauk Prairie Cemetery. The Virden homestead was later divided, with son Norman Virden purchasing the original homestead and the eldest son Will, the adjacent Alexander Piland acreage. Alice Burke and her son Pat later purchased the Norman Virden ranch and Don and Ken Hartman, the Will Virden ranch.



Figure 4. Virden log home with windmill, barn, and outbuilding (KCCC 1989).



Figure 5. Post-1902 image of Virden house, barn, and outbuildings (KCCC 1989).

2.2.3 Virden the Miner

Although a farmer first, Virden's efforts in mining were of renown in the Swauk Mining District. As a successful farmer and miner, Virden had much to offer to both the homesteading agricultural and mining claim communities, which were much at odds through time. Virden was an early prospector in the Swauk Gold Mining District, and held five adjoining claims on Williams Creek above the Alley Ranch, which he worked alone (Jordan 1964). When his seven children grew old enough, they kept up the farm while he mined full time. In 1891 Virden bonded his placers to a San Francisco party and later sold them for \$20,000 (Jordan 1964). His last claim was a quartz mine called the Summit. On this claim, he constructed one of the mining camp's first stamp mills.

Virden claimed that he was the first man to discover the Roslyn coal (Jordan 1964). While trapping and prospecting around Lake Cle Elum he came across an outcropping of coal. Virden took out the first sack of coal from Roslyn and it had it tested by a blacksmith in Ellensburg to show its value. Thinking it could not amount to anything, he did not file on the land. He also hauled the first load of coal from Roslyn for his own blacksmith shop. When he died, he had one of the most valuable coal deposits in the county. George Virden is also credited with an innovative processing technique, unique to the Swauk Mining District, known as the water powered, horizontal arrastra (Figure 6).

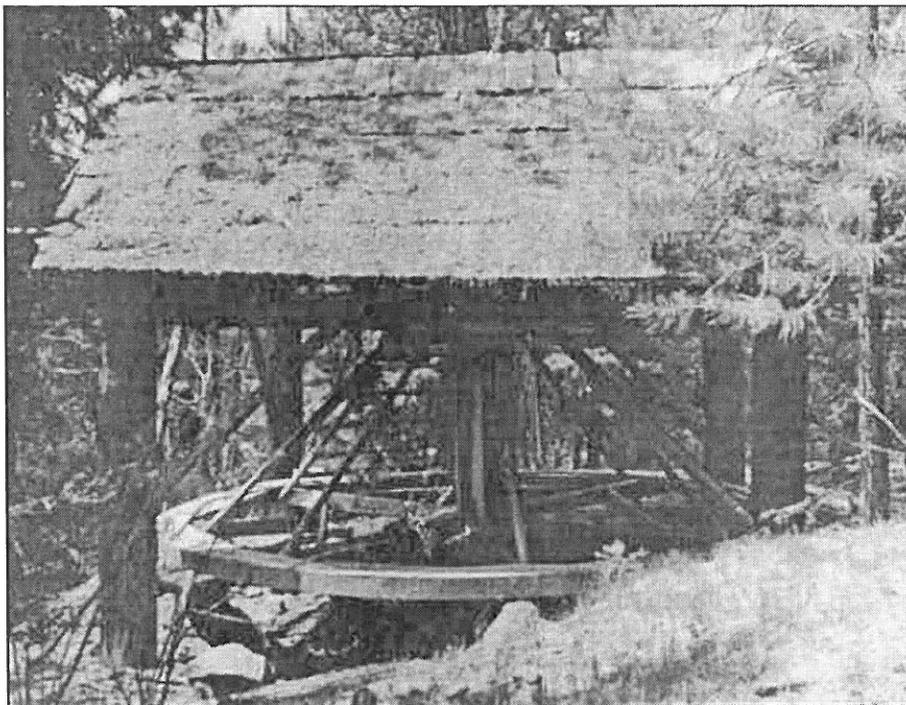


Figure 6. ‘Virden’s Arrastra’ in Ellensburg Daily Record article, July 16, 1975.

2.2.4 The Virden School

The Virden school had been built by Swauk Prairie residents “who pitched in” on land east of the Virden homestead across highway 131. The chief carpenter was Anius Grunden. The lumber used was hauled from a mill located on the Bruno Bonetto ranch in the Lower Teanaway. The school was torn down in the late 1940s. In 1928 the new Virden School was built, known as School District No. 15 and it had the distinction of being the first up-to-date rural school in Kittitas County for a number of years. It was consolidated with the Cle Elum School District a few years after the Virden School was closed in 1938. Over the years, the teachers at the Virden school boarded with the George D. Virden family and later the Will Virdens – 61 years altogether from 1897-1938.

2.2.5 The Burke Ranch

Pat Burke is the youngest son of J. T. and Alice (Remick) Burke, born August 21, 1924. He grew up on the Burke farm with his brother J. T. and sister Charlotte in the Naneum. J. T. and Pat purchased the George Virden farmstead from his son, Norman Virden, on Swauk Creek and moved there in 1943 (KCCC 1989). The ranch included the Phil Dunford and ‘Chub’ McCullum homesteads. In 1956, Pat married Mary Lucinda Masterson, daughter of ‘Bat’ and Mary (McClure) Masterson of the Teanaway area. Pat and Mary were the parents of three sons, John Patrick, Joseph Charles and James Edmund “Jed.” Pat, Mary, and Jed resided on the Swauk Ranch where they raise purebred and commercial Hereford cattle (Figure 7).



Figure 7. Virden farm during Pat and Mary Burke ownership (KCCC 1989).

Pat and Mary held several offices and appointments in the Kittitas County and Washington Cattlemen's Associations. Mary was once vice-chairman of the National Cattlemen's Association Private Lands Committee. The extent of the old road from Ellensburg via Dry Creek was named Burke Road after the Burkes. The Burkes sold their ranch to ROSC; however they maintain a residence in the Kittitas Valley (Figure 8).



Figure 8. Modern image of Virden farm, 11/9/06 image by author.

2.3 45KT2712 SHOVEL PROBING

DAHP request number five addresses adverse impacts to historic refuse scatter KT2712 from the ROSC desire to clean up the hazardous pile of metal artifacts composing Locus I and from installation of the new access roadway. ROSC installed nearly the entire access roadway over the summer in two sections, one from the southern end of the FPA boundary on Bettas Road, and the other from Burke Road north of the FPA boundary. Each section ended approximately fifty meters from the flagged KT2712 boundary. NGC monitored the upper section of roadway installation without identifying archaeological resources. Before completion of the road, DAHP requested shovel probing to determine whether KT2712 was anything more than a surface accumulation. If KT2712 were more than a surface scatter, more documentation would be necessary prior to removing the artifacts and installing the remainder of the road.

On August 28, 2006, NGC field personnel laid out a grid of seven shovel probes at a ten-meter interval across the site area from the edge of the artifact pile in Locus I to a point below the original dirt road above Locus II. NGC archaeologist Ryan Bowlin excavated 40-centimeter diameter shovel probes, and screened all fill with quarter inch hardware cloth (Figure 9).



Figure 9. Screening at shovel probe-2 west of Locus I, KT2712.

It was clear from an early stage in the ROSC development process that the access road would obliterate the eastern portion of KT2712. Thus, the primary question became the potential

vertical extent of artifacts at the site within the anticipated roadway corridor. To determine this, NGC positioned the probing grid to access whether there was any artifact depth for both loci, the primary artifact area, Locus I, and the secondary, disturbed area of Locus II (Figure 10).

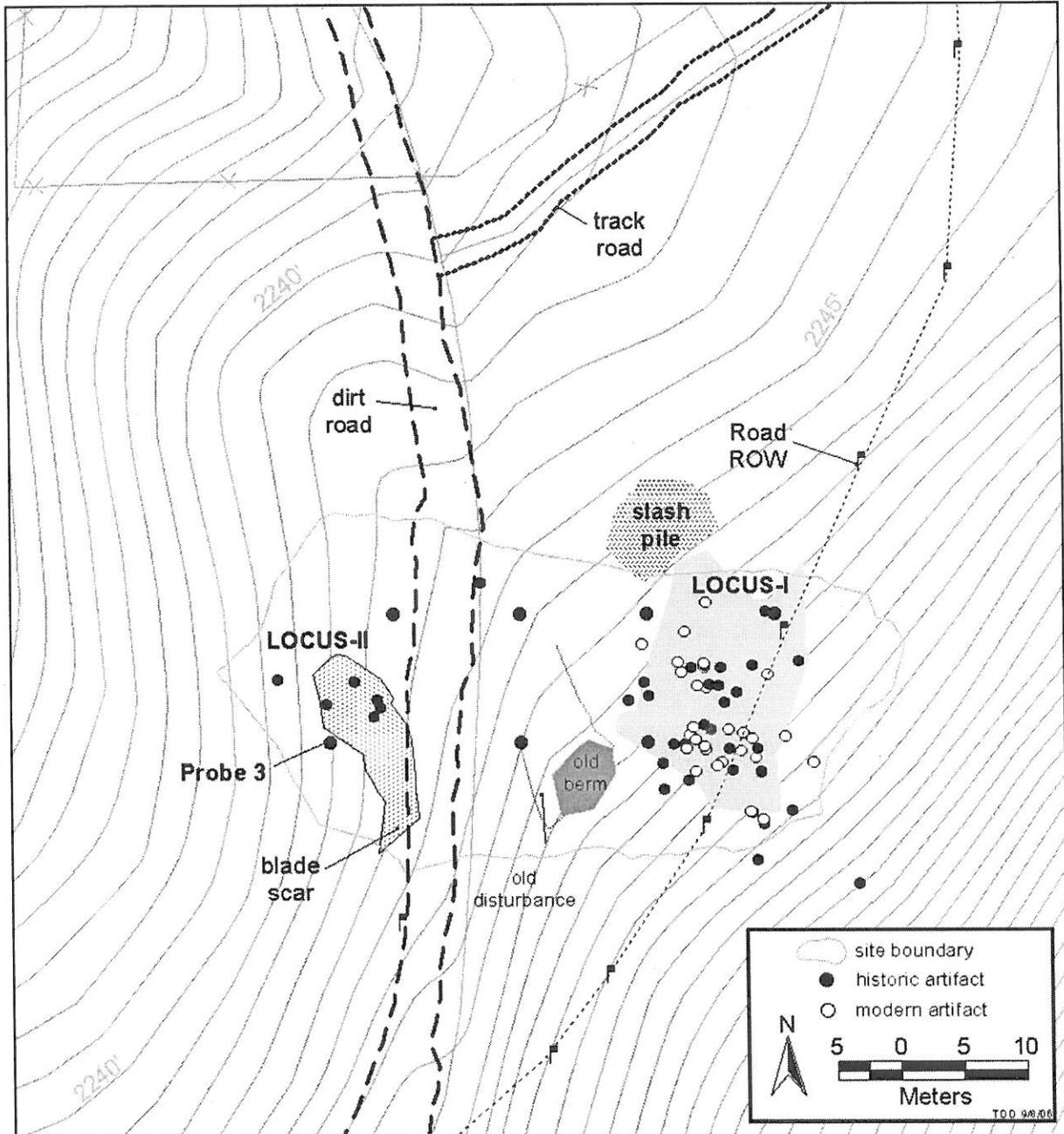


Figure 10. Site plan map for KT2712 with shovel probes and ROW upper edge.

NGC excavated a total of seven shovel probes across the site area, and recovered one piece of cobalt blue glass in probe number three below Locus II at the western edge of Locus II. No

probe went deeper than thirty-five centimeters. The substrate across the site area consists of dry, resistant silty fine sand over weathered sandstone, which is visible further upslope in a cut for the installed roadway. Soil does not appear to be deeper than twenty-five centimeters across much of the area. NGC made a dry Munsell soil description of 10YR 5/2 Grayish Brown Silty Sand for non-consolidated substrate.

Based on examination of the surface area, and the shovel probe, KT2712 is primarily a surface scatter of historic and modern domestic and farm related artifacts, piled and strewn about the Locus I area, at the base of the slope. Artifacts do have a depth in the disturbed area of Locus II; however this appears to be the product of the roadwork on the existing dirt road bisecting the site. Artifacts visible at the surface of Locus II are fused within a dried berm of bladed sediment below the edge of the road.

2.4 45KT2712 INVENTORY & MONITORING

Given the shovel probing results and the ROSC construction schedule, NGC continued work at KT2712 with systematic dismantling of the Locus I area, as recommended in the report of findings (Orvald 2006:19). On August 30, 2006, NGC archaeologists and two ROSC employees removed all surface artifacts from the upper site area, within the alignment for the access roadway. A NGC archaeologist identified all materials and sorted them by apparent age into a modern refuse pile and a historic artifact pile. All historic artifacts were documented with written description and digital imaging (Appendix C).

When diagnostic attributes were absent, common sense led artifact dating; decisions erred on the side of historic determinations (a Type I Error). Most of the historic artifacts are composed of weathered iron and wood, interpreted as parts of domestic and farm implements or parts associated with transportation. The primary domestic implements are two iron hand pumps for well water. Farm implements include the large, machine-drawn John Deer plow, a horse drawn plow, and a horse-drawn harrow. Parts associated with transportation covered a broad range in time and include parts and fittings for a large wagon, rims and leaf springs for a buggy, wood and metal automotive wheels, and steel automotive wheels. The primary remaining artifact class consisted of miscellaneous iron fittings and apparatus, some of cast metal and others with evidence of hand forging, fabrication, and repairs.

ROSC employees removed all inventoried artifacts and deposited them temporarily in an outbuilding on the ROSC property. ROSC employees used a Bobcat to hoist and transport the large John Deer plow. Additional ROSC employees removed all piled modern artifacts from the property. At the completion of the inventory, all surface materials, both modern and historic, were removed from the site area.

On August 31, 2006, an NGC archaeologist monitored completion of the remaining section of access roadway, connecting the previously installed upper and lower portions. Care was given to observe all initial topsoil removal in the site area, where the inventory and cleanup occurred. NGC did not identify additional artifacts or modern refuse during construction monitoring. NGC filled out an archaeological site inventory update form for KT2712 reflecting recent physical changes to the site, as well as providing additional information on artifact composition of and depositional context.

3. SUMMARY

This document is an addendum to a Northwest Geocultural Consulting report of findings for Forest Practices Application/Notification 05-08 cultural resources inventory conducted on behalf of The Ranch on Swauk Creek, LLC, for its timberland holdings in the Hidden Valley/Horse Canyon area of the lower Swauk Creek basin (Orvald 2006). The addendum addresses comments and requests made to Joanna Valencia of the Kittitas County Development Services Department, ROSC proponent Chad Bala of Terra Design Works, and the NGC project archaeologist (Appendix A). This report addendum includes responses to the following Department of Archaeology and Historic Preservation comments/requests:

- 1) A *Washington State Archaeological Site Inventory Form* for the McCallum Graves.
- 4) Virden homestead and Swauk Prairie community context information for historic refuse site KT2712.
- 5) Shovel probing, artifact inventory, and archaeological construction monitoring for KT2712.

4. REFERENCES CITED

Department of Archaeology and Historic Preservation (DAHP)

- 2006 040706-12-KT. Letter from Stephenie Kramer, Assistant State Archaeologist, to Joanna Valencia, Planner with Kittitas County Community Development Services, August 22, 2006.

Ellensburg Daily Record

- 1975 Virden's Arrastra. Article on July 16, 1975.

Jordan, J. A.

- 1964 Mines and Miners of the Swauk. M.A. Thesis, Central Washington State College, Ellensburg, Washington.

Kittitas County Centennial Committee (KCCC)

- 1989 *A History of Kittitas County*. Kittitas County Ellensburg, Washington.

Ramsey, G. R.

- 1973 Postmarked Washington: Chelan, Douglas, and Kittitas Counties, The Wenatchee World, Washington.

Orvald, T. O.

- 2006 Cultural Resources Inventory for the Ranch on Swauk Creek, LLC Forest Practices Application, Kittitas County, Washington. Prepared by Northwest Geocultural Consulting. Document on file at the Department of Archaeology and Historic Preservation, Olympia, WA.

United States Department of the Interior (USDI)

- 1894 Survey Plat: Township No. 20 North, Range No. 17 East, Willamette Meridian, Washington. Office of the Surveyor-General, Olympia Washington. [Available www.plso.wadnr.gov/blm-wa/wsrvy1.asp]
- 1897 Mount Stuart Quadrangle, USDI Geological Survey 1:125,000.
- 1958 Thorp Quadrangle, Washington Kittitas Co., 15' Minute Series USGS Topographic Map 1:62,500.
- 1985 Swauk Prairie, Washington, 7.5' Series Quadrangle, provisional edition 1985.

5. APPENDIX A - DAHP LETTER TO KITTITAS COUNTY



STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
 Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
 (360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

August 22, 2006

Ms. Joanna Valencia
 Planner
 Kittitas County Community Development Services
 411 N. Ruby, Ste. 2
 Ellensburg, WA 98926

Log: 040706-12-KT
 Property: FPA 05-08 The Ranch on Swauk Creek SEPA SSDP-05-01 Kittitas
 Re: Archaeology – More Information Needed

Dear Ms. Valencia:

We have reviewed the report entitled *Cultural Resources Inventory for the Ranch on Swauk Creek, LLC Forest Practices Application, Kittitas County, Washington* forwarded to our office for the proposed project referenced above. I have discussed most of the following comments with the proponent and David Powell of the Yakama Nation during a conference call on August 21, 2006, and also consulted with the Department's historic archaeologist about the historic debris scatter found during the survey following the phone call. We have the following requests:

1. We will need a site inventory form to be submitted for the McCallum Graves discussed in the report.
2. We will need a historic property inventory form to be submitted for the 1897 Virden home.
3. We concur that the talus pit sites should be avoided and protected in place.
4. The historic debris scatter ROSC-001 appears to be an ephemeral scatter, based on surface investigation only. We do need some more information about the refuse scatter and its connection to the Virden family because they are not fully discussed in the text of the report. The report should document more in-depth details about the Virden farmstead, and the family's significance in the community.
5. Before finishing the road, we request that the archaeologist dig the shovel probes per the recommendation on page 18 to determine if site ROSC-001 is present in that area, and the depth of the site, if present. If the site has depth and is more than an ephemeral surface scatter, more documentation may need to be done prior to removing the artifacts and installing the road.



Ms. Joanna Valencia
Planner
Kittitas County Community Development Services
411 N. Ruby, Ste. 2
Ellensburg, WA 98926
Page 2

6. The extent of the post-timber harvest developments are not entirely clear, and whether or not these activities have been surveyed for archaeological resources. Any future or further proposed developments outside of the timber harvest area should be surveyed for archaeological resources prior to project commencement. A copy of the report should be sent to the agency and the Yakama Nation for review.

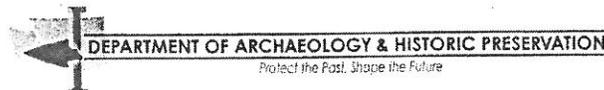
If any federal funds or permits are involved Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36CFR800, must be followed. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

We appreciate the attention the Ranch on Swauk Creek LLC has given to the cultural resources in this project. These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may be revised. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please note that DAHP has recently revised our cultural resource reporting guidelines. The guidelines are available on our website at http://www.oahp.wa.gov/pages/Documents/documents/CRStandards_004.pdf. Should you have any questions, please feel free to contact me at (360) 586-3083 or Stephanie.Kramer@dahp.wa.gov.

Sincerely,


Stephanie Kramer
Assistant State Archaeologist

cc: David Powell ✓
Tucker Orvald ✓
Chad Bala



6. APPENDIX B - McCALLUM GRAVES SITE FORM

STATE OF WASHINGTON
ARCHAEOLOGICAL SITE FORM

Site No.

County: Kittitas

Date: 9/03/06 **Compiler:** Tucker Orvald

Location Information Restrictions: No **Unknown:**

SITE DESIGNATION

Site Name: McCallum Graves

Field/ Temporary ID: McCallum Graves

Site Type: Historic Cemetery

SITE LOCATION

USGS Quad Map Name: Swauk Prairie, Washington 7.5' Series, provisional edition 1985

Legal Description: SW ¼ of SW ¼ of Section 34, T.20N – R.17E

UTM: Zone 10 North, Nad27 **Easting:** 673708 **Northing:** 5227121

Latitude: 47° 10' 35" **Longitude:** 120° 42' 32" **Elevation (ft/m):** 2470'/753m

Other Maps: GLO, USDI, USGS 15' **Type:** Cadastral and Topographic

Scale: 1:125,000 and 1:62,500 **Source:** DNR Website and CWU Map Library

Drainage, Major: Yakima River Basin **Drainage, Minor:** Swauk Creek **River Mile:** 4

Aspect: 165° **Slope:** 4°

Location Description (general to specific): The McCallum Graves are located in Kittitas County, approximately fifteen miles northeast of Ellensburg, Washington, in the lower Swauk Creek basin. The mall cemetery lies within the upper basin of upper Horse Canyon, a sub-basin of the Swauk, and a landform component of the regional historic community of Swauk Prairie. The fenced enclosure with five graves is situated at the northern end of the oval-shaped upper basin of Horse Canyon on a broad, grassy south-facing slope, approximately 80 meters northwest of Bettas Road, off State Highway 97.

Approach (to relocate): Proceed south from the intersection of State Route 970 and State Highway 97 (Lauderdale Junction of the Swauk Prairie 7.5' quadrangle) for approximately 1.7 miles to the northern intersection of Highway 97 and Bettas Road. Continue southwest on Bettas Road for 535 meters to the newly excavated entrance road to the Ranch on Swauk Creek residential development and park. Proceed on foot up the access road for approximately 130 meters. The fenced enclosure surrounding the McCallum Graves is visible 40 meters due west of the road centerline.

SITE DESCRIPTION

Narrative Description: The McCallum Graves comprises a small, historic family interment plot holding four grave markers and presumably the graves for six descendents. Five of the six interments are for members of the McCallum family and one is likely for a family associate. The cemetery is named for the Swauk Prairie pioneer and family patriarch, Peter McCallum. McCallum and his wife were among the first farmers to homestead just south of the Swauk Mining District. Mr. McCallum and Sarah (Harrison) homesteaded 160 acres of the southwest quarter of Section 34 of Township 20 North, Range 17 East, based on the Willamette Meridian. In August 1882 they filed a homestead on 160 acres and immediately began to develop a farm. McCallum received a patent for the land from the North Yakima Land Office on June 4, 1896 (BLM n.d.). As other settlers followed suit, McCallum saw an opportunity to serve both local farmers and miners of the nearby Swauk Mining District with a grocery store and post office. McCallum’s post office, established in 1884, was the first post office Kittitas Valley proper west of Ellensburg and north of the Yakima River. McCallum initially operated his grocery and post office out of his homestead in Section 34. Later, he moved the operation 1.7 miles to the north to the wagon road junction on Swauk Creek. The location later became known as “McCallum.” Continued on the next page...

Site Type: Historic Cemetery **Dimensions,** Method of horizontal measurement: Tape

Length: 18 feet Direction: E/W Width: 18 feet Direction: N/S Depth: Unknown

Method of vertical measurement: None Vegetation (On Site): Bunchgrass and weeds

Local: Grasses Regional: Ponderosa Forest/Shrub Steppe

Landforms: On Site: Slope Local: Basin

Water Resources: Swauk Creek Distance: 1,190m at 290° True North Permanence: Perennial

CULTURAL MATERIALS AND FEATURES

Narrative Description: The McCallum Graves consist of an ornamental wire fenced enclosure measuring eighteen feet on a side, containing four grave markers for a total of six descendents. A single, modern polished red granite headstone is engraved with the text “Baby Sadie B. 1892, Mother Sarah B. 1857-1893, Father Peter M. McCallum.” On the back of the headstone for Peter McCallum, his wife Sarah, and baby daughter Sadie, is an inscription, which reads “This cemetery consists of one acre deeded forever.”

Three single grave markers indicate interments for three additional individuals. A bronze plaque mounted in a concrete block makes the grave of “Peter Martin McCallum, F1 U.S. Navy World War II, May 16, 1927 – Feb. 5, 1998.” A heart-shaped concrete slab marks for the grave of “My Beloved Bob McCallum, 1-27-28 to 6-11-02,” and a carved wood plaque marks the grave of “Jessie Fern Huff, 2-9-1921 to 4-17-2002 .”

Fencing and a vegetation signature, including fruit trees, appear mark the location for the McCallum homestead structures. Evidence of the McCallum home and outbuildings is absent or covered with thick vegetative ground cover. The area is visible approximately 100 meters south of the fenced graves enclosure.

Location of Artifacts: No collection

SITE AGE

Component: Historic **Dates:** 1892-2002 Dating Methods: Grave markers and published documents

Phase: Not applicable Basis for Phase Designation:

NARRATIVE DESCRIPTION CONTINUED

In 1892, Postmaster McCallum was elected County Commissioner on the Democratic ticket. He served in that capacity for two terms. In that same year the Liberty post office was established just four miles to the north and soon Liberty became a thriving town and the community center of the Swauk Mining District. As a result, the McCallum post office was no longer needed to serve the area. Peter McCallum opened a grocery business in Seattle in 1897 and soon afterwards his Swauk Creek post office was discontinued. He retained ownership of his farmlands, and returned in 1902 to dwell in Cle Elum, where he spent his final years.

The present junction of highways 97 and 970 was at one time the crossroads of wagon traffic in upper Kittitas County. Businesses at the junction have served the traveling public from the 1880s until 1979. McCallum was the name of a store, a stage stop, and post office established by Peter McCallum in 1882 on Swauk Creek near the present junction, eighteen miles northwest of Ellensburg (USDI 1894, 1897). McCallum operated the post office from 1884 to 1897 (Ramsey 1973). The area was later called Virden and finally, Lauderdale Junction.

During the era of wagon roads (1880s and 1890s), the Swauk Prairie area was the crossroads for traffic between Cle Elum, Thorp, and Ellensburg and the gold mines at Liberty and Blewett. Wagons could not pass through the Yakima River canyon between Cle Elum and Ellensburg, nor was there wagon access through the Peshastin River gorge between the old mining camp of Blewett and Wenatchee. All supplies for both the Liberty and the Blewett mining camps had to come from Ellensburg or Cle Elum through the junction at McCallum. The wagon road south from McCallum went through Horse Canyon and then split, one branch going down Dry Creek to Ellensburg and the other over Hayward Hill to Thorp. Peter McCallum was the first to have a commercial business at the junction. The traveler of the day used horses and horses required a "stage stop." The McCallum Post Office is described in the book *Postmarked Washington, Chelan, Douglas and Kittitas Counties* by Guy Reed Ramsey, page 53. Peter McCallum's descendents described his pioneering effort in "A History of Kittitas County Washington," (KCCC 1989:638). A portion of the description is as follows:

"In the spring of 1882, Peter McCallum and two friends hiked across Snoqualmie Pass via a narrow Indian trail, leading a horse packed with equipment to sell to miners in the Swauk Camps, and to search for land. Peter homesteaded 160 acres in Horse Canyon in August 1882. He built a log cellar where Sarah and his three children joined him in October 1883. He purchased 320 acres of railroad land that joined the homestead, 160 acres of it in 1891. He sold vegetables, beef, chicken, eggs, milk, cream, butter, cheese, pigs, cured hams and bacon to the camp of miners on the Swauk. He opened McCallum post office and store in his home, which was also used as a land office. He freighted goods from the Dalles, Oregon, to Liberty, and hauled much gold from the mines to Ellensburg, which he sent to the U.S. Mint. He opened a larger store and post office on the Swauk Creek. He gave land above the road from where Virden School now stands for McCallum School (District 15)."

SITE RECORDERS

Observed by: Tucker Orvald

Recorded by: Tucker Orvald**Affiliation/Address:** Northwest Geocultural Consulting

804 North B Street

Ellensburg, WA 98926

Date Recorded: 5/27/06**Affiliation Phone Number:** (509) 925-5379**Affiliation E-mail:** Northwest.Geocultural@gmail.com

Revisited by:

Affiliation Address:

Date Revisited:

SITE HISTORY

Previous Work (references):

Orvald, T. O.

2006 Cultural Resources Inventory for the Ranch on Swauk Creek, LLC Forest Practices Application, Kittitas County, Washington. Prepared by Northwest Geocultural Consulting. Document on file at the Department of Archaeology and Historic Preservation, Olympia, WA.

The Kittitas County Centennial Committee (KCCC)

1989 *A History of Kittitas County, Washington*. Kittitas County Centennial Committee, Ellensburg, WA.

Ramsey, G. R.

1973 *Postmarked Washington: Chelan, Douglas, and Kittitas Counties*, The Wenatchee World, Washington.

United States Department of the Interior (USDI)

1894 Survey Plat: Township No. 20 North, Range No. 17 East, Willamette Meridian, Washington. Office Of the Surveyor-General, Olympia Washington. [Available www.plso.wadnr.gov/blm-wa/wsrvy1.asp]

1897 Mount Stuart Quadrangle, USDI Geological Survey 1:125,000.

1958 Thorp Quadrangle, Washington Kittitas Co., 15' Minute Series USGS Topographic Map 1:62,500.

SITE OWNERSHIP

Owner/Address: The Ranch on Swauk Creek, LLC

1890 Nelson Siding Road

Cle Elum, WA 98922

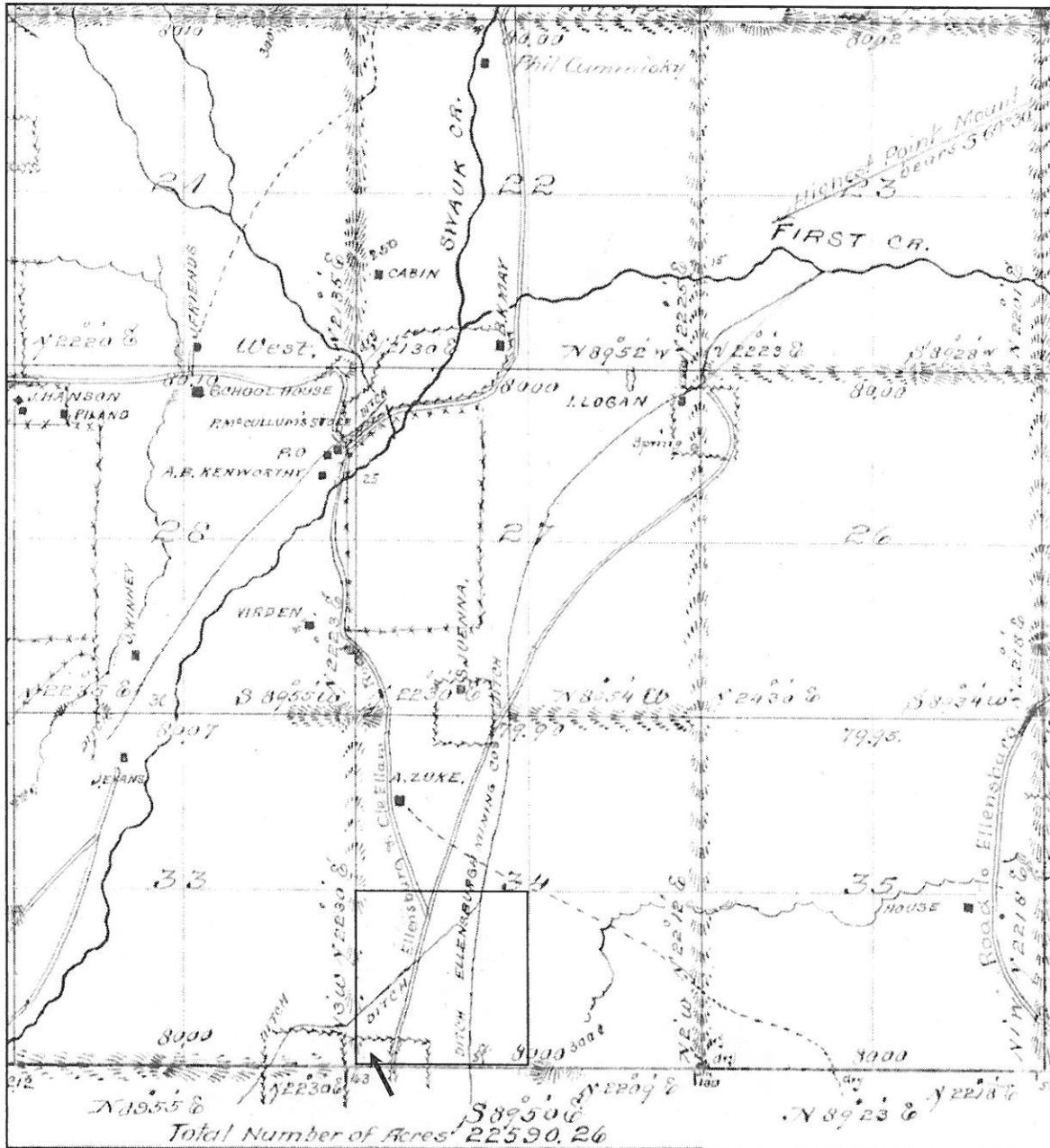
Parcel Number: 800058711

FORM RECORDS

Other Forms (specify): None

GLO MAP 1982

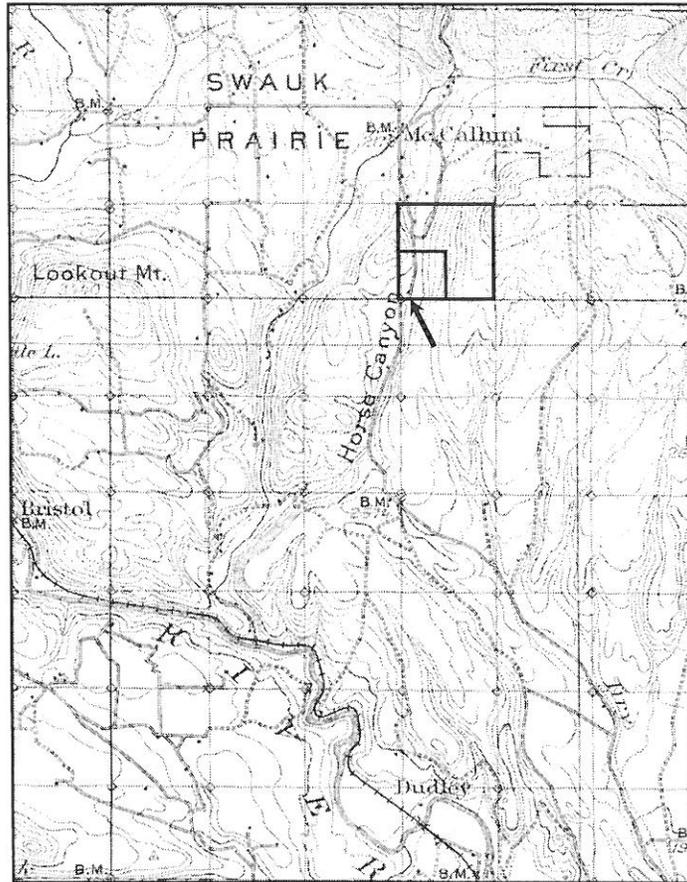
Township 20 North - Range 17 East, Willamette Meridian



A portion of the 1892 GLO survey plat for T.20N – R.17E with initial McCallum, 160-acre homestead on the SW ¼ of Section 34. Arrow marks probable location of initial grave.

1897 USGS MAP

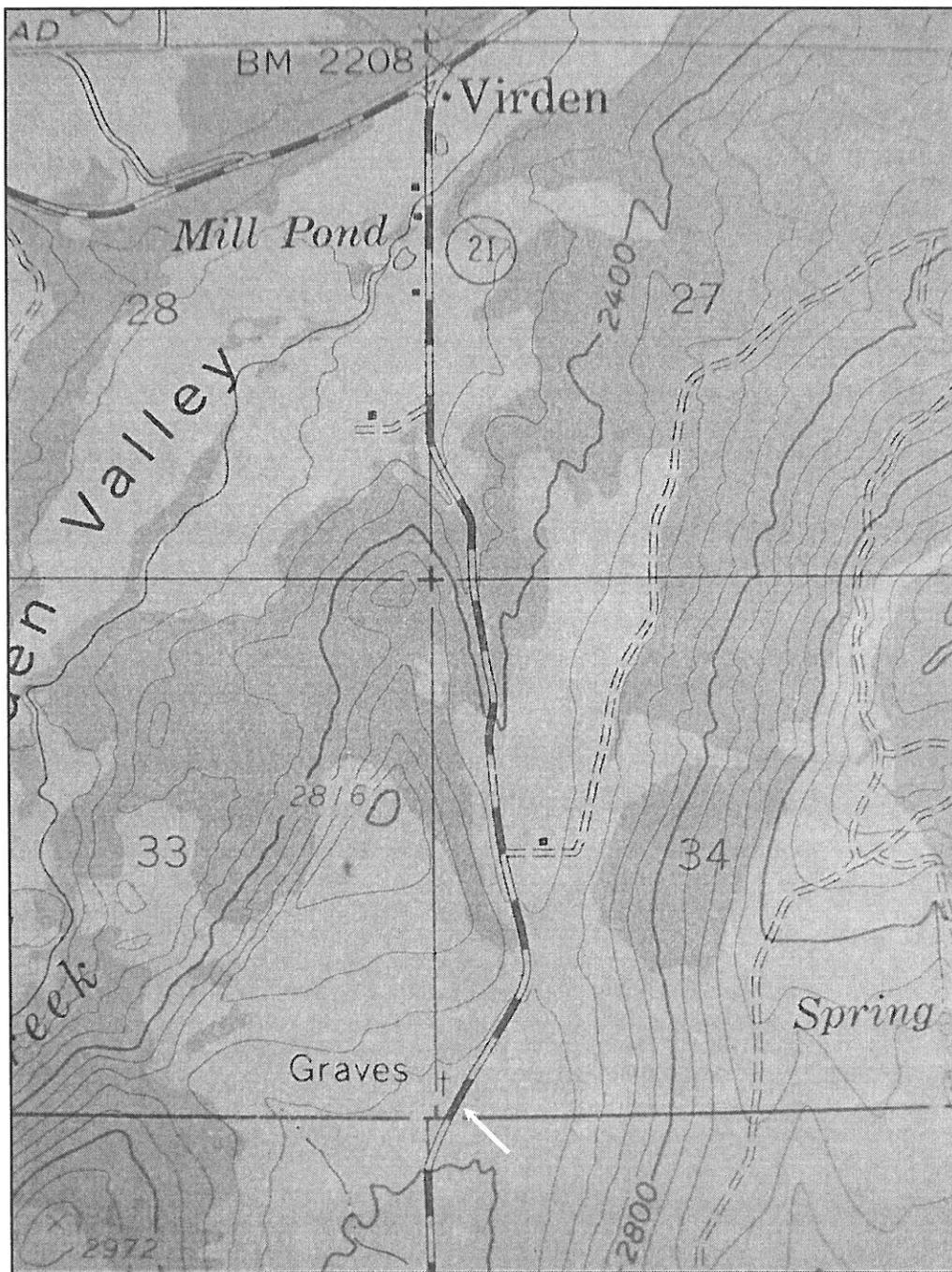
Township 20 North - Range 17 East, Willamette Meridian



A portion of the 1897 Mount Stuart Quadrangle, with initial McCallum locality and the 160-acre family homestead in the SW 1/4 of Section 34. USDI Geological Survey 1:125,000).

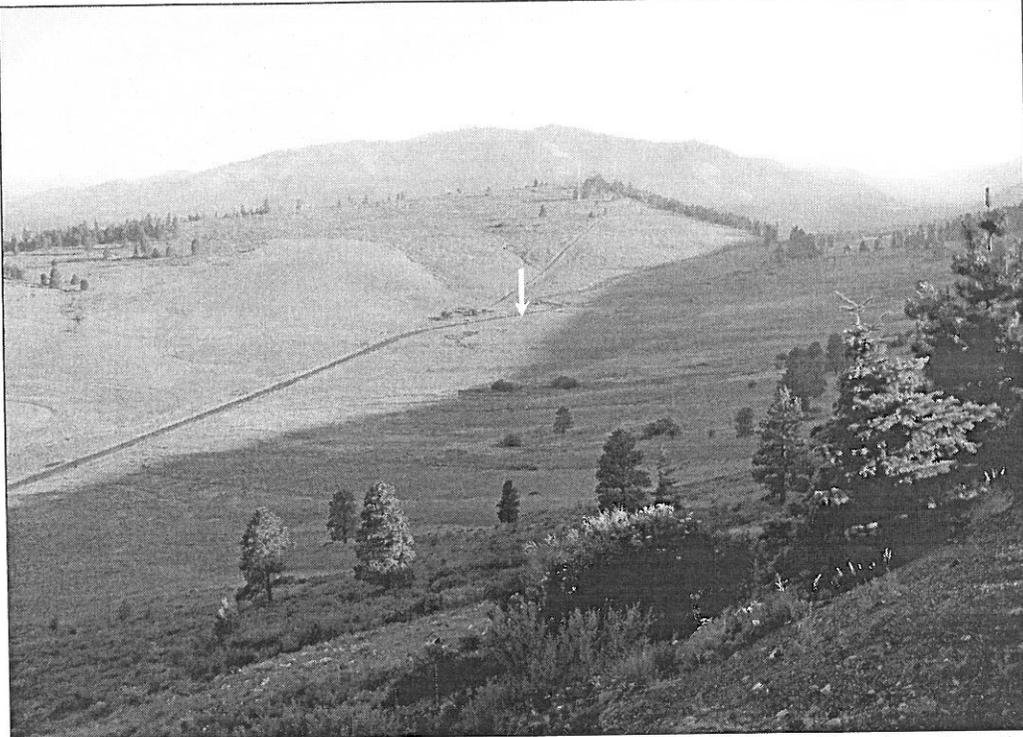
1958 USGS MAP

Township 20 North - Range 17 East, and T19 North - R17 East, Willamette Meridian



A portion of the 1958 Thorp Quadrangle, Washington - Kittitas Co., 15' Minute Series Topographic map (1:62,500), with initial McCallum locality renamed 'Virden' and the McCallum family cemetery in the SW 1/4 of Section 34, labeled 'Graves.'

DIGITAL IMAGES



Overview NW of Horse Canyon, Bettas Road, and McCallum Cemetery location.



Close-up northeast of McCallum Cemetery with fenced enclosure.

DIGITAL IMAGES



McCallum family gravestone, P. McCallum (1849-1912).



Peter Martin McCallum (1927-1998) grave marker.



Jessie Fern Huff (1921-2002) grave marker.



Bob McCallum (1928-2002) grave marker.

7. APPENDIX C - 45KT2712 ARTIFACT INVENTORY

Image No.	Description
img-3395	site overview pre-inventory, 350°
img-3396	site overview pre-inventory, 20°
img-3397	site overview pre-inventory, 110°
img-3398	site overview pre-inventory, 72°
img-3399	site overview pre-inventory, 173°
img-3400	site overview pre-inventory, 230°
img-3401	John Deer plow, 2.6m x 1.5m
img-3402	enamel basin, 40cm diameter
img-3403	sheet metal stove top with hinge, 72cm x 40.5cm
img-3404	stove pipe with elbow end, 133cm length, 13cm diameter
img-3405	stove pipe with elbow & wall ring, 44cm length, 16cm diameter
img-3406	section of stove pipe 61cm length, crushed flat, ~16cm diameter
img-3407	similar to stove pipe above, 61cm length
img-3408	wagon draw bar, 248cm length
img-3409	harrow/plow assembly, 148cm length
img-3410	wagon tongue w/ brackets, 125cm length
img-3411	iron wagon axle assembly with wooden axle remnants
img-3412	broken iron wheel/hub fragments
img-3413	misc. iron part w/ horse shoe end
img-3414	misc. iron part w/ horse shoe end
img-3415	cast iron brackets bolted to galvanized sheet metal, wagon fitting
img-3416	stove pipe elbow, 13cm diameter
img-3417	cast iron brackets bolted to galvanized sheet metal, wagon fitting with bar
img-3418	wooden parts with metal
img-3419	metal pulley assembly w/ drilled bracket
img-3420	hand water pump, 2.9m length, complete with handle and base; domestic
img-3421	axle and part of spring assembly, 187cm length, 4.5cm diameter
img-3422	buggy wheel, rim w/ wooden fragments, 123cm diameter
img-3423	bladed disc w/ attached hardware, 42cm length; farm implement
img-3424	cast iron stove top, 52cm x 26cm
img-3425	buggy wheel rim, 137cm diameter
img-3426	automobile wheel, metal rim w/ wood spokes & 6 bolt hub, 60cm diameter
img-3427	cast metal bracket with circular cutouts, 71cm x 36cm
img-3428	stove lid/burner, 21.5cm diameter
img-3429	wooden wagon tongue, 3.5m length w/ flat iron stock bolted at end
img-3430	wooden spoke, 23cm length
img-3431	stove lids (2), 20.5cm diameter

img-3432	pulley with clip, 17cm diameter
img-3433	iron hitch, 26cm length w/ fitting bolts
img-3434	heavy iron chain, 2m length
img-3435	old buggy/wagon front end?, 190cm axle-tip to axle-tip
img-3436	wagon undercarriage bracket parts with axle ends
img-3437	metal pulley or wheel, 55.5cm diameter
img-3438	misc. iron bracket part, 121cm length
img-3439	old spoked metal wheel, 40cm diameter
img-3440	iron tube fitted to wrench, 50cm length
img-3441	misc. iron part, 11cm length, flat stock
img-3442	iron axle assembly, 223cm length
img-3443	misc. iron flat stock fitting, 77cm length
img-3444	old plow w/ "40 OLIVER" on plow blade
img-3445	"40 OLIVER" on plow blade
img-3446	misc. iron implement assembly
img-3447	misc. iron bar with forged fitting
img-3448	misc. sheet iron with chain, 69cm x 49.5cm, "scoop"
img-3449	misc. flat steel stock w/ drilled holes
img-3450	misc. flat steel stock w/ drilled holes
img-3451	buggy or wagon axle end, 69cm length
img-3452	misc. cast iron machinery, 51cm length
img-3453	iron tang to rake
img-3454	cast iron pipe, 109cm length, 5.5cm diameter
img-3455	hood spring w/ forged work on one end, 57cm length
img-3456	metal bucket of railroad (RR) tie spikes
img-3457	RR spike, 15cm length
img-3458	misc. iron bracket part w/ wood attached, 119cm length
img-3459	galvanized spike, 43cm length
img-3460	misc. iron part, bent with bolts at ends; fitting/spring
img-3461	misc. iron part, bent with fitting
img-3462	misc. iron part
img-3463	part of machinery bracket with spring
img-3464	misc. iron part, 67cm length, round stock with bolt fittings
img-3465	misc. iron fitting w/ chain link
img-3466	misc. iron fitting for round stock, with drilled fitting holes
img-3467	misc. iron part, 90°, with threaded ends and one bolt
img-3468	misc. iron part w/ forged loops on the ends
img-3469	iron rod with loop w/ "1920" date
img-3470	iron rod with loop w/ "1920" date
img-3471	iron tang, 58cm length (2)
img-3472	steel ring with links and iron bracket w/ remnant wood
img-0223	cast iron gear, 20cm diameter

img-0224	misc. iron part, forged, bent with bolts, 117cm length
img-0225	car/truck leaf spring
img-0226	pick-axe head
img-0227	cast iron hub, 17cm diameter
img-0228	wagon axle ends and undercarriage linkage
img-0229	water pump spout w/ pipe, 190cm length
img-0230	wooden wagon axle, 172cm length
img-0231	cast iron pipe, 130cm length, 5.5cm diameter
img-0232	wagon/buggy leaf springs
img-0233	metal wagon wheel hub w/ spoke ends, 23cm width
img-0234	broken file, 30cm length
img-0235	wagon parts with axle ends, iron hardware
img-0236	enclosed pulley w/ hook
img-0237	wooden wagon axle ends (2), 70cm length
img-0238	metal frame for hood, possibly for car, truck or tractor
img-0239	misc. machinery parts; metal linkage
img-0240	metal brake/gear lever, 69cm length
img-0241	metal brackets, wagon parts (2), 55cm length
img-0242	misc. metal bracket with bolt and nut, w/ ring on top
img-0243	metal spikes (8), 30cm length (2 shown in image)
img-0244	misc. iron part, threaded end with washer and nut and 90° fitting
img-0245	misc. iron part, flat stock with bolts, nuts and washers
img-0246	misc. iron part w/ loop and cable/rope ring at end, threaded opposite end
img-0247	round iron stock with bent eye piece at end
img-0248	leaf spring with fitting for buggy/wagon seat
img-0249	bent flat steel stock, bent at ends, irregular
img-0250	curved iron flat stock pieces (2), round on one side
img-0251	stove pipe elbow, 16cm diameter
img-0020	bolted iron wagon bracket with chain linkage
img-0021	cast iron stove top
img-0022	mower parts
img-0023	mower parts
img-0024	pre-inventory site overview with removal crew
img-0025	misc. forged iron wagon parts (fittings, linkages, chain)
img-0026	misc. forged iron wagon parts (fittings, linkages, chain)
img-0027	misc. forged iron wagon parts (fittings, linkages, chain)
img-0028	misc. forged iron wagon parts (brackets, fittings and linkages)
img-0029	steel cable with rope center and woven loop
img-0030	misc. iron parts (round stock, brackets and fittings)
img-0031	misc. iron parts
img-0032	misc. iron parts
img-0033	wooden wagon axle with bolted flat iron stock and bar

img-0034	metal milk bottle top
img-0035	site overview post-inventory, 90°
img-0036	site overview post-inventory, 0°
img-0037	site overview post-inventory, 270°
img-0038	site overview post-inventory, 180°



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

STAFF REPORT

AGENDA DATE: April 18, 2017

ACTION REQUESTED: Resolution for Approval of Ranch on Swauk Creek PUD Rezone Final Development Plan (RZ-06-00027)

BACKGROUND: The Kittitas Board of County Commissioners approved the Final Development Plan for the Ranch on Swauk Creek Planned Unit Development Rezone on April 4, 2016. The attached resolution provides the document to enable and finalize this approval.

INTERACTION: CDS, Board of County Commissioners

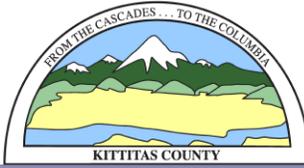
ATTACHMENTS: Proposed Resolution Approving the final development plan for Ranch on Swauk Creek (RZ-06-00027)

STAFF

RECOMMENDATION: CDS Director recommends the Board of County Commissioners sign the resolution.

HANLDING: Presentation to the Board by Kittitas County Community Development Services.

RESPONSIBLE STAFF: Dan Carlson, AICP, Community Development Services Director



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

STAFF REPORT

AGENDA DATE: April 18, 2017

ACTION REQUESTED: Resolution for Approval of Ranch on Swauk Creek PUD Rezone Final Development Plan (RZ-06-00027)

BACKGROUND: The Kittitas Board of County Commissioners approved the Final Development Plan for the Ranch on Swauk Creek Planned Unit Development Rezone on April 4, 2016. The attached resolution provides the document to enable and finalize this approval.

INTERACTION: CDS, Board of County Commissioners

ATTACHMENTS: Proposed Resolution Approving the final development plan for Ranch on Swauk Creek (RZ-06-00027)

STAFF

RECOMMENDATION: CDS Director recommends the Board of County Commissioners sign the resolution.

HANLDING: Presentation to the Board by Kittitas County Community Development Services.

RESPONSIBLE STAFF: Dan Carlson, AICP, Community Development Services Director

RANCH ON SWAUK CREEK PUD
QUICK REFERENCE STAFF REVIEW MATRIX
MARCH 31, 2016

Project Overview	
Subject Property:	487.43 acres
Development Density:	243 lots
Uses Allowed:	Residential, passive and active recreational activities, community center
Preliminary Approvals:	Ordinance 2006-59

KCC 17.36.040	Documentation	Staff Comments
A. A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval;	Attachment A	Meets requirements of KCC 17.36.040.
B. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:	Attachment C	Revised maps submitted 9/12/16. Phase 1, Division 1 plat previously recorded. Meets requirements of KCC 17.36.040.
1. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;	Attachment G	Revised maps submitted 9/12/16. These items must be submitted for each final plat submittal and will be reviewed individually at time of final plat submittal. Meets requirements of KCC 17.36.040.
2. Arrangement of all buildings which shall be identified by type;	Attachment B & C	Attachment C shows general building arrangements for Phase 1, Division 1, and a conceptual layout for proposed lots. Meets requirements of KCC 17.36.040.
3. Preliminary building plans including floor plans and exterior design and/or elevation views;	Attachment B	Preliminary building plans provided in Attachment B. Meets requirements of KCC 17.36.040.
4. Location and number of off-street parking areas including type and estimated cost of surfacing;	Attachment A & E	Phase 1 – Existing barn has been updated into community center, with existing off-street parking area that will be expanded. Parking locations shown on 9/12/16 “Illustrative Master Plan.” Three parking areas identified that contain an estimated 200 parking spaces each. Meets requirements of

		KCC 17.36.040.
5. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans;	Attachment E	Provided in attachment E. Meets requirements of KCC 17.36.040.
6. The location and total area of common open spaces;	Attachment I	The 9/12/16 "Illustrative Master Plan" shows common open space areas. Recording #200811030046 formally creates 14 lots (ROSC Phase 1 Division 1) at the same time records and preserves the required 30% open space along with buffers etc. Meets requirements of KCC 17.36.040.
7. Proposed location of fire protection facilities;	Attachment H	Review of fire flow was completed and required as part of the WA Dept. of Health review Hidden Valley Water System DOH ID #326485 & Project #09-0917. See Attachment H. Meets requirements of KCC 17.36.040.
8. Proposed storm drainage plan;	Attachment G	Conceptual stormwater plan submitted on 9/12/16. Individual stormwater management plans must be submitted for each final plat submittal and will be reviewed individually at time of final plat submittal.
C. Certification from state and local health authorities that water and sewer systems are available to accommodate the development;	Attachments H & D	Completed. See Attachments H & D. Meets requirements of KCC 17.36.040.
D. Provisions to assure permanence and maintenance of common open spaces;	Attachment I	Attachment I is Primary Declaration of Covenants, Conditions, and Restrictions for The Ranch at Swauk Creek. Meets requirements of KCC 17.36.040.
E. Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting;	Attachment E	See cost summary documents of Attachment E, lines 1 thru 4 (\$442,362.00), line 17 (\$131,737.00), line 18 (\$123,531.00) for roads. See line 14 and 15 for landscaping cost (\$ 488,750.00). Meets requirements of KCC 17.36.040.

Ordinance 2006-59 Conditions	Documentation	Staff Comments
<i>I. Transportation</i>		
A. Access to US-97 for these properties will be via the Burke and Bettas Road intersections. No direct access to US-97 will be allowed.	9/12/16 “Illustrative Master Plan”	No direct access to US 97. This condition has been met.
B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.		Completed as part of project application submitted. On file with CDS. This condition has been met.
C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.	Attachment E	Completed. See pictures in Attachment E. This condition has been met.
<i>II. Light and Glare</i>		
A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.		On-going condition.
<i>III. Water and Septic</i>		
A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.	Attachment K	Completed. See Attachment K. Riparian plan and work completed. This condition has been met.
B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.	Attachment K	Completed. See Attachment K. Riparian plan and work completed. This condition has been met.
C. All development shall comply with the Kittitas County Shoreline Master Program.	Attachment C	Completed. Swauk Creek Shoreline is within the designated Open Space. Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.

<p>D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.</p>	<p>Attachment C</p>	<p>Completed. Swauk Creek Shoreline is within the designated Open Space. Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.</p>
<p>E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown on the final mylars.</p>	<p>Attachment C</p>	<p>Completed. Swauk Creek Shoreline is within the designated Open Space. Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.</p>
<p>F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.</p>	<p>Attachment C</p>	<p>Completed. Floodplain and wetlands shown on final plat for Phase 1, Division 1. See Attachment C. This condition has been met.</p>
<p>G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek.</p>	<p>Attachment I</p>	<p>Attachment I, CC&Rs, Section 13.2 - signs to be used. Section 8 addresses maintenance. Phase 1, Division 1 plat recorded open space that reflects locations of buffers and natural conditions protecting Swauk Creek. Meets the requirement of KCC 17.36.040</p>
<p>H. Stormwater and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.</p>	<p>Attachment G</p>	<p>Completed. Permit WAR-007399. See Attachment G. Additional Stormwater permit was required for the stream work. On-going condition for future plats. This condition has been met.</p>
<p>I. Stormwater and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.</p>		<p>On-going condition</p>

J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for stormwater generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.	Attachment G	Completed. Permit WAR-007399. See Attachment G. Also an additional Stormwater permit was required for the riparian work. This condition has been met.
K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.	Attachment C	Completed. See Attachment C. This condition has been met.
L. Pond locations shall remain outside of Critical Areas.	Attachment C	See Attachment C. This condition has been met.
M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.		On-going condition
N. The applicant will develop a Group "B" water system for Division one of Phase one of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division one of Phase one to the Group "A" water system that will provide water for future divisions and phases of the development.	Attachment H	Completed. Ranch On Swauk Creek Small Water System Management Plan. DOH approval Project # 07-0302. See Attachment H. This condition has been met.
O. A Group "A" water system will be planned as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.	Attachment H	Completed. Hidden Valley Water System DOH ID # 326485 & Project # 09-0917. See Attachment H. This condition has been met.
P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.	Attachment D	Completed. KCC Environmental Health Permit #08-10677 & #08-10678. See Attachment D. This condition has been met.

Q. A Class A Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of the Class A Reclaimed Water Facility as approved by the Washington State Department Of Health and the Washington State Department of Ecology.	Attachment A	On-going condition dependent upon volume triggering construction. See Attachment A.
R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.	Attachment H	Completed. Water Transfer CS4-01475sb4aa (KITT-10-04) for domestic use. See Attachment H. This condition has been met.
S. Site grading shall comply with Kittitas County Code 14.08.		On-going condition.
<i>IV. Noise</i>		
A. All county noise ordinances shall apply to the project.		On-going condition
B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the project hours shall be 7:30am to sunset.		On-going condition
C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.		On-going condition
<i>V. Land Use and Recreation</i>		
A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.		Final development plan submitted May 9, 2013. Revised August 7, 2014, July 26, 2016, and September 9, 2016. This condition has been met.
B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.		On-going condition
C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.	Attachment C	Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.

D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.		On-going condition
E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: “The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances.” (RCW 7.48.305).	Attachment C	Note recorded on final plat of Phase One Division 1 (14 lots). See Attachment C. On-going condition for future plats.
F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.	Attachment F	Completed. See Critical Areas Report in Attachment F. This report should also be on file with CDS. See Attachment F. This condition has been met.
G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.	Attachment I	Completed. See Attachment I. This condition has been met.
<i>VII. Utilities and Services</i>		
A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.		On-going condition
B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.		On-going condition
C. The Group A Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.	Attachment H	Review of fire flow was completed and required as part of the WA Dept. of Health review Hidden Valley Water System DOH ID #326485 & Project #09-0917. See Attachment H. This condition has been met.

D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.		On-going condition
E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.		On-going condition
F. All parcels located outside of a fire district shall be subject to the International Urban Wild land Interface Code.		On-going condition
G. There shall be no parking on all access roadways for the project.	Attachment E	Restrictions on parking contained in easements in Attachment E. On-going compliance with condition required.
H. All development shall comply with the International Fire Code (IFC) and Appendices.		On-going condition
I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.		On-going condition
ADDITIONAL CONDITIONS FOR PHASE 1, DIVISION 1, # 16 of Ordinance 2006-59		
A. On Site Sewage: Soil logs need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in your plat file for future reference. The information obtained from these soil logs is for plat approval purposes and do not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.	Attachment C	Completed. See Attachment C. This condition has been met.
B. Proof of potable water must be shown prior to final plat approval.	Attachment C	Completed. See Attachment C. This condition has been met.
C. For final approval of a Group “B” Public Well, Kittitas County Environmental Health Department must first perform a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval. The well must be drilled and/or located within the subdivision boundaries, all infrastructure completed within the utility corridors, the work book and all related documentation including testing and satisfactory results must be submitted, reviewed and approved. Concurrence from the State Department of Health and issuance of a well ID number will complete the requirement.	Attachment C	Completed. See Attachment C. This condition has been met.

D. The project shall provide adequate road access to the site and will conform to all Kittitas County Road Standards.	Attachment C	Completed. See Attachment C. This condition has been met.
E. The project shall comply with the requirements of KCC 16.8: Irrigation and Sprinkling		N/A. There is no irrigation district governing this property.
F. Both sheets shall reflect: Ranch On Swauk Creek Planned Unit Development Phase 1, Division 1, P-06-27	Attachment C	Completed. See Attachment C. This condition has been met.
G. Full year's taxes must be paid on applicable tax parcels per Kittitas County Treasurer's requirements.	Attachment C	Completed, See Treasurer's signature on mylar, Attachment C. This condition has been met.
H. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).	Attachment C	Note recorded on final plat of Phase One Division 1 (14 lots). See Attachment C. On-going condition for future plats.
I. All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.	Attachment C	Completed. See Attachment C. This condition has been met.

RANCH ON SWAUK CREEK PUD
QUICK REFERENCE STAFF REVIEW MATRIX
MARCH 31, 2016

Project Overview	
Subject Property:	487.43 acres
Development Density:	243 lots
Uses Allowed:	Residential, passive and active recreational activities, community center
Preliminary Approvals:	Ordinance 2006-59

KCC 17.36.040	Documentation	Staff Comments
A. A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval;	Attachment A	Meets requirements of KCC 17.36.040.
B. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:	Attachment C	Revised maps submitted 9/12/16. Phase 1, Division 1 plat previously recorded. Meets requirements of KCC 17.36.040.
1. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;	Attachment G	Revised maps submitted 9/12/16. These items must be submitted for each final plat submittal and will be reviewed individually at time of final plat submittal. Meets requirements of KCC 17.36.040.
2. Arrangement of all buildings which shall be identified by type;	Attachment B & C	Attachment C shows general building arrangements for Phase 1, Division 1, and a conceptual layout for proposed lots. Meets requirements of KCC 17.36.040.
3. Preliminary building plans including floor plans and exterior design and/or elevation views;	Attachment B	Preliminary building plans provided in Attachment B. Meets requirements of KCC 17.36.040.
4. Location and number of off-street parking areas including type and estimated cost of surfacing;	Attachment A & E	Phase 1 – Existing barn has been updated into community center, with existing off-street parking area that will be expanded. Parking locations shown on 9/12/16 “Illustrative Master Plan.” Three parking areas identified that contain an estimated 200 parking spaces each. Meets requirements of

		KCC 17.36.040.
5. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans;	Attachment E	Provided in attachment E. Meets requirements of KCC 17.36.040.
6. The location and total area of common open spaces;	Attachment I	The 9/12/16 “Illustrative Master Plan” shows common open space areas. Recording #200811030046 formally creates 14 lots (ROSC Phase 1 Division 1) at the same time records and preserves the required 30% open space along with buffers etc. Meets requirements of KCC 17.36.040.
7. Proposed location of fire protection facilities;	Attachment H	Review of fire flow was completed and required as part of the WA Dept. of Health review Hidden Valley Water System DOH ID #326485 & Project #09-0917. See Attachment H. Meets requirements of KCC 17.36.040.
8. Proposed storm drainage plan;	Attachment G	Conceptual stormwater plan submitted on 9/12/16. Individual stormwater management plans must be submitted for each final plat submittal and will be reviewed individually at time of final plat submittal.
C. Certification from state and local health authorities that water and sewer systems are available to accommodate the development;	Attachments H & D	Completed. See Attachments H & D. Meets requirements of KCC 17.36.040.
D. Provisions to assure permanence and maintenance of common open spaces;	Attachment I	Attachment I is Primary Declaration of Covenants, Conditions, and Restrictions for The Ranch at Swauk Creek. Meets requirements of KCC 17.36.040.
E. Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting;	Attachment E	See cost summary documents of Attachment E, lines 1 thru 4 (\$442,362.00), line 17 (\$131,737.00), line 18 (\$123,531.00) for roads. See line 14 and 15 for landscaping cost (\$ 488,750.00). Meets requirements of KCC 17.36.040.

Ordinance 2006-59 Conditions	Documentation	Staff Comments
<i>I. Transportation</i>		
A. Access to US-97 for these properties will be via the Burke and Bettas Road intersections. No direct access to US-97 will be allowed.	9/12/16 “Illustrative Master Plan”	No direct access to US 97. This condition has been met.
B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.		Completed as part of project application submitted. On file with CDS. This condition has been met.
C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.	Attachment E	Completed. See pictures in Attachment E. This condition has been met.
<i>II. Light and Glare</i>		
A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.		On-going condition.
<i>III. Water and Septic</i>		
A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.	Attachment K	Completed. See Attachment K. Riparian plan and work completed. This condition has been met.
B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.	Attachment K	Completed. See Attachment K. Riparian plan and work completed. This condition has been met.
C. All development shall comply with the Kittitas County Shoreline Master Program.	Attachment C	Completed. Swauk Creek Shoreline is within the designated Open Space. Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.

<p>D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.</p>	<p>Attachment C</p>	<p>Completed. Swauk Creek Shoreline is within the designated Open Space. Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.</p>
<p>E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown on the final mylars.</p>	<p>Attachment C</p>	<p>Completed. Swauk Creek Shoreline is within the designated Open Space. Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.</p>
<p>F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.</p>	<p>Attachment C</p>	<p>Completed. Floodplain and wetlands shown on final plat for Phase 1, Division 1. See Attachment C. This condition has been met.</p>
<p>G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek.</p>	<p>Attachment I</p>	<p>Attachment I, CC&Rs, Section 13.2 - signs to be used. Section 8 addresses maintenance. Phase 1, Division 1 plat recorded open space that reflects locations of buffers and natural conditions protecting Swauk Creek. Meets the requirement of KCC 17.36.040</p>
<p>H. Stormwater and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.</p>	<p>Attachment G</p>	<p>Completed. Permit WAR-007399. See Attachment G. Additional Stormwater permit was required for the stream work. On-going condition for future plats. This condition has been met.</p>
<p>I. Stormwater and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.</p>		<p>On-going condition</p>

J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for stormwater generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.	Attachment G	Completed. Permit WAR-007399. See Attachment G. Also an additional Stormwater permit was required for the riparian work. This condition has been met.
K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.	Attachment C	Completed. See Attachment C. This condition has been met.
L. Pond locations shall remain outside of Critical Areas.	Attachment C	See Attachment C. This condition has been met.
M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.		On-going condition
N. The applicant will develop a Group "B" water system for Division one of Phase one of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division one of Phase one to the Group "A" water system that will provide water for future divisions and phases of the development.	Attachment H	Completed. Ranch On Swauk Creek Small Water System Management Plan. DOH approval Project # 07-0302. See Attachment H. This condition has been met.
O. A Group "A" water system will be planned as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.	Attachment H	Completed. Hidden Valley Water System DOH ID # 326485 & Project # 09-0917. See Attachment H. This condition has been met.
P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.	Attachment D	Completed. KCC Environmental Health Permit #08-10677 & #08-10678. See Attachment D. This condition has been met.

Q. A Class A Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of the Class A Reclaimed Water Facility as approved by the Washington State Department Of Health and the Washington State Department of Ecology.	Attachment A	On-going condition dependent upon volume triggering construction. See Attachment A.
R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.	Attachment H	Completed. Water Transfer CS4-01475sb4aa (KITT-10-04) for domestic use. See Attachment H. This condition has been met.
S. Site grading shall comply with Kittitas County Code 14.08.		On-going condition.
<i>IV. Noise</i>		
A. All county noise ordinances shall apply to the project.		On-going condition
B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the project hours shall be 7:30am to sunset.		On-going condition
C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.		On-going condition
<i>V. Land Use and Recreation</i>		
A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.		Final development plan submitted May 9, 2013. Revised August 7, 2014, July 26, 2016, and September 9, 2016. This condition has been met.
B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.		On-going condition
C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.	Attachment C	Open space and buffer map was recorded as part of the Final Approval of Phase 1 Division 1 (14 lots). See Attachment C. This condition has been met.

D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.		On-going condition
E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: “The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances.” (RCW 7.48.305).	Attachment C	Note recorded on final plat of Phase One Division 1 (14 lots). See Attachment C. On-going condition for future plats.
F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.	Attachment F	Completed. See Critical Areas Report in Attachment F. This report should also be on file with CDS. See Attachment F. This condition has been met.
G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.	Attachment I	Completed. See Attachment I. This condition has been met.
<i>VII. Utilities and Services</i>		
A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.		On-going condition
B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.		On-going condition
C. The Group A Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.	Attachment H	Review of fire flow was completed and required as part of the WA Dept. of Health review Hidden Valley Water System DOH ID #326485 & Project #09-0917. See Attachment H. This condition has been met.

D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.		On-going condition
E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.		On-going condition
F. All parcels located outside of a fire district shall be subject to the International Urban Wild land Interface Code.		On-going condition
G. There shall be no parking on all access roadways for the project.	Attachment E	Restrictions on parking contained in easements in Attachment E. On-going compliance with condition required.
H. All development shall comply with the International Fire Code (IFC) and Appendices.		On-going condition
I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.		On-going condition
ADDITIONAL CONDITIONS FOR PHASE 1, DIVISION 1, # 16 of Ordinance 2006-59		
A. On Site Sewage: Soil logs need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in your plat file for future reference. The information obtained from these soil logs is for plat approval purposes and do not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.	Attachment C	Completed. See Attachment C. This condition has been met.
B. Proof of potable water must be shown prior to final plat approval.	Attachment C	Completed. See Attachment C. This condition has been met.
C. For final approval of a Group “B” Public Well, Kittitas County Environmental Health Department must first perform a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval. The well must be drilled and/or located within the subdivision boundaries, all infrastructure completed within the utility corridors, the work book and all related documentation including testing and satisfactory results must be submitted, reviewed and approved. Concurrence from the State Department of Health and issuance of a well ID number will complete the requirement.	Attachment C	Completed. See Attachment C. This condition has been met.

D. The project shall provide adequate road access to the site and will conform to all Kittitas County Road Standards.	Attachment C	Completed. See Attachment C. This condition has been met.
E. The project shall comply with the requirements of KCC 16.8: Irrigation and Sprinkling		N/A. There is no irrigation district governing this property.
F. Both sheets shall reflect: Ranch On Swauk Creek Planned Unit Development Phase 1, Division 1, P-06-27	Attachment C	Completed. See Attachment C. This condition has been met.
G. Full year's taxes must be paid on applicable tax parcels per Kittitas County Treasurer's requirements.	Attachment C	Completed, See Treasurer's signature on mylar, Attachment C. This condition has been met.
H. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).	Attachment C	Note recorded on final plat of Phase One Division 1 (14 lots). See Attachment C. On-going condition for future plats.
I. All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.	Attachment C	Completed. See Attachment C. This condition has been met.

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION

NO. 2017 - _____

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH
ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027 & LP-06-00027)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change of approximately 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads from Forest and Range-20, Agriculture-5, and Agriculture-3 to a Planned Unit Development; and

WHEREAS, After a SEPA Mitigated Determination of Non-Significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on the matter; and

WHEREAS, The November 7, 2006 hearing was continued to November 13, 2006, where after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch at Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027); and

WHEREAS, On October 21, 2008 the Board of County Commissioners approved the Ranch On Swauk Creek Phase 1, Division 1 plat and associated open space (LP-06-00027); and

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant submitted a final planned unit development plan application on May 9, 2013, and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016, further defining the final planned unit development plan; and

WHEREAS, the Board of County Commissioners on April 4, 2016 reviewed and approved the final development plan for the planned unit development provided language is included in the enabling documents ensuring maintenance of the open space; and

WHEREAS, the following FINDINGS OF FACT have been made concerning said development:

1. On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027).
2. The original proposal was a preliminary planned unit development on approximately 487.43 acres (Ordinance 2006-59).
3. On October 21, 2008 the Board of County Commissioners signed the Ranch on Swauk Creek PUD, Phase 1, Division 1, 14-lot plat and associated open space areas.
4. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. Mr. Chad Bala, authorized agent for the landowner, submitted a final development plan to Community Development Services on May 9, 2013 and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016.
6. After multiple reviews, Community Development Services staff has been determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 2006 and meets the conditions imposed by Ordinance 2006-59.
7. The subject property is located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County.
8. The proposed location, phasing, and development character is consistent with the plans previously approved in 2006, and further meets the timelines of the Code.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, that the final planned unit development plan for the Ranch on Swauk Creek PUD Rezone (Z-06-00027) is hereby approved, subject to the following condition:

The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for; (i) the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value; (ii) for the purpose of continued farming, grazing, ranching and timber growing and harvesting or the like; and (iii) for the purpose of owning and maintaining the original homestead located within the open space.

DATED this 18th day of April, 2017 at Ellensburg, Washington.

**ATTEST:
CLERK OF THE BOARD**

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Paul Jewell, Chairman

APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney

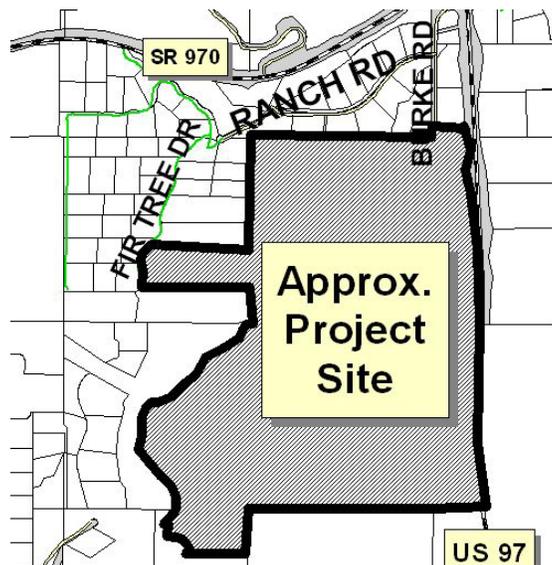
Laura Osiadacz, Vice-Chairman

Obie O'Brien, Commissioner

Notice of Decision Ranch on Swauk Creek Rezone and Preliminary Plat

Pursuant to RCW 36.70B, and KCC 15A.06, notice is hereby given that on December 5th, 2006 the Kittitas County Board of Commissioners signed Ordinance No. 2006-59 approving the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision. Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006. Copies of the Kittitas County Board of Commissioners Ordinance and related file documents may be examined at the Kittitas County Community Development Services, 411 North Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506.

Dated: December 15, 2006, Publish: December 18, 2006 Daily Record





KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

MEMORANDUM

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

FROM: Joanna Valencia, Staff Planner

DATE: December 15, 2006

SUBJECT: Notice of Decision
Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

Pursuant to RCW 36.70B, and KCC 15A.06, notice is hereby given that on December 5th, 2006 the Kittitas County Board of Commissioners signed Ordinance No. 2006-59 approving the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision. Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

Copies of the Kittitas County Board of Commissioners Ordinance (also attached) and related file documents may be examined at the Kittitas County Community Development Services, 411 North Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE

File: The Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

Description: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) for approximately 487.30 acres and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision.

Proponent: Ranch on Swauk Creek, LLC and Cle Elum Pines East LLC, landowners
PO Box 808
Cle Elum, WA 98922

Chad Bala, TerraDesignWorks, agent Jeff Slothower, agent
PO Box 462 PO Box 1088
Roslyn, WA 98941 Ellensburg, WA 98941

Location: Located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. These mitigation measures include the following:

I. Transportation

- A. Access to US-97 for these properties will be via the Burke and Bettas Road intersections. No direct access to US-97 will be allowed.
- B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.
- C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

II. Light and Glare

- A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.

III. Water and Septic

- A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.
- B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.
- C. All development shall comply with the Kittitas County Shoreline Master Program.
- D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.
- E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown on the final mylars.
- F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.
- G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek. .
- H. Stormwater and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.
- I. Stormwater and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.
- J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for stormwater generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.
- K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.
- L. Pond locations shall remain outside of Critical Areas.
- M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.
- N. The applicant will develop a Group "B" water system for Division one of Phase one of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division one of Phase one to the Group "A" water system that will provide water for future divisions and phases of the development.
- O. A Group "A" water system will be planned and constructed as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.
- P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.
- Q. A Class A Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of the Class A Reclaimed Water Facility as approved by the Washington State Department Of Health and the Washington State Department of Ecology.
- R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.
- S. Site grading shall comply with Kittitas County Code 14.08.

IV. Noise

- A. All county noise ordinances shall apply to the project.
- B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the project hours shall be 7:30am to sunset.
- C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.

V. Land Use and Recreation

- A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.
- B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.
- C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.
- D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.
- E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
- F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.
- G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.

VII. Utilities and Services

- A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.
- B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.
- C. The Group A Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.
- D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.
- E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.
- F. All parcels located outside of a fire district shall be subject to the International Urban Wildland Interface Code.
- G. There shall be no parking on all access roadways for the project.
- H. All development shall comply with the International Fire Code (IFC) and Appendices.
- I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.

This MDNS is issued under WAC 197-11-350. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced on or before **September 25, 2006 @ 5:00 PM.**

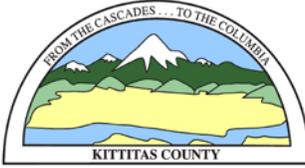
Responsible _____
Official: Joanna Valencia

Title: Staff Planner

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX 962-7682

Date: September 8, 2006

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$300.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than September 25, 2006 @ 5:00PM. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE

File: The Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

Description: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) for approximately 487.30 acres and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision.

Proponent: Ranch on Swauk Creek, LLC and Cle Elum Pines East LLC, landowners
PO Box 808
Cle Elum, WA 98922

Chad Bala, TerraDesignWorks, agent Jeff Slothower, agent
PO Box 462 PO Box 1088
Roslyn, WA 98941 Ellensburg, WA 98941

Location: Located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. These mitigation measures include the following:

I. Transportation

- A. Access to US-97 for these properties will be via the Burke and Bettas Road intersections. No direct access to US-97 will be allowed.
- B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.
- C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

II. Light and Glare

- A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.

III. Water and Septic

- A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.
- B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.
- C. All development shall comply with the Kittitas County Shoreline Master Program.
- D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.
- E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown on the final mylars.
- F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.
- G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek. .
- H. Stormwater and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.
- I. Stormwater and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.
- J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for stormwater generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.
- K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.
- L. Pond locations shall remain outside of Critical Areas.
- M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.
- N. The applicant will develop a Group "B" water system for Division one of Phase one of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division one of Phase one to the Group "A" water system that will provide water for future divisions and phases of the development.
- O. A Group "A" water system will be planned and constructed as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.
- P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.
- Q. A Class A Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of the Class A Reclaimed Water Facility as approved by the Washington State Department Of Health and the Washington State Department of Ecology.
- R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.
- S. Site grading shall comply with Kittitas County Code 14.08.

IV. Noise

- A. All county noise ordinances shall apply to the project.
- B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the project hours shall be 7:30am to sunset.
- C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.

V. Land Use and Recreation

- A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.
- B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.
- C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.
- D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.
- E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
- F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.
- G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.

VII. Utilities and Services

- A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.
- B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.
- C. The Group A Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.
- D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.
- E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.
- F. All parcels located outside of a fire district shall be subject to the International Urban Wildland Interface Code.
- G. There shall be no parking on all access roadways for the project.
- H. All development shall comply with the International Fire Code (IFC) and Appendices.
- I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.

This MDNS is issued under WAC 197-11-350. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced on or before **September 25, 2006 @ 5:00 PM.**

Responsible _____
Official: Joanna Valencia

Title: Staff Planner

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX 962-7682

Date: September 8, 2006

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$300.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than September 25, 2006 @ 5:00PM. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.

Notice of SEPA Action/Public Hearing

NOTICE IS HEREBY given that pursuant to 43.21C RCW (SEPA), Kittitas County Community Development Services did on September 8, 2006 make a Determination of Mitigated Non-Significance (MDNS) on an application for the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision. Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

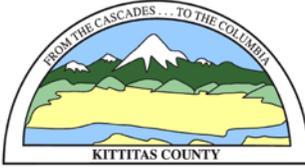
Any action to set aside, enjoin, review, or otherwise challenge such administrative SEPA action on the grounds of noncompliance with the provisions of chapter 43.21RCW shall be commenced **on or before September 25, 2006 at 5:00 p.m.** to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA. 98926. The complete application file may be viewed at Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA. 98926. Staff Planner: Joanna Valencia.

NOTICE IS HEREBY given that a hearing on said application before the Kittitas County Planning Commission has been scheduled for **September 26, 2006 at 6:30 p.m.** in the Kittitas County Courthouse Auditorium, Ellensburg, WA. 98926. Anyone with an interest in this matter is urged to attend said hearing where testimony will be taken. Written comments will be received and documents may be viewed at the above address prior to the hearing. Interested persons are encouraged to verify by contacting CDS prior to attending.

Date: September 8, 2006

Publish: September 11 and September 18, 2006 Daily Record and September 14, 2006 Northern Kittitas County Tribune





KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

MEMORANDUM

TO:

WA State Dept. Ecology SEPA Registrar
WA State Dept. Ecology, Yakima
WA State Dept. Fish & Wildlife, Ellensburg
WA State Dept. of Transportation- Yakima
WA State Dept. of Community, Trade, and Economic
Development*
Yakama Nation
Yakama Nation – Department of Natural Resources
Kittitas Co. Board of Commissioners
Kittitas Co. Life Safety- Fire Marshal

Kittitas Co. Environmental Health
Kittitas Co. Fire District No. 7
City of Ellensburg Fire
Kittitas Co. Public Works
Kittitas Co. Solid Waste
Kittitas Co. Sheriff's Office
Cle Elum- Roslyn School District
Adjacent Property Owners
Applicant

FROM:

Joanna Valencia, Staff Planner

DATE:

September 8, 2006

SUBJECT:

Notice of Action: SEPA MDNS for the Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

Application for the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision. Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

A copy of the submitted environmental checklist and related application materials for this proposal were previously mailed to you for review on August 1, 2006 as part of a Notice of Application. If you did not receive any of these documents, or require additional information, please contact our office.

Enclosed please find a Notice of Action/Public Hearing and Mitigated Determination of Non-Significance (MDNS) for the referenced proposal. These documents do not constitute approval of this application, but rather a threshold determination that the proposed project would not have a significant adverse environmental impact.

Any action to set aside, enjoin, review, or otherwise challenge such administrative SEPA action on the grounds of noncompliance with the provisions of chapter 43.21RCW shall be commenced **on or before September 25, 2006 at 5:00 p.m.** to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA. 98926.

An open record hearing is scheduled before the Kittitas County Planning Commission on September 26, 2006 at 6:30 p.m. in the Commissioner's Auditorium, Kittitas County Courthouse. Anyone with an interest in this matter is urged to attend said hearing where testimony will be taken. Written comments will be received and documents may be viewed at the CDS office prior to the hearing. Interested persons are encouraged to verify prior to attending.

If you have any questions please do not hesitate to contact us at (509) 962-7506.

Please retain all enclosed materials.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

Notice of Application

Ranch on Swauk Creek Rezone and Preliminary Plat

Pursuant to 15A.03 K.C.C., NOTICE IS HEREBY GIVEN that Kittitas County did on September 12, 2006, deem complete applications for the following: 1. **Marian Meadows Rezone, Z-06-35, from Rural-3 to Planned Unit Development (PUD)** for approximately 560 acres and 2. **Marian Meadows Preliminary Plat, P-06-31**, which is a 225-lot subdivision on approximately 140 acres. Proponent: Anne Watanabe, authorized agent for Easton Ridge Land Company, landowner. The project site is approximately a total of 560 acres and is located Location: North of Sparks Road, East of Easton Airport and Country Drive and Northeast of Interstate 90, within Section 1, T20N, R13E, W.M. in Kittitas County. Parcel numbers 20-13-01000-0002, -0003, -0004, -0005, -0006, -0007, -0008, -0009, -0010, -0011, -0012, -0013, and 20-13-12000-0013.

Any person desiring to express his /her views or to be notified of the action taken on this application should contact Kittitas County Community Development Services (CDS). The submitted application and related filed documents may be examined by the public at the CDS office between 8:00 A.M. and 5:00 P.M. at 411 N. Ruby St., Ellensburg, WA 98926. Phone (509) 962-7506. Staff Planner: Joanna Valencia.

Written comments from the public may be submitted to Kittitas County CDS no later than October 13, 2006 @ 5:00 p.m., after which a SEPA threshold determination will be issued pursuant to 43.21C RCW (State Environmental Policy Act) and WAC 197-11-355 (Optional DNS Process). This may be the only opportunity to comment on the environmental impacts of this proposal pursuant to SEPA, as a Determination of Non-Significance, (DNS), is expected to be issued. A copy of this subsequent threshold determination will be available to the public upon request. This proposal may include, incorporate or require mitigation measures under applicable codes regardless of whether a Determination of Significance (DS) is issued and subsequent Environmental Impact Statement (EIS) is prepared.

An open record hearing is tentatively scheduled to go forward before the Kittitas County Planning Commission on November 14, 2006 @ 6:30 P.M., Commissioners' Auditorium, County Courthouse. Written and oral testimony will be considered by the Planning Commission at said public hearing. Interested persons are encouraged to verify by contacting CDS prior to attending.

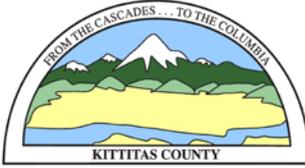
Dated: August 1, 2006, Publish: August 2, 2006 Daily Record and August 3, 2006 Northern Kittitas County Tribune



DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

MEMORANDUM

TO:

WA State Dept. Ecology SEPA Registrar
WA State Dept. Ecology, Yakima
WA State Dept. Fish & Wildlife, Ellensburg
WA State Dept. of Transportation- Yakima
WA State Dept. of Community, Trade, and Economic
Development*
Yakama Nation
Yakama Nation – Department of Natural Resources
Kittitas Co. Board of Commissioners
Kittitas Co. Life Safety- Fire Marshal

Kittitas Co. Environmental Health
Kittitas Co. Fire District No. 7
City of Ellensburg Fire
Kittitas Co. Public Works
Kittitas Co. Solid Waste
Kittitas Co. Sheriff's Office
Cle Elum- Roslyn School District
Adjacent Property Owners
Applicant

FROM:

Joanna Valencia, Staff Planner

DATE:

August 1, 2006

SUBJECT:

Notice of Application: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

Application for the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision. Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

Enclosed please find a Notice of Application, Rezone Application, Long Plat Application, SEPA Environmental Checklist, and related documents for the referenced application. Please retain these items for future reference. Interested parties may obtain copies of related file documents by contacting our office. The full project file is available for review at the CDS office.

Written comments from the public on environmental impacts may be submitted to the Kittitas County Community Development Services Department (CDS) no later than **August 31, 2006 @ 5:00 p.m.**, after which a SEPA threshold determination will be issued pursuant to 43.21CRCW (State Environmental Policy Act) and WAC 197-11-355 (Optional DNS Process). This may be the only opportunity to comment on the environmental impacts of this proposal pursuant to SEPA, as a Determination of Non-Significance, (DNS), is expected to be issued. A copy of this subsequent threshold determination will be available to the public upon request.

This proposal may include, incorporate or require mitigation measures under applicable codes regardless of whether a determination of Significance (DS) is issued and subsequent Environmental Impact Statement (EIS) is prepared. Written comments may be submitted to Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA 98926.

An open record hearing is tentatively scheduled before the Kittitas County Planning Commission on September 26, 2006 at 6:30 p.m. in the Commissioner's Auditorium, Kittitas County Courthouse. If you have any questions please do not hesitate to contact us. Interested persons are encouraged to verify with CDS prior to attending by calling 509-962-7506

WRITTEN COMMENTS ON ENVIRONMENTAL IMPACTS AND THE OVERALL APPLICATION MUST BE SUBMITTED NO LATER THAN August 31, 2006 @ 5:00 p.m.

*This constitutes the required 60-day filing notification to the Department of Community Trade and Economic Development as required by law.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

520 RANCH ROAD
CLE ELUM, WA. 98922
AUGUST 24, 2006

RECEIVED
AUG 25 2006
KITITAS COUNTY
CDS

KITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. RUBY ST., SUITE 2
ELLENSBURG, WA. 98926

I am writing this letter in response to the information you sent dated August 1, regarding The rezoning of part of the Ranch on Swauk Creek.

What has been planned as explained on the application memorandum sounds very appealing. Almost like a little corner of paradise. However, I feel that Pat Deneen has not shown himself to be a responsible landowner nor one who is concerned about the impact of what he does or does not do has on his neighbors. I will explain why I feel this way.

1. Mr. Deneen has several pieces of property on the north side of Ranch Road. He allowed the weeds to mature and go to seed before cutting them down. Even then several patches of high density Canadian thistles and weeds were left, and are going to seed. Those of us who have homes here on Ranch road received notice from the County Weed Control people that we should take care of these noxious weeds. If we did not, the county would, and send us the bill. My question is this: why did this not happen with Mr. Deneen's property? I have worked very hard and gone to considerable expense to control the weeds on my property, even using herbicide twice this season, and keeping it mowed. Now, his property is re-seeding all our property. Even if he is fined for his neglect, this only benefits the county, but does nothing for the homeowners.
2. There is a sixty foot easement off Ranch road to the South for access to his ranch. There is a considerable amount of traffic consisting of cars, trucks, and farming equipment using this easement. During this dry season, this is a considerable dust problem from all this traffic. Since my house is less than 100 feet from this easement, we are constantly having to hose down our Back patio. During the wet season, a lot of mud is tracked onto Ranch road, which impacts all of us living here. Just driving down the street gets our cars all muddy. The simple solution for this problem would be to spread two or three loads of 1 ½ inch crushed gravel on the easement. The cost would be minimal as compared to the benefits. Mr. Deneen plans to build a horse arena on that property just to the south of our home. Some of the material for this has already been delivered. This is only going to increase the traffic, including trucks and horse trailers on this easement.
3. There is an irrigation ditch that runs parallel to Ranch road and then turns West and goes to the West side of his property for irrigating his hay fields. This has caused problems for two of the homeowners on Ranch Road. Water seeps through the ground onto their property. While this Ditch was there long before the homes, a concerned neighbor would want to do something about this problem. For example, the ditch could be lined at least by these two homes. Since water is so precious in this area, this would only serve to give more water to irrigate the property.

4. In the application, page 8, par. 1, Mr. Deneen complains about one of the neighbors who has used a corner of his property for a track for dirt bikes. He claims that he cannot now use the adjacent pasture for cattle, because the noise disturbs the cattle. Let's be real. When he bought the property, one of the first things he did was to tear down the fence along the north end of this property, and he has not replaced it. There is only 200 feet at most that adjoins his property to this track. When the previous owner, Mrs. Burke, had a herd of cattle in that pasture, I certainly did not observe that the noise from the dirt bikes disturbed the cows. They would just stand there and watch them. This track has been used very little since then. I think this is just smoke to sway the thinking of the planning commission. Besides, I doubt if he really planned to run cattle on that part of the ranch. After all, he is putting in a horse arena.

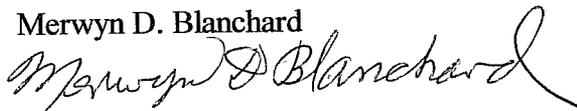
5. In the application, page 6, par. 2, he seems to intimate that our modest homes (mid to low income bracket) detract from the aesthetic value to his property by blocking the "view shed". He has several parcels of land on the north side of Ranch road. What does he plan to do with this property? Is he going to leave it vacant and as farmland? As for the "view shed", when I look out my picture window of my living room, there are beautiful treed hills all around. But I also have to look at some buildings that are about ready to fall down, and a long stack of bailed hay covered with multi-colored tarps. The he plans to build a horse arena back there, which will probably create a dust bown along with the added horse pucky which attracts flies. Then, when his project of high-density housing is complete, I can look up there on the hill and see that. So much for aesthetics!

6. Mr. Deneen says in this application that the profits from this high-density project are needed in order for him to continue his farm operation. Has this been the case with any other farmers in the area?

To sum this up, I am not against progress. But say like it is. Mr. Deneen has made a considerable investment on this property, and would like to make a return on his investment. No one can fault him for that. And certainly, this would increase the tax base for the county. He has proposed some very nice things for his mid to high income bracked project, but how many will be followed through on? Your commissssion has a weighty decision!

Very Respectfully

Merwyn D. Blanchard



Kittitas County
Department of Public Works
411 North Ruby Street Suite 1
Ellensburg, WA 98926

Re: Sept 5th 4pm
Hearing Rezone - Swauk Ranch
vacate of Burke Road.

Brad and Cheryl Bogart
611 Burke Road
Cle Elum, WA 98922
Mail To: 7560 California Ave SW
Seattle, WA 98136

RECEIVED

AUG 30 2006

**KITTITAS COUNTY
DEPT. OF PUBLIC WORKS**

8/29/2006

To Whom It May Concern:

We have many concerns over this project proposed to the county concerning the rezone by the Ranch on Swauk Creek.

1. While we believe in the rights of individual landowners to do what they want with their own property, we also believe they must abide by current zoning laws of the county which were put in place for a reason, to control the growth of the county. We believe the current Ag-5 and Ag-3 laws address this.
2. Some of the reasons given to the board do not to us seem reasonable. For one we have not seen cattle on this property since Mary & Pat Burke sold it. We were under the understanding that this new owner was a horse rancher not a cattle rancher yet this is referred in the application as one of the reasons to subdivide and build so that one of the few remaining cattle ranches could survive yet we never see cattle.
3. Our property is located on Swauk Creek off Burke Road with about 1400 feet of creek front. The Ranch on Swauk Creek has an irrigation ditch, which runs through our property, and the county has a drain pipe for water run off which also drains right into our property. Needless to say our land is wet most of the year. We just spent close to \$8000.00 having a French drain installed around our home to address the water that leeches into our property. We are very concerned with what a development above will do to increase this problem and what plans they have of addressing it.
4. We purchased our property with the intention of having it be our residence, on a quiet dead end street, with little or no traffic. The Ranch on Swauk Creek is proposing to open this quiet dead end street for access to this development. There is no reason for this as the property owners within their own boundaries could make an access directly out to Highway 97 and currently have made a road with access to Bettas Road.
5. When they first applied for rezones it was for logging yet the only logging that has been done has been to clear the way for a road leading to future development. It seems to us this was their intention all along and they were trying to keep all of us in the dark about it.
6. They are now proposing the county vacate part of Burke Road to them. We cannot tell from the map which part they are requesting be vacated, however Burke Road is our only access to our home. We are curious as to why they want it vacated and do not think any public lands should ever be given over to private landowners.

Cheryl A Bogart
Brad Bogart

Kittitas County
Department of Public Works
411 North Ruby Street Suite 1
Ellensburg, WA 98926

RECEIVED

AUG 30 2006

KITTITAS COUNTY
DEPT. OF PUBLIC WORKS

Sept 5 hearing

4 pm

Speed limit on

Burke Road

Brad and Cheryl Bogart
611 Burke Road
Cle Elum, WA 98922
Mail To: 7560 California Ave SW
Seattle, WA 98136

8/29/2006

To Whom It May Concern:

When we first purchased our property we were always concerned with the 35 mile per hour speed limit. Our daughter was 12 at the time and would take our dog for walks. With the 35-mile per hour limit cars would actually travel at much higher speeds and being that this is a dead end road there is just no reason for such a high speed limit. We totally support lowering the limit to 25 mph.

Cheryl A Bogart

Brad Bogart



STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

RECEIVED
AUG 28 2006
KITITAS COUNTY
CDS

August 22, 2006

Ms. Joanna Valencia
Planner
Kittitas County Community Development Services
411 N. Ruby, Ste. 2
Ellensburg, WA 98926

Log: 040706-12-KT
Property: FPA 05-08 The Ranch on Swauk Creek SEPA SSDP-05-01 Kittitas
Re: Archaeology – More Information Needed

Dear Ms. Valencia:

We have reviewed the report entitled *Cultural Resources Inventory for the Ranch on Swauk Creek, LLC Forest Practices Application, Kittitas County, Washington* forwarded to our office for the proposed project referenced above. I have discussed most of the following comments with the proponent and David Powell of the Yakama Nation during a conference call on August 21, 2006, and also consulted with the Department's historic archaeologist about the historic debris scatter found during the survey following the phone call. We have the following requests:

1. We will need a site inventory form to be submitted for the McCallum Graves discussed in the report.
2. We will need a historic property inventory form to be submitted for the 1897 Virden home.
3. We concur that the talus pit sites should be avoided and protected in place.
4. The historic debris scatter ROSC-001 appears to be an ephemeral scatter, based on surface investigation only. We do need some more information about the refuse scatter and its connection to the Virden family because they are not fully discussed in the text of the report. The report should document more in-depth details about the Virden farmstead, and the family's significance in the community.
5. Before finishing the road, we request that the archaeologist dig the shovel probes per the recommendation on page 18 to determine if site ROSC-001 is present in that area, and the depth of the site, if present. If the site has depth and is more than an ephemeral surface scatter, more documentation may need to be done prior to removing the artifacts and installing the road.



DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

Protect the Past, Shape the Future

Ms. Joanna Valencia
Planner
Kittitas County Community Development Services
411 N. Ruby, Ste. 2
Ellensburg, WA 98926
Page 2

6. The extent of the post-timber harvest developments are not entirely clear, and whether or not these activities have been surveyed for archaeological resources. Any future or further proposed developments outside of the timber harvest area should be surveyed for archaeological resources prior to project commencement. A copy of the report should be sent to the agency and the Yakama Nation for review.

If any federal funds or permits are involved Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36CFR800, must be followed. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

We appreciate the attention the Ranch on Swauk Creek LLC has given to the cultural resources in this project. These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may be revised. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please note that DAHP has recently revised our cultural resource reporting guidelines. The guidelines are available on our website at http://www.oahp.wa.gov/pages/Documents/documents/CRStandards_004.pdf. Should you have any questions, please feel free to contact me at (360) 586-3083 or Stephenie.Kramer@dahp.wa.gov.

Sincerely,


Stephenie Kramer
Assistant State Archaeologist

cc: David Powell
Tucker Orvald
Chad Bala



STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

August 10, 2006

Ms. Joanna Valencia
Planner
Kittitas County Community Development Services
411 N. Ruby, Ste. 2
Ellensburg, WA 98926

Log: 040706-12-KT
Property: FPA 05-08 The Ranch on Swauk Creek SEPA SSDP-05-01 Kittitas
Re: Archaeology - Survey Requested

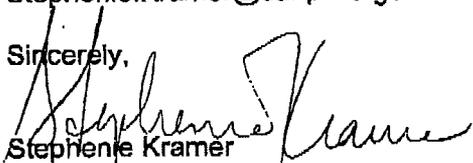
Dear Ms. Valencia:

We have reviewed the materials forwarded to our office for the proposed project referenced above. We concur with the applicant's decision to conduct a professional cultural resources survey. We request that a copy of the survey report be sent to DAHP upon its completion.

If any federal funds or permits are involved Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36CFR800, must be followed. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may be revised. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please note that DAHP has recently revised our cultural resource reporting guidelines. The guidelines are available on our website at http://www.oahp.wa.gov/pages/Documents/documents/CRStandards_004.pdf. Should you have any questions, please feel free to contact me at (360) 586-3083 or Stephanie.Kramer@dahp.wa.gov.

Sincerely,


Stephanie Kramer
Assistant State Archaeologist

cc: Johnson Meninick





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

August 29, 2006



Your address
is in the
**Upper
Yakima**
watershed

Joanna Valencia
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Dear Ms. Valencia:

Thank you for the opportunity to comment on the pre-threshold determination for the Ranch on Swauk Creek rezone and preliminary plat into 14 lots, proposed by Ranch on Swauk Creek, LLC and Cle Elum Pines, LLC [P06-27]. We have reviewed the environmental checklist and have the following comment.

Shorelands/Environmental Assistance

More information is needed about the current condition of riparian and wetland resources and how the development will affect them. Information about potential impacts to wetlands and the stream corridor from change of water use (from surface to groundwater, how will water distribution occur, will existing well(s) be used), stormwater runoff, road locations, and recreational trail systems needs to be included. A conceptual plan for each parcel should be shown on the site map. Roadways, trails, and storm water treatment infrastructure / methods should also be shown on a map and described for each phase. The probable location of the Community Center should be described. If details are not available at this time, then additional SEPA review should occur for portions of the project as the information becomes available, and a condition should be placed on the DNS to require that to occur.

There is mention that fill will be provided for road needs by excavating areas which will turn into ponds. Ponds will not form without the presence of shallow groundwater. The borrow pit areas should be identified on a site map or the DNS conditioned so that these activities will not occur within Critical Areas or their protective buffers.

The checklist mentions in the Water impact section (page 5) that there will be four crossings of wetlands associated with Swauk Creek. The size, kind (bridges, fords, fill, etc), and location of crossings should be shown on the site maps and described in more detail in the text.

The checklist mentions that a Forest Practice Application exists for the project. A brief description of type of harvest and a map showing the areas of harvest should be provided since



the reference number of the Forest Practice Application was not provided. Will all the roadways required for timber harvest (more than 3.5 miles worth as described in the checklist) remain in place to access development or will they be abandoned?

Information in the checklist seems to indicate that the open space set aside will be managed as it has in the past – as a ranching and farming activity. Are there any plans to replant or enhance buffers in areas along Swauk Creek that are currently under agricultural use? There is a statement that enhancement of Swauk Creek *could also include fish enhancement measures* (emphasis added) but there are no descriptions or plans provided with the document which document the need for such activity or which show the extent of the improvements anticipated.

If you have any questions concerning the Shorelands/Environmental Assistance comments, please contact Catherine Reed at 509.575.2616.

Water Resources

In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, industrial purposes, stock watering or for the irrigation of up to one-half acre of lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology.

On March 28, 2002 the Washington State Supreme Court ruled that the RCW 90.44.050 permit exemption does not apply where a developer of a residential subdivision proposes multiple wells to serve each lot in the development if in combination, the withdrawal will exceed the exemption criteria.

With the Supreme Court's guidance on the limitations of groundwater exemptions, all 14 lots would be covered by a single groundwater exemption. To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. To comply with irrigating a total of 0.5 acres of lawn and garden, Ecology recommends requiring property covenants for each lot to limit the amount of the lawn and garden to be irrigated so it adds up to the maximum allowable acreage.

The proposed initial **14 lots** may not be classified as a Group B water system if 25 or more people are being served. It is likely that over 25 people will live in this proposed development with 14 lots. Ecology recommends that the County coordinate with the Washington State Department of Health on the requirements of a Group A water system, which will include water conservation requirements, an operators certificate, a water system plan, and other elements.

To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. To comply with irrigating up to 0.5 acres of lawn, Ecology recommends requiring

Ms. Valencia
August 29, 2006
Page 3 of 3

property covenants for each lot to limit the amount of the lawn and garden to be irrigated so it adds up to the maximum allowable acreage.

For well construction, Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water, or contamination caused by withdrawal of ground water by a junior water right holder.

All water wells constructed shall be in accordance with the provisions of Chapter 173-160 WAC by a driller licensed in the State of Washington. All wells must be located a minimum of 100 feet from any known, suspected, or potential source of contamination and shall not be located within 1,000 feet of the property boundary of solid waste landfills. A well report must be submitted to the Department of Ecology within thirty days after the completion of a well.

The build-out of 243 lots for this project will require a Group A water System. The applicants refer to being incorporated into the Hidden Valley Water System and applying Senior Water Rights to the project. Any change in water use for existing water rights will require an *Application for Change* with the Department of Ecology. Hidden Valley Water System would also need to be changed to incorporate the new development. The Hidden Valley Water System plan from 2002 only lists one junior surface water right (Court Claim No. 01146 for Bruce Coe). The Yakima River Basin Adjudication Court (Ecology vs. Acquavella No. 77-2-01484-5) issued an Order, Court Docket No. 18638 which in part states that post 1905 water right holders are ordered to cease all diversions while the pro-ratable user receives less than its full entitlement. The Hidden Valley Ranch community domestic right has a priority date junior to the May 10, 1905 pro-ratable water rights.

If you have any questions concerning the Water Resources comments, please contact Kelsey Collins at (509) 575-2640.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012

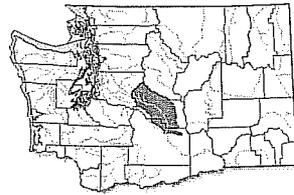


STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

RECEIVED
AUG 30 2006
KITTITAS COUNTY
CDS

August 29, 2006



Your address
is in the
**Upper
Yakima**
watershed

Joanna Valencia
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Dear Ms. Valencia:

Thank you for the opportunity to comment on the pre-threshold determination for the Ranch on Swauk Creek rezone and preliminary plat into 14 lots, proposed by Ranch on Swauk Creek, LLC and Cle Elum Pines, LLC [P06-27]. We have reviewed the environmental checklist and have the following comment.

Shorelands/Environmental Assistance

More information is needed about the current condition of riparian and wetland resources and how the development will affect them. Information about potential impacts to wetlands and the stream corridor from change of water use (from surface to groundwater, how will water distribution occur, will existing well(s) be used), stormwater runoff, road locations, and recreational trail systems needs to be included. A conceptual plan for each parcel should be shown on the site map. Roadways, trails, and storm water treatment infrastructure / methods should also be shown on a map and described for each phase. The probable location of the Community Center should be described. If details are not available at this time, then additional SEPA review should occur for portions of the project as the information becomes available, and a condition should be placed on the DNS to require that to occur.

There is mention that fill will be provided for road needs by excavating areas which will turn into ponds. Ponds will not form without the presence of shallow groundwater. The borrow pit areas should be identified on a site map or the DNS conditioned so that these activities will not occur within Critical Areas or their protective buffers.

The checklist mentions in the Water impact section (page 5) that there will be four crossings of wetlands associated with Swauk Creek. The size, kind (bridges, fords, fill, etc), and location of crossings should be shown on the site maps and described in more detail in the text.

The checklist mentions that a Forest Practice Application exists for the project. A brief description of type of harvest and a map showing the areas of harvest should be provided since

the reference number of the Forest Practice Application was not provided. Will all the roadways required for timber harvest (more than 3.5 miles worth as described in the checklist) remain in place to access development or will they be abandoned?

Information in the checklist seems to indicate that the open space set aside will be managed as it has in the past – as a ranching and farming activity. Are there any plans to replant or enhance buffers in areas along Swauk Creek that are currently under agricultural use? There is a statement that enhancement of Swauk Creek *could also include fish enhancement measures* (emphasis added) but there are no descriptions or plans provided with the document which document the need for such activity or which show the extent of the improvements anticipated.

If you have any questions concerning the Shorelands/Environmental Assistance comments, please contact Catherine Reed at 509.575.2616.

Water Resources

In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, industrial purposes, stock watering or for the irrigation of up to one-half acre of lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology.

On March 28, 2002 the Washington State Supreme Court ruled that the RCW 90.44.050 permit exemption does not apply where a developer of a residential subdivision proposes multiple wells to serve each lot in the development if in combination, the withdrawal will exceed the exemption criteria.

With the Supreme Court's guidance on the limitations of groundwater exemptions, all 14 lots would be covered by a single groundwater exemption. To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. To comply with irrigating a total of 0.5 acres of lawn and garden, Ecology recommends requiring property covenants for each lot to limit the amount of the lawn and garden to be irrigated so it adds up to the maximum allowable acreage.

The proposed initial **14 lots** may not be classified as a Group B water system if 25 or more people are being served. It is likely that over 25 people will live in this proposed development with 14 lots. Ecology recommends that the County coordinate with the Washington State Department of Health on the requirements of a Group A water system, which will include water conservation requirements, an operators certificate, a water system plan, and other elements.

To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. To comply with irrigating up to 0.5 acres of lawn, Ecology recommends requiring

5

Ms. Valencia
August 29, 2006
Page 3 of 3

property covenants for each lot to limit the amount of the lawn and garden to be irrigated so it adds up to the maximum allowable acreage.

For well construction, Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water, or contamination caused by withdrawal of ground water by a junior water right holder.

All water wells constructed shall be in accordance with the provisions of Chapter 173-160 WAC by a driller licensed in the State of Washington. All wells must be located a minimum of 100 feet from any known, suspected, or potential source of contamination and shall not be located within 1,000 feet of the property boundary of solid waste landfills. A well report must be submitted to the Department of Ecology within thirty days after the completion of a well.

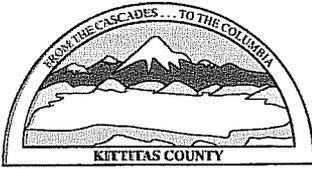
The build-out of 243 lots for this project will require a Group A water System. The applicants refer to being incorporated into the Hidden Valley Water System and applying Senior Water Rights to the project. Any change in water use for existing water rights will require an *Application for Change* with the Department of Ecology. Hidden Valley Water System would also need to be changed to incorporate the new development. The Hidden Valley Water System plan from 2002 only lists one junior surface water right (Court Claim No. 01146 for Bruce Coe). The Yakima River Basin Adjudication Court (Ecology vs. Acquavella No. 77-2-01484-5) issued an Order, Court Docket No. 18638 which in part states that post 1905 water right holders are ordered to cease all diversions while the pro-ratable user receives less than its full entitlement. The Hidden Valley Ranch community domestic right has a priority date junior to the May 10, 1905 pro-ratable water rights.

If you have any questions concerning the Water Resources comments, please contact Kelsey Collins at (509) 575-2640.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

August 29, 2006

Joanna Valencia
Kittitas County CDS
411 N. Ruby St.
Ellensburg, WA 98926

RECEIVED

AUG 30 2006

KITTTITAS COUNTY
CDS

Re: Ranch on Swauk Creek Re-Zone and Preliminary Plat

Dear Ms. Valencia:

After reviewing the abovementioned land use action(s), I have the following comments/conditions:

- All development in S33 T20 R17, S34 T20 R17 and portions of S27 T20 R17 are outside a fire district and subject to the International Urban Wildland Interface Code.
- Fire flow was not addressed on the preliminary plat phase 1 division. Hydrants will be required for the entirety of the project, and their placement and distribution shall comply with the International Fire Code Appendix C.
- "Fire Lane-No Parking Zone" signs may be necessary on the private/public roadways/driveways.
- All public and private roadways/driveways shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet, and up to twenty six feet in width on roads with hydrants.
- All development must comply with the IFC and Appendices.

If you have any questions or comments, please do not hesitate to contact me at 509-962-7000.

Sincerely,

Brenda Larsen

Brenda Larsen
Investigations/Enforcement
Kittitas County CDS
411 N. Ruby
Ellensburg, WA 98926

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

RECEIVED

Kittitas County CDS -Attn Joanna Valencia
Comments on Environmental Impacts - Ranch on Swauk Creek
From: Lila Hanson, 509-674-2748
August 31, 2006

AUG 31 2006

Kittitas County
CDS *JV*

Re: Environmental Impacts of R-SC Development Plans

John and I own five acres abutting the project area east of Burke Road. Our immediate concern regarding this project is that it not harm that property especially in regards to traffic on Burke Road and to water supply for non-project property in the vicinity.

The increase of 2,430 trips per day would require a commitment from the county to be sure that Burke Road meets standards for that much traffic. It should be wide enough for cars and also bikes and pedestrians. Our access should be continued and respected and the roadway should be adequate so that our 5 acres continue to be viable for agriculture or residences. Currently it is a hay field with no structures but it is taxed by the county as a building site and so that must remain a possibility not restricted by the project traffic.

Similarly we need to be sure that the project does not "suck up" all the ground water available in that portion of the Swauk Creek valley. A reasonable domestic supply needs to be available for all lots of record at the time the project is permitted and our property in section 27 is one of those.

In addition, as nearby residents and members of the public, we are also concerned with general issues of earth, air, water, run-off, shorelines, energy use, affordable housing, utilities, emergency services, transportation, weeds, wildlife, scenery, glare, noise, recreation and preservation and the impacts of this project on them.

Thank you for your attention to these comments.

Sincerely,
John and Lila Hanson



Department of Energy

Bonneville Power Administration
Spokane Regional Office
2410 East Hawthorne Road
Mead, WA 99021

RECEIVED
AUG 16 2006
KITTITAS COUNTY
CDS

Aug 14, 2006

In reply refer to: Phase 1 of the Ranch at Swauk Creek Preliminary Plat Review
BPA Reference: Rocky Reach-Maple Valley No. 1

Kittitas County Community Development Services
Attn: Joanna Valencia
411 N Ruby St, Suite 2
Ellensburg WA 98926

Dear Ms. Valencia:

The Bonneville Power Administration (BPA) has had the opportunity to review the Phase 1 of The Ranch at Swauk Creek preliminary plat. A check of our records indicates that this proposal will not impact our transmission line corridor in that location, so BPA has no objections to the approval of this request.

Thank you for the opportunity to review this application.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kim Kokko".

Kim Kokko
Realty Technician



Department of Energy

Bonneville Power Administration
2410 E. Hawthorne Rd.
Mead, WA 99021

RECEIVED
AUG 16 2006
KITITAS COUNTY
CDS

Aug 14, 2006

Subject: Phase 1 of the Ranch at Swauk Creek **{FUTURE RESIDENTIAL PARCELS}**
BPA Reference: Rocky Reach-Maple Valley No. 1

Kittitas County Community Development Services
ATTN: Joanna Valencia
411 N Ruby St, Ste 2
Ellensburg WA 98926

Dear Ms. Valencia,

The Bonneville Power Administration (BPA) has reviewed the above-referenced plat's Future Residential Parcel area and its relationship to the 150-foot wide BPA transmission line easement that this plat impacts. BPA does not have any objection to the platting of this subdivision, but would like to have the following statement included on the final plat to help ensure public safety and reliable operation of BPA's facilities.

Portions of Future Residential Parcels F, 2, and 4, of this plat are encumbered by easements for high-voltage transmission lines owned by the Bonneville Power Administration (BPA). BPA has acquired rights for these easements that limit the landowner's use of this area. BPA has the right of ingress and egress, and the right to keep the easement free and clear of vegetation and buildings, sheds, fences, roads or any other type of structure. Do not build, dig or plant within the easement area without first contacting BPA's Real Property Field Services. All activities planned within the BPA easement need to be reviewed and approved in writing by BPA prior to their occurrence. BPA information regarding the process for reviewing proposed uses of the easement may be addressed to BPA Real Property Field Services at the address listed above, by calling (800) 836-6619 or by visiting the following website: www.transmission.bpa.gov/LanCom/.

Your cooperation in this matter is greatly appreciated and helps to minimize later disputes or unnecessary strained relationships with the public when incompatible activities have to be modified or removed from the easement. If you have any questions regarding this request or need additional information, please feel free to contact Mari Rosales at (509) 321-2226 or toll-free at (877) 417-9454.

Sincerely,

A handwritten signature in black ink that reads "Kim Kokko".

Kim Kokko
Realty Technician

YAKAMA INDIAN NATION
TFW
P.O. Box 151
TOPPENISH, WA. 98948

FAX

To:

MS. Joanna Valencia

From:

David Powell

Date: MARCH 6, 2006
Number of Pages: 7 plus cover
Phone: 1-509-865-6262
Fax: 1-509-865-4110
ttw@yakama.com

Remarks:

FPA # -05-08 , The Ranch on Swank Creek



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

MEMORANDUM

TO: Philip Rigdon, Deputy Director
Division of Natural Resources

THROUGH: Jim Matthews, Acting TFW Program Manager *JM*

FROM: David W. Powell, TFW Archaeologist *DWP*

DATE: March 2, 2006

SUBJECT: The Ranch on Swauk Creek

RECEIVED
MAR 6 2006
KITITAS COUNTY
CDS

In January 2006 I reviewed this Forest Practices Application Conversion as File No. FPA-05-01, The Ranch on Swauk Creek. It has been amended eliminating the proposed bridge across Swauk Creek and is now FPA File No.-05-08. I have reviewed the amended version, including the SEPA checklist. The area designated for road construction, logging, and development includes areas of high probability for archaeological and other cultural resources. A professionally reasoned archaeological/cultural resources survey needs to be conducted of the project area to determine the location of places or objects of historic, archaeological, scientific, or cultural importance. Without such a survey, significant adverse impacts could occur to archaeological and other cultural resources.

Question 13 of the SEPA checklist cannot be answered without a process that incorporates historic research, data gathering and archaeological survey. That is the responsibility of the proponent. Merely stating that WAC 222-20-120 will be complied with during the forest practices application review process is not adequate. The Yakama Nation and the Department of Archaeology and Historic Preservation must concur with the archaeological report submitted by the proponent prior to any ground disturbing activity.

Under SEPA rules, WAC 197-11-080(1) states that "if information on significant adverse impacts essential to a reasoned choice among alternatives is not known, and the costs of obtaining it are not exorbitant, agencies shall obtain and include the information in their environmental documents," and "when there are gaps in relevant information or scientific uncertainty concerning significant impacts, agencies shall make it clear that such information is lacking or that substantial uncertainty exists." WAC 197-11-080(3) says that if information is not available or costs too much to obtain or if the means to obtain the information is speculative or unknown, the agency may proceed but it "shall generally indicate in the appropriate environmental documents its worst case analysis and the likelihood of occurrence, to the extent this information can reasonably be developed." Without a professional archaeological investigation of the property, it must be assumed that archaeological resources extend across the property.

A mitigated determination of non-significance (MDNS) could be issued requiring a professionally reasoned archaeological/cultural resources survey be conducted and then reviewed and accepted by the Yakama Nation and the Department of Archaeology and Historic Preservation.

Preservation prior to any ground disturbing activity. If Kittitas County fails to make the requirement, it will be grounds for an appeal of their decision.

cc: Leo Aleck, TFW Committee
LaRena Sohappy, Cultural Committee
Johnson Meninick, Cultural Program
Kate Valdez, THPO
TFW files



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

January 5, 2006

Ms. Joanna Valencia
Kittitas County Community Development Services Department
~~XXXX~~ 411 N. Ruby, Suite 2
Ellensburg, WA 98926

Re: File No. FPA -05-01 and File No. SSDP-05-01, The Ranch on Swauk Creek

Dear Ms. Valencia:

Please find enclosed a report to me from David W. Powell of our TFW staff regarding the subject application in Kittitas County. I concur with the findings of the report for archaeological and cultural resources protection and therefore ask that you require a professionally reasoned archaeological/cultural survey of the proposed project. Cultural resources are important to the Yakama Nation.

Thank you for your time and cooperation. If you have any questions regarding the comments, please do not hesitate to call Mr. Powell at (509) 865-5121, ext. 6312 or (509) 945-4925.

Sincerely,

for Mr. C. Gandy
Philip Rigdon, Deputy Director
Natural Resources Division

cc: Dr. Allyson Brooks, State Historic Preservation Officer
YN TFW files

Enclosure



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

March 3, 2006

Ms. Joanna Valencia
Kittitas County Community Development Services Department
411 N. Ruby, Suite 2
Ellensburg, WA 98926

Re: File No. FPA -05-08, The Ranch on Swauk Creek

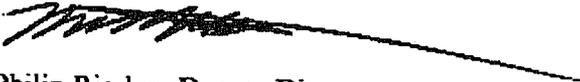
Dear Ms. Valencia:

Please find enclosed a report to me from David W. Powell of our TFW staff regarding the subject application in Kittitas County and my letter of January 5, 2006. I concur with the findings of the report for archaeological and cultural resources protection and therefore ask that you require a professionally reasoned archaeological/cultural survey of the proposed project. Cultural resources are important to the Yakama Nation.

Question 13 of the SEPA checklist cannot be answered without a process that incorporates historic research, data gathering and archaeological survey. That is the responsibility of the proponent. Merely stating that WAC 222-20-120 will be complied with during the forest practices application review process is not adequate. The Yakama Nation and the Department of Archaeology and Historic Preservation must concur with the archaeological report submitted by the proponent prior to any ground disturbing activity.

Thank you for your time and cooperation. If you have any questions regarding the comments, please do not hesitate to call Mr. Powell at (509) 865-5121, ext. 6312 or (509) 945-4925.

Sincerely,



Philip Rigdon, Deputy Director
Natural Resources Division

cc: Dave Ward, Office of Legal Counsel
Dr. Allyson Brooks, State Historic Preservation Officer
YN TFW files

Enclosures



Confederated Tribes and Bands
of the Yakama Nation MEMORANDUM

Established by the
Treaty of June 9, 1855

TO: Philip Rigdon, Deputy Director
Division of Natural Resources

THROUGH: Jim Matthews, Acting TFW Program Manager *J.M.*

FROM: David W. Powell, TFW Archaeologist *DWP*

DATE: January 4, 2006

SUBJECT: The Ranch on Swauk Creek

I have reviewed the Forest Practices Application Conversion (File No. FPA-05-01), including the SEPA checklist, and the Shoreline Substantial Development Permit (File No. SSDP-05-01) for The Ranch on Swauk Creek. The area designated for bridge placement, road construction, logging, and development includes areas of high probability for archaeological and other cultural resources. A professionally reasoned archaeological/cultural resources survey needs to be conducted of the project area to determine the location of places or objects of historic, archaeological, scientific, or cultural importance. Without such a survey, significant adverse impacts could occur to archaeological and other cultural resources.

Under SEPA rules, WAC 197-11-080(1) states that "if information on significant adverse impacts essential to a reasoned choice among alternatives is not known, and the costs of obtaining it are not exorbitant, agencies shall obtain and include the information in their environmental documents," and "when there are gaps in relevant information or scientific uncertainty concerning significant impacts, agencies shall make it clear that such information is lacking or that substantial uncertainty exists." WAC 197-11-080(3) says that if information is not available or costs too much to obtain or if the means to obtain the information is speculative or unknown, the agency may proceed but it "shall generally indicate in the appropriate environmental documents its worst case analysis and the likelihood of occurrence, to the extent this information can reasonably be developed." Without a professional archaeological investigation of the property, it must be assumed that archaeological resources extend across the property.

The proposed project should be denied until a professionally reasoned archaeological/cultural resources survey has been conducted and then reviewed and accepted by the Yakama Nation and the Department of Archaeology and Historic Preservation.

cc: Leo Aleck, TFW Committee
LaRena Sohappy, Cultural Committee
Johnson Meninick, Cultural Program
Kate Valdez, THPO
TFW files



Confederated Tribes and Bands
of the Yakama Indian Nation

Established by the
Treaty of June 9, 1855

August 6, 1999

Ms. Jennifer M. Belcher
Commissioner of Public Lands
Washington State Department of Natural Resources
1111 Washington Street SE
P. O. Box 47001
Olympia, WA 98504-7001

SUBJECT: Declaration to WDNR Regulatory areas of interest to contain cultural value within the ceded and traditional use lands of the Yakama Nation.

Dear Ms. Belcher:

For millenia, the Yakama People have had an intimate knowledge of our environment. We understand the variety and utility of the resources across the diverse landscapes of the ceded and traditional use lands. We want the resources of cultural value to be preserved and protected for future generations. Some of the sacred foods of the Yakama People include *chúish* (water), *núsux* (salmon), *pyáxi* (bitterroot), *lúksh* (biscuitroot), *sawítk* (wild carrots), *xmáash* (camas), and *wíwnu* (huckleberries). Some sacred animals include *pnút* (elk), *yáamash* (deer), *anahuy* (bear), and *xwayamá* (eagle).

Archaeological resources are a kind of cultural resource. They are important to the Yakama Nation for their cultural value. Archaeological resources are physical manifestations of our ancestors in the landscape. Archaeological sites contain cultural value to the Yakama People. They demonstrate a variety of activities by our ancestors across the diverse landscape. Some archaeological sites occur where sacred foods were gathered and processed.

To facilitate the preservation and protection of resources of cultural value across the ceded and traditional use areas of the Yakama Nation I do hereby make this declaration. Pursuant to the language contained in WAC 222-16-050 (5)(k)(ii), the Yakama Nation herein identifies to the Washington Department of Natural Resources (WDNR) Regulatory the following geographic areas as identified by the most current WDNR GIS database available to be areas that contain cultural value to the Yakama Nation:

- 1) All areas within 90 meters (295 feet) of all natural water sources;
- 2) All areas with lithosols that may support bitterroot (*Lewisia rediviva*) and/or biscuitroot (*Lomatium canbyi*, *Lomatium farinosum*);
- 3) All areas with meadows that may support wild carrots (*Perideridia gairdneri*) and/or camas (*Camassia quamash*);
- 4) All areas that support huckleberries (*Vaccinium*); and
- 5) Ridges and spur ridges between water sources and root and huckleberry grounds.

The areas thus delimited by the Yakama Nation are in addition to the September 25, 1995, declaration that "high probability areas" of the "Kittitas County Archaeological Model" contain

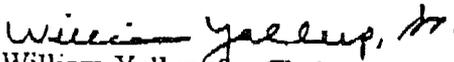
MAR-06-2006 15:55 From: YAKAMA NATION FISHER 1505050253 107505021002 110 0

cultural value. The areas identified to contain cultural value are considered as only a part of the landscape that is of interest, and that in so declaring these areas, the Yakama Nation in no way precludes other areas currently or in the future as of interest, or of cultural value.

By identifying these areas to the Washington Department of Natural Resources, the Yakama Nation in no way waives it's sovereign immunity rights.

Thank you for your time and immediate consideration of this matter. I look forward to continuing coordination and cooperation between our staff to implement resource protection. If there are any questions regarding the nature of this declaration, please feel free to contact Carroll Palmer, Jim Matthews, or David Powell at (509) 865-5121.

Sincerely,


William Yallup, Jr., Chairman
Yakama Tribal Council

cc: Cultural Committee
TFW Committee
Carroll Palmer, Natural Resources Department
Johnson Meninick, Cultural Resources
Greg Cleveland, Tribal Archaeologist
Elizabeth Nason, Office of Legal Counsel
Kyle Lucas, WDNR Olympia
William Boyum, SE Region WDNR
Gary Berndt, SE Region WDNR
Jan Gano, SW Region WDNR

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION

NO. 2017 - 073

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH
ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027 & LP-06-00027)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change of approximately 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads from Forest and Range-20, Agriculture-5, and Agriculture-3 to a Planned Unit Development; and

WHEREAS, After a SEPA Mitigated Determination of Non-Significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on the matter; and

WHEREAS, The November 7, 2006 hearing was continued to November 13, 2006, where after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch at Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027); and

WHEREAS, On October 21, 2008 the Board of County Commissioners approved the Ranch On Swauk Creek Phase 1, Division 1 plat and associated open space (LP-06-00027); and

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant submitted a final planned unit development plan application on May 9, 2013, and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016, further defining the final planned unit development plan; and

WHEREAS, the Board of County Commissioners on April 4, 2017 reviewed and approved the final development plan for the planned unit development provided language is included in the enabling documents ensuring maintenance of the open space; and

WHEREAS, the following FINDINGS OF FACT have been made concerning said development:

1. On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek PUD Rezone (RZ-06-00027 & LP-06-00027).
2. The original proposal was a preliminary planned unit development on approximately 487.43 acres (Ordinance 2006-59).
3. On October 21, 2008 the Board of County Commissioners signed the Ranch on Swauk Creek PUD, Phase 1, Division 1, 14-lot plat and associated open space areas.
4. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. Mr. Chad Bala, authorized agent for the landowner, submitted a final development plan to Community Development Services on May 9, 2013 and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016.
6. After multiple reviews, Community Development Services staff has determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 2006 and meets the conditions imposed by Ordinance 2006-59.
7. The subject property is located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County.
8. The proposed location, phasing, and development character is consistent with the plans previously approved in 2006, and further meets the timelines of the Code.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, that the final planned unit development plan for the Ranch on Swauk Creek PUD Rezone (Z-06-00027) is hereby approved, subject to the following condition:

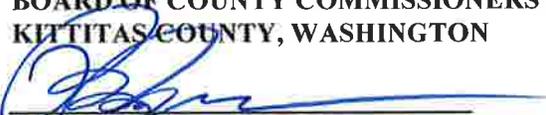
The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for; (i) the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value; (ii) for the purpose of continued farming, grazing, ranching and timber growing and harvesting or the like; and (iii) for the purpose of owning and maintaining the original homestead located within the open space.

DATED this 18th day of April, 2017 at Ellensburg, Washington.

ATTEST:
CLERK OF THE BOARD

Julie A. Kjorsvik

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON



Paul Jewell, Chairman

APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney



Laura Osiadacz, Vice-Chairman



Obie O'Brien, Commissioner

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION

NO. 2017 - _____

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE RANCH
ON SWAUK CREEK PLANNED UNIT DEVELOPMENT (RZ-06-00027)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change of approximately 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads from Forest and Range-20, Agriculture-5, and Agriculture-3 to a Planned Unit Development; and

WHEREAS, After a SEPA Mitigated Determination of Non-Significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on the matter; and

WHEREAS, The November 7, 2006 hearing was continued to November 13, 2006, where after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch at Swauk Creek PUD Rezone (RZ-06-00027); and,

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant submitted a final planned unit development plan application on May 9, 2013, and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016, further defining the final planned unit development plan; and

WHEREAS, the Planned Unit Development known as Ranch on Swauk Creek is located at the site of the originally approved preliminary planned unit development plan established in Ordinance 2006-59, and

WHEREAS, the Board of County Commissioners on April 4, 2016 reviewed and approved the final development plan for the planned unit development provided language is included in the enabling documents ensuring maintenance of the open space; and,

WHEREAS, the following FINDINGS OF FACT have been made concerning said development:

1. On December 5, 2006 the Board of County Commissioners signed Ordinance 2006-59 granting approval of the Ranch on Swauk Creek PUD Rezone (RZ-06-00027).
2. The original proposal was a preliminary planned unit development on approximately 487.43 acres (Ordinance 2006-59).
3. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
4. Mr. Chad Bala, authorized agent for the landowner, submitted a final development plan to Community Development Services on May 9, 2013 and submitted additional information requested by staff on August 8, 2014, July 26, 2016, and September 12, 2016.
5. After multiple reviews, Community Development Services staff has been determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 2006 and meets the conditions imposed by Ordinance 2006-59.
6. The subject property is located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County.
7. The proposed location, phasing, and development character is consistent with the plans previously approved in 2006, and further meets the timelines of the Code.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, that the final planned unit development plan for the Ranch on Swauk Creek PUD Rezone (Z-06-00027) is hereby approved, subject to the following condition:

The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for; (i) the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value; (ii) and for the purpose of continued farming, grazing, ranching and timber growing and harvesting or the like; and (iii) for the purpose of owning and maintaining the original homestead located within the open space.

DATED this 18th day of April, 2017 at Ellensburg, Washington.

**ATTEST:
CLERK OF THE BOARD**

Julie A. Kjorsvik

**BOARD OF COUNTY COMMISSIONERS
KITITITAS COUNTY, WASHINGTON**

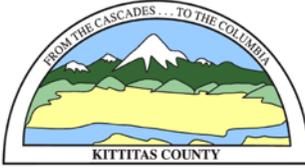
Paul Jewell, Chairman

Laura Osiadacz, Vice-Chairman

APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney

Obie O'Brien, Commissioner



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

AGENDA STAFF REPORT

AGENDA DATE: April 4, 2016

ACTION REQUESTED: Consideration of the Ranch on Swauk Creek PUD Rezone Final Development Plan (RZ-06-00027)

BACKGROUND: On November 13, 2006, the Kittitas County Board of Commissioners approved the Ranch at Swauk Creek Planned Unit Development Rezone (RZ-06-00027 & Ordinance 2006-59). The proposed project consists of a total of 243 lots to be developed in three phases on 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County. The project would include 146 acres of open space, which would include protection of Swauk Creek, continued agricultural uses, passive and active recreational activities, and a proposed community center.

According to Kittitas County Code (KCC) 17.36.040, following approval of the preliminary development plan by the county, the developer (owner) shall submit a final development plan for approval by the Board. The final development plan submittal shall be consistent with the process as outlined for final plat development in KCC Chapter 16.20, which specifies that the Board shall consider the plan at a public meeting (KCC 16.20.080).

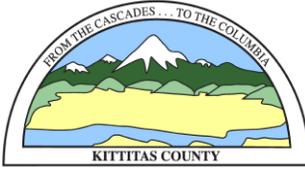
According to KCC 17.36.045(2), the Board shall approve final development plans for the PUD, provided the conditions imposed on the preliminary PUD approval have been satisfied. Staff has reviewed the final development plan, and finds that the conditions imposed by Ordinance 2006-59 have either been met or are on-going conditions.

INTERACTION: Pursuant to KCC 17.36.040, the final development plan has been reviewed by Kittitas County Community Development Services for compliance with KCC 17.36.040 and Ordinance 2006-59.

RECOMMENDATION: Approve final development plan and direct CDS staff to prepare the enabling documents.

ATTACHMENTS: None

LEAD STAFF: Dan Carlson, AICP, Community Development Services Director



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

AGENDA STAFF REPORT

AGENDA DATE: April 4, 2016

ACTION REQUESTED: Consideration of the Ranch on Swauk Creek PUD Rezone Final Development Plan (RZ-06-00027)

BACKGROUND: On November 13, 2006, the Kittitas County Board of Commissioners approved the Ranch at Swauk Creek Planned Unit Development Rezone (RZ-06-00027 & Ordinance 2006-59). The proposed project consists of a total of 243 lots to be developed in three phases on 487.43 acres located west of US Highway 97 and south of Ranch Road and Burke Roads in Sections 27, 28, 33, and 34, Township 20 North, Range 17 East, WM, Kittitas County. The project would include 146 acres of open space, which would include protection of Swauk Creek, continued agricultural uses, passive and active recreational activities, and a proposed community center.

According to Kittitas County Code (KCC) 17.36.040, following approval of the preliminary development plan by the county, the developer (owner) shall submit a final development plan for approval by the Board. The final development plan submittal shall be consistent with the process as outlined for final plat development in KCC Chapter 16.20, which specifies that the Board shall consider the plan at a public meeting (KCC 16.20.080).

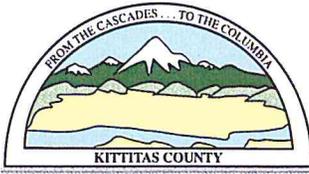
According to KCC 17.36.045(2), the Board shall approve final development plans for the PUD, provided the conditions imposed on the preliminary PUD approval have been satisfied. Staff has reviewed the final development plan, and finds that the conditions imposed by Ordinance 2006-59 have either been met or are on-going conditions.

INTERACTION: Pursuant to KCC 17.36.040, the final development plan has been reviewed by Kittitas County Community Development Services for compliance with KCC 17.36.040 and Ordinance 2006-59.

RECOMMENDATION: Approve final development plan and direct CDS staff to prepare the enabling documents.

ATTACHMENTS: None

LEAD STAFF: Dan Carlson, AICP, Community Development Services Director



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

June 16, 2014

Mr. Chad Bala
Terra Design Group, Inc.
P.O. Box 686
Cle Elum, WA 98922

Subject: Final Planned Unit Development Application for the Ranch on Swauk Creek

Dear Chad,

We have completed the review of your Final Development Plan (aka Final Planned Unit Development - FPUD) application for the Ranch on Swauk Creek preliminarily approved by Ordinance 2006-59. Our review of the FPUD submittal finds that the project meets most of the criteria for approval. As you note in your application, many of the roads are graded, mitigation relative to the Swauk Creek has been completed, and a plan for water rights is in place. However, there is a threshold question regarding whether you are seeking final approval of the entire PUD, or if as it appears from the submittal, you are providing information for approval of Phase 1 of the PUD with subsequent submittals to address other phases. Staff needs to resolve this question and receive additional plan information before we can recommend approval to the Commissioners.

As you know, the project applied for originally in 2006 is vested to the review criteria at Kittitas County Code (KCC) 17.36.040. Although projects are vested to the review criteria at the time of application, vesting does not extend to procedural rules adopted later. Under procedural rules adopted in 2013, the code timelines for phased versus non-phased PUDs at KCC 17.36.090 are stated as:

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to 17.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.

It appears that this application has fulfilled the requirement to file a final development plan (FPUD) within 5 years of approval of the preliminary PUD. However, based on the materials submitted it is not clear whether your application seeks overall final approval of all combined phases or phased approval under Section 2 of KCC 17.36.090 as follows:

2. Filing of final development plan - Phased PUDs. Applicants may develop a planned unit development in phases, provided a phasing plan is approved as part of the initial application. In such cases, a final development plan shall be submitted for phases in the time limit established in the approved phasing plan, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD phase is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.

This is an important distinction for two reasons. Firstly, whether you are seeking a FPUD for all combined phases or only a FPUD for Phase 1, the timelines of KCC 17.36.090(7) apply. These timelines, as stated below, require that you apply for final approval prior to December 31, 2017, and that implementing permits shall be submitted within 2 years of the FPUD.

6. Timeframe for implementing permits. Implementing permits, including land divisions for lot sales or building permits when there is no associated land division shall be submitted within two (2) years of final development plan approval.

7. PUDs approved prior to 2007. Planned unit developments with preliminary development plans approved prior to adoption of the expiration standards contained in Ordinance 2007-22 shall have until December 31, 2017, to submit final development plans and shall be subject to the timeframes established in subsection 6 above for implementing permits. Undeveloped PUDs with final development plans approved prior to 2007 shall have until December 31, 2015, to complete land divisions for lot sales or building permits when there is no associated land division. Failure to obtain final plan or permit approvals or make substantial progress toward such approvals within the time frames in this subsection shall result in expiration without prejudice.

The second reason this distinction is critical in this case is that the application, as submitted, does not provide sufficient information on the FPUD plan and lot layout to recommend approval of all combined phases (Phases 1-3). Below are the applicable code requirements and which areas the application needs to be amended.

Staging Plans and Construction Sequencing

KCC 17.36.040(1) states that the FPUD must include a staging plan describing the timing and sequence of construction for all elements of the plan. Further, these criteria require that the FPUD include:

- 1.A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval.

Your application reference table indicates the sequence plan is attached at C. Our review of Attachment C finds that it a copy of the Phase 1, Division 1 Subdivision creating 14 lots approved by the County in October, 2008. This plat document doesn't give sequence of construction information for the PUD as a whole, nor does it give complete information for the full build out of Phase 1, only 14 lots are shown, yet the FPUD application is clear that 81 lots are proposed in Phase One and 81 more lots each in Phases Two and Three.

In order to meet this criteria for Phase 1-3, at a minimum, the staging plan and construction sequence information needs to cover all 243 lots. If the proposal is only for Phase 1, then the staging and construction sequencing narrative needs to cover all 81 lots in Phase 1.

Maps of the Site

Another area of the application that needs to be augmented is with regards to the criteria at KCC 17.36.040.(2). In response to the criteria, your application references certain attachments as fulfilling those criteria. In several cases it is not clear that the attachment does fulfill the application requirements. Provided below is the criteria from KCC 17.36.040 (2) and how the provided attachment may need to be augmented to fully meet the criteria for approval of the PUD.

2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:

There is not a comprehensive map showing either, all 81 lots in Phase 1 or all 243 lots proposed for Phases 1-3. A schematic map meeting the scale requirements needs to be provided so that it is clear what is being approved. Attachment C is referenced in your application but this addresses only the Phase 1, Division 1 Subdivision.

- a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;

Attachment E addresses road grading but it does not appear to cover all three phases of the PUD nor does it appear on the main map required at a. At a minimum, all proposed roadways, utilities and preliminary grades for either Phase 1 (if seeking phased approval) or Phases 1-3 need to be shown on the map.

- b. Arrangement of all buildings which shall be identified by type;

Attachments B and C depict the range of building types proposed but only for the 14 lots in Division 1. What is not showing is the proposed buildings for all of Phase 1 (if seeking phased approval) or all of Phases 1-3.

- c. Preliminary building plans including floor plans and exterior design and/or elevation views;

Attachment B which shows typical housing styles seems to address this criterion. If additional housing styles are proposed throughout other Phases, these should be provided at Attachment B as well.

- d. Location and number of off-street parking areas including type and estimated cost of surfacing;

Attachment A and E are referenced in the application as being responsive to this criteria. However Attachment A is not a map, it is a narrative only. Attachment E includes roadway surfacing cost estimates but it is not clear that this covers more than Division 1 Phase 1. Further, the paved area needs to be shown on the overall PUD map exhibit, or if seeking phased approval, on the Phase 1 map exhibit.

- e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans.

Same as above, it is not clear that the roadways depicted in Attachment E cover only Phase 1, Division 1 or if they are intended to serve all of Phase 1's 81 lots. This needs to be shown on the required map exhibit.

- f. The location and total area of common open spaces;

Attachments C and K do show the common open spaces although there does not appear to be an area calculation. These open spaces and calculations need to also be reflected on the main map exhibit.

- g. Proposed location of fire protection facilities;

This does not appear to be reflected on any exhibits.

- h. Proposed storm drainage plan;

Attachment G is the Stormwater Pollution Prevention Plan. It appears to apply to all 3 Phases of the PUD. However, the information regarding storm drainage facilities or plans specific to the roadway construction does not appear to cover all Phases of the PUD. This needs to be clarified on the map exhibit required under this above reference section.

Please clarify whether your application is for only Phase 1 or combined Phases 1-3. Additionally, while the submitted application covers many key areas of the final PUD approval, such as the mitigation requirements and in stream work required under the preliminary PUD, the application is must be supplemented with narrative text and exhibits that are responsive to KCC 17.36.040 (2).

Let me know if you have any questions or would like to meet to discuss the necessary resubmittal and timing for Board review.

Sincerely,



Robert "Doc" Hansen
Planning Official

THE RANCH ON SWAUK CREEK
PO BOX 808
CLE ELUM, WA 98922

TERRADESIGN WORKS
CHAD BALA
PO BOX 462
ROSYLN, WA 98941

WASHINGTON STATE DOT
RICK HOLMSTROM
PO BOX 12560
YAKIMA, WA 98909

JEFF SLOTHOWER
Lathrop, Winbauer, Harrel, Slothower and
Denison
PO BOX 1088
ELLENSBURG, WA 98926

JOHN BUTTERFIELD
61 LESCHI DR
STEILACOOM, WA 98388

SWAUK PINES LLC
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

BRUCE COE
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

RAINBOW VALLEY RANCH LLC
1209 EAST THIRD AVE
ELLENSBURG, WA 98926

US TIMBERLANDS YAKIMA LLC
C/O US TIMBERLAND SERV CO LLC
625 MADISON AVE STE 10-B
NEW YORK, NY 10022

PAUTZKE BAIT CO
PO BOX 36
ELLENSBURG, WA 98926

SANDER MACHAM
5109 WILMINGTON AVE
EVERETTE, WA 98203-3303

BRADLEY BOGART
7560 CALIFORNIA AVE SW
SEATTLE, WA 98136

M WADE WULF
13732 217TH AVE
ISSAQUAH, WA 98027

CHUCK YARBROUGH
250 RANCH RD
CLE ELUM, WA 98922

SEAN LEE
1236 166TH AVE SE
BELLEVUE, WA 98008

JOHN HANSON
1302 SWAUK PRAIRIE RD
CLE ELUM, WA 98922

JANET KORSMOE
250 RANCH RD
CLE ELUM, WA 98922

MERWYN BLANCHARD
520 RANCH RD
CLE ELUM, WA 98922

ERIC WULF
13732 217TH AVE
ISSAQUAH, WA 98027

DEVIN LEE
15250 SE 43RD CT APT H-201
SEATTLE, WA 98006

HORSE CANYON RANCH LLC
210 SPRUCE ST
SAN FRANCISCO, CA 94118

JAMES ELMORE
790 BURK RD
CLE ELUM, WA 98922

KLYE WANG
3130 LAKEWOOD AVE S
SEATTLE, WA 98144

JOHN SCHNEIDER
188 W ANDERSON RD
SEQUIM, WA 98382

MARY ANN JACKSON
8212 DOROTICH ST
GIG HARBOR, WA 98332

PHILLIP MYERS
6567 BERMUDA GREEN CT
ALEXANDRIA, WA 22312

PETER AHLES
PO BOX 896
CLE ELUM, WA 98922

THE HENLEY GROUP LTD
10036 VALMAY AVE NW
SEATTLE, WA 98177

CARLA THOMAS
911 ROBBINS RD
ELLENSBURG, WA 98926

O' CALLAHAN FAMILY HOLDINGS
555 SKIFF CIRCLE
REWOOD SHORES, CA 94060

AMERICAN FOREST RESOURCES LLC
% TIMBER RESOURCE SERVICES LLC
6400 HIGHWAY 66
KLAMATH FALLS, OR 97601

RANCH ON SWAUK CREEK LLC, THE
1890 NELSON SIDING RD
CLE ELUM, WA 98922

WEARNE, KATHRYN L ET VIR
715 79TH DR NE
EVERETT, WA 98205

HENLEY GROUP, LTD. THE
10036 VALMAY AVE NW
SEATTLE, WA 98177

BOGART, BRADLEY
7560 CALIFORNIA AVE SW
SEATTLE, WA 98136

MYERS, PHILIP M.
6567 BERMUDA GREEN CT
ALEXANDRIA, VA 22312

RAINBOW VALLEY RANCH LLC
1209 EAST THIRD AVE
ELLENSBURG, WA 98926

YARBROUGH, D CHUCK
250 RANCHES RD
CLE ELUM, WA 98922

LEE, SEAN
1236 166TH AVE SE
BELLEVUE, WA 98008

KORSMOE, JANET M & STAMBAUGH, DAVID
M
430 RANCH RD
CLE ELUM, WA 98922

BLANCHARD, MERWYN D
520 RANCH ROAD
CLE ELUM, WA 98922

MC GUIRE, PATRICK &
% EDELMAN WILHOITE, MELANIE
1505 5TH AVE #600
SEATTLE, WA 98101

LEE, DEVIN M ETUX
15250 SE 43RD CT APT H-201
SEATTLE, WA 98006

SWAUK PINES LLC
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

Cle Elum- Roslyn School District 404
Administrative Office
2690 SR 903
Cle Elum, WA 98922

Washington Dept. of Ecology
Polly Zehm
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

Washington Dept. of Ecology
David F. Dietzman
P.O. Box 47015
Olympia, WA 98504-7015

WA Dept. of Natural Resources
713 E. Bowers Rd.
Ellensburg, WA 98926

WA Dept. Fish and Wildlife
Brent Renfrow/ Mark Teske
201 N. Pearl
Ellensburg, WA 98926

Yakama Nation
P.O. Box 151
Toppenish, WA 98948

Yakama Nation Dept. of Natural Resources
P.O. Box 151
Toppenish, WA 98948

Kittitas County Board of County
Commissioners

Kittitas County Sheriffs Dept.

James E Brooks Library
Documents Dept.
400 E. University Way
Ellensburg, WA 98926 MS-7548

Kittitas County Enforcement and Investigation

Kittitas County Environmental Health

Kittitas County Solid Waste Programs

Kittitas County Public Works

Washington State Department of
Archaeology & Historic Preservation
1063 S. Capitol Way, Suite 106
Olympia, WA 98501

KCFD #7 (Upper)
3022 Upper Point Road
Cle Elum, WA 98922

Marty Mauney
713 Bowers Road
Ellensburg, WA 98926

WEC
PO Box 394
South Cle Elum, WA 98943

WDFW
Ken Bevis
1701 S 24th Ave
Yakima, WA 98902-5720

Patrick McGuire
Melanie Wilhoite
1505 5th Ave #600
Seattle, WA 98101

James Hanson
909 Seattle Ave
Ellensburg, WA 98926

James Hanson
1300 Swauk Prairie Road
Cle Elum, WA 98922

THE RANCH ON SWAUK CREEK
PO BOX 808
CLE ELUM, WA 98922

TERRADESIGN WORKS
CHAD BALA
PO BOX 462
ROSYLN, WA 98941

WASHINGTON STATE DOT
RICK HOLMSTROM
PO BOX 12560
YAKIMA, WA 98909

JEFF SLOTHOWER
Lathrop, Winbauer, Harrel, Slothower and
Denison
PO BOX 1088
ELLENSBURG, WA 98926

JOHN BUTTERFIELD
61 LESCHI DR
STEILACOOM, WA 98388

SWAUK PINES LLC
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

BRUCE COE
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

RAINBOW VALLEY RANCH LLC
1209 EAST THIRD AVE
ELLENSBURG, WA 98926

US TIMBERLANDS YAKIMA LLC
C/O US TIMBERLAND SERV CO LLC
625 MADISON AVE STE 10-B
NEW YORK, NY 10022

PAUTZKE BAIT CO
PO BOX 36
ELLENSBURG, WA 98926

SANDER MACHAM
5109 WILMINGTON AVE
EVERETTE, WA 98203-3303

BRADLEY BOGART
7560 CALIFORNIA AVE SW
SEATTLE, WA 98136

M WADE WULF
13732 217TH AVE
ISSAQUAH, WA 98027

CHUCK YARBROUGH
250 RANCH RD
CLE ELUM, WA 98922

SEAN LEE
1236 166TH AVE SE
BELLEVUE, WA 98008

JOHN HANSON
1302 SWAUK PRAIRIE RD
CLE ELUM, WA 98922

JANET KORSMOE
250 RANCH RD
CLE ELUM, WA 98922

MERWYN BLANCHARD
520 RANCH RD
CLE ELUM, WA 98922

ERIC WULF
13732 217TH AVE
ISSAQUAH, WA 98027

DEVIN LEE
15250 SE 43RD CT APT H-201
SEATTLE, WA 98006

HORSE CANYON RANCH LLC
210 SPRUCE ST
SAN FRANCISCO, CA 94118

JAMES ELMORE
790 BURK RD
CLE ELUM, WA 98922

KLYE WANG
3130 LAKEWOOD AVE S
SEATTLE, WA 98144

JOHN SCHNEIDER
188 W ANDERSON RD
SEQUIM, WA 98382

MARY ANN JACKSON
8212 DOROTICH ST
GIG HARBOR, WA 98332

PHILLIP MYERS
6567 BERMUDA GREEN CT
ALEXANDRIA, WA 22312

PETER AHLES
PO BOX 896
CLE ELUM, WA 98922

THE HENLEY GROUP LTD
10036 VALMAY AVE NW
SEATTLE, WA 98177

CARLA THOMAS
911 ROBBINS RD
ELLENSBURG, WA 98926

O' CALLAHAN FAMILY HOLDINGS
555 SKIFF CIRCLE
REWOOD SHORES, CA 94060

AMERICAN FOREST RESOURCES LLC
% TIMBER RESOURCE SERVICES LLC
6400 HIGHWAY 66
KLAMATH FALLS, OR 97601

RANCH ON SWAUK CREEK LLC, THE
1890 NELSON SIDING RD
CLE ELUM, WA 98922

WEARNE, KATHRYN L ET VIR
715 79TH DR NE
EVERETT, WA 98205

HENLEY GROUP, LTD. THE
10036 VALMAY AVE NW
SEATTLE, WA 98177

BOGART, BRADLEY
7560 CALIFORNIA AVE SW
SEATTLE, WA 98136

MYERS, PHILIP M.
6567 BERMUDA GREEN CT
ALEXANDRIA, VA 22312

RAINBOW VALLEY RANCH LLC
1209 EAST THIRD AVE
ELLENSBURG, WA 98926

YARBROUGH, D CHUCK
250 RANCHES RD
CLE ELUM, WA 98922

LEE, SEAN
1236 166TH AVE SE
BELLEVUE, WA 98008

KORSMOE, JANET M & STAMBAUGH, DAVID
M
430 RANCH RD
CLE ELUM, WA 98922

BLANCHARD, MERWYN D
520 RANCH ROAD
CLE ELUM, WA 98922

MC GUIRE, PATRICK &
% EDELMAN WILHOITE, MELANIE
1505 5TH AVE #600
SEATTLE, WA 98101

LEE, DEVIN M ETUX
15250 SE 43RD CT APT H-201
SEATTLE, WA 98006

SWAUK PINES LLC
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

Cle Elum- Roslyn School District 404
Administrative Office
2690 SR 903
Cle Elum, WA 98922

Washington Dept. of Ecology
Polly Zehm
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

Washington Dept. of Ecology
David F. Dietzman
P.O. Box 47015
Olympia, WA 98504-7015

WA Dept. of Natural Resources
713 E. Bowers Rd.
Ellensburg, WA 98926

WA Dept. Fish and Wildlife
Brent Renfrow/ Mark Teske
201 N. Pearl
Ellensburg, WA 98926

Yakama Nation
P.O. Box 151
Toppenish, WA 98948

Yakama Nation Dept. of Natural Resources
P.O. Box 151
Toppenish, WA 98948

Kittitas County Board of County
Commissioners

Kittitas County Sheriffs Dept.

James E Brooks Library
Documents Dept.
400 E. University Way
Ellensburg, WA 98926 MS-7548

Kittitas County Enforcement and Investigation

Kittitas County Environmental Health

Kittitas County Solid Waste Programs

Kittitas County Public Works

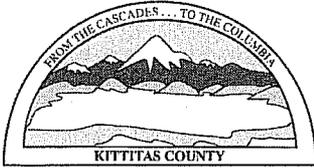
Washington State Department of
Archaeology & Historic Preservation
1063 S. Capitol Way, Suite 106
Olympia, WA 98501

KCFD #7 (Upper)
3022 Upper Point Road
Cle Elum, WA 98922

Marty Mauney
713 Bowers Road
Ellensburg, WA 98926

WEC
PO Box 394
South Cle Elum, WA 98943

WDFW
Ken Bevis
1701 S 24th Ave
Yakima, WA 98902-5720



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

MEMORANDUM

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

FROM: Joanna Valencia, Staff Planner *JV*

DATE: December 15, 2006

SUBJECT: Notice of Decision
Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27)

Pursuant to RCW 36.70B, and KCC 15A.06, notice is hereby given that on December 5th, 2006 the Kittitas County Board of Commissioners signed Ordinance No. 2006-59 approving the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision. Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.

Copies of the Kittitas County Board of Commissioners Ordinance (also attached) and related file documents may be examined at the Kittitas County Community Development Services, 411 North Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

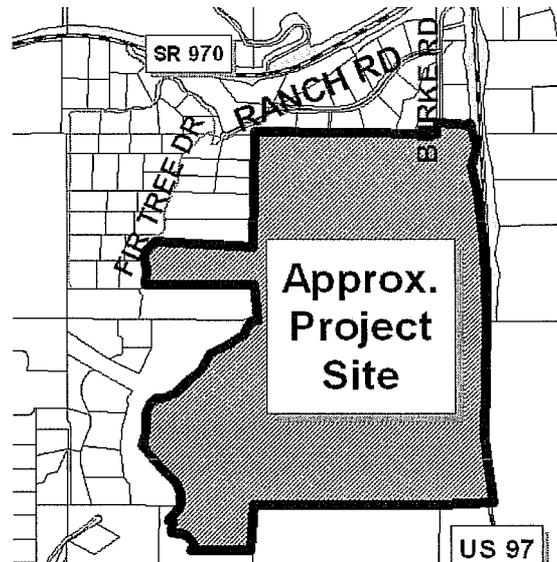
COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

Notice of Decision

Ranch on Swauk Creek Rezone and Preliminary Plat

Pursuant to RCW 36.70B, and KCC 15A.06, notice is hereby given that on December 5th, 2006 the Kittitas County Board of Commissioners signed Ordinance No. 2006-59 approving the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase 1 Division 1, P-06-27, which is a 14-lot subdivision. Proponent: Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006. Copies of the Kittitas County Board of Commissioners Ordinance and related file documents may be examined at the Kittitas County Community Development Services, 411 North Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506.

Dated: December 15, 2006, Publish: December 18, 2006 Daily Record



**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS STATE OF WASHINGTON**

ORDINANCE NO. 2006 - 59

RANCH ON SWAUK CREEK REZONE (Z-06-27) AND PRELIMINARY PLAT (P-06-27)

**IN THE MATTER OF AMENDING THE KITTITAS COUNTY ZONING ATLAS FOR
PORTIONS OF SECTIONS 27, 28, 33, AND 34 OF TOWNSHIP 20 N., RANGE 17 E., FROM
FOREST AND RANGE-20, AGRICULTURE-5, AND AGRICULTURE-3 TO PLANNED UNIT
DEVELOPMENT
AND DIVISION OF A PORTION OF THE PLANNED UNIT DEVELOPMENT LOCATED IN
THE SE 1/4 OF SECTION 28, TOWNSHIP 20N., RANGE 17E., INTO 14 LOTS RANGING IN
SIZE FROM 0.34 TO 0.79 ACRES REFERED TO AS PHASE #1 DIVISION 1 OF THE
PLANNED UNIT DEVELOPMENT**

WHEREAS, according to Kittitas County Code Titles 15A & 17, relating to general rezones, adopted pursuant to RCW 36.70B & 36.70 respectively, and according to Kittitas County Code Title 16, relating to Subdivision of Land, adopted pursuant to RCW 58.17, an open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change consisting of approximately 487.43 acres from Forest and Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD), and a preliminary plat known as Phase #1 Division 1 of the Planned Unit Development and described as follows:

ALL OF AND PORTIONS OF PARCELS LYING WEST OF US HIGHWAY 97 AND SOUTH OF RANCH ROAD AND BURKE ROAD AT 980 BURKE ROAD, CLE ELUM, WA 98922 WITHIN SECTIONS 27, 28, 33, AND 34, described as being portions of sections 27, 28, 33 and 34 of T.20N., R.17E., W.M., in the County of Kittitas, State of Washington; all of map numbers 20-17-28000-0007, 20-17-28000-0006, 20-17-28000-0001, 20-17-28000-0004, 20-17-28000-0003, 20-17-28000-0002, 20-17-28000-0005, 20-17-33000-0001, 20-17-33000-0008, 20-17-33000-0023, 20-17-33000-0025, 20-17-33000-0019, 20-17-28030-0010, 20-17-28030-0011, 20-17-33000-0024, 20-17-33000-0026 and portions of map numbers 20-17-27030-0005, 20-17-27030-0007, 20-17-34000-0002, 20-17-34000-0006, 20-17-27030-0002, 20-17-27030-0009, 20-17-27030-0006, 20-17-27030-0003. And,

WHEREAS, testimony was taken from those persons present who wished to be heard during said open record hearing before the Planning Commission; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such zone change; and,

WHEREAS, the Planning Commission recommended approval of said proposed rezone and preliminary plat in a 4-0 decision; and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on this matter; and,

WHEREAS, the November 7th hearing was continued to November 13th, 2006 where the Board of County Commissioners approved said rezone and preliminary plat with a 3-0 vote and directed staff to prepare enabling documents for Board consideration during the December 5th, 2006 agenda; and,

WHEREAS, the following FINDINGS OF FACT and CONCLUSIONS AT LAW have been made concerning said proposed rezone and preliminary plat:

1. Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners has submitted applications for the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase #1 Division 1, P-06-27, which is a 14-lot subdivision.
2. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch Road and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.
3. Pursuant to KCC 17.36: Planned Unit Development any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed. The submitted application is proposing a phased approach and is as follows:

Phase #1:

A total of 81 lots divided into two segments (divisions)

- Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
- Phase #1 Division 2: 67 lots, Group A Water System and Community Septic

Phase #2

A total of 81 lots, Group A Water System and Community Septic

Phase #3

A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System

Open Space Element for PUD:

The applicant has proposed a total of 146 acres of open space. The proposed open space is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek will be used for continued Agricultural use which includes production of hay, grass and pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.

4. Pursuant to KCC 17.36.040: final development plan for Planned Unit Development, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20.
6. A Notice of Application was issued on August 1, 2006 by Kittitas County Community Development Services. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.
7. Written comments were solicited and the final date to submit written comments was on August 31, 2006 by 5:00pm. Comments were received and have been made part of the project record.
8. Based on the review of the submitted application materials (including an environmental checklist), correspondence received during the 30 day comment period and other information on file with our office, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on September 8, 2006. The SEPA appeal period ended on September 25, 2006 at 5:00 pm. No SEPA Appeals were received.
9. The following are the mitigations contained with the MDNS:

I. Transportation

- A. Access to US-97 for these properties will be via the Burke Road and Bettas Road intersections. No direct access to US-97 will be allowed.
- B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.
- C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.

II. Light and Glare

- A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.

III. Water and Septic

- A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.
- B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.
- C. All development shall comply with the Kittitas County Shoreline Master Program.
- D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.
- E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown

on the final mylars.

- F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.
- G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek.
- H. Storm water and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.
- I. Storm water and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.
- J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for storm water generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.
- K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.
- L. Pond locations shall remain outside of Critical Areas.
- M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.
- N. The applicant will develop a Group "B" water system for Division one of Phase 1 of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division 1 of Phase 1 to the Group "A" water system that will provide water for future divisions and phases of the development.
- O. A Group "A" water system will be planned and constructed as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.
- P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.
- Q. A Class "A" Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of the Class "A" Reclaimed Water Facility as approved by the Washington State Department of Health and the Washington State Department of Ecology.
- R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.
- S. Site grading shall comply with Kittitas County Code 14.08.

IV. Noise

- A. All county noise ordinances shall apply to the project.
- B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the

project hours shall be 7:30am to sunset.

- C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.

V. Land Use and Recreation

- A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.
- B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.
- C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.
- D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.
- E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
- F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.
- G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.

VII. Utilities and Services

- A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.
 - B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.
 - C. The Group "A" Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.
 - D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.
 - E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.
 - F. All parcels located outside of a fire district shall be subject to the International Urban Wildland Interface Code.
 - G. There shall be no parking on all access roadways for the project.
 - H. All development shall comply with the International Fire Code (IFC) and Appendices.
 - I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.
10. An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is within the Swauk Prairie Deer and Ellensburg Mule Deer

Winter Range, and is impacted by shorelines of the state (Swauk Creek), floodplains and wetlands. The following are findings from the review: **Shorelines of the State:** Swauk Creek a shoreline of the state is located on the subject property and it is within the Rural Shoreline Environment per the Kittitas County Shoreline Master Plan. All development will need to comply with the Kittitas County Shoreline Master Plan and KCC 17A: Critical Areas. **100 year flood plain and Wetlands:** Floodplains and Wetlands are located within the subject property, particularly in relation to Swauk Creek. All development will need to comply with the Kittitas County Shoreline Master Plan, KCC 17A: Critical Areas, KCC 14.08: Flood Damage Prevention and SEPA mitigations.

11. An open record hearing was held by the Planning Commission on September 26, 2006 to consider this matter and testimony was taken from those persons who wished to be heard.
12. The proposed rezone is consistent with the underlying Comprehensive Plan designation of Rural.
13. The proposed rezone does meet all seven criteria of Kittitas County Code 17.98.020(E) as outlined below:
 - A. *The proposed amendment is compatible with the comprehensive plan. The proposed Planned Unit Development zone is compatible with the land use designation of rural.*
 - B. *The proposed amendment bears a substantial relation to the public health, safety or welfare. The proposal includes the construction and development of a Group B Well, Community Septic and development of a Class "A" Water and a Class "A" Reclaimed Water Facility to serve the proposed project. All proposed infrastructure shall be constructed and approved by appropriate government entities.*
 - C. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county. It provides for a potential for an increased tax revenue/tax base and allows for a mixture of densities in the Rural land use designation and it is recognized that different zones are allowed.*
 - D. *The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20. The Rural land use designation allows for a mixture of densities and zones.*
 - E. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone. The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20. The Planned Unit Development allows for development in conformance for the zone and creation of open space for continuing use in Agriculture and preservation of areas affected by critical areas.*
 - F. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20. The surrounding area includes a mixture of uses which includes residential, agriculture and natural resource.*

- G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties. Irrigation deliveries will not be impacted and the project will conform with existing adjudication requirements to ensure that downstream delivery is not impacted. Irrigation deliveries will not be impacted.*
14. Additional conditions are necessary to protect the public's interest.
 15. All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.
 16. The following conditions shall apply for the Phase #1 Division 1 preliminary plat:
 - A. On Site Sewage: Soil logs need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in your plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and do not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.
 - B. Proof of potable water must be shown prior to final plat approval.
 - C. For final approval of a Group "B" Public Well, Kittitas County Environmental Health Department must first perform a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval. The well must be drilled and/or located within the subdivision boundaries, all infrastructure completed and within the utility corridors, the workbook and all related documentation including testing and satisfactory results must be submitted, reviewed and approved. Concurrence from the State Department of Health and issuance of a well ID number will complete the requirement.
 - D. The project shall provide adequate road access to the site and will conform to all Kittitas County Road Standards.
 - E. The project shall comply with the requirements of Kittitas County Code 16.18: Irrigation and Sprinkling.
 - F. Both sheets shall reflect: Ranch on Swauk Creek Planned Unit Development Phase #1 Division 1, P-06-27.
 - G. Full year's taxes must be paid on applicable tax parcels per Kittitas County Treasurer's requirements.
 - H. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
 - I. All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.
 17. Public testimony was heard.

NOW THEREFORE,

BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby approve said zone change consisting of approximately 487.43 acres from Forest and Range-20, Agriculture-5 and Agriculture-3 to

Planned Unit Development (PUD) known as the Ranch on Swauk Creek Rezone (Z-06-27), and a preliminary plat designated as Phase 1 Division 1 of the Planned Unit Development, known as the Ranch on Swauk Creek Preliminary Plat (P-06-27), and does hereby authorize the amendment of the Kittitas County Zoning Map as set forth in attached Exhibit A and B and does hereby approve the proposed development configuration for the preliminary plat as set forth in attached Exhibit C and D.

DATED this 5th day of December, 2006 at Ellensburg, Washington.



**ATTEST:
CLERK OF THE BOARD**

Julie A. Kjorsvik
Julie A. Kjorsvik

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

David B. Bowen
David B. Bowen, Chairman

Alan A. Crankovich
Alan A. Crankovich, Vice-Chairman

APPROVED AS TO FORM:

Greg Zempel WSBA #19125

Perry D. Huston
Perry D. Huston, Commissioner

Exhibit B: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27), Rezone Maps

2

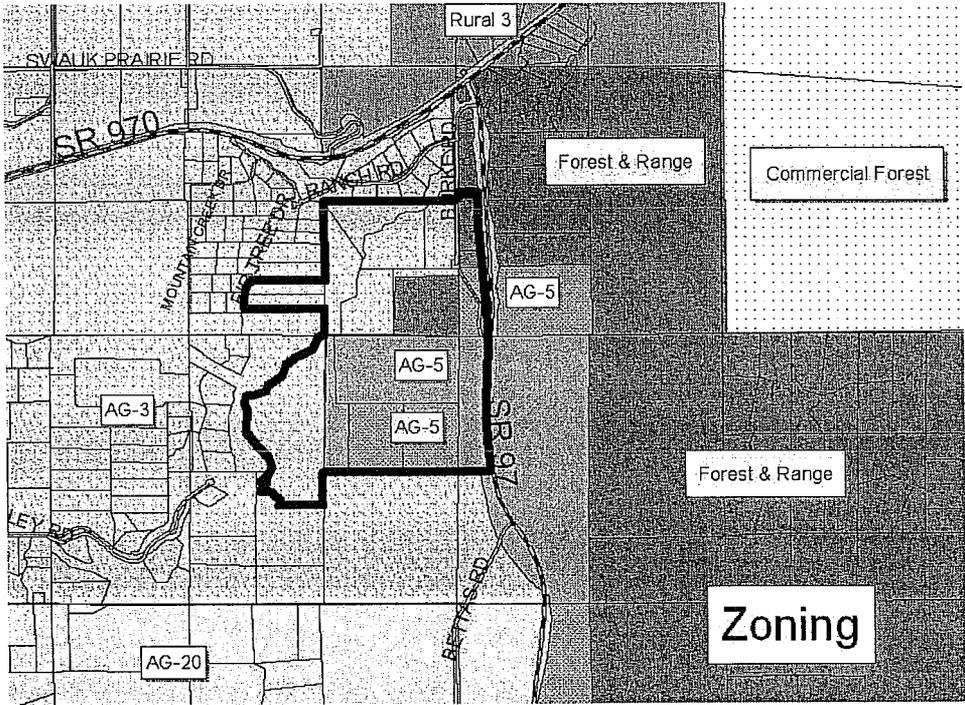
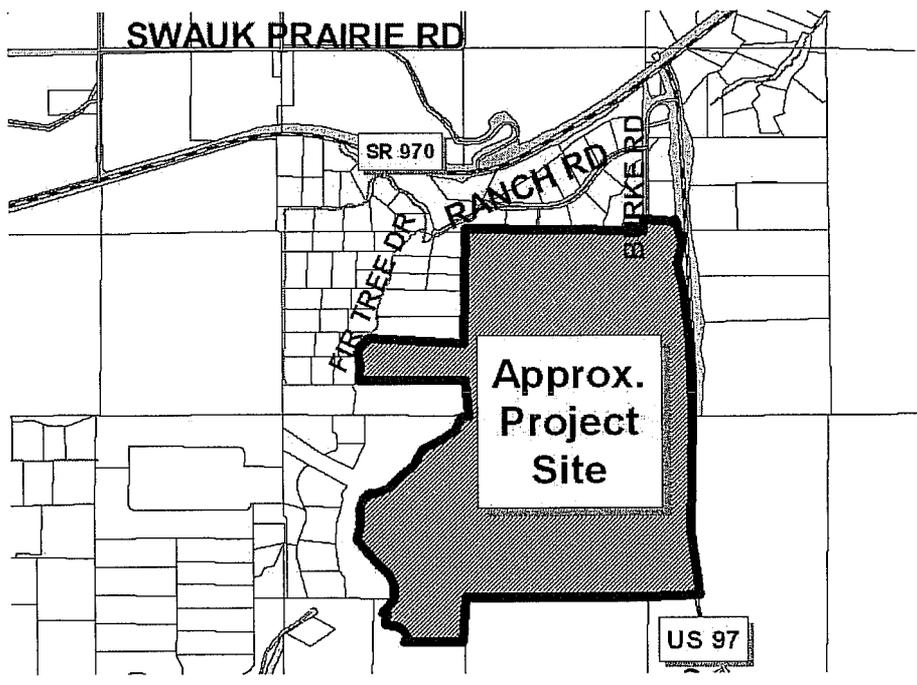


Exhibit C: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27), Preliminary Plat Map 1

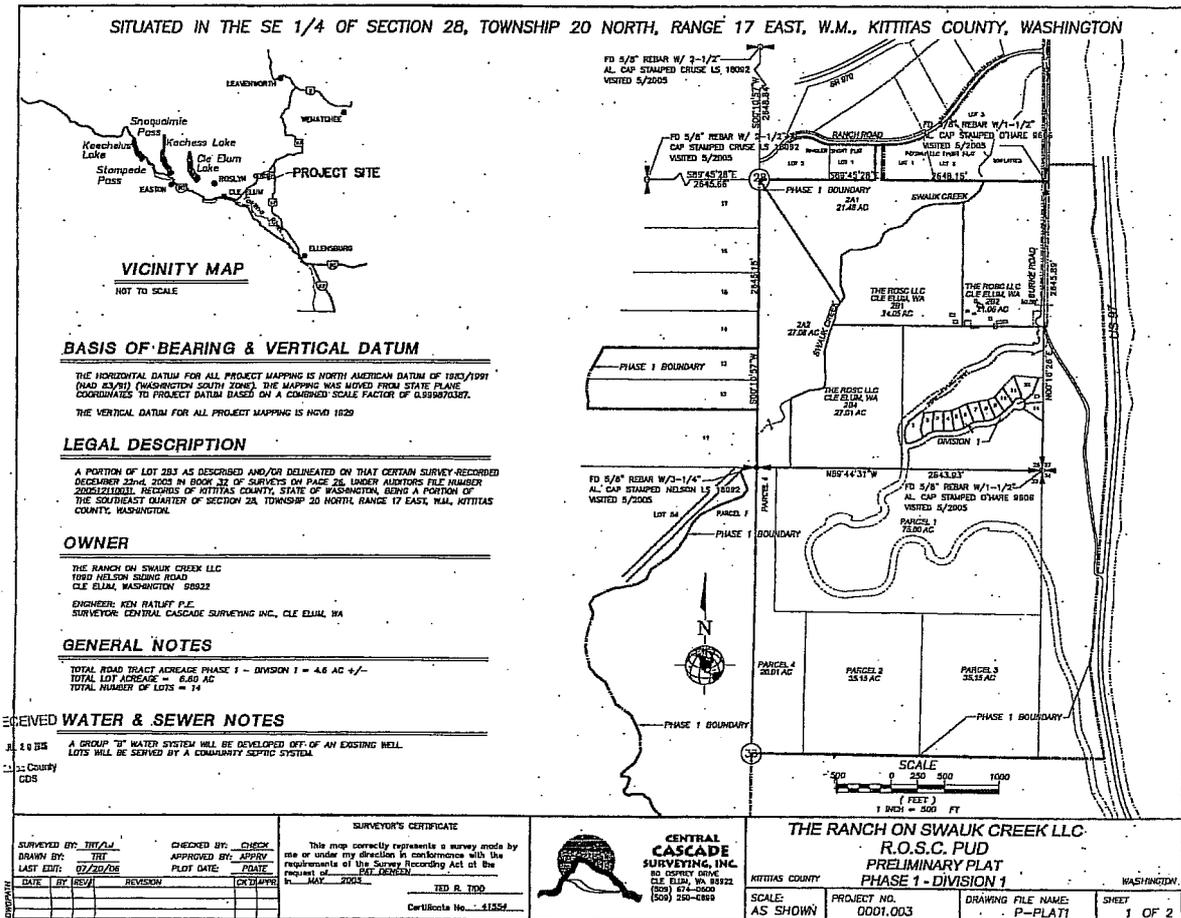
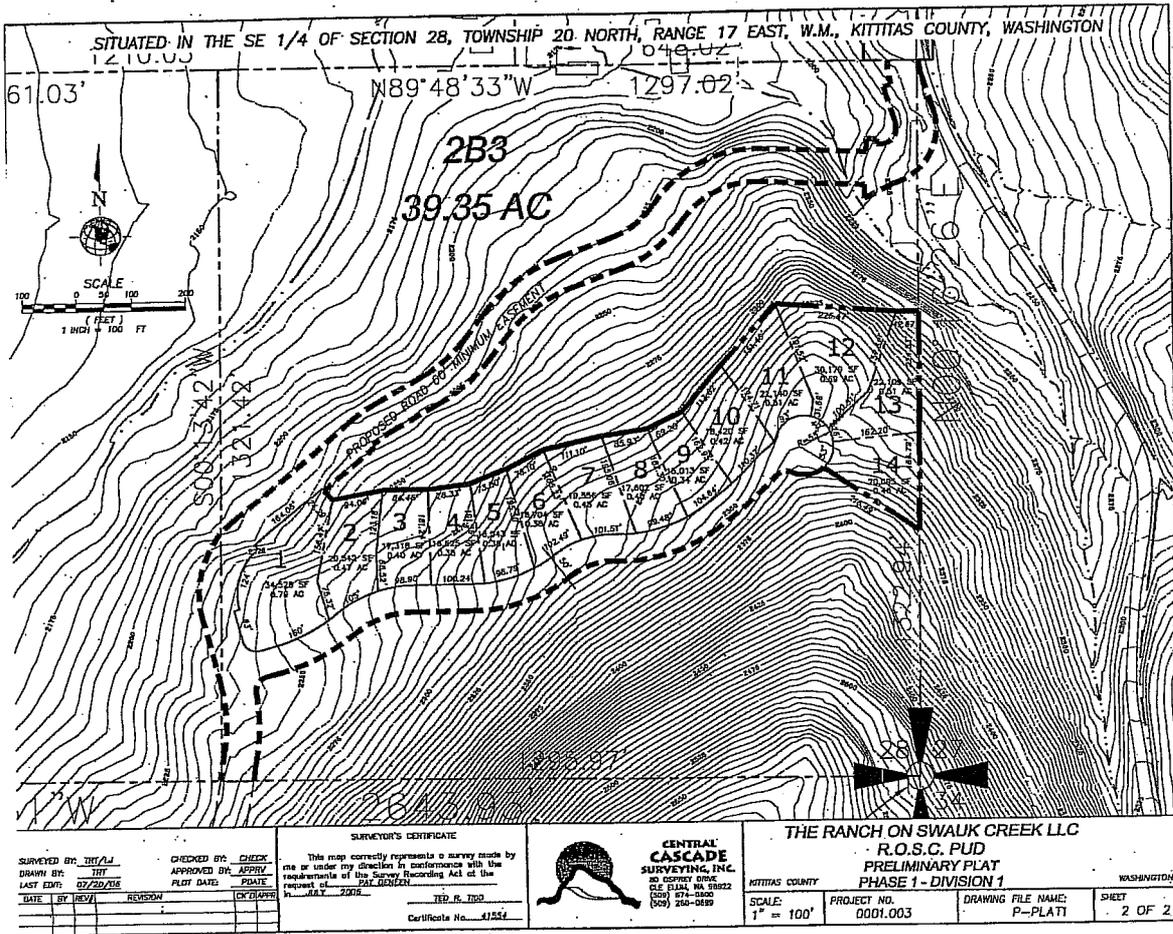


Exhibit D: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27), Preliminary Plat Map 2



SURVEYED BY: TRAJ DRAWN BY: TRAJ LAST EDIT: 07/20/06		CHECKED BY: CHEEK APPROVED BY: SPERRY PLOTT DATE: PLATE DATE BY REV REVISION --- --- --- ---		SURVEYOR'S CERTIFICATE This map correctly represents a survey made by me or under my direction in accordance with the requirements of the Survey Recording Act of the request of: PAL INDUSTRIES TED R. 7000 Certificate No. 41254		 CENTRAL CASCADE SURVEYING, INC. 20 OSPEY DRIVE CLE ELIOT WA 98222 (509) 674-0400 (509) 260-0889		THE RANCH ON SWAUK CREEK LLC R.O.S.C. PUD PRELIMINARY PLAT PHASE 1 - DIVISION 1 KITTITAS COUNTY WASHINGTON		SCALE: 1" = 100' PROJECT NO. 0001.003 DRAWING FILE NAME: P-PLAT1 SHEET 2 OF 2	
---	--	--	--	---	--	--	--	--	--	--	--

THE RANCH ON SWAUK CREEK
PO BOX 808
CLE ELUM, WA 98922

TERRADESIGN WORKS
CHAD BALA
PO BOX 462
ROSYLN, WA 98941

WASHINGTON STATE DOT
RICK HOLMSTROM
PO BOX 12560
YAKIMA, WA 98909

JEFF SLOTHOWER
Lathrop, Winbauer, Harrel, Slothower and
Denison
PO BOX 1088
ELLENSBURG, WA 98926

O' CALLAHAN FAMILY HOLDINGS
555 SKIFF CIRCLE
REWOOD SHORES, CA 94060

SWAUK PINES LLC
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

BRUCE COE
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

BRADLEY BOGART
7560 CALIFORNIA AVE SW
SEATTLE, WA 98136

JOHN HANSON
1302 SWAUK PRAIRIE RD
CLE ELUM, WA 98922

RANCH ON SWAUK CREEK LLC, THE
1890 NELSON SIDING RD
CLE ELUM, WA 98922

Bonneville Power Administration
Attn. Mari Rosales
2410 E Hawthorne Rd.
Mead, WA 99021

BLANCHARD, MERWYN D
520 RANCH ROAD
CLE ELUM, WA 98922

Department of Ecology
Environmental Review Section
PO Box 47703
Olympia, WA 98504-7703

SWAUK PINES LLC
3942 HIDDEN VALLEY RD
CLE ELUM, WA 98922

State of WA
Dept. of Archaeology & Historic Preservation
Attn: Stephenie Kramer
PO Box 48343
Olympia, WA 98504-8343

Washington Dept. of Ecology
Polly Zehm
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

Washington Dept. of Ecology
David F. Dietzman
P.O. Box 47015
Olympia, WA 98504-7015

WA Dept. of Natural Resources
713 E. Bowers Rd.
Ellensburg, WA 98926

WA Dept. Fish and Wildlife
Brent Renfrow/ Mark Teske
201 N. Pearl
Ellensburg, WA 98926

Yakama Nation
P.O. Box 151
Toppenish, WA 98948

Yakama Nation Dept. of Natural Resources
P.O. Box 151
Toppenish, WA 98948

Kittitas County Enforcement and Investigation

Kittitas County Environmental Health

Bonneville Power Administration
Spokane Regional Office
Attn: Kim Kokko
2410 East Hawthorne Road
Mead, WA 99021

Kittitas County Public Works

Washington State Department of
Archaeology & Historic Preservation
1063 S. Capitol Way, Suite 106
Olympia, WA 98501

KCFD #7 (Upper)
3022 Upper Point Road
Cle Elum, WA 98922

Marty Mauney
713 Bowers Road
Ellensburg, WA 98926

Jan Sharar
390 Cattail Road
Ellensburg, WA 98926

WDFW
Ken Bevis
1701 S 24th Ave
Yakima, WA 98902-5720

Patrick McGuire
Melanie Wilhoite
1505 5th Ave #600
Seattle, WA 98101

James Hanson
909 Seattle Ave
Ellensburg, WA 98926

James Hanson
1300 Swauk Prairie Road
Cle Elum, WA 98922

Roger Olson
2130 Nelson Siding Road
Cle Elum, WA 98922

CULTURAL RESOURCES SURVEY COVER SHEET

Author: Tucker O. Orvald, M.S.

Tucker O. Orvald

Title of Report: Cultural Resources Inventory Report Addendum for the Ranch on
Swauk Creek, LLC Forest Practices Application 05-08 Kittitas
County, Washington

Date: June 2007

County: Kittitas Sections: 27, 28, 33 & 34 Township: 20 North Range: 17 East

Quad: Swauk Prairie, Washington, provisional edition 1985 Acres: 1

CD submitted? Yes No

Does this replace a draft? Yes No

Sites Found? Yes No

TCP(s) found? Yes No

DAHP Archaeological Sites: 45KT2712 & 45KT2712

RECEIVED

JUL 30 2007

KITTITAS COUNTY
CDS

(+) Results
Kittitas County, Washington
Swauk Prairie, WA 7.5' Quad 1985
T20N-R17E, Sections 27, 28, 33 & 34
Project Acreage: 1

CULTURAL RESOURCES INVENTORY REPORT ADDENDUM
FOR THE RANCH ON SWAUK CREEK, LLC
FOREST PRACTICES APPLICATION 05-08
KITTTITAS COUNTY, WASHINGTON

Prepared for

THE RANCH ON SWAUK CREEK, LLC
1890 Nelson Siding Road
Cle Elum, WA 98922

Prepared by

Tucker O. Orvald, M.S.
NORTHWEST GEOCULTURAL CONSULTING
804 North B Street
Ellensburg, WA 98926

June 2007

CONTENTS

1.	INTRODUCTION	1
1.1	DAHP RESPONSE	2
1.2	NGC RESPONSE	4
2.	RESULTS	5
2.1	MCCALLUM GRAVES SITE INVENTORY FORM	5
2.2	45KT2712 CONTEXT	7
2.2.1	Swauk Prairie	8
2.2.2	Virden Farmstead	10
2.2.3	Virden the Miner	12
2.2.4	The Virden School	13
2.2.5	The Burke Ranch	13
2.3	45KT2712 SHOVEL PROBING	15
2.4	45KT2712 INVENTORY & MONITORING	17
3.	SUMMARY	18
4.	REFERENCES CITED	19
5.	APPENDIX A - DAHP LETTER TO KITTITAS COUNTY	20
6.	APPENDIX B - MCCALLUM GRAVES SITE FORM	22
7.	APPENDIX C - 45KT2712 ARTIFACT INVENTORY	33

LIST OF FIGURES

Figure 1. Project boundary for FPA 05-08 forestry activities & road construction.	2
Figure 2. McCallum homestead and graves (USDI 1897).	5
Figure 3. T20N-R17E GLO map of Swauk Creek cultural landscape (USDI 1894).	9
Figure 4. Virden log home with windmill, barn, and outbuilding (KCCC 1989).	11
Figure 5. Post-1902 image of Virden house, barn, and outbuildings (KCCC 1989).	12
Figure 6. ‘Virden’s Arrastra’ in Ellensburg Daily Record article, July 16, 1975.	13
Figure 7. Virden farm during Pat and Mary Burke ownership (KCCC 1989).	14
Figure 8. Modern image of Virden farm, 11/9/06 image by author.	14
Figure 9. Screening at shovel probe-2 west of Locus I, KT2712.	15
Figure 10. Site plan map for KT2712 with shovel probes and ROW upper edge.	16

PROJECT INFORMATION

Contracting Sponsor

The Ranch on Swauk Creek, LLC is the contracting sponsor and is responsible for cultural resources.

Lead Government Agency

The Kittitas County Development Services Department and the Washington State Department of Natural Resources (DNR) are the lead state government agencies.

Legal Location

Township 20 North, Range 17 East: SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 27, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of SE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 28, NE $\frac{1}{4}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33, and W $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34, based on the Willamette Meridian.

USGS Quadrangle

Swauk Prairie, Washington, 7.5' Series, provisional edition 1985.

Nature of Undertaking

Forest Practices Application/Notification with a Class IV Forest General Conversion Practices Application (FPA).

Landowner

The Ranch on Swauk Creek, LLC – Kittitas County Parcel No. 800058711.

Consultations

Pursuant to WAC 222-20-120, the Washington State Department of Natural Resources and the Kittitas County Development Services Department notified members of the Yakama Nation Cultural Resources Program of the Ranch on Swauk Creek Forest Practices Application.

Location of Project Data

All project related data are on file at the Northwest Geocultural Consulting office in Ellensburg, Washington.

1. INTRODUCTION

This report addendum addresses Department of Archaeology and Historic Preservation (DAHP) comments made to Kittitas County Community Development Services regarding a review of three documents: Department of Natural Resources (DNR) Forest Practice Application/Notification (FPA) 05-08, a State Environmental Policy Act (SEPA) environmental checklist, and a Northwest Geocultural Consulting (NGC) report of findings for a FPA 05-08 cultural resources inventory (Orvald 2006).

The Ranch on Swauk Creek, LLC (ROSC) is developing its Kittitas County timberland holdings in Hidden Valley and upper Horse Canyon in Sections 27, 28, 33 and 34 of Township 20 North, Range 17 East. The ROSC project includes construction of a paved roadway to access the property for forest thinning and timber harvesting and future residential development. In April 2006, ROSC contracted NGC to conduct a cultural resources records review and pedestrian archaeological survey for its FPA 05-08 project boundary to fulfill its obligations to the Yakama Indian Nation under WAC 222-20-120 (Figure 1). An element of the agreement between NGC and ROSC included archaeological construction monitoring for initial disturbance activities within the proposed access roadway right-of-way.

In May 2006, NGC conducted archival research and systematic archaeological pedestrian survey for the FPA project boundary depicted in the DNR application and the extent of the new access roadway right-of-way later staked by a ROSC survey contractor. As a result of historic records review and systematic pedestrian survey, NGC identified one talus pit feature site (with two pits), one historic refuse scatter/dump, and the McCallum Family grave plot (Orvald 2006). The talus pit site and the historic refuse scatter are located within the greater FPA boundary polygon; the McCallum Graves lie outside of the access roadway Area of Potential Effect, south of the main FPA boundary. Archaeological construction monitoring for installation of the access roadway progressed over the summer without identification of cultural resources.

NGC filled out Washington State inventory forms for the two archaeological sites, and ROSC submitted them to DAHP with a report of findings (Orvald 2006). DAHP issued trinomial number 45KT2711 for the talus pit site and number 45KT2712 for the historic refuse scatter. Talus pit feature site KT2711 lies in a rocky, sloping area that is not likely to be affected by forestry activities or by future residential development. Historic refuse scatter KT2712 is located within the right-of-way for the new access roadway; an existing dirt road bisects the site. Although NGC mentioned the McCallum Graves in the original 2006 report, NGC did

not fill out an inventory form. The McCallum Graves are depicted on the USGS Swauk Prairie 7.5' quadrangle with a "cross" symbol.

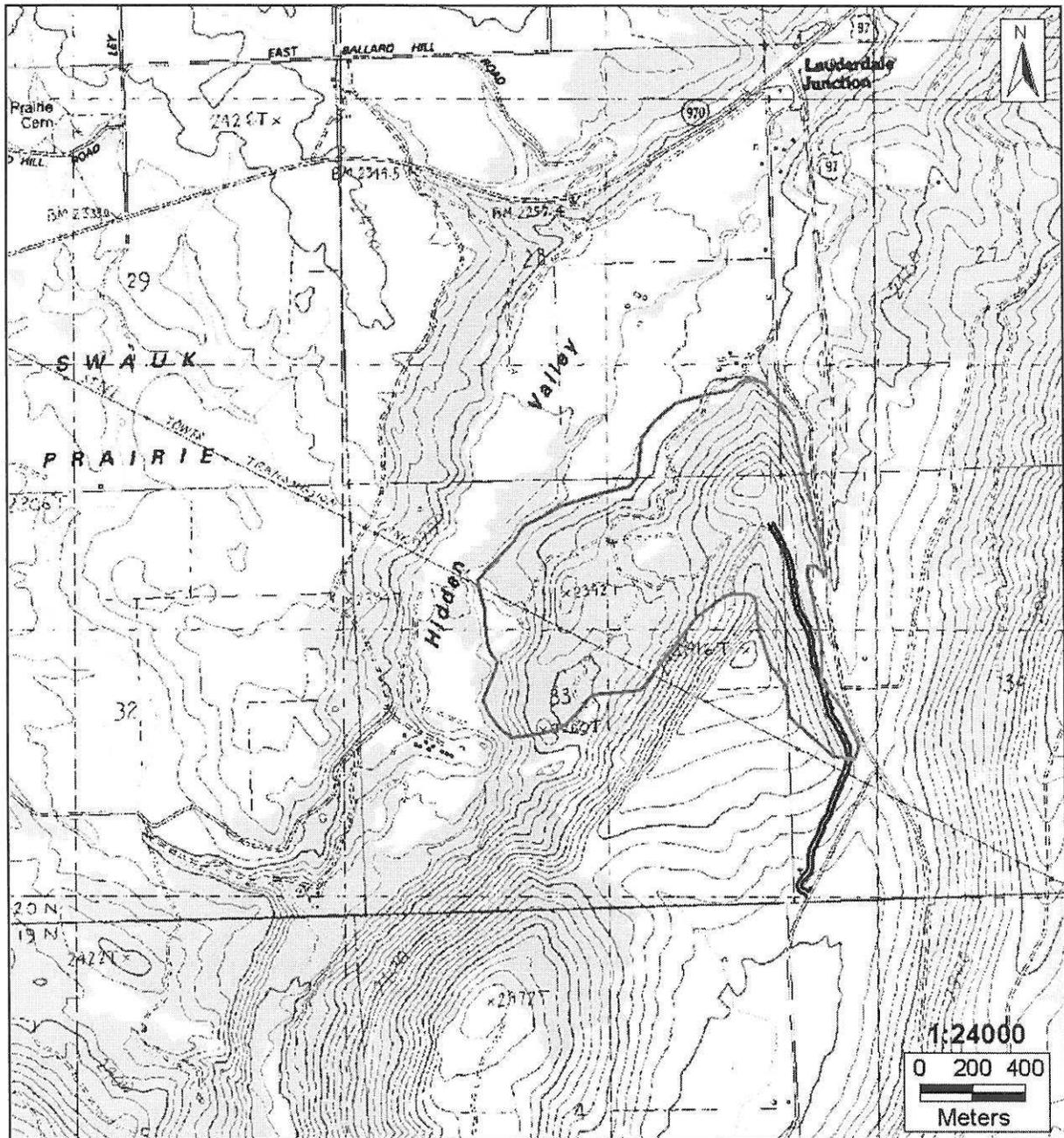


Figure 1. Project boundary for FPA 05-08 forestry activities & road construction.

1.1 DAHP RESPONSE

Following a conference call between ROSC proponent Chad Bala, of Terra Design Group, Inc., Yakama Nation TFW Archaeologist, David Powell, and Assistant State Archaeologist, Stephenie Kramer, DAHP responded to submission of the FPA 05-08 application, a SEPA

checklist, and the 2006 NGC report of findings (Appendix A). DAHP required additional information, and made six requests to Kittitas County Community Development Services regarding both the ROSC forest practice activities and its residential development plans (Table 1). The response and the six requests reference two state land use regulatory compliance requirements, the Forest Practices Application- Notification process and the Washington State Environmental Policy Act process.

Table 1. DAHP requests for Kittitas County Community Development Services.

-
1. We will need a site inventory form to be submitted for the McCallum Graves discussed in the report.
 2. We will need a historic property inventory form to be submitted for the 1897 Virden home.
 3. We concur that the talus pit site should be avoided and protected in place.
 4. The historic debris scatter ROSC-001 [45KT2712] appears to be an ephemeral scatter, based on surface investigation only. We do need some more information about the refuse scatter and its connection to the Virden family because they are not fully discussed in the text of the report. The report should document more in-depth details about the Virden farmstead, and the family's significance in the community.
 5. Before finishing the road, we request that the archaeologist dig the shovel probes per the recommendation on page 18 to determine if site ROSC-001 [45KT2712] is present in that area, and the depth of the site, if present. If the site has depth and is more than an ephemeral surface scatter, more documentation may need to be done prior to removing the artifacts and installing the road.
 6. The extent of the post-timber harvest developments are not entirely clear, and whether or not these activities have been surveyed for archaeological resources. Any future or further proposed developments outside of the timber harvest area should be surveyed for archaeological resources prior to project commencement. A copy of the report should be sent to the agency and the Yakama Nation for review.
-

DAHP Log 040706-12-KT

While ROSC contracted Northwest Geocultural Consulting to perform a cultural resources inventory for the FPA boundary, it did not request a review of the development area referenced in the SEPA checklist. The FPA document provided to NGC accurately depicted the extent of the timber harvest area; however it did not include the extent of the access roadway connecting the southeast area of the harvest boundary with Bettas Road, within

upper Horse Canyon basin. ROSC provided NGC with a copy of the eight-page DNR-SEPA Environmental Checklist, although project maps depicting the SEPA checklist boundary were not included.

These omissions generated some confusion during the conference call, as the report of findings from NGC addressed the FPA 05-08 boundary and not the extent of the SEPA checklist project area. At the time of the conference call, Ms. Kramer held all three documents, with maps. The NGC report of findings addressed the restrictive FPA project area, and the SEPA checklist addressed a larger division of the full ROSC development property area. This discrepancy is evident in request number six, where the “the extent of the post-timber harvest developments are not entirely clear.” To date, NGC is not aware of the boundary for SEPA checklist. It is clear from the historic background research for the FPA 05-08 boundary that at least two homesteads and the McCallum Graves are located within the general area.

The initial ROSC Forest Practice Application contained a shoreline substantial development permit application, SSDP-05-01; however, on February 23, 2006 ROSC amended the FPA to no longer include SSDP-05-01. The amended FPA included a revised SEPA document, which excluded any reference to a shoreline substantial development permit.

1.2 NGC RESPONSE

This addendum report addresses the DAHP letter to Kittitas County Community Development Services and to ROSC for additional information regarding the FPA 05-08 cultural resources survey and the NGC report of findings (Orvald 2006). In this addendum report, we attend to request *Number I*, for a McCallum Graves site inventory form, request *Number IV*, for additional contextual information on historic refuse scatter KT2712 and its relationship with the Virden Farmstead, and request *Number V*, for shovel probe excavation at KT2712 to determine its horizontal and vertical extent within the access roadway right-of-way (Orvald 2006:18). These three requests are the focus of additional fieldwork and background research conducted in August and September of 2006.

DAHP request *Number II*, for a Virden house historic property form, is beyond the scope of work defined between NGC and ROSC, and needs to be addressed in a separate investigation. The Virden house is part of the Virden farmstead, and although it has relevance to historic refuse scatter KT2712, it lies outside of the FPA boundary. The Virden house, its related structures, and the surrounding agricultural fields lie within the ROSC residential development area addressed by SEPA documentation. ROSC is actively developing the farmstead as the center of its residential community, with the Virden House as an office and

the refurbished Virden Barn as a gathering place. Request *Number III* addresses talus pit site KT2711. The request is of no consequence, as it represents DAHP concurrence with recommendations by NGC, which are endorsed by ROSC (Orvald 2006:19). ROSC will preserve the talus pit site. Request *Number VI* is also beyond the scope of work for the formal NGC – ROSC agreement, as it addresses the greater ROSC residential development.

2. RESULTS

2.1 McCALLUM GRAVES SITE INVENTORY FORM

The McCallum Graves comprise a small, historic family interment plot with a fenced enclosure, holding four grave markers and presumably, six descendents. Five of the six interments are for members of the McCallum family and one is for a family associate. The cemetery is named for Swauk Creek pioneers Peter and Sarah (Harrison) McCallum, who in 1882, homesteaded 160 acres of the southwest quarter of Section 34 in Township 20 North, Range 17 East, W.M. (Figure 2).

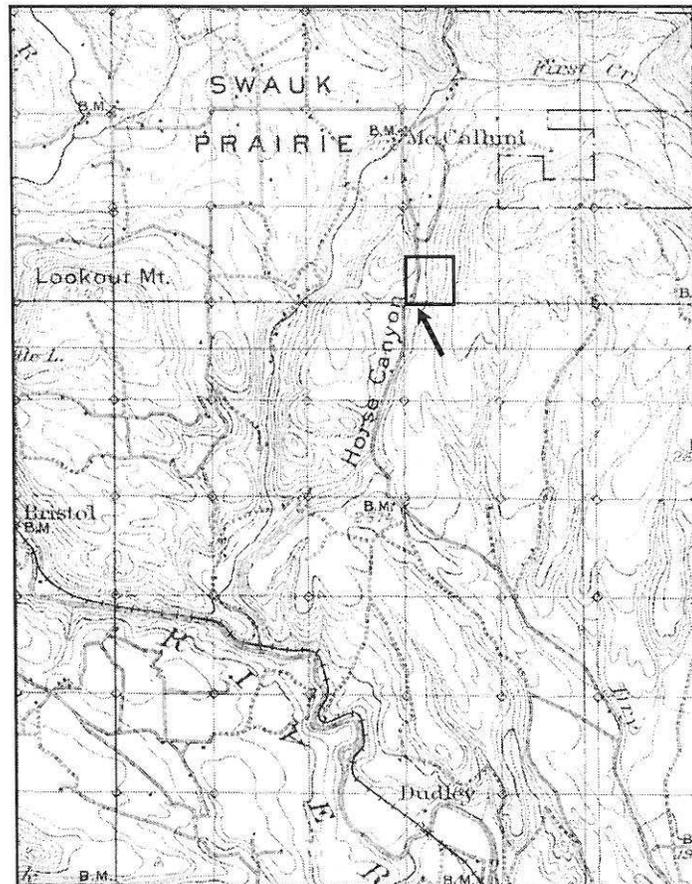


Figure 2. McCallum homestead and graves (USDI 1897).

Peter McCallum and his wife Sarah (Harrison) McCallum were among the first farmers to homestead south of the Swauk Mining District, and the earliest to settle the small valley of upper Horse Canyon. McCallum operated the first post office in the Swauk Creek area and a commercial business at the junction of the roads from Blewett Pass, Teanaway/Cle Elum, and Ellensburg (via Thorp and Dry Creek). During his tenure, the junction bore the name "McCallum" (USDI 1897). This crossroads changed configuration through time, and appears as 'Lauderdale Junction' on the most recent Swauk Prairie USGS 7.5' quadrangle. The McCallum post office is described in the book *Postmarked Washington, Chelan, Douglas and Kittitas Counties* (Ramsey 1974:53).

Peter McCallum was born in Scotland January 12, 1849, the son of Robert and Annie (McKay) McCallum, both natives of Scotland. Robert McCallum was a foreman ship carpenter. Peter McCallum accompanied his parents to Canada as an infant, where his father died in 1863. His mother moved with Peter to Iowa, where he was educated and worked on local farms to support the family. In 1872, McCallum went to California to farm and engaged in logging. Two years later in 1874, he returned to Iowa and married Sarah B. Harrison, who was born in Wisconsin, and educated there and later, in Iowa. Sara was twenty-two at the time of her marriage to Peter McCallum.

The McCallums lived in Iowa for six years, after which they migrated to Olympia, Washington, where Peter returned to logging for some nine months. In August of 1882, Peter moved to Kittitas County and took up 160 acres of land as a homestead. Sarah followed with several children the following year. They lived on the farm for fifteen years and brought the land into a high state of cultivation. The McCallums purchased an additional 160 acres of adjoining land in 1891. Peter McCallum received a patent for the land from the North Yakima Land Office on June 4, 1896 (BLM 2006).

As other settlers followed suit, and McCallum saw an opportunity to serve both the farmers of Swauk Prairie and miners of the burgeoning Swauk Mining District with a grocery store and post office. His post office, established in 1884, was the first in Kittitas Valley proper, west of Ellensburg and north of the Yakima River (Ramsey 1973). McCallum initially operated his post office and grocery at the homestead in the southwest corner of Section 34 in Horse Canyon, on the road to Ellensburg. In 1882, he moved the operation two miles north to the wagon road junction on Swauk Creek. The place was originally called "McCallum," after the post office, and served miners in the Swauk Mining Camp and farmers on Swauk Prairie (USDI 1897). McCallum appears on at least two historic maps for Washington State. In 1892, postmaster McCallum was elected Kittitas County Commissioner on the Democratic

ticket. He served in that capacity for two years. In that same year the Liberty post office was established just four miles north of McCallum's post office and store, as Liberty had become a locus of mining activity. Rail activity focused along the Yakima River led to the communities of Teanaway and Cle Elum to the southwest. In 1897 the McCallum post office closed and the area came to be called Virden, as the Virden School was located there.

For sixteen years Peter McCallum was post-master at McCallum, Washington on Swauk Creek. He also was an active member of the Presbyterian Church. Peter and Sarah had five children: Edgar, Jessie (McCallum) Dunford, Lewis, Peter, and William. Sarah McCallum died in 1893, and Peter remarried. His second wife was Julie Eldred, the daughter of Henry W. and Julie (Ryan) Eldred, of Ellensburg. In 1897, Peter McCallum moved to Seattle and engaged in the grocery business. In 1902 he sold out and moved back east of the mountains to Cle Elum, where he passed in 1912. Peter McCallum's descendents have described his pioneering efforts in the book *A History of Kittitas County Washington* (1989:638). A portion of the description is as follows:

In the spring of 1882, Peter McCallum and two friends hiked across Snoqualmie Pass via a narrow Indian trail, leading a horse packed with equipment to sell to miners in the Swauk Camps, and to search for land. Peter homesteaded 160 acres in Horse Canyon in August 1882. He built a log cellar where Sarah and his three children joined him in October 1883. He purchased 320 acres of railroad land that joined the homestead, 160 acres of it in 1891. He sold vegetables, beef, chicken, eggs, milk, cream, butter, cheese, pigs, cured hams and bacon to the camp of miners on the Swauk. He opened McCallum post office and store in his home, which was also used as a land office. He freighted goods from the Dalles, Oregon, to Liberty, and hauled much gold from the mines to Ellensburg, which he sent to the U.S. Mint. He opened a larger store and post office on the Swauk Creek. He gave land above the road from where Virden School now stands for McCallum School (District 15).

In response to DAHP request number one, NGC personnel filled out a *Washington State Archaeological Site Inventory Form* for the McCallum Graves for submission with this report to DAHP, Kittitas County, and ROSC (Appendix B). On the back of the headstone for Peter McCallum, his wife Sarah, and baby daughter Sadie, is an inscription, which reads, "This cemetery consists of one acre deeded forever."

2.2 45KT2712 CONTEXT

Based on surface investigation, historic debris scatter KT2712 appears to be a superficial pile and surrounding scatter and of domestic and agricultural artifacts (Orvald 2006). Given its proximity to the Virden farmstead, the site likely has its origin in discard activities of the Virden family, and later the Burke family, whose land tenures preceded ROSC's. Request number four from DAHP addresses information about the refuse scatter and its connection to

the Virden and Burke families. The following section provides context for the archaeological site, including details of the Virden family and farmstead, and the significance of the Virden and Burke families for the local Swauk Prairie community.

2.2.1 Swauk Prairie

KT2712 and the ROSC project area (FPA and SEPA) are located on Virden homestead land within the Swauk Prairie cultural landscape. Swauk Prairie was an early historic period family farming area in Kittitas County, with many of its farms established in the decade before statehood (KCCC 1989). The prairie is located six miles southwest of the Liberty and the Swauk mining district, ten miles east of the coal mining and railroad town of Cle Elum, and fifteen miles northwest of Ellensburg on the Swauk-Teanaway divide. Physiographically, it is centered on the expansive terminal moraine complex straddling the divide between the lower reaches of Swauk Creek and Teanaway Creek. Swauk Prairie is open, rolling country surrounded by the timbered slopes of Lookout Mountain, Teanaway Ridge, and the Wenatchee Mountains. The farming and ranching community includes Hidden Valley, Horse Canyon, and the lower Teanaway Valley. An annual twenty inches of precipitation on the prairie falls mostly as snow.

In 1889, a typical farm in the area included 160 acres or more of homesteaded and/or purchased land, partially under cultivation, with a log cabin domestic structure. At the turn of the century, two-story houses replaced the log cabins. Horse farming gave way to mechanization in the 1920s and 1930s, and farm size increased, as population declined (RCCC 1989). A typical Swauk Prairie farm 100 years after statehood included four or more of the late 19th Century farmsteads. Rural electrification occurred in the 1940s, with household implements and farm machinery rapidly increasing productivity between 1960 and the late 1970s. Although some land remains with families who have farmed it for up to three generations, recreational and residential subdividing is encroaching on the established agriculture landscape. The Swauk Cemetery includes some 250 graves, with burials dating back to 1884. The McCallum Graves represent historic and modern interment at an individual family scale on original homesteaded property.

Dryland wheat was the main crop across Swauk Prairie, and early settlers grew grain for their own use and for stock and workhorses. As a cash crop, wheat was shocked, threshed, sacked, and hauled to the railroad siding at Teanaway Junction for shipment to the Puget Sound. With better roads, farmers would haul their harvest over Snoqualmie Pass in farm trucks. In the early 1950s, fall-seeded, winter wheat proved successful. Dryland potatoes were once a cash crop, and livestock for home consumption and dairy and beef cattle were also important. Cattle and timber continue to provide income for those ranches whose location allows that

production. Prior ROSC land tenure, the Burke family operated one of the last cattle, hay, and timber ranches in the Swauk, a property centered about the Virden homestead. Two enclaves comprised the Swauk Prairie community, each situated at either end of the prairie's rolling terrain. Both of these settlements have largely disappeared as the local farm population declined, as transportation networks evolved, and as the county rezoned land to accommodate residential development schemes. The primary Swauk Prairie community remains centered east of the prairie along Swauk Creek and below the intersection of highways 97 and 970. Through time, the locale has borne the names of prominent landowners and entrepreneurs: McCallum, Virden, and Lauderdale (USDI 1897; 1958, USGS 1985). The 1892 GLO cadastral survey plat for the Township shows a well settled area, with numerous farmsteads, cabins, a school house, a granary, P. McCullum's Store, a post office, irrigation ditches, the "Ellensburg-Cle Ellam Road", the "Clellam Road," the "Swauk-Pechastin Road" and trails (Figure 3).

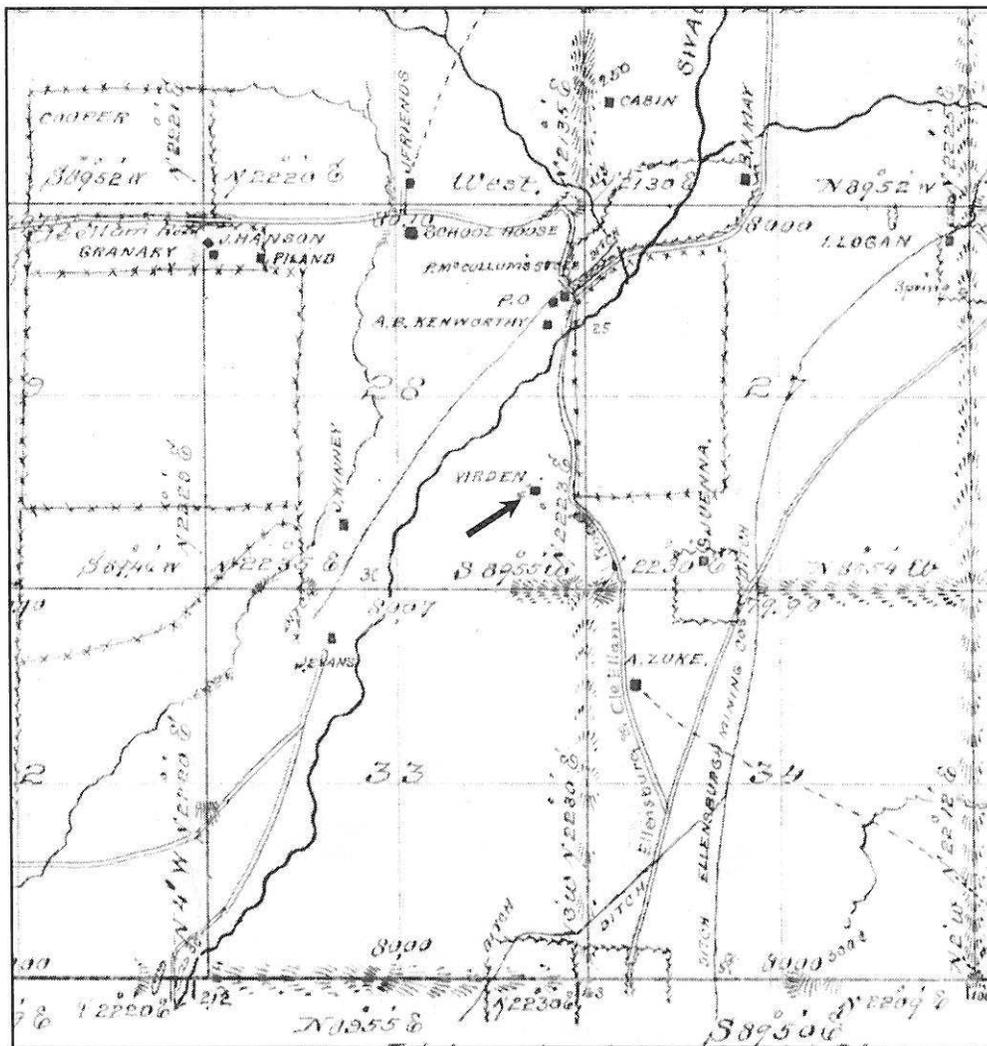


Figure 3. T20N-R17E GLO map of Swauk Creek cultural landscape (USDI 1894).

The early McCallum Post Office was discontinued at the turn of the century (Ramsey 1973). The one-room schoolhouse named for the Virden family operated in at least two different locations until closing in 1938 (KCCC 1989). Prior to modern highway construction, there was a traveler's lodge, called Lauderdale Lodge, at the road junction. Warren and Les Larsen ran a sawmill on Donald and Kenneth Hartman's lower ranch south of the bridge on Burke Road. East of the junction, up First Creek, the Cascade Lumber Company had a headquarters development in the thirties with a logging railroad that ran down the Swauk to its mouth. Until a combination of highway construction and rezoning in the late 1970s, there was a gas station with grocery and cabins at the junction of Dry Creek and Blewett Pass roads, known as Lauderdale Junction (USDI 1985). The Swauk Prairie Road, which runs north of the modern highway, was part of the main Seattle to Spokane Road. A state highway replaced it as the main Swauk Prairie crossing in 1928, and the highway was designated State Highway 970 in 1977, following realignment.

2.2.2 Virden Farmstead

Historic refuse scatter KT2712 is located on land initially homesteaded by George and Rebecca Virden and later owned by Pat and Mary Burke. The original Virden farmhouse, barn, and outbuildings lie approximately 500 meters (1,640 feet) northeast of KT2712 on the southeast margin of the Swauk Creek floodplain. Virden and his wife Rebecca arrived in the area in 1876, homesteaded the ranch on Swauk Creek, and George mined gold in the mountains east of Liberty. Mr. Virden was perhaps the Swauk's earliest homesteader, and a unique individual in his capacity as a seasoned farmer and an industrious and innovative gold miner. The Virden School was started on his land and the valley came to be called Virden (USDI 1958). KT2712 represents domestic and agricultural discards from both Virden family and Burke family land tenure in Section 28, Township 20 North, Range 17 East.

George Dunreath Virden was born February 23, 1847 in Illinois. He lived in Iowa in Blackhawk County where his parents owned a farm, and he attended school until the age of nineteen (KCCC 1989). Virden moved to Kansas to become a buffalo hunter, and then a farmer. George married Rebecca Walker on April 9, 1868 in Iowa. Walker was born April 20, 1849 in Ohio, and was the daughter of German descended Pennsylvanians. The Virdens lived in Kansas for five years and then migrated west in September 1876, via prairie schooner train, to Kittitas County in Washington Territory. Intending initially for the Puget Sound area, the Virdens stopped in Ellensburg for lack of money (Jordan 1964:109). The family initially stayed in Ellensburg, and George and his first son William, prospected throughout the upper Yakima basin and in the Swauk basin. The Virdens settled in the Swauk Creek valley in 1878.

The original Virden homestead consisted of 160 acres in the N½ SE¼, SW ¼ NE ¼, and the SW ¼ SE ¼ of Section 28, in Township 20 North, Range 17 East, which Virden acquired as a homestead entry in 1896. In 1902, Virden acquired another 40 acres (SE ¼ SE ¼) of Section 28, as a sale cash entry. Virden later purchased additional land from fellow homesteader, Alexander Piland. Over their period of land tenure, the Virdens expanded their holdings in the Swauk to a 320-acre farm, well equipped with a blacksmith shop, machinery, stock, and irrigation.

The first Virden family home on Swauk Creek was a log cabin built just east of the present nine-room home (Figure 4). Years later in 1902, George and his son William built an elegant two-story, nine-room house, which is still in use (Figure 5). The Virdens remained on the homestead until death in 1921; George Virden died August 5, 1921 and Rebecca Virden died October 10, 1925. They are buried in Swauk Prairie Cemetery. The Virden homestead was later divided, with son Norman Virden purchasing the original homestead and the eldest son Will, the adjacent Alexander Piland acreage. Alice Burke and her son Pat later purchased the Norman Virden ranch and Don and Ken Hartman, the Will Virden ranch.



Figure 4. Virden log home with windmill, barn, and outbuilding (KCCC 1989).



Figure 5. Post-1902 image of Virden house, barn, and outbuildings (KCCC 1989).

2.2.3 Virden the Miner

Although a farmer first, Virden's efforts in mining were of renown in the Swauk Mining District. As a successful farmer and miner, Virden had much to offer to both the homesteading agricultural and mining claim communities, which were much at odds through time. Virden was an early prospector in the Swauk Gold Mining District, and held five adjoining claims on Williams Creek above the Alley Ranch, which he worked alone (Jordan 1964). When his seven children grew old enough, they kept up the farm while he mined full time. In 1891 Virden bonded his placers to a San Francisco party and later sold them for \$20,000 (Jordan 1964). His last claim was a quartz mine called the Summit. On this claim, he constructed one of the mining camp's first stamp mills.

Virden claimed that he was the first man to discover the Roslyn coal (Jordan 1964). While trapping and prospecting around Lake Cle Elum he came across an outcropping of coal. Virden took out the first sack of coal from Roslyn and it had it tested by a blacksmith in Ellensburg to show its value. Thinking it could not amount to anything, he did not file on the land. He also hauled the first load of coal from Roslyn for his own blacksmith shop. When he died, he had one of the most valuable coal deposits in the county. George Virden is also credited with an innovative processing technique, unique to the Swauk Mining District, known as the water powered, horizontal arrastra (Figure 6).

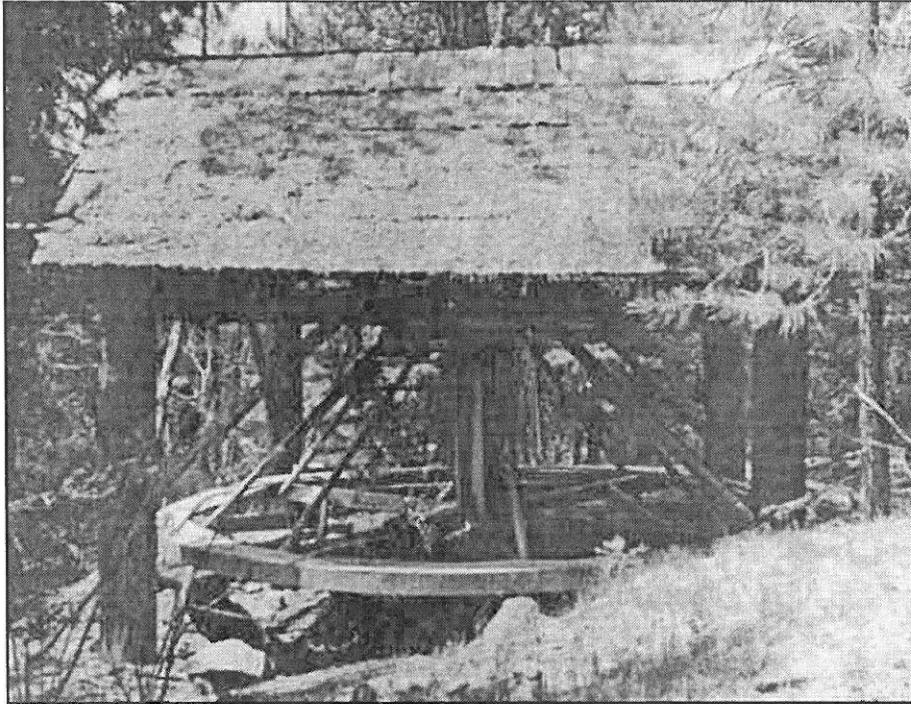


Figure 6. ‘Virden’s Arrastra’ in Ellensburg Daily Record article, July 16, 1975.

2.2.4 The Virden School

The Virden school had been built by Swauk Prairie residents “who pitched in” on land east of the Virden homestead across highway 131. The chief carpenter was Anius Grunden. The lumber used was hauled from a mill located on the Bruno Bonetto ranch in the Lower Teanaway. The school was torn down in the late 1940s. In 1928 the new Virden School was built, known as School District No. 15 and it had the distinction of being the first up-to-date rural school in Kittitas County for a number of years. It was consolidated with the Cle Elum School District a few years after the Virden School was closed in 1938. Over the years, the teachers at the Virden school boarded with the George D. Virden family and later the Will Virdens – 61 years altogether from 1897-1938.

2.2.5 The Burke Ranch

Pat Burke is the youngest son of J. T. and Alice (Remick) Burke, born August 21, 1924. He grew up on the Burke farm with his brother J. T. and sister Charlotte in the Naneum. J. T. and Pat purchased the George Virden farmstead from his son, Norman Virden, on Swauk Creek and moved there in 1943 (KCCC 1989). The ranch included the Phil Dunford and ‘Chub’ McCullum homesteads. In 1956, Pat married Mary Lucinda Masterson, daughter of ‘Bat’ and Mary (McClure) Masterson of the Teanaway area. Pat and Mary were the parents of three sons, John Patrick, Joseph Charles and James Edmund “Jed.” Pat, Mary, and Jed resided on the Swauk Ranch where they raise purebred and commercial Hereford cattle (Figure 7).



Figure 7. Virden farm during Pat and Mary Burke ownership (KCCC 1989).

Pat and Mary held several offices and appointments in the Kittitas County and Washington Cattlemen's Associations. Mary was once vice-chairman of the National Cattlemen's Association Private Lands Committee. The extent of the old road from Ellensburg via Dry Creek was named Burke Road after the Burkes. The Burkes sold their ranch to ROSC; however they maintain a residence in the Kittitas Valley (Figure 8).

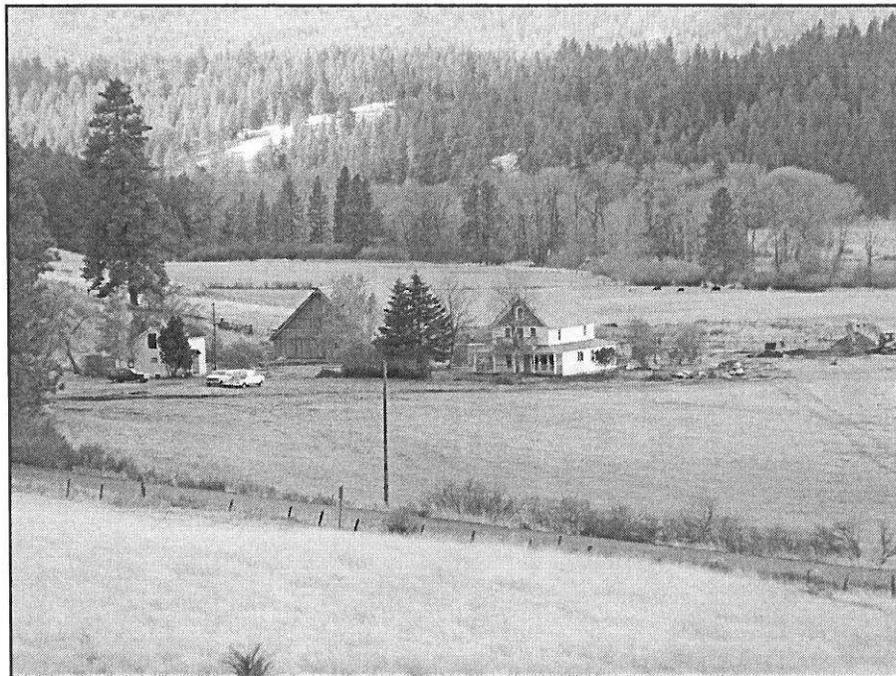


Figure 8. Modern image of Virden farm, 11/9/06 image by author.

2.3 45KT2712 SHOVEL PROBING

DAHP request number five addresses adverse impacts to historic refuse scatter KT2712 from the ROSC desire to clean up the hazardous pile of metal artifacts composing Locus I and from installation of the new access roadway. ROSC installed nearly the entire access roadway over the summer in two sections, one from the southern end of the FPA boundary on Bettas Road, and the other from Burke Road north of the FPA boundary. Each section ended approximately fifty meters from the flagged KT2712 boundary. NGC monitored the upper section of roadway installation without identifying archaeological resources. Before completion of the road, DAHP requested shovel probing to determine whether KT2712 was anything more than a surface accumulation. If KT2712 were more than a surface scatter, more documentation would be necessary prior to removing the artifacts and installing the remainder of the road.

On August 28, 2006, NGC field personnel laid out a grid of seven shovel probes at a ten-meter interval across the site area from the edge of the artifact pile in Locus I to a point below the original dirt road above Locus II. NGC archaeologist Ryan Bowlin excavated 40-centimeter diameter shovel probes, and screened all fill with quarter inch hardware cloth (Figure 9).

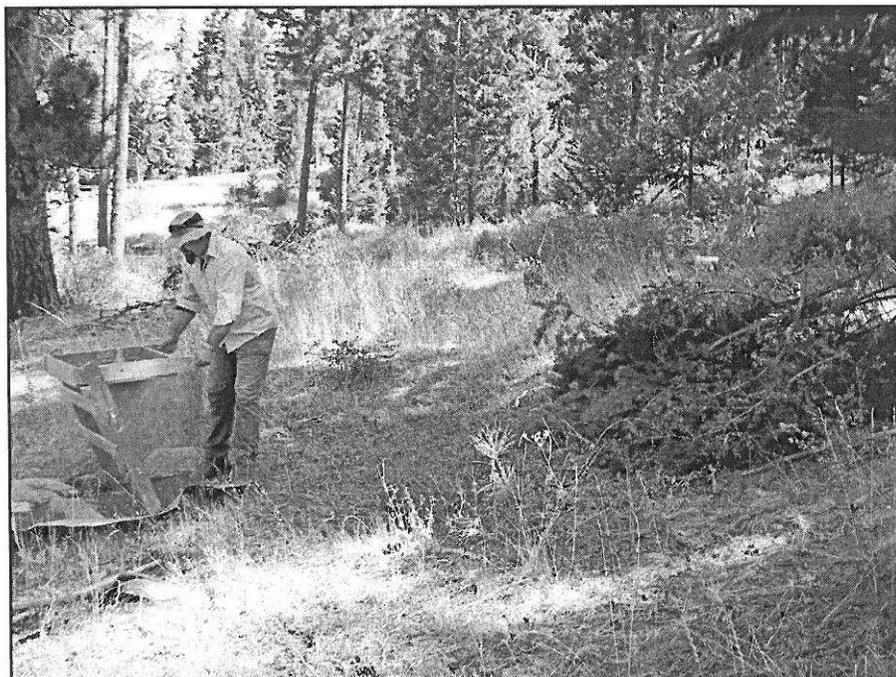


Figure 9. Screening at shovel probe-2 west of Locus I, KT2712.

It was clear from an early stage in the ROSC development process that the access road would obliterate the eastern portion of KT2712. Thus, the primary question became the potential

vertical extent of artifacts at the site within the anticipated roadway corridor. To determine this, NGC positioned the probing grid to access whether there was any artifact depth for both loci, the primary artifact area, Locus I, and the secondary, disturbed area of Locus II (Figure 10).

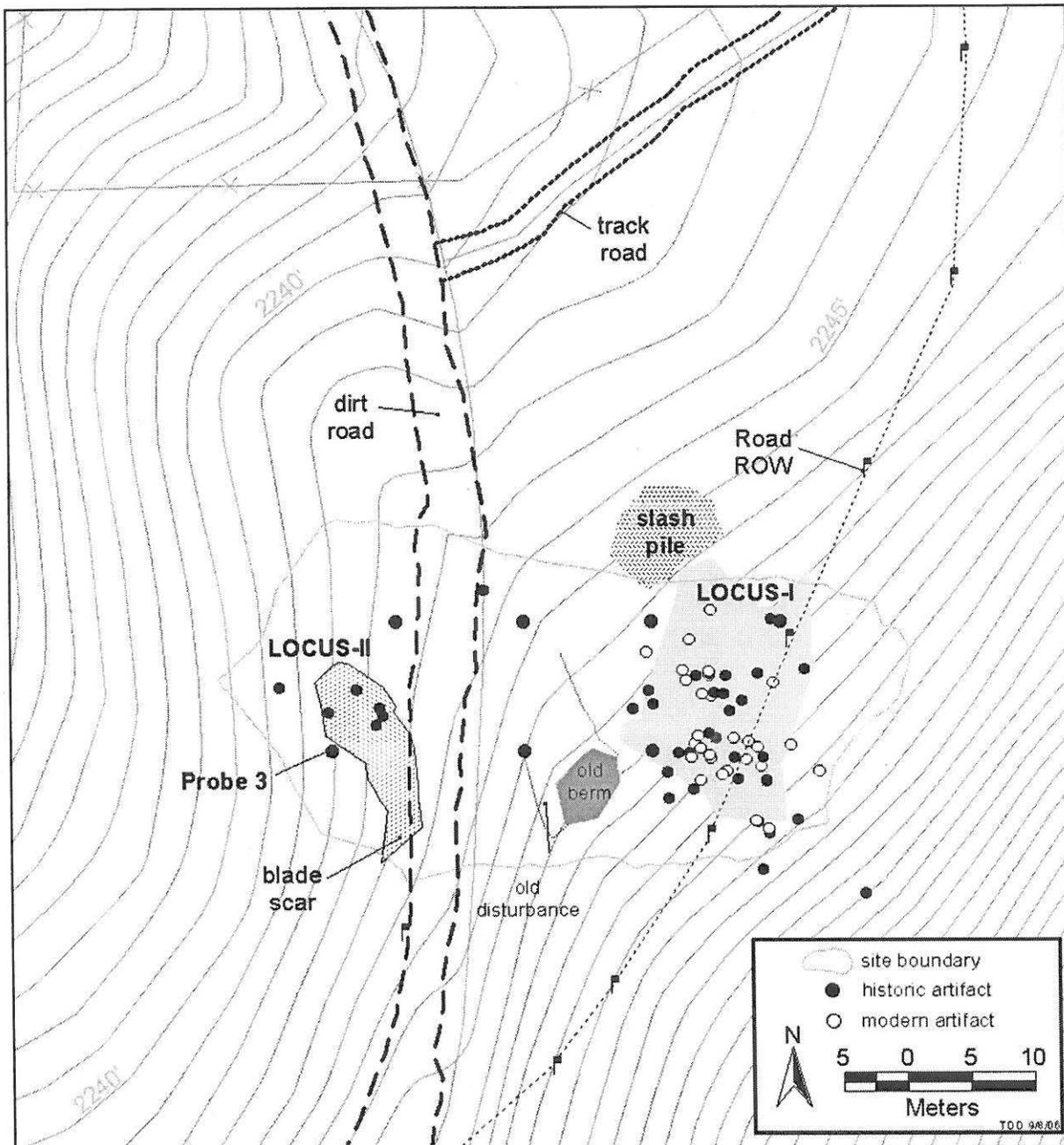


Figure 10. Site plan map for KT2712 with shovel probes and ROW upper edge.

NGC excavated a total of seven shovel probes across the site area, and recovered one piece of cobalt blue glass in probe number three below Locus II at the western edge of Locus II. No

probe went deeper than thirty-five centimeters. The substrate across the site area consists of dry, resistant silty fine sand over weathered sandstone, which is visible further upslope in a cut for the installed roadway. Soil does not appear to be deeper than twenty-five centimeters across much of the area. NGC made a dry Munsell soil description of 10YR 5/2 Grayish Brown Silty Sand for non-consolidated substrate.

Based on examination of the surface area, and the shovel probe, KT2712 is primarily a surface scatter of historic and modern domestic and farm related artifacts, piled and strewn about the Locus I area, at the base of the slope. Artifacts do have a depth in the disturbed area of Locus II; however this appears to be the product of the roadwork on the existing dirt road bisecting the site. Artifacts visible at the surface of Locus II are fused within a dried berm of bladed sediment below the edge of the road.

2.4 45KT2712 INVENTORY & MONITORING

Given the shovel probing results and the ROSC construction schedule, NGC continued work at KT2712 with systematic dismantling of the Locus I area, as recommended in the report of findings (Orvald 2006:19). On August 30, 2006, NGC archaeologists and two ROSC employees removed all surface artifacts from the upper site area, within the alignment for the access roadway. A NGC archaeologist identified all materials and sorted them by apparent age into a modern refuse pile and a historic artifact pile. All historic artifacts were documented with written description and digital imaging (Appendix C).

When diagnostic attributes were absent, common sense led artifact dating; decisions erred on the side of historic determinations (a Type I Error). Most of the historic artifacts are composed of weathered iron and wood, interpreted as parts of domestic and farm implements or parts associated with transportation. The primary domestic implements are two iron hand pumps for well water. Farm implements include the large, machine-drawn John Deer plow, a horse drawn plow, and a horse-drawn harrow. Parts associated with transportation covered a broad range in time and include parts and fittings for a large wagon, rims and leaf springs for a buggy, wood and metal automotive wheels, and steel automotive wheels. The primary remaining artifact class consisted of miscellaneous iron fittings and apparatus, some of cast metal and others with evidence of hand forging, fabrication, and repairs.

ROSC employees removed all inventoried artifacts and deposited them temporarily in an outbuilding on the ROSC property. ROSC employees used a Bobcat to hoist and transport the large John Deer plow. Additional ROSC employees removed all piled modern artifacts from the property. At the completion of the inventory, all surface materials, both modern and historic, were removed from the site area.

On August 31, 2006, an NGC archaeologist monitored completion of the remaining section of access roadway, connecting the previously installed upper and lower portions. Care was given to observe all initial topsoil removal in the site area, where the inventory and cleanup occurred. NGC did not identify additional artifacts or modern refuse during construction monitoring. NGC filled out an archaeological site inventory update form for KT2712 reflecting recent physical changes to the site, as well as providing additional information on artifact composition of and depositional context.

3. SUMMARY

This document is an addendum to a Northwest Geocultural Consulting report of findings for Forest Practices Application/Notification 05-08 cultural resources inventory conducted on behalf of The Ranch on Swauk Creek, LLC, for its timberland holdings in the Hidden Valley/Horse Canyon area of the lower Swauk Creek basin (Orvald 2006). The addendum addresses comments and requests made to Joanna Valencia of the Kittitas County Development Services Department, ROSC proponent Chad Bala of Terra Design Works, and the NGC project archaeologist (Appendix A). This report addendum includes responses to the following Department of Archaeology and Historic Preservation comments/requests:

- 1) A *Washington State Archaeological Site Inventory Form* for the McCallum Graves.
- 4) Virden homestead and Swauk Prairie community context information for historic refuse site KT2712.
- 5) Shovel probing, artifact inventory, and archaeological construction monitoring for KT2712.

4. REFERENCES CITED

Department of Archaeology and Historic Preservation (DAHP)

- 2006 040706-12-KT. Letter from Stephenie Kramer, Assistant State Archaeologist, to Joanna Valencia, Planner with Kittitas County Community Development Services, August 22, 2006.

Ellensburg Daily Record

- 1975 Virden's Arrastra. Article on July 16, 1975.

Jordan, J. A.

- 1964 Mines and Miners of the Swauk. M.A. Thesis, Central Washington State College, Ellensburg, Washington.

Kittitas County Centennial Committee (KCCC)

- 1989 *A History of Kittitas County*. Kittitas County Ellensburg, Washington.

Ramsey, G. R.

- 1973 Postmarked Washington: Chelan, Douglas, and Kittitas Counties, The Wenatchee World, Washington.

Orvald, T. O.

- 2006 Cultural Resources Inventory for the Ranch on Swauk Creek, LLC Forest Practices Application, Kittitas County, Washington. Prepared by Northwest Geocultural Consulting. Document on file at the Department of Archaeology and Historic Preservation, Olympia, WA.

United States Department of the Interior (USDI)

- 1894 Survey Plat: Township No. 20 North, Range No. 17 East, Willamette Meridian, Washington. Office of the Surveyor-General, Olympia Washington. [Available www.plso.wadnr.gov/blm-wa/wsrvy1.asp]
- 1897 Mount Stuart Quadrangle, USDI Geological Survey 1:125,000.
- 1958 Thorp Quadrangle, Washington Kittitas Co., 15' Minute Series USGS Topographic Map 1:62,500.
- 1985 Swauk Prairie, Washington, 7.5' Series Quadrangle, provisional edition 1985.

5. APPENDIX A - DAHP LETTER TO KITTITAS COUNTY



STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
 Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
 (360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

August 22, 2006

Ms. Joanna Valencia
 Planner
 Kittitas County Community Development Services
 411 N. Ruby, Ste. 2
 Ellensburg, WA 98926

Log: 040706-12-KT
 Property: FPA 05-08 The Ranch on Swauk Creek SEPA SSDP-05-01 Kittitas
 Re: Archaeology – More Information Needed

Dear Ms. Valencia:

We have reviewed the report entitled *Cultural Resources Inventory for the Ranch on Swauk Creek, LLC Forest Practices Application, Kittitas County, Washington* forwarded to our office for the proposed project referenced above. I have discussed most of the following comments with the proponent and David Powell of the Yakama Nation during a conference call on August 21, 2006, and also consulted with the Department's historic archaeologist about the historic debris scatter found during the survey following the phone call. We have the following requests:

1. We will need a site inventory form to be submitted for the McCallum Graves discussed in the report.
2. We will need a historic property inventory form to be submitted for the 1897 Virden home.
3. We concur that the talus pit sites should be avoided and protected in place.
4. The historic debris scatter ROSC-001 appears to be an ephemeral scatter, based on surface investigation only. We do need some more information about the refuse scatter and its connection to the Virden family because they are not fully discussed in the text of the report. The report should document more in-depth details about the Virden farmstead, and the family's significance in the community.
5. Before finishing the road, we request that the archaeologist dig the shovel probes per the recommendation on page 18 to determine if site ROSC-001 is present in that area, and the depth of the site, if present. If the site has depth and is more than an ephemeral surface scatter, more documentation may need to be done prior to removing the artifacts and installing the road.



Ms. Joanna Valencia
Planner
Kittitas County Community Development Services
411 N. Ruby, Ste. 2
Ellensburg, WA 98926
Page 2

6. The extent of the post-timber harvest developments are not entirely clear, and whether or not these activities have been surveyed for archaeological resources. Any future or further proposed developments outside of the timber harvest area should be surveyed for archaeological resources prior to project commencement. A copy of the report should be sent to the agency and the Yakama Nation for review.

If any federal funds or permits are involved Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36CFR800, must be followed. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

We appreciate the attention the Ranch on Swauk Creek LLC has given to the cultural resources in this project. These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may be revised. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please note that DAHP has recently revised our cultural resource reporting guidelines. The guidelines are available on our website at http://www.oahp.wa.gov/pages/Documents/documents/CRStandards_004.pdf. Should you have any questions, please feel free to contact me at (360) 586-3083 or Stephenie.Kramer@dahp.wa.gov.

Sincerely,


Stephenie Kramer
Assistant State Archaeologist

cc: David Powell ✓
Tucker Orvald ✓
Chad Bala



6. APPENDIX B - McCALLUM GRAVES SITE FORM

STATE OF WASHINGTON
ARCHAEOLOGICAL SITE FORM

Site No.
County: Kittitas

Date: 9/03/06	Compiler: Tucker Orvald
Location Information Restrictions: No	Unknown:

SITE DESIGNATION

Site Name: McCallum Graves
Field/ Temporary ID: McCallum Graves
Site Type: Historic Cemetery

SITE LOCATION

USGS Quad Map Name: Swauk Prairie, Washington 7.5' Series, provisional edition 1985	
Legal Description: SW ¼ of SW ¼ of Section 34, T.20N – R.17E	
UTM: Zone 10 North, Nad27	Easting: 673708 Northing: 5227121
Latitude: 47° 10' 35" Longitude: 120° 42' 32"	Elevation (ft/m): 2470'/753m
Other Maps: GLO, USDI, USGS 15'	Type: Cadastral and Topographic
Scale: 1:125,000 and 1:62,500	Source: DNR Website and CWU Map Library
Drainage, Major: Yakima River Basin	Drainage, Minor: Swauk Creek River Mile: 4
Aspect: 165°	Slope: 4°

Location Description (general to specific): The McCallum Graves are located in Kittitas County, approximately fifteen miles northeast of Ellensburg, Washington, in the lower Swauk Creek basin. The mall cemetery lies within the upper basin of upper Horse Canyon, a sub-basin of the Swauk, and a landform component of the regional historic community of Swauk Prairie. The fenced enclosure with five graves is situated at the northern end of the oval-shaped upper basin of Horse Canyon on a broad, grassy south-facing slope, approximately 80 meters northwest of Bettas Road, off State Highway 97.

Approach (to relocate): Proceed south from the intersection of State Route 970 and State Highway 97 (Lauderdale Junction of the Swauk Prairie 7.5' quadrangle) for approximately 1.7 miles to the northern intersection of Highway 97 and Bettas Road. Continue southwest on Bettas Road for 535 meters to the newly excavated entrance road to the Ranch on Swauk Creek residential development and park. Proceed on foot up the access road for approximately 130 meters. The fenced enclosure surrounding the McCallum Graves is visible 40 meters due west of the road centerline.

SITE DESCRIPTION

Narrative Description: The McCallum Graves comprises a small, historic family interment plot holding four grave markers and presumably the graves for six descendents. Five of the six interments are for members of the McCallum family and one is likely for a family associate. The cemetery is named for the Swauk Prairie pioneer and family patriarch, Peter McCallum. McCallum and his wife were among the first farmers to homestead just south of the Swauk Mining District. Mr. McCallum and Sarah (Harrison) homesteaded 160 acres of the southwest quarter of Section 34 of Township 20 North, Range 17 East, based on the Willamette Meridian. In August 1882 they filed a homestead on 160 acres and immediately began to develop a farm. McCallum received a patent for the land from the North Yakima Land Office on June 4, 1896 (BLM n.d.). As other settlers followed suit, McCallum saw an opportunity to serve both local farmers and miners of the nearby Swauk Mining District with a grocery store and post office. McCallum’s post office, established in 1884, was the first post office Kittitas Valley proper west of Ellensburg and north of the Yakima River. McCallum initially operated his grocery and post office out of his homestead in Section 34. Later, he moved the operation 1.7 miles to the north to the wagon road junction on Swauk Creek. The location later became known as “McCallum.” Continued on the next page...

Site Type: Historic Cemetery **Dimensions,** Method of horizontal measurement: Tape

Length: 18 feet Direction: E/W Width: 18 feet Direction: N/S Depth: Unknown

Method of vertical measurement: None Vegetation (On Site): Bunchgrass and weeds

Local: Grasses Regional: Ponderosa Forest/Shrub Steppe

Landforms: On Site: Slope Local: Basin

Water Resources: Swauk Creek Distance: 1,190m at 290° True North Permanence: Perennial

CULTURAL MATERIALS AND FEATURES

Narrative Description: The McCallum Graves consist of an ornamental wire fenced enclosure measuring eighteen feet on a side, containing four grave markers for a total of six descendents. A single, modern polished red granite headstone is engraved with the text “Baby Sadie B. 1892, Mother Sarah B. 1857-1893, Father Peter M. McCallum.” On the back of the headstone for Peter McCallum, his wife Sarah, and baby daughter Sadie, is an inscription, which reads “This cemetery consists of one acre deeded forever.”

Three single grave markers indicate interments for three additional individuals. A bronze plaque mounted in a concrete block makes the grave of “Peter Martin McCallum, F1 U.S. Navy World War II, May 16, 1927 – Feb. 5, 1998.” A heart-shaped concrete slab marks for the grave of “My Beloved Bob McCallum, 1-27-28 to 6-11-02,” and a carved wood plaque marks the grave of “Jessie Fern Huff, 2-9-1921 to 4-17-2002 .”

Fencing and a vegetation signature, including fruit trees, appear mark the location for the McCallum homestead structures. Evidence of the McCallum home and outbuildings is absent or covered with thick vegetative ground cover. The area is visible approximately 100 meters south of the fenced graves enclosure.

Location of Artifacts: No collection

SITE AGE

Component: Historic **Dates:** 1892-2002 Dating Methods: Grave markers and published documents

Phase: Not applicable Basis for Phase Designation:

NARRATIVE DESCRIPTION CONTINUED

In 1892, Postmaster McCallum was elected County Commissioner on the Democratic ticket. He served in that capacity for two terms. In that same year the Liberty post office was established just four miles to the north and soon Liberty became a thriving town and the community center of the Swauk Mining District. As a result, the McCallum post office was no longer needed to serve the area. Peter McCallum opened a grocery business in Seattle in 1897 and soon afterwards his Swauk Creek post office was discontinued. He retained ownership of his farmlands, and returned in 1902 to dwell in Cle Elum, where he spent his final years.

The present junction of highways 97 and 970 was at one time the crossroads of wagon traffic in upper Kittitas County. Businesses at the junction have served the traveling public from the 1880s until 1979. McCallum was the name of a store, a stage stop, and post office established by Peter McCallum in 1882 on Swauk Creek near the present junction, eighteen miles northwest of Ellensburg (USDI 1894, 1897). McCallum operated the post office from 1884 to 1897 (Ramsey 1973). The area was later called Virden and finally, Lauderdale Junction.

During the era of wagon roads (1880s and 1890s), the Swauk Prairie area was the crossroads for traffic between Cle Elum, Thorp, and Ellensburg and the gold mines at Liberty and Blewett. Wagons could not pass through the Yakima River canyon between Cle Elum and Ellensburg, nor was there wagon access through the Peshastin River gorge between the old mining camp of Blewett and Wenatchee. All supplies for both the Liberty and the Blewett mining camps had to come from Ellensburg or Cle Elum through the junction at McCallum. The wagon road south from McCallum went through Horse Canyon and then split, one branch going down Dry Creek to Ellensburg and the other over Hayward Hill to Thorp. Peter McCallum was the first to have a commercial business at the junction. The traveler of the day used horses and horses required a "stage stop." The McCallum Post Office is described in the book *Postmarked Washington, Chelan, Douglas and Kittitas Counties* by Guy Reed Ramsey, page 53. Peter McCallum's descendents described his pioneering effort in "A History of Kittitas County Washington," (KCCC 1989:638). A portion of the description is as follows:

"In the spring of 1882, Peter McCallum and two friends hiked across Snoqualmie Pass via a narrow Indian trail, leading a horse packed with equipment to sell to miners in the Swauk Camps, and to search for land. Peter homesteaded 160 acres in Horse Canyon in August 1882. He built a log cellar where Sarah and his three children joined him in October 1883. He purchased 320 acres of railroad land that joined the homestead, 160 acres of it in 1891. He sold vegetables, beef, chicken, eggs, milk, cream, butter, cheese, pigs, cured hams and bacon to the camp of miners on the Swauk. He opened McCallum post office and store in his home, which was also used as a land office. He freighted goods from the Dalles, Oregon, to Liberty, and hauled much gold from the mines to Ellensburg, which he sent to the U.S. Mint. He opened a larger store and post office on the Swauk Creek. He gave land above the road from where Virden School now stands for McCallum School (District 15)."

SITE RECORDERS

Observed by: Tucker Orvald

Recorded by: Tucker Orvald**Affiliation/Address:** Northwest Geocultural Consulting

804 North B Street

Ellensburg, WA 98926

Date Recorded: 5/27/06**Affiliation Phone Number:** (509) 925-5379**Affiliation E-mail:** Northwest.Geocultural@gmail.com

Revisited by:

Affiliation Address:

Date Revisited:

SITE HISTORY

Previous Work (references):

Orvald, T. O.

2006 Cultural Resources Inventory for the Ranch on Swauk Creek, LLC Forest Practices Application, Kittitas County, Washington. Prepared by Northwest Geocultural Consulting. Document on file at the Department of Archaeology and Historic Preservation, Olympia, WA.

The Kittitas County Centennial Committee (KCCC)

1989 *A History of Kittitas County, Washington*. Kittitas County Centennial Committee, Ellensburg, WA.

Ramsey, G. R.

1973 *Postmarked Washington: Chelan, Douglas, and Kittitas Counties*, The Wenatchee World, Washington.

United States Department of the Interior (USDI)

1894 Survey Plat: Township No. 20 North, Range No. 17 East, Willamette Meridian, Washington. Office Of the Surveyor-General, Olympia Washington. [Available www.plso.wadnr.gov/blm-wa/wsrvy1.asp]

1897 Mount Stuart Quadrangle, USDI Geological Survey 1:125,000.

1958 Thorp Quadrangle, Washington Kittitas Co., 15' Minute Series USGS Topographic Map 1:62,500.

SITE OWNERSHIP

Owner/Address: The Ranch on Swauk Creek, LLC

1890 Nelson Siding Road

Cle Elum, WA 98922

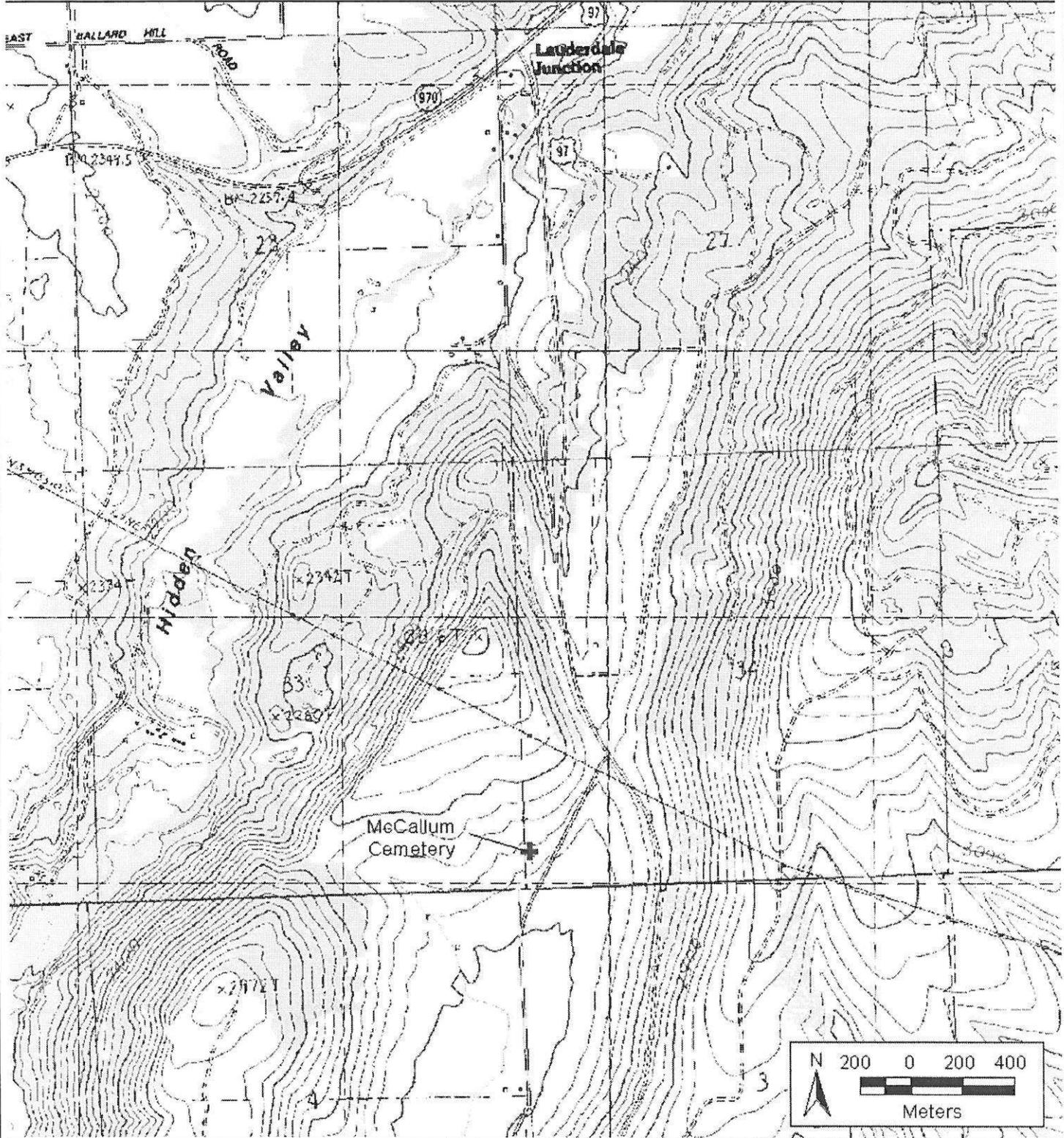
Parcel Number: 800058711

FORM RECORDS

Other Forms (specify): None

USGS MAP

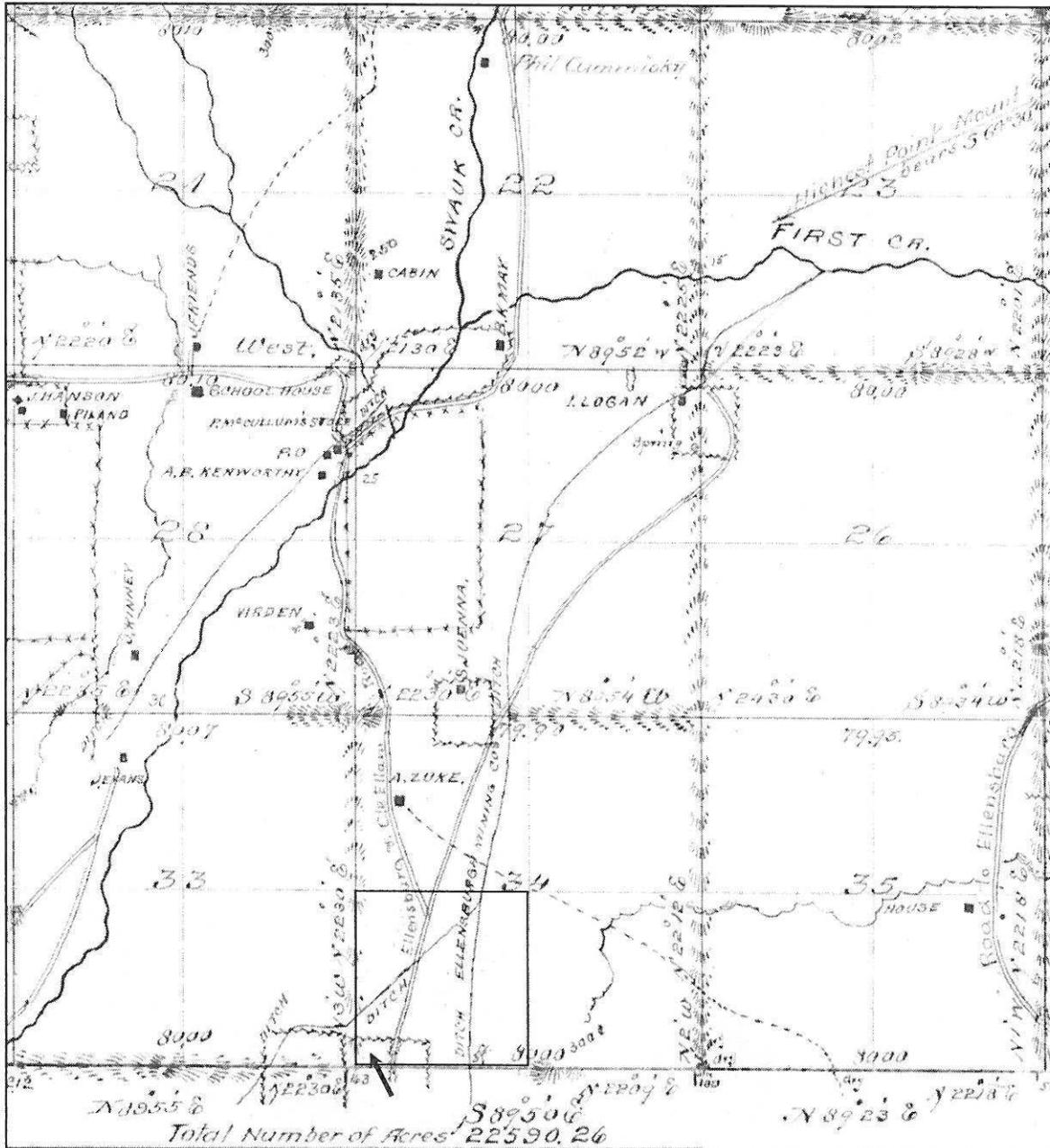
Township 20 North - Range 17 East, SW ¼ Section 34



McCallum Cemetery plotted on Swauk Prairie, WA 7.5' quadrangle, provisional edition 1985.

GLO MAP 1982

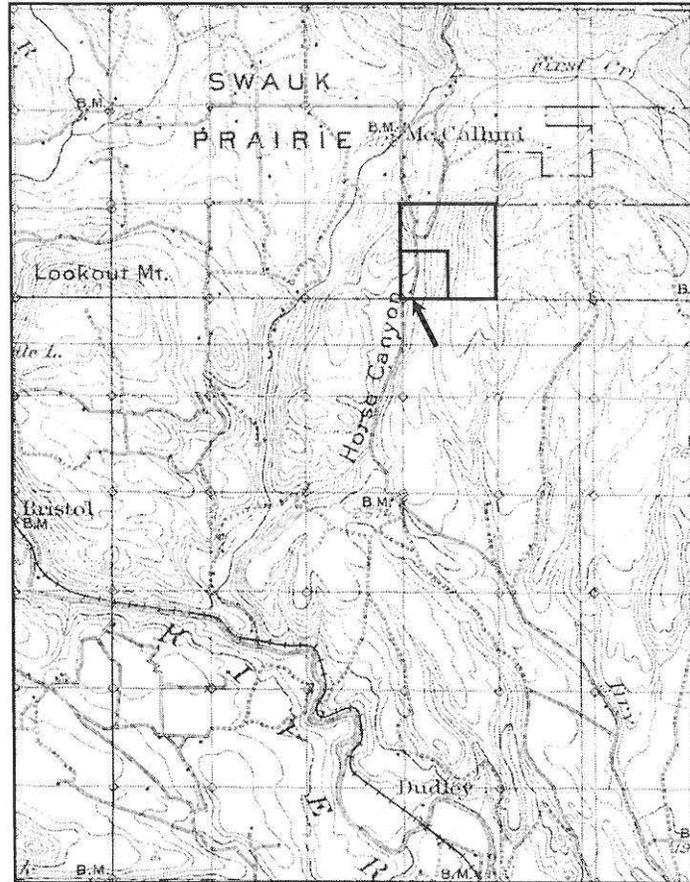
Township 20 North - Range 17 East, Willamette Meridian



A portion of the 1892 GLO survey plat for T.20N - R.17E with initial McCallum, 160-acre homestead on the SW ¼ of Section 34. Arrow marks probable location of initial grave.

1897 USGS MAP

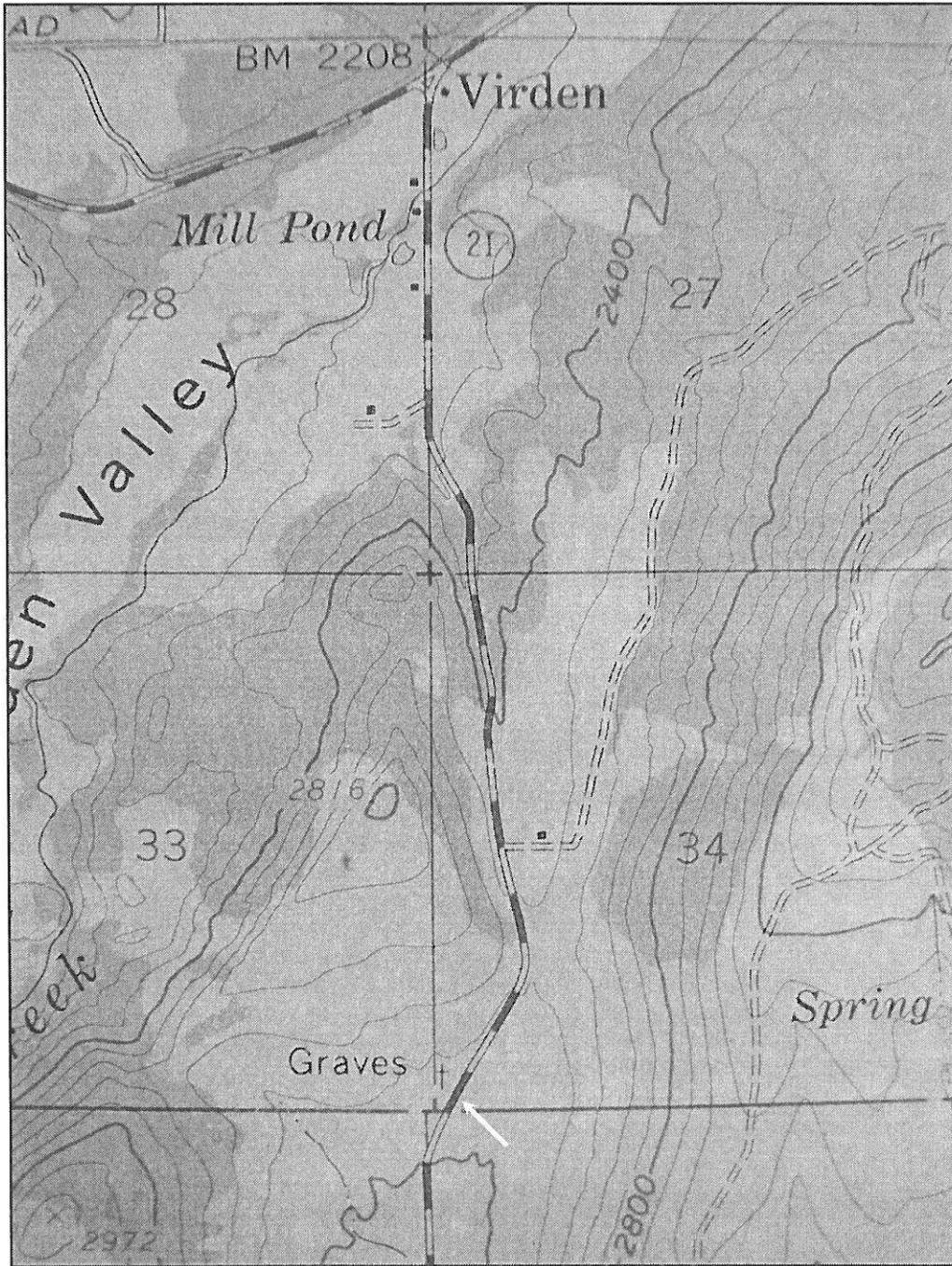
Township 20 North - Range 17 East, Willamette Meridian



A portion of the 1897 Mount Stuart Quadrangle, with initial McCallum locality and the 160-acre family homestead in the SW ¼ of Section 34. USDI Geological Survey 1:125,000).

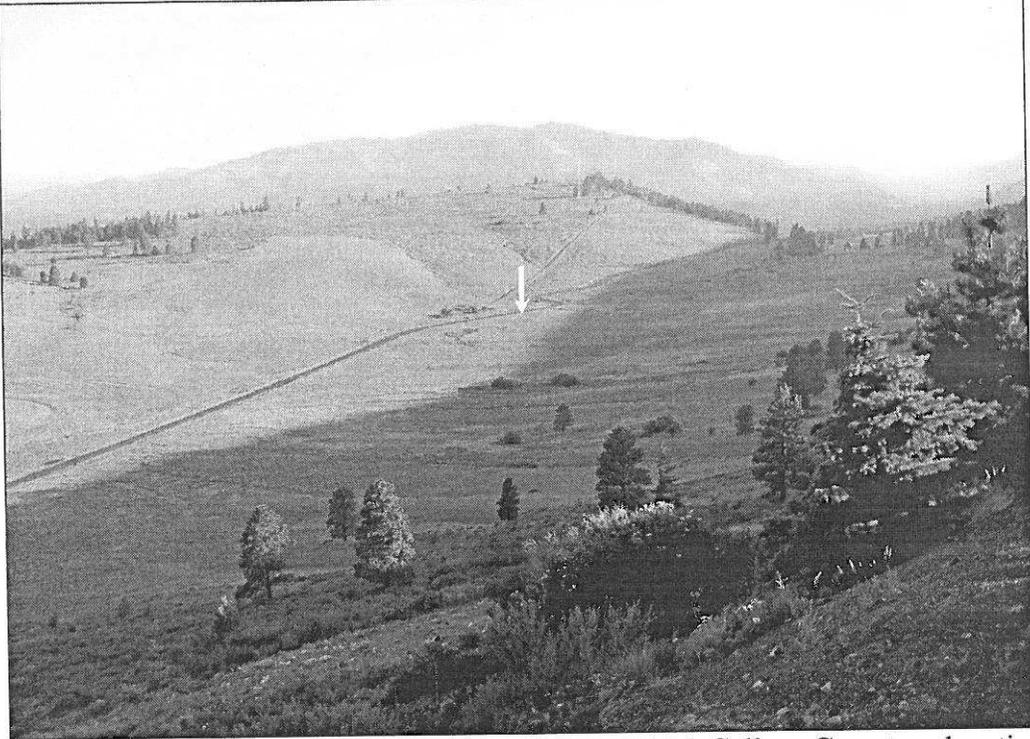
1958 USGS MAP

Township 20 North - Range 17 East, and T19 North - R17 East, Willamette Meridian



A portion of the 1958 Thorp Quadrangle, Washington - Kittitas Co., 15' Minute Series Topographic map (1:62,500), with initial McCallum locality renamed 'Virden' and the McCallum family cemetery in the SW 1/4 of Section 34, labeled 'Graves.'

DIGITAL IMAGES



Overview NW of Horse Canyon, Bettas Road, and McCallum Cemetery location.



Close-up northeast of McCallum Cemetery with fenced enclosure.

DIGITAL IMAGES



McCallum family gravestone, P. McCallum (1849-1912). Peter Martin McCallum (1927-1998) grave marker.



Jessie Fern Huff (1921-2002) grave marker.



Bob McCallum (1928-2002) grave marker.

7. APPENDIX C - 45KT2712 ARTIFACT INVENTORY

Image No.	Description
img-3395	site overview pre-inventory, 350°
img-3396	site overview pre-inventory, 20°
img-3397	site overview pre-inventory, 110°
img-3398	site overview pre-inventory, 72°
img-3399	site overview pre-inventory, 173°
img-3400	site overview pre-inventory, 230°
img-3401	John Deer plow, 2.6m x 1.5m
img-3402	enamel basin, 40cm diameter
img-3403	sheet metal stove top with hinge, 72cm x 40.5cm
img-3404	stove pipe with elbow end, 133cm length, 13cm diameter
img-3405	stove pipe with elbow & wall ring, 44cm length, 16cm diameter
img-3406	section of stove pipe 61cm length, crushed flat, ~16cm diameter
img-3407	similar to stove pipe above, 61cm length
img-3408	wagon draw bar, 248cm length
img-3409	harrow/plow assembly, 148cm length
img-3410	wagon tongue w/ brackets, 125cm length
img-3411	iron wagon axle assembly with wooden axle remnants
img-3412	broken iron wheel/hub fragments
img-3413	misc. iron part w/ horse shoe end
img-3414	misc. iron part w/ horse shoe end
img-3415	cast iron brackets bolted to galvanized sheet metal, wagon fitting
img-3416	stove pipe elbow, 13cm diameter
img-3417	cast iron brackets bolted to galvanized sheet metal, wagon fitting with bar
img-3418	wooden parts with metal
img-3419	metal pulley assembly w/ drilled bracket
img-3420	hand water pump, 2.9m length, complete with handle and base; domestic
img-3421	axle and part of spring assembly, 187cm length, 4.5cm diameter
img-3422	buggy wheel, rim w/ wooden fragments, 123cm diameter
img-3423	bladed disc w/ attached hardware, 42cm length; farm implement
img-3424	cast iron stove top, 52cm x 26cm
img-3425	buggy wheel rim, 137cm diameter
img-3426	automobile wheel, metal rim w/ wood spokes & 6 bolt hub, 60cm diameter
img-3427	cast metal bracket with circular cutouts, 71cm x 36cm
img-3428	stove lid/burner, 21.5cm diameter
img-3429	wooden wagon tongue, 3.5m length w/ flat iron stock bolted at end
img-3430	wooden spoke, 23cm length
img-3431	stove lids (2), 20.5cm diameter

img-3432	pulley with clip, 17cm diameter
img-3433	iron hitch, 26cm length w/ fitting bolts
img-3434	heavy iron chain, 2m length
img-3435	old buggy/wagon front end?, 190cm axle-tip to axle-tip
img-3436	wagon undercarriage bracket parts with axle ends
img-3437	metal pulley or wheel, 55.5cm diameter
img-3438	misc. iron bracket part, 121cm length
img-3439	old spoked metal wheel, 40cm diameter
img-3440	iron tube fitted to wrench, 50cm length
img-3441	misc. iron part, 11cm length, flat stock
img-3442	iron axle assembly, 223cm length
img-3443	misc. iron flat stock fitting, 77cm length
img-3444	old plow w/ "40 OLIVER" on plow blade
img-3445	"40 OLIVER" on plow blade
img-3446	misc. iron implement assembly
img-3447	misc. iron bar with forged fitting
img-3448	misc. sheet iron with chain, 69cm x 49.5cm, "scoop"
img-3449	misc. flat steel stock w/ drilled holes
img-3450	misc. flat steel stock w/ drilled holes
img-3451	buggy or wagon axle end, 69cm length
img-3452	misc. cast iron machinery, 51cm length
img-3453	iron tang to rake
img-3454	cast iron pipe, 109cm length, 5.5cm diameter
img-3455	hood spring w/ forged work on one end, 57cm length
img-3456	metal bucket of railroad (RR) tie spikes
img-3457	RR spike, 15cm length
img-3458	misc. iron bracket part w/ wood attached, 119cm length
img-3459	galvanized spike, 43cm length
img-3460	misc. iron part, bent with bolts at ends; fitting/spring
img-3461	misc. iron part, bent with fitting
img-3462	misc. iron part
img-3463	part of machinery bracket with spring
img-3464	misc. iron part, 67cm length, round stock with bolt fittings
img-3465	misc. iron fitting w/ chain link
img-3466	misc. iron fitting for round stock, with drilled fitting holes
img-3467	misc. iron part, 90°, with threaded ends and one bolt
img-3468	misc. iron part w/ forged loops on the ends
img-3469	iron rod with loop w/ "1920" date
img-3470	iron rod with loop w/ "1920" date
img-3471	iron tang, 58cm length (2)
img-3472	steel ring with links and iron bracket w/ remnant wood
img-0223	cast iron gear, 20cm diameter

img-0224	misc. iron part, forged, bent with bolts, 117cm length
img-0225	car/truck leaf spring
img-0226	pick-axe head
img-0227	cast iron hub, 17cm diameter
img-0228	wagon axle ends and undercarriage linkage
img-0229	water pump spout w/ pipe, 190cm length
img-0230	wooden wagon axle, 172cm length
img-0231	cast iron pipe, 130cm length, 5.5cm diameter
img-0232	wagon/buggy leaf springs
img-0233	metal wagon wheel hub w/ spoke ends, 23cm width
img-0234	broken file, 30cm length
img-0235	wagon parts with axle ends, iron hardware
img-0236	enclosed pulley w/ hook
img-0237	wooden wagon axle ends (2), 70cm length
img-0238	metal frame for hood, possibly for car, truck or tractor
img-0239	misc. machinery parts; metal linkage
img-0240	metal brake/gear lever, 69cm length
img-0241	metal brackets, wagon parts (2), 55cm length
img-0242	misc. metal bracket with bolt and nut, w/ ring on top
img-0243	metal spikes (8), 30cm length (2 shown in image)
img-0244	misc. iron part, threaded end with washer and nut and 90° fitting
img-0245	misc. iron part, flat stock with bolts, nuts and washers
img-0246	misc. iron part w/ loop and cable/rope ring at end, threaded opposite end
img-0247	round iron stock with bent eye piece at end
img-0248	leaf spring with fitting for buggy/wagon seat
img-0249	bent flat steel stock, bent at ends, irregular
img-0250	curved iron flat stock pieces (2), round on one side
img-0251	stove pipe elbow, 16cm diameter
img-0020	bolted iron wagon bracket with chain linkage
img-0021	cast iron stove top
img-0022	mower parts
img-0023	mower parts
img-0024	pre-inventory site overview with removal crew
img-0025	misc. forged iron wagon parts (fittings, linkages, chain)
img-0026	misc. forged iron wagon parts (fittings, linkages, chain)
img-0027	misc. forged iron wagon parts (fittings, linkages, chain)
img-0028	misc. forged iron wagon parts (brackets, fittings and linkages)
img-0029	steel cable with rope center and woven loop
img-0030	misc. iron parts (round stock, brackets and fittings)
img-0031	misc. iron parts
img-0032	misc. iron parts
img-0033	wooden wagon axle with bolted flat iron stock and bar

img-0034	metal milk bottle top
img-0035	site overview post-inventory, 90°
img-0036	site overview post-inventory, 0°
img-0037	site overview post-inventory, 270°
img-0038	site overview post-inventory, 180°

BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS STATE OF WASHINGTON

ORDINANCE NO. 2006 - 59

RANCH ON SWAUK CREEK REZONE (Z-06-27) AND PRELIMINARY PLAT (P-06-27)

IN THE MATTER OF AMENDING THE KITTITAS COUNTY ZONING ATLAS FOR PORTIONS OF SECTIONS 27, 28, 33, AND 34 OF TOWNSHIP 20 N., RANGE 17 E., FROM FOREST AND RANGE-20, AGRICULTURE-5, AND AGRICULTURE-3 TO PLANNED UNIT DEVELOPMENT AND DIVISION OF A PORTION OF THE PLANNED UNIT DEVELOPMENT LOCATED IN THE SE 1/4 OF SECTION 28, TOWNSHIP 20N., RANGE 17E., INTO 14 LOTS RANGING IN SIZE FROM 0.34 TO 0.79 ACRES REFERED TO AS PHASE #1 DIVISION 1 OF THE PLANNED UNIT DEVELOPMENT

WHEREAS, according to Kittitas County Code Titles 15A & 17, relating to general rezones, adopted pursuant to RCW 36.70B & 36.70 respectively, and according to Kittitas County Code Title 16, relating to Subdivision of Land, adopted pursuant to RCW 58.17, an open record hearing was held by the Kittitas County Planning Commission on September 26, 2006 for the purpose of considering a zone change consisting of approximately 487.43 acres from Forest and Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD), and a preliminary plat known as Phase #1 Division 1 of the Planned Unit Development and described as follows:

ALL OF AND PORTIONS OF PARCELS LYING WEST OF US HIGHWAY 97 AND SOUTH OF RANCH ROAD AND BURKE ROAD AT 980 BURKE ROAD, CLE ELUM, WA 98922 WITHIN SECTIONS 27, 28, 33, AND 34, described as being portions of sections 27, 28, 33 and 34 of T.20N., R.17E., W.M., in the County of Kittitas, State of Washington; all of map numbers 20-17-28000-0007, 20-17-28000-0006, 20-17-28000-0001, 20-17-28000-0004, 20-17-28000-0003, 20-17-28000-0002, 20-17-28000-0005, 20-17-33000-0001, 20-17-33000-0008, 20-17-33000-0023, 20-17-33000-0025, 20-17-33000-0019, 20-17-28030-0010, 20-17-28030-0011, 20-17-33000-0024, 20-17-33000-0026 and portions of map numbers 20-17-27030-0005, 20-17-27030-0007, 20-17-34000-0002, 20-17-34000-0006, 20-17-27030-0002, 20-17-27030-0009, 20-17-27030-0006, 20-17-27030-0003. And,

WHEREAS, testimony was taken from those persons present who wished to be heard during said open record hearing before the Planning Commission; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such zone change; and,

WHEREAS, the Planning Commission recommended approval of said proposed rezone and preliminary plat in a 4-0 decision; and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on November 7, 2006 to consider the Planning Commission's recommendation on this matter; and,

WHEREAS, the November 7th hearing was continued to November 13th, 2006 where the Board of County Commissioners approved said rezone and preliminary plat with a 3-0 vote and directed staff to prepare enabling documents for Board consideration during the December 5th, 2006 agenda; and,

WHEREAS, the following FINDINGS OF FACT and CONCLUSIONS AT LAW have been made concerning said proposed rezone and preliminary plat:

1. Chad Bala of the Terra Design Group, authorized agent for Ranch on Swauk Creek LLC and Cle Elum Pines LCC, landowners has submitted applications for the following: 1. Ranch on Swauk Creek Rezone, Z-06-27, from Forest&Range-20, Agriculture-5 and Agriculture-3 to Planned Unit Development (PUD) and 2. Ranch on Swauk Creek Preliminary Plat Phase #1 Division 1, P-06-27, which is a 14-lot subdivision.
 2. The subject property is approximately a total of 487.43 acres and is located west of US HWY 97, and south of Ranch Road and Burke Roads of sections 27, 28, 33, 34 all within T 20N., R 17E., W.M. in Kittitas County. Parcel numbers 20-17-28000-0007, -0006, -0001, -0004, -0003, -0002, -0005, 20-17-33000-0001, -0008, -0023, -0025, -0019, -0024, -0026, 20-17-28030-0010, -0011, 20-17-27030-0005, -0007, -0002, -0009, -0006, -0003, and 20-17-34000-0002, -0006.
 3. Pursuant to KCC 17.36: Planned Unit Development any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The total acreage for the proposed PUD is **487.43** acres with a total of **243** units being proposed. The submitted application is proposing a phased approach and is as follows:
 - Phase #1:
 - A total of 81 lots divided into two segments (divisions)
 - Phase #1 Division 1: 14 lots, Group B and Community Septic (*application for preliminary plat submitted*)
 - Phase #1 Division 2: 67 lots, Group A Water System and Community Septic
 - Phase #2
 - A total of 81 lots, Group A Water System and Community Septic
 - Phase #3
 - A total of 81 lots, Group A Water System and Community Septic/Class A Reclaimed Water System
- Open Space Element for PUD:
The applicant has proposed a total of 146 acres of open space. The proposed open space is to protect the shoreline area of Swauk Creek, include fish enhancement measures on Swauk Creek will be used for continued Agricultural use which includes production of hay, grass and pasture lands. In addition, it is proposed that the open space will include passive and active recreational activities. These recreational activities include: a trail system, picnic sites, wildlife and bird watching. In addition, a community center is being proposed for use by the residents.

4. Pursuant to KCC 17.36.040: final development plan for Planned Unit Development, following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20.
6. A Notice of Application was issued on August 1, 2006 by Kittitas County Community Development Services. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.
7. Written comments were solicited and the final date to submit written comments was on August 31, 2006 by 5:00pm. Comments were received and have been made part of the project record.
8. Based on the review of the submitted application materials (including an environmental checklist), correspondence received during the 30 day comment period and other information on file with our office, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on September 8, 2006. The SEPA appeal period ended on September 25, 2006 at 5:00 pm. No SEPA Appeals were received.
9. The following are the mitigations contained with the MDNS:

I. Transportation

- A. Access to US-97 for these properties will be via the Burke Road and Bettas Road intersections. No direct access to US-97 will be allowed.
- B. A Traffic Impact Analysis shall be completed prior to Phase II of the development and shall be submitted, reviewed and approved by appropriate regulating agencies. The scope of the analysis shall include, but shall not be limited to US97/SR970, US97/Burke Road, and US 97/Bettas Road intersections. Mitigations to offset any identified impacts shall be provided for in the traffic study/analysis.
- C. The traveled 60-foot access right of way off of Ranch Road will be surfaced and maintained with crushed rock to minimize dust migration to neighboring properties.

II. Light and Glare

- A. Any proposed lighting should be shaded and directed down towards the site, and away from US-97.

III. Water and Septic

- A. All work done on Swauk Creek shall obtain the appropriate permits and be in conformance with the Riparian Management Plan.
- B. The applicant shall develop a Riparian Management Plan for Swauk Creek within 24 months of the final approval of Phase I.
- C. All development shall comply with the Kittitas County Shoreline Master Program.
- D. Per the Kittitas County Shoreline Master Program, a minimum of 100 feet buffer for structures shall be maintained along Swauk Creek. The buffer shall be maintained by the owner or applicable maintenance associations.
- E. A 100 foot structural setback and 200 foot setback per the Kittitas County Shoreline Master Program from the Ordinary High Water Mark of Swauk Creek shall be shown

on the final mylars.

- F. The 100 year-floodplain and determined wetlands shall be shown on the final mylars.
- G. Proper signage and CC&R's shall be incorporated on-site to encourage the maintenance of the buffer and natural condition of Swauk Creek.
- H. Storm water and surface runoff generated by this project must be retained and treated on-site in accordance with regulating agencies' standards.
- I. Storm water and surface runoff generated by this project shall not be allowed to flow onto WSDOT rights-of-way.
- J. The project shall comply with the requirements of the Department of Ecology Storm Water Manual for Eastern Washington for storm water generated by this project and shall be collected, retained and disposed of on-site accordingly as approved by DOE.
- K. The project shall comply with Kittitas County Code 17A: Critical Areas and 14.08: Flood Damage Prevention. Pond locations and bridge crossings shall be identified and reviewed pursuant to these codes and shown on final mylars for each phase of development.
- L. Pond locations shall remain outside of Critical Areas.
- M. On-site drainage features associated with construction shall be designed such that wetlands are not dewatered or impacted.
- N. The applicant will develop a Group "B" water system for Division one of Phase 1 of the project. The Group "B" water system's delivery facilities, limited to the piping and valves will be designed to the Group "A" Water System specifications as approved by the Washington State Department of Health for the Group "A" water systems owned and operated by LCU, Inc. This will be done to provide a seamless transition from the Group "B" water system developed for Division 1 of Phase 1 to the Group "A" water system that will provide water for future divisions and phases of the development.
- O. A Group "A" water system will be planned and constructed as approved, by the Washington State Department of Health for each future division of each phase of the development prior to final approval for said Division.
- P. The applicant will provide community septic systems for the initial phases of the project. The community septic systems will be designed by a license septic designer and approved by the Kittitas County Environmental Health Department. These community septic systems will be designed for a seamless transition into a Class A Reclaimed Water System Facility to be planned, approved and constructed for future phases of the project.
- Q. A Class "A" Reclaimed Water Facility will be developed and approved by the WA State Dept. of Ecology and the WA State Dept. of Health. The system shall be constructed when the volume of sewage to be treated reaches a volume that allows for the successful operation of the Class "A" Reclaimed Water Facility as approved by the Washington State Department of Health and the Washington State Department of Ecology.
- R. Withdrawals of groundwater on the subject property will be subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology.
- S. Site grading shall comply with Kittitas County Code 14.08.

IV. Noise

- A. All county noise ordinances shall apply to the project.
- B. Construction activities shall comply with KCC 9.45 (Noise). Construction for the

project hours shall be 7:30am to sunset.

- C. It shall not be the responsibility of WSDOT to create noise dampening facilities or structures within this development.

V. Land Use and Recreation

- A. A final development plan pursuant to Kittitas County Code 17.36.040 shall be submitted for approval by the Board of County Commissioners.
- B. All proposals of the applicant included within their application that are not in conflict with these mitigations shall be conditions of approval and shall be considered as mitigations.
- C. The applicant will place a minimum of 30% of the land, 146 acres, in Open Space for perpetuity and will be designated on the final Mylar.
- D. The use of the open space area will be for passive and active recreational uses as allowed in KCC 16.09 along with the continued existing ranching and farming (agricultural) activities.
- E. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
- F. The applicant will complete a wetland and wildlife study. The applicant shall be responsible for implementing the recommendations contained within the studies.
- G. The applicant shall develop CC&Rs for the development addressing roads, water/septic systems, open space, management of Swauk Creek, trail and recreation systems.

VII. Utilities and Services

- A. Mail routes shall be approved by the postmaster. The postmaster shall also approve mailbox locations. Mailbox locations shall not create sight obstructions.
 - B. The applicant shall work with the local school district to provide for a safe location and passageway for a school bus stop. This location shall be delineated on the final mylar.
 - C. The Group "A" Water System will abide by the requirements of the KC Fire Marshall for fire flow and placement of fire hydrants.
 - D. Portion of parcels within Section 34 that are included within this development shall be requested by the developer to be annexed into Fire District 7 during the development of this proposal.
 - E. Location and amount of fire hydrants on-site shall meet local fire jurisdiction requirements.
 - F. All parcels located outside of a fire district shall be subject to the International Urban Wildland Interface Code.
 - G. There shall be no parking on all access roadways for the project.
 - H. All development shall comply with the International Fire Code (IFC) and Appendices.
 - I. All private roadways/ shall meet the minimum requirements of a fire department apparatus access road with a minimum width of twenty feet.
10. An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is within the Swauk Prairie Deer and Ellensburg Mule Deer

Winter Range, and is impacted by shorelines of the state (Swauk Creek), floodplains and wetlands. The following are findings from the review: **Shorelines of the State:** Swauk Creek a shoreline of the state is located on the subject property and it is within the Rural Shoreline Environment per the Kittitas County Shoreline Master Plan. All development will need to comply with the Kittitas County Shoreline Master Plan and KCC 17A: Critical Areas. **100 year flood plain and Wetlands:** Floodplains and Wetlands are located within the subject property, particularly in relation to Swauk Creek. All development will need to comply with the Kittitas County Shoreline Master Plan, KCC 17A: Critical Areas, KCC 14.08: Flood Damage Prevention and SEPA mitigations.

11. An open record hearing was held by the Planning Commission on September 26, 2006 to consider this matter and testimony was taken from those persons who wished to be heard.
12. The proposed rezone is consistent with the underlying Comprehensive Plan designation of Rural.
13. The proposed rezone does meet all seven criteria of Kittitas County Code 17.98.020(E) as outlined below:
 - A. *The proposed amendment is compatible with the comprehensive plan. The proposed Planned Unit Development zone is compatible with the land use designation of rural.*
 - B. *The proposed amendment bears a substantial relation to the public health, safety or welfare. The proposal includes the construction and development of a Group B Well, Community Septic and development of a Class "A" Water and a Class "A" Reclaimed Water Facility to serve the proposed project. All proposed infrastructure shall be constructed and approved by appropriate government entities.*
 - C. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county. It provides for a potential for an increased tax revenue/tax base and allows for a mixture of densities in the Rural land use designation and it is recognized that different zones are allowed.*
 - D. *The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20. The Rural land use designation allows for a mixture of densities and zones.*
 - E. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone. The subject property is currently being used as a ranch with agricultural and grazing activities occurring on site, along with some timber use. Currently on-site are structures related to the original homestead and associated accessory structures. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20. The Planned Unit Development allows for development in conformance for the zone and creation of open space for continuing use in Agriculture and preservation of areas affected by critical areas.*
 - F. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property. Zoning to the north, west and south is Ag-3 and to the west is Ag-5 and Forest and Range-20. The surrounding area includes a mixture of uses which includes residential, agriculture and natural resource.*

- G. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties. Irrigation deliveries will not be impacted and the project will conform with existing adjudication requirements to ensure that downstream delivery is not impacted. Irrigation deliveries will not be impacted.*
14. Additional conditions are necessary to protect the public's interest.
15. All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.
16. The following conditions shall apply for the Phase #1 Division 1 preliminary plat:
- A. On Site Sewage: Soil logs need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in your plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and do not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.
 - B. Proof of potable water must be shown prior to final plat approval.
 - C. For final approval of a Group "B" Public Well, Kittitas County Environmental Health Department must first perform a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval. The well must be drilled and/or located within the subdivision boundaries, all infrastructure completed and within the utility corridors, the workbook and all related documentation including testing and satisfactory results must be submitted, reviewed and approved. Concurrence from the State Department of Health and issuance of a well ID number will complete the requirement.
 - D. The project shall provide adequate road access to the site and will conform to all Kittitas County Road Standards.
 - E. The project shall comply with the requirements of Kittitas County Code 16.18: Irrigation and Sprinkling.
 - F. Both sheets shall reflect: Ranch on Swauk Creek Planned Unit Development Phase #1 Division 1, P-06-27.
 - G. Full year's taxes must be paid on applicable tax parcels per Kittitas County Treasurer's requirements.
 - H. Pursuant to Kittitas County Code 17.74.060A, a Plat Note regarding the Right to Farm Ordinance is required. The note shall read as follows: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
 - I. All mitigations contained as part of the issued SEPA MDNS shall be conditions of approval.
17. Public testimony was heard.

NOW THEREFORE,

BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby approve said zone change consisting of approximately 487.43 acres from Forest and Range-20, Agriculture-5 and Agriculture-3 to

Planned Unit Development (PUD) known as the Ranch on Swauk Creek Rezone (Z-06-27), and a preliminary plat designated as Phase 1 Division 1 of the Planned Unit Development, known as the Ranch on Swauk Creek Preliminary Plat (P-06-27), and does hereby authorize the amendment of the Kittitas County Zoning Map as set forth in attached Exhibit A and B and does hereby approve the proposed development configuration for the preliminary plat as set forth in attached Exhibit C and D.

DATED this 5th day of December, 2006 at Ellensburg, Washington.



ATTEST:
CLERK OF THE BOARD

Julie A. Kjorsvik
Julie A. Kjorsvik

BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON

David B. Bowen
David B. Bowen, Chairman

Alan A. Crankovich
Alan A. Crankovich, Vice-Chairman

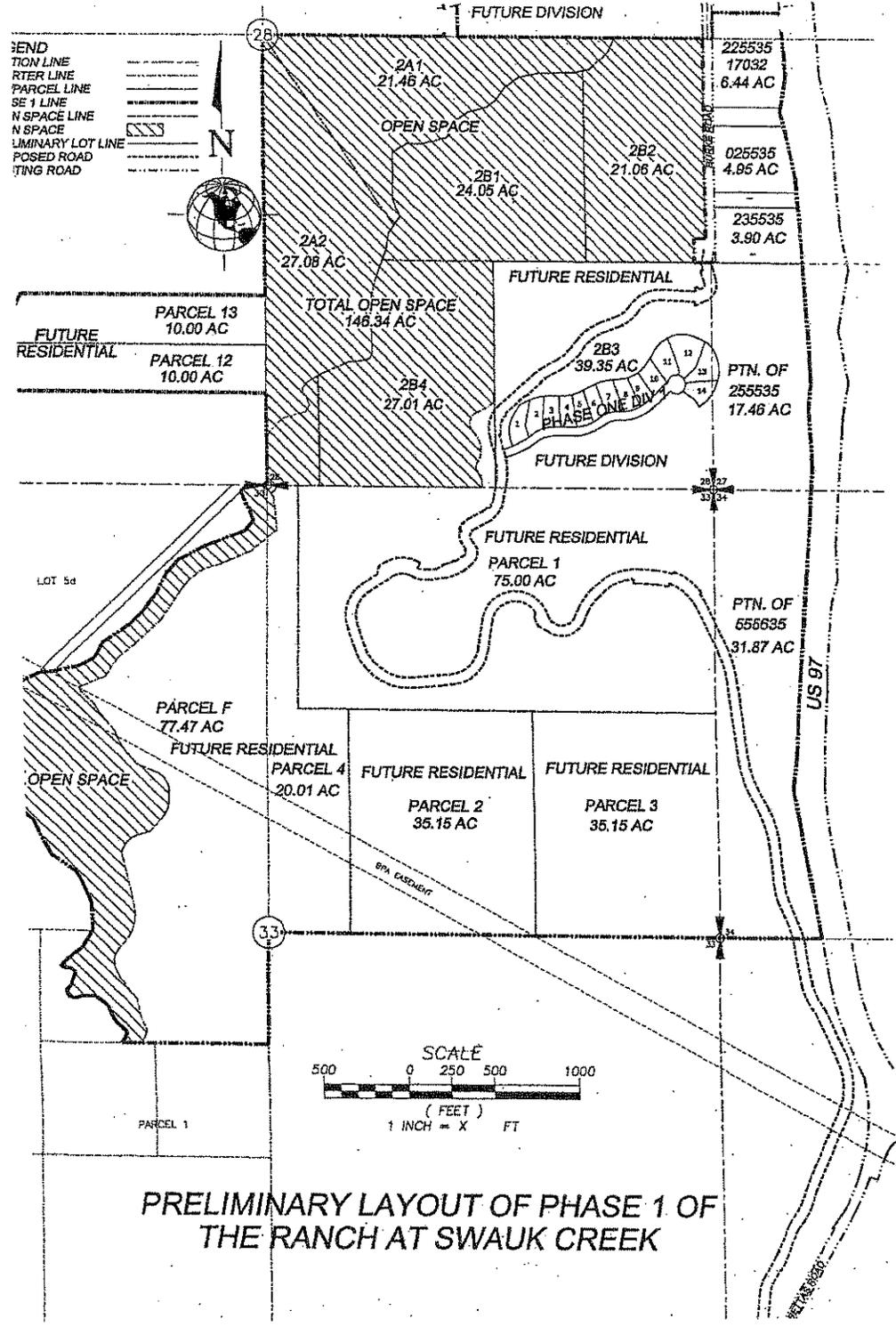
APPROVED AS TO FORM:

Greg Zempel WSBA #19125

Perry D. Huston
Perry D. Huston, Commissioner

Exhibit A: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27), Rezone Maps

1



PRELIMINARY LAYOUT OF PHASE 1 OF THE RANCH AT SWAUK CREEK

Exhibit B: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27), Rezone Maps
2

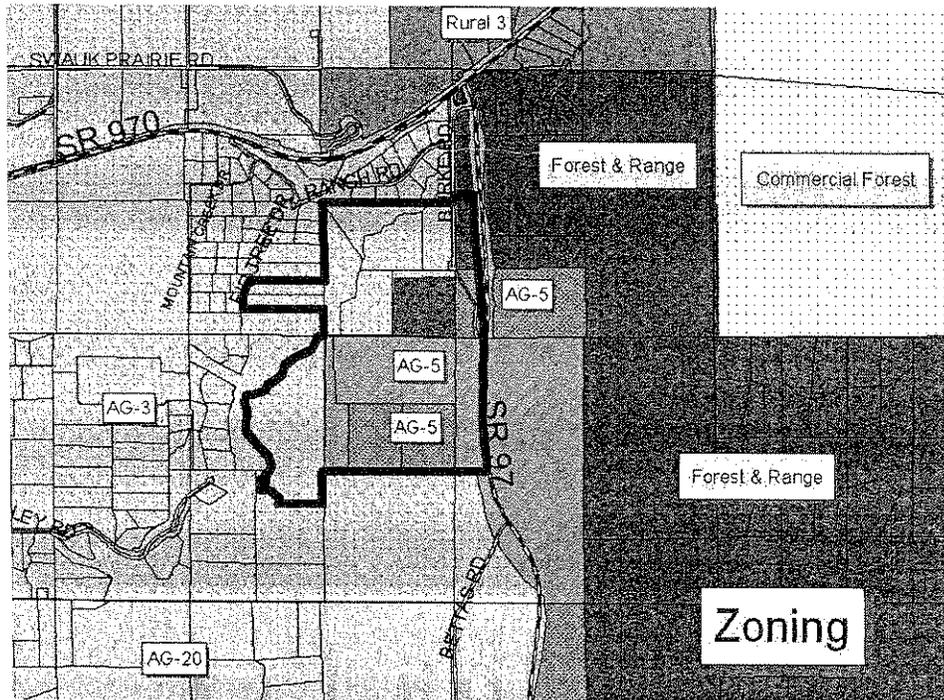
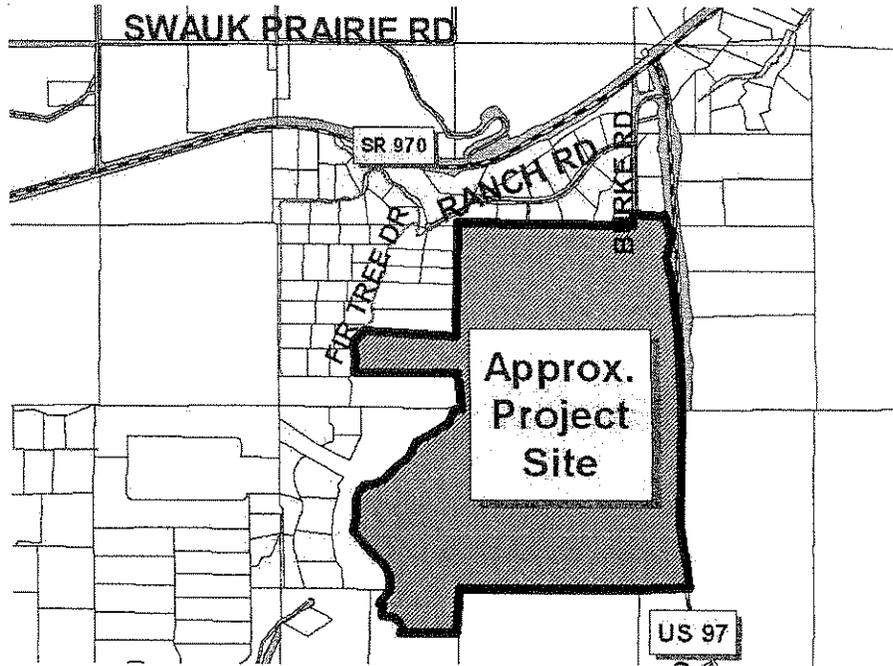


Exhibit C: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27), Preliminary Plat Map 1

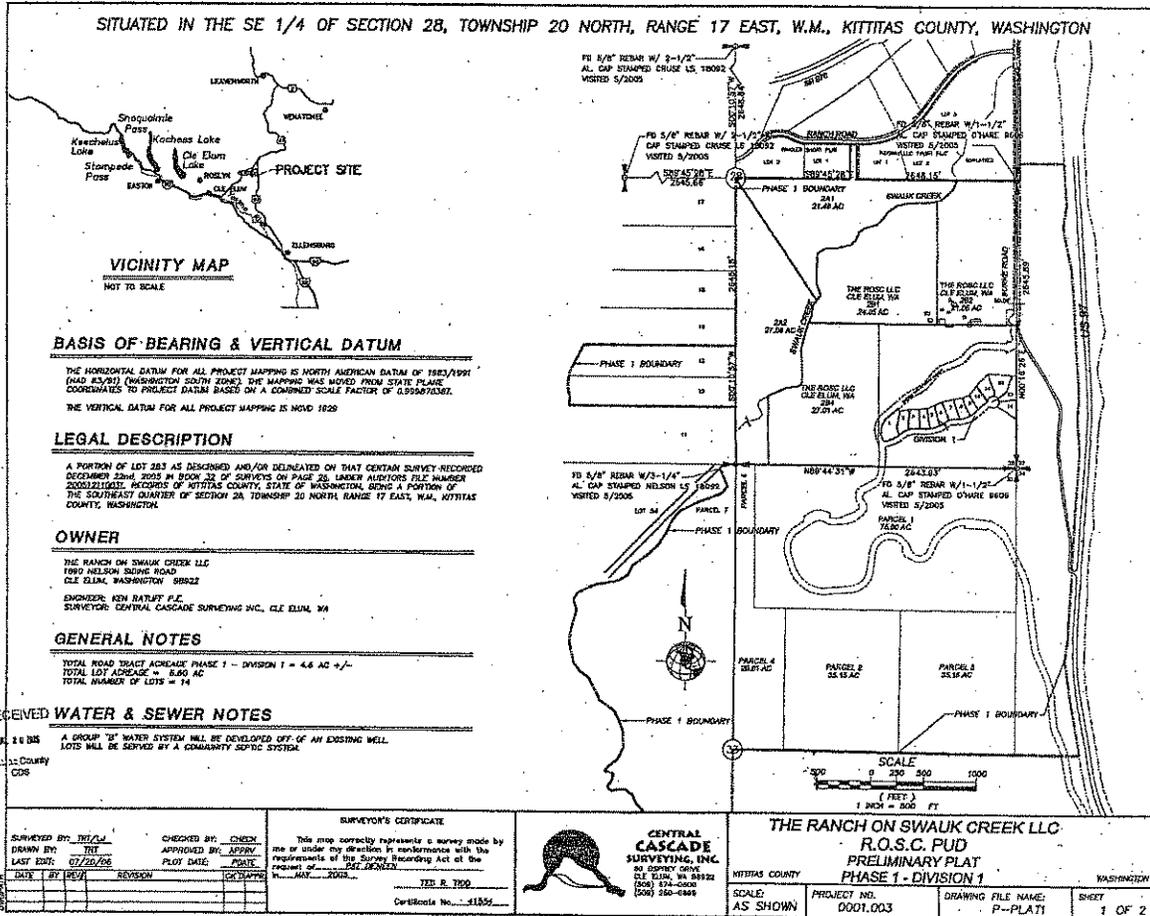
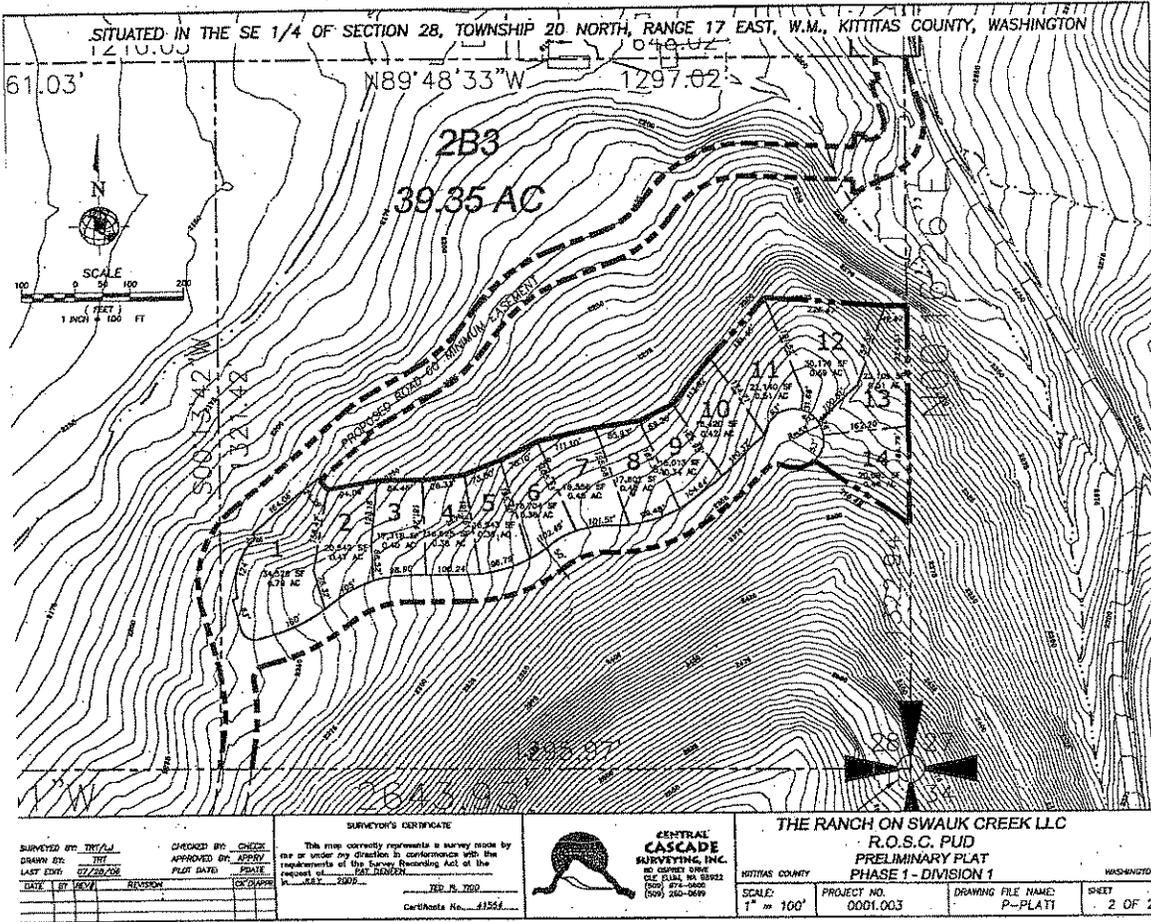


Exhibit D: Ranch on Swauk Creek Rezone (Z-06-27) and Preliminary Plat (P-06-27), Preliminary Plat Map 2



SURVEYOR'S CERTIFICATE This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act of the Republic of Washington. DATE: 07/28/2009 SURVEYOR: TERRY A. ZIMMERMAN Certificate No. 41564		 CENTRAL CASCADE SURVEYING, INC. 401 C STREET SW STE 204A, WA 98923 (509) 874-8600 (509) 262-0699	THE RANCH ON SWAUK CREEK LLC R.O.S.C. PUD PRELIMINARY PLAT PHASE 1 - DIVISION 1		WASHINGTON
SUBMITTED BY: TMT/ld DRAWN BY: TMT LAST DATE: 07/28/2009 DATE: 07/28/2009 BY: TMT REVISION: 01/01/2010	CHECKED BY: CHUCK APPROVED BY: JEFF PLOT DATE: 08/14/2009		KITTITAS COUNTY	SCALE: 1" = 100' PROJECT NO. 0001.003	DRAWING FILE NAME: P-PLAT1 SHEET 2 OF 2