

BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

PRELIMINARY PLAT APPROVAL
Turf Trails Plat (P-06-30)

RESOLUTION

NO. 2007- lele

WHEREAS, according to Kittitas County Code Chapter 16, relating to the Subdivision of Land, adopted pursuant to RCW 58.17, an open record hearing was held by the Kittitas County Planning Commission on February 27, 2007 for the purpose of considering a preliminary plat known as the Turf Trails Plat and described as follows:

The division of 13.75 acres into nine lots, tax parcel number 17-19-06040-0027.
Proponent: Chris Cruse, authorized agent for Thomas J. Fenz, landowner.

WHEREAS, no public testimony was heard from those persons present; 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 platting; and,

WHEREAS, the Planning Commission recommended approval of said proposed subdivision 5-0-1; and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on May 1, 2007 to consider the Planning Commission'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 preliminary plat:

1. Chris Cruse, authorized agent for Thomas J. Fenz, submitted an application for a 9-lot plat (Turf Trails Plat P-06-30) on 13.75 acres of land that is zoned Suburban. This application was deemed complete by Kittitas County Community Development Services on July 19, 2006. The subject property is located North of Kittitas Hwy. and west of No. 6 Road comprising a portion of the S ½ of Section 06, T. 17N., R 19E., W.M. in Kittitas County. Tax parcel number #17-19-06040-0027.
2. The said development application included a preliminary plat depicting the division of

one 13.75 acre parcel into nine parcels.

3. Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on August 21, 2006. The Board of County Commissioners finds further that said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
4. Based on the review of the submitted application materials (including an environmental checklist), correspondence received during this comment period and other information on file with our office, a Mitigated SEPA Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on January 11, 2007. See attached Exhibit A for specific mitigations. Said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
5. An administrative site analysis was completed by the staff planner in compliance with Title 17A. There are no known critical areas located on the subject property.
6. An open record hearing was held on February 27, 2007 to consider this matter and that testimony was taken from those persons present who wished to be heard. Due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.
7. The Board of County Commissioners finds that a closed record meeting was held on May 1, 2007 for the purpose of considering the preliminary plat known as the Turf Trails Plat. A motion was made and seconded that the preliminary plat be approved. The motion carried in with a vote of 3-0.
8. The Board of County Commissioners finds that additional conditions are necessary to protect the public's interest.

NOW, THEREFORE BE IT RESOLVED: That the Kittitas County Board of Commissioners hereby give preliminary plat approval to the Turf Trails Plat with the following conditions:

1. 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.

2. Proof of potable water must be shown prior to final plat approval.
3. For final approval of a shared well, a source site inspection must be performed prior to drilling. The completion of the Group B Workbook, with the appropriate testing and paperwork must also be submitted, reviewed and approved.
4. For final approval of an individual well, the submittal of well logs or a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells is required. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydrogeologist.
5. All applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars that states: "Kittitas County relies on its record that a supply of potable water exists. The approval of this division of land includes no guarantee or assurance that there is a legal right to withdraw groundwater within the land division."
6. Required on Final Plat: The Final Plat shall meet all requirements as listed in section 16.20 of the Subdivision Code; including content, format, etc. The following items will be required on the Final Plat Submittal:
 - a) Adjacent Property Owners: The adjacent property owners and surrounding properties shall be on the face of the final plat. (K.C.C.16.20.040, 10, Plat drawing, Adjacent Owners).
 - b) Surrounding Area: All surrounding property shall be shown in dotted lines and letters with names of plats, roads, adjoining lots, canals, and etc., and if un-platted shall be so indicated. (K.C.C.16.20.040, 11, Plat drawing, Surrounding Area).
7. Road Name(s): Road names shall be subject to the approval of the Kittitas County Department of Public Works.
8. Newly Proposed Road(s): The newly proposed road(s) appear to be extensions of Delta Street and Quartz Mtn. Drive, as depicted by the 60' right of way, this would appear to indicate that this is being proposed as a county "on-system" road, similar to the Grasslands Park Plat extension of Quartz Mtn Drive. Delta Street and Quartz Mtn. Drive are designated as Class 09 Rural Local Access Roads per Kittitas County Road Standards 12.03.030, C. This would be consistent with previous development actions and with current policy (KCC 16.12.080).
9. Internal Roads: The newly proposed road shall be constructed as defined in Kittitas County Road Standards 12.03.010 Road Classifications and 12.03.020, C.

- i. 12.03.010 Road Classifications: *County roads or streets are classified functionally as indicated in the following Sections 12.03. Function is the controlling element for classification and shall govern right-of-way, road width and road geometrics. Other given elements such as access, arterial spacing, and average daily traffic count, (ADT) are typical.*
- ii. 12.03.020, C: Rural Local Access (Class 09). *Road, which provides direct access to adjoining properties within a neighborhood. These constitute all rural mileage not classified as principal arterial, minor arterial, major collector, or minor collector mileage.*

10. Road Plans: Developers shall submit road plans as follows: Plan and profile drawings for all roads shall be submitted to the county engineer on film or linen sheets twenty-two inches by thirty-six inches in size, and receive his approval before proceeding with construction. The drawing standards used in preparing the drawings shall conform to the current drawing standards employed by the department of public works. All plans for roads, drainage, and utility construction are to be designed and prepared by a licensed professional engineer. Staking for road construction and adequate survey control for utility construction shall be provided at the subdivider's expense. Any Additional Lots Served by this Access: Any further subdivision or addition lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.

11. Construction Control and Inspection: Work performed in the construction or improvement of county roads, future county roads, whether by or for a private developer, by county forces, by county contractor or by private contractor, shall be done in accordance with standards and approved plans (Section 12.08). Inspections shall take place during the following construction stages:

- a. Clearing and grubbing;
- b. Road system drainage;
- c. Road subgrade;
- d. Road ballast grade;
- e. Completion of road surfacing.
- f. The platator shall pay all costs involved in said inspection services. The plat bond will not be released or the final plat approved until inspection costs are paid in full.
- g. It shall be the responsibility of the developer to notify the public works director in advance of the required inspections. All materials used and all work performed must be to the satisfaction of the public works director prior to acceptance by the county.

12. **Bonding:** The developer shall submit a bond to the Department of Public Works (See current Kittitas County Road Standards 12.01.150). Failure to comply with these Standards may result in denial of plan or development permit approval, revocation of prior approvals, or legal action for forfeiture of performance guarantee.

- a. **CONSTRUCTION PERFORMANCE GUARANTEES:** In lieu of the completion of any required improvements prior to approval of a final plat, short plat or other land-use action, the developer shall provide a performance guarantee in an amount and with satisfactory surety and conditions providing for and securing to Kittitas County the actual design, construction and installation of such improvements within a period specified by the Director. The Director will enforce the guarantee through appropriate legal and equitable remedies. If a surety bond is provided for public or private roads, the amount of the bond shall equal one hundred and thirty-five (135%) of the estimated design and construction cost. When a letter of escrow or cash is used, which will be acceptable only for public roads, the amount covered shall be for one hundred fifteen percent (115%) of the estimated construction cost as reviewed and concurred by the Public Works Director.

The amount of the financial guarantee may be reduced during construction proportionally to the amount of work completed, as said work is approved by the Public Works Director.

Building Permits will not be issued until road construction is completed or bonded to the subject dwelling or structure and approved by the County or a licensed professional engineer. The developer is legally and financially responsible for ensuring all roads are constructed in accordance with this code.

- b. **MAINTENANCE PERFORMANCE GUARANTEES:** The successful performance of public improvements shall be guaranteed for a period of not less than two years from the date of acceptance or Final Construction Approval (which ever is last). The amount of the maintenance guarantee shall be ten percent (10%) of the construction cost and the form of the maintenance financial guarantee shall be approved by the Public Works Director. Maintenance guarantees will not be required when the required performance guarantee is \$1,000.00 or less. (Ord. 2005-30, 2005)

9. **Access Permit:** An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.

13. **Storm Water:** Developer shall provide a storm water plan for surface water flows entering, flowing within and leaving the subject property. The plan is to conform to the following standards and requirements (see current Kittitas County Road Standards 12.06.050):

- a. The Kittitas County Director Of Public Works may require plans for storm drainage and detention facilities to be prepared by a registered civil engineer currently licensed by the state of Washington and qualified by experience and education in the field of hydraulics, hydrology, or a closely related field. Storm water plans or revisions to

any approved plan shall be reviewed and approved by the public works department prior to any construction.

- b. On-site storm water improvements must be sufficient to mitigate impacts due to flooding, erosion, sedimentation or pollution.
- c. All drainage system elements must provide for adequate maintenance and accessibility at all times. Storm water facilities shall be designed to eliminate interference from underground utilities and from conditions, which exceed design loads for any pipe or other structural element.
- d. The designer of any storm water element shall consider system reliability in terms of layout, specifications of materials and methods of installation.
- e. The impact of a system failure should be analyzed both in terms of on- site and off-site effects. The impacts may be to adjacent properties or to elements of the public drainage system or other private systems.
- f. No drainage originating inside of a building or structure shall be connected to the storm water or surface water systems.
- g. Developer shall meet all other applicable laws for water quality prior to discharge to any wetland, stream, or lake.
- h. Developers are encouraged to be innovative and give high priority to fish, wildlife, plant materials and related total resource management systems.

14. Approaches: All approaches to county roads shall be constructed as follows:

- a. An approved access permit will be required from the Department of Public Works, prior to creating any new driveway access, or performing any work within the county road right-of-way.
- b. Maintenance of driveway approaches shall be the responsibility of the owner(s) whose property they serve. Kittitas County will not maintain accesses.

15. Access to the plat: Access to the plat will be via Quartz Mountain Drive or Fenz Lane, no direct access to No. 6 Road or Kittitas Highway will be allowed.

16. Lot Closure: It is the responsibility of Cruse and Associates to ensure the lot closures are correct and accurate.

17. Addressing:

- a. The applicant shall contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.

10. Fire Protection:

- a. The applicant shall contact the Kittitas County Fire Marshall regarding any additional access requirements for Emergency Response.

11. Irrigation Water: Irrigation water will need to comply with irrigation District requirements and continued in front of and through the site to any downstream users. No irrigation water or tail water will be conveyed in the county right of way along the projects county road frontage.
12. Wellhead Buffers: Wellhead Buffers will not encroach within County Maintained R/W.
13. A plat note discussing the spread of noxious weeds shall be shown on the plat and shall read: "Per RCW 17.10.140 Landowners are responsible for controlling and preventing the spread of noxious weeds, accordingly, the Kittitas County Noxious Weed Board recommends immediate reseeding of areas disturbed by development to preclude the proliferation of noxious weeds."
14. 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).
15. Final mylars shall be submitted in accordance to KCC 16.20: Final Plats. All applicable survey data and dedications shall be reflected pursuant to KCC 16.24: Survey Data-Dedications.
16. Both sheets shall reflect the plat number P-06-30.
17. Full year's taxes must be paid on parcel number 17-19-06040-0027.

NOW THEREFORE,

BE IT HEREBY RESOLVED by the Board of County Commissioners of Kittitas County, Washington, that said preliminary plat designated as Turf Trails Plat and the same hereby is, approved with the proposed development configuration (See Exhibit A) and mitigation measures.

DATED this 5th day of June, 2007 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Alan A. Crankovich, Chairman



Julie A Kjorsvik
Julie A Kjorsvik

David B Bowen
David B Bowen, Vice- Chairman

Mark McClain
Mark McClain, Commissioner

APPROVED AS TO FORM:

Greg Zempel
Greg Zempel WSBA #19125

SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description Of Proposal: Turf Trails, File No. P-06-30: 9-Lot Plat

Proponents: Cruse and Associates, Authorized Agent
PO Box 959
Ellensburg, WA 98926

Thomas J. Fenz, Landowner
3191 Killmore Road
Ellensburg, WA 98926

Location: Located North of Kittitas Hwy and west of No. 6 Road comprising a portion of the S ½ of Section 06, T. 17N., R 19E., W.M. in Kittitas County. Tax parcel number #17-19-06040-0027 .

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. Water and Soils

- a. 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.
- b. The applicant will develop a Group "B" water system for the project. The Group B water system will be designed by a licensed engineer and approved by the Washington State Department of Health.
- c. The Group B water system shall be in place prior to final plat approval. Approval shall include drilling of the well along with demonstration that adequate water supply to support the proposed use.
- d. The Group B water system cannot be used for irrigation purposes.
- e. Flow meters must be installed both at the well head and each individual lot. Records documenting water usage both at the well head and each individual lot must be maintained and available for public inspection.

- f. Erosion control measure must be in place prior to any clearing, grading or construction. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by storm water runoff. A storm water construction permit may be required if there is a potential for discharge from a construction site larger than one acre. A Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is needed for all permitted construction sites.
- g. Location of the existing irrigation ditches shall be shown on the final mylars. An easement for maintenance of the existing ditch and or ditches will need to be recorded prior to final plat approval. Irrigation water rights of downstream users will need to be taken into effect.

II. Air

- a. The applicant must minimize the amount of dust in the air through water sprinkling and comply with all permitting and regulatory requirements set forth by the Washington State Department of Ecology Air Quality Program. This includes the preparation of a site-specific Fugitive Dust Control Plan (FDCP) prior to operation that must be followed during the duration of activity at the site.

III. Noise

- a. Construction activities shall comply with KCC 9.45 (Noise). Construction activities on site shall be conducted only between the hours of 7am to 7pm, Monday to Friday.

IV. Light and Glare

- a. Any on-site lighting shall be downward shaded and directed on-site.

V. Transportation

- a. The project will be subject to the rules and regulations of the Kittitas County Road Standards.
- b. The applicant will provide a safe location and passageway for a school bus stop. The local school district shall be consulted for the location of the stop and it shall be noted on the final mylars.
- c. Mail routes and/or boxes shall be approved by the local postmaster. Mailbox locations shall not create sight obstructions.

VI. SEPA Review

- a. Any future subdivision or development of lot 9, regardless of exemption shall be subject to additional SEPA review.

This Mitigated DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days. 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 5:00 pm, January 31, 2007.

Responsible

Official:

Scott Turnbull

Title:

Planner I

Address:

Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
(509) 962-7506 Fax 962-7682

Date: January 11, 2007

Pursuant to 36.70B.050 RCW and 15.04.210. KCC, the 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 108, Ellensburg, WA. 98926. Timely appeals must be received no later than 5:00 p.m., January 31, 2007.

Exhibit A

TURF TRAILS
 PART OF SECTION 6, T. 17 N., R. 19 E., W.M.
 KITTITAS COUNTY, WASHINGTON
 - PRELIMINARY PLAT -

