



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

August 15th, 2017

EXPIRED PLAT NOTICE

Permit # LP-07-00023 Thunder Ridge

Parcel#20-15-25056-0002

Chad Stevens
71 Carbide Ct.
Cle Elum, WA 98922

Dear Applicant,

A review of our records has verified that the above listed preliminary plat has expired and final approval has not been granted. Preliminary plat approval was granted on May 7th, 2009 via The Superior Court of the State of Washington. There for the Thunder Ridge preliminary plat expired on May 7th, 2016. Kittitas County Code reads as follows:

"16.12.250 Expiration.

A final plat meeting all requirements of this chapter shall be submitted to the board for approval within the timeframe specified by RCW 58.17.140 . Failure to do so will result in the preliminary plat being expired and no longer valid. No further action is necessary regarding an application once the preliminary plat has expired pursuant to this chapter. 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. (Ord. 2010-014 , 2010; Ord. 2010-02, 2010; Ord. 2005-31, 2005)"

"16.20.010 Requirements.

The final plat shall conform substantially to the preliminary plat, as approved by the board of county commissioners, and shall meet the requirements in Sections 16.20.020 through 16.20.050 of this chapter. (Ord. 2005-31, 2005)"

Per Kittitas County Prosecuting Attorney Neil Caulkins:

"KCC 16.12.250 provides that a plat must meet all conditions imposed and be finalized by the time set forth in RCW 58.17.140 (seven years) otherwise it expires automatically. KCC 16.20.010 reiterates that the final plat submission must satisfy all preliminary plat and relevant legal conditions. Hence, if the deadline for submission has passed, as it has in this case, and the conditions for preliminary approval have not been satisfied, as in this case, then the preliminary plat automatically has expired and no additional step is needed. In other words, it does not need to go before the BOCC. CDS could simply write a letter to the applicant informing them of the expiration. Because the preliminary plat has expired, there is no longer a means for the applicant to add to the submission. There is also no legal means for the county to resurrect the application. There is no legal means for the county to continue working with the applicant upon this matter. Neither CDS nor the BOCC can resurrect this matter, there is no legal authority for such, and there is specific case law saying that it would be illegal for the county to resurrect such an application or otherwise continue processing it."

Please be aware that Kittitas County has updated its code and there may be new requirements if you chose to submit a new plat application. Please contact Community Development Services if you have any further questions.

Sincerely,

Dan Carlson, AICP
Community Development Services Director
Kittitas County
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cc: Cruse & Associates (authorized agent)