



Frosty Pines II Short Plat
File Number SP-24-00008
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. General Information

Requested Action: The applicants are proposing a 3-lot short plat resulting in one (1) 17.065-acre lot, one (1) 5.00-acre lot, and one (1) 5.00-acre lot, utilizing the "Short Plat Requirements" section of Kittitas County Code 16.32.

Location: Two tax parcels (#952828 and #952827), located approximately 6.66 miles Northwest of Roslyn, WA, in a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16, T. 21 N., Range 14 E., W.M.; Kittitas County parcel map numbers 21-14-16052-0007, and 21-14-16052-0008, with a land use designation of Rural Recreation and a zoning designation of Rural Recreation.

Site Information:

| | |
|---------------------------|------------------------------------|
| Total Property Size: | 27.065 acres |
| Number of existing lots: | 2 |
| Number of proposed lots: | 3 |
| Domestic Water: | Existing Shared Wells |
| Existing Sewage Disposal: | Existing Individual Septic Systems |
| Fire District: | Cle Elum (Fire District 7) |
| Irrigation District: | None |

Site Characteristics: The site consists of existing single-family residences with well/septic systems and associated features.

Surrounding Property:

North: Primarily existing single-family residences within a Rural Recreation zoning designation.

South: Primarily existing single-family residences within a Rural Recreation zoning designation.

East: Primarily forested land within a Commercial Forest zoning designation.

West: Forest and Range zoning, within which lies a large, freshwater lake with associated recreational infrastructure and activity.

Access: The project has existing access from Salmon La Sac Road via Anna Bell Drive, a private road.

II. Administrative Review

Notice of Application: A Short Plat permit application was submitted to Kittitas County Community Development Services on May 9, 2024. The application was deemed complete on May 14, 2024. A Notice of Application for the Frosty Pines II Short Plat (SP-24-00008) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on May 14, 2024. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

Designated Permit Coordinator (staff contact): Zach Torrance-Smith, Staff Planner. Phone: (509) 962-7079, Email: zach.torrancesmith@co.kittitas.wa.us.

III. Zoning and Development Standards

The subject property is located approximately 6.66 Miles Northwest of Roslyn, WA, and has a zoning designation of Rural Recreation with a Land Use designation of Rural Recreation. The purpose and intent of this zone is to provide areas where residential development may occur on a low-density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. The Frosty Pines II Short Plat is being proposed under KCC 16.32 Short Plat Requirements.

Staff Conclusions

The proposal, as conditioned, meets the requirements of KCC 16.32.

KCC 16.32.050 Short plat review: The planning official shall be vested with the responsibility of processing short plat applications. The county shall review and consider the proposed short subdivision regarding:

1. Its conformance with all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the State of Washington.
2. Its conformance to all standards and improvements required under this title.
3. Potential hazards created by flood potential, landslides, etc.
4. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
5. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.
6. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
7. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in [RCW 58.17.060](#)
8. Its compliance with [Kittitas County Code Chapter 13.35](#), Adequate Water Supply Determination or work voluntarily with Kittitas County to develop an authorized conservation easement, see section 16.08.061.

Staff Conclusions

The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the State of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for all

proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply. Staff finds that the proposed short plat, as conditioned, is consistent with all applicable Washington State and Kittitas County codes.

IV. Comprehensive Plan

The Kittitas County Comprehensive Plan designates the proposal as a short plat in a Rural Recreation land use designation. Kittitas County has established the following goals and policies to guide activities in these areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

RR-P58: Developers should be required to approach project design which provides a visual rural environment characteristic of Kittitas County including preservation of open spaces, adequate buffering between development and natural areas, and preservation of critical areas and forested lands.

Consistency Statement

The proposed short plat will allow the property owner to utilize their property to an increased efficiency, while not causing an adverse impact on the surrounding critical areas and forested lands.

Staff Comments

The Frosty Pines II short plat as conditioned is consistent with the Kittitas County Comprehensive Plan Goals and Policies listed above. The proposal preserves rural character and allows for continued rural recreational land use.

V. Environmental Review

CDS determined the Frosty Pines II Short Plat was exempt from SEPA review per WAC 197-11-800 (6)(d). A desktop critical area review was performed by staff and GIS data indicates no wetlands exist on proposed lots. There is a Type-4 Seasonal (N) stream on the property that will require a minimum RMZ buffer of 50 feet. Any future development will be required to meet the standards of KCC 17A Critical Areas.

VI. Agency and Public Comments

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

Agency Comments:

The following agencies provided comments during the comment period: Washington State Department of Health - Office of Drinking Water, Snoqualmie Tribe, Department of Natural Resources, Confederated Tribes of the Colville Reservation, Department of Archaeology and Historic Preservation, Kittitas County Public Works, Department of Ecology, Kittitas County Public Health.

Washington State Department of Health – Office of Drinking Water

The WSDOH Office of Drinking Water provided comments pertaining to water system designations and the associated requirements, regulations, and agencies with jurisdiction over water resources.

Applicant Response: “We have no responses to the comments provided.”

Staff Response: Staff reaffirms the assertions made by this agency and has conditioned this decision to meet all local, state, and federal codes and regulations.

Snoqualmie Tribe

The Snoqualmie Tribe provided comments recommending an archaeological review of the property and to be notified if archaeological work occurs in the future.

Applicant Response: “We have no responses to the comments provided.”

Staff Response: These comments were provided to the applicant.

Confederated Tribes of the Colville Reservation

The CTCR provided comments requesting an Inadvertent Discovery Plan (IDP) be in place prior to any ground disturbing activities. The CTCR also requested a cultural resources survey be conducted.

Applicant Response: “We have no responses to the comments provided.”

Staff Response: Staff has conditioned this decision to require an IDP prior to any ground disturbing activities

Department of Archaeology and Historic Preservation

The DAHP provided comments recommending a professional archaeological survey be conducted. DAHP also recommended a historical buildings analysis be conducted to determine the historical significance of any on-site structures.

Applicants Response: “We have no responses to the comments provided.”

Staff Response: Staff hereby affirms the recommendations of DAHP and has conditioned the decision to require an IDP, there are no structures on-site that qualify for historical significance.

Kittitas County Public Works

Kittitas County Public Works provided comments stating that this project is required to include a fire turnaround that is compliant with the 2018 International Fire Code, Appendix D. KCPW also provided comments stating road requirements and specifications, as well as final survey requirements.

Applicants Response: “We have no responses to the comments provided.”

Staff Response: As these comments include requirements and mandatory site features, staff hereby reaffirms that completion of this project is contingent upon remaining in compliance with these requirements. Staff has conditioned this decision to comply with the requirements of KCPW.

Department of Ecology

The Department of Ecology provided comments pertaining to stormwater discharge requirements.

Applicants Response: “We have no responses to the comments provided.”

Staff Response: Staff hereby reaffirms that stormwater discharge regulations must be respected in the event this project results in stormwater discharge.

Kittitas County Public Health

KCPH provided comments pertaining to Soil Log requirements, the requirement to have a Well User's Agreement in place, and requirements for the protection zone around all wells.

Applicants Response: "We have no responses to the comments provided."

Staff Response: As the comments provided contained requirements, staff hereby affirms that the completion of this project is contingent upon properly addressing these requirements.

Department of Natural Resources

The DNR provided comments stating that if merchantable timber is harvested from the site, a Forest Practices Application (FPA) will be required, issued by the DNR.

Applicants Response: "We have no responses to the comments provided."

Staff Response: Staff hereby reaffirms that if timber is harvested from this site, an FPA permit will be required from the Department of Natural Resources.

VII. Project Analysis & Consistency Review

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

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan policies apply to this proposal: RR-P58

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

A desktop critical area review was performed by staff and GIS data indicates there are no wetlands present on the property.

Consistency with the provisions of KCC 17.30, Rural Recreation:

This proposal, as conditioned, is consistent with the Kittitas County Zoning Code for the Rural Recreation zoning designation.

Consistency with the provisions of KCC 16.32.050, Short Plat Review:

This proposal, as conditioned, is consistent with the Kittitas County Short Plat Review requirements. The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for both proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply.

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

All buildings must be in accordance with International Building Codes.

Consistency with the provisions of KCC Title 12, Roads and Bridges:

As conditioned, the proposal must be consistent with the provisions of KCC Title 12.

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

As conditioned, the proposal must be consistent with the provisions of KCC Title 20.

VIII. Findings of Fact

1. Requested Action: The applicants are proposing a 3-lot short plat resulting in one (1) 17.065-acre lot, one (1) 5.00-acre lot, and one (1) 5.00-acre lot, utilizing the “Short Plat Requirements” section of Kittitas County Code 16.32.
2. Site Location: Two tax parcels (#952828, and #952827) located approximately 6.66 miles Northwest of Roslyn, WA, in a portion of the SE ¼ of the NW ¼, and the NE ¼ of the SW ¼ of Section 16, T. 21 N., Range 14 E., W.M.; Kittitas County parcel map numbers 21-14-16052-0007, and 21-14-16052-0008, with a land use designation of Rural Recreation and a zoning designation of Rural Recreation.

3. Site Information:

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| Total Property Size: | 27.065 acres |
| Number of existing lots: | 2 |
| Number of proposed lots: | 3 |
| Domestic Water: | Existing Shared Wells |
| Existing Sewage Disposal: | Existing Individual Septic Systems |
| Fire District: | Cle Elum (Fire District 7) |
| Irrigation District: | None |

Site Characteristics: The site consists of existing single-family residences with well/septic systems and associated features.

Surrounding Property:

North: Primarily existing single-family residences within a Rural Recreation zoning designation.

South: Primarily existing single-family residences within a Rural Recreation zoning designation.

East: Forested land within a Commercial Forest zoning designation.

West: Forest and Range zoning that includes a large, freshwater lake with associated recreational infrastructure and activity.

Access: The project has existing access from Salmon La Sac Road via Anna Bell Drive, a private road.

4. The Comprehensive Plan land use designation is “Rural Recreation”.
5. The subject property is zoned “Rural Recreation”.

6. A Short Plat permit application was submitted to Kittitas County Community Development Services on May 9, 2024. The application was deemed complete on May 14, 2024. A Notice of Application for the Frosty Pines II Short Plat (SP-24-00008) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on May 14, 2024. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).
7. The proposal is consistent with Kittitas County Subdivision Code 16.32.050, Short Plat Review. Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections, provided that aforementioned required provisions are met.
8. The following agencies provided comments during the comment period: Washington State Department of Health – Office of Drinking Water, Snoqualmie Tribe, Department of Natural Resources, Confederated Tribes of the Colville Reservation, Department of Archaeology and Historic Preservation, Kittitas County Public Works, Department of Ecology, Kittitas County Public Health.
9. SEPA review was not required. This project is exempt under WAC 197-11-800 (6)(d). The proposed short plat is consistent with KCC Title 15.
10. The proposed short plat is consistent with KCC Title 17A Critical Areas as conditioned.
11. The proposed short plat is consistent with KCC 17.30 Rural Recreation Zone as conditioned.
12. The proposed short plat is consistent with KCC 16.32.050 as conditioned.
13. The proposed short plat is consistent with KCC Title 14 Building and Construction as conditioned.
14. The proposed short plat is consistent with KCC 12 Roads and Bridges as conditioned.
15. The proposed short plat is consistent with KCC 20 Fire and Life Safety as conditioned.

IX. Conclusions

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. As conditioned the proposal is consistent with Kittitas County Code Title 16.32 Short Plat.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Building Code, Title 13 Water and Sewers, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

X. Decision and Conditions of Approval

Kittitas County Community Development Services grants *preliminary approval* of the Frosty Pines II Short Plat, SP-24-00008, based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

Conditions of Approval:

1. Building

- A. All new construction must meet the International Code requirements.
- B. Environmental and statutory review may be required for all current and future development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.

2. Roads and Transportation

- A. This application is subject to the latest revision of the Kittitas County Road Standards. The following conditions apply and must be completed prior to final approval of this project. A performance guarantee may be used in lieu of the required improvements, per the conditions outlined. (KCC 12.01.150)
- B. A driveway shall serve no more than four tax parcels. See Kittitas County Road Standards.
- C. New access easements shall be a minimum of 30'. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150', or 16' if the length of the driveway is more than 150'.
- D. Driveways longer than 150' in length are required to provide a Fire Apparatus Road Turnaround meeting the requirements of appendix D in the International Fire Code.
- E. Max grade shall be 10%.
- F. Crush surface depth per WSDOT Standards.
- G. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- H. An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right-of-way.
- I. Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit

or utilities until such parcel is identified with a 911 address.

- J. Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
- K. Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.
- L. Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080).

3. State and Federal

- A. Applicant shall meet all state and federal regulations.

4. Survey

- A. The new division line shall have corners set in the field and be shown on the face of the survey.
- B. The final plat shall show the basis of bearing.

5. Plat Notes

- A. The following plat notes shall be recorded on the final mylar drawings:
 - Environmental and statutory review may be required for all current and future development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.
 - All development shall comply with International Fire Code.
 - Maintenance of the access is the responsibility of the property owners who benefit from its use.
 - 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.
 - The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.

- Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations.
- The subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities and mineral operations may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities and/or mineral operations performed in accordance with County, State and federal laws are not subject to legal action as public nuisances.

6. Other

- A. Taxes shall be paid in full on all tax parcels involved in this land use action as required by Washington State Law (RCWs 84.40.042 & 84.56.345) prior to final plat recording.
- B. Should ground disturbing or other activities related to the proposed subdivision result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP) and the Confederated Tribes of the Colville Reservation. Work shall remain suspended until the findings are assessed, and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.
- C. At least one soil log per lot not already served by an on-site septic must be provided prior to final plat approval
- D. A signed, notarized and recorded two party shared well user's agreement between lots to be served by the individual well and well log for the existing well must be submitted to the Health Department for review.
- E. A 100 foot protection zone around each existing and proposed well site must be established prior to final plat approval.
- F. A Forest Practices Application (FPA) from the DNR shall be obtained if merchantable timber is removed/harvested as part of the proposal and/or is being converted out of forest land (RCW 76.09 and WAC 222).
- G. Both sheets of the final mylars shall reflect short plat number SP-24-00008 and an accurate legal description shall be shown on the face of the final plat. Engineers and

Surveyors need to be cognizant of all the requirements related to Final Plats (KCC 16.20) and Survey Data and Dedications (KCC 16.24). The final plat must be submitted in full conformance with these chapters of Kittitas County Code; **non-compliant mylars will be rejected and returned to the applicant.** A final plat file number will be assigned when CDS receives your final plat application. This file number will also be required on the face of the final plat.

- H. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
- I. This preliminary approval will expire 5 years from the date of this determination if no extension is filed in accordance with KCC 16.32.090.

From these conclusions and findings, the proposed Short Plat is approved with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1670 to Kittitas County. The appeal deadline for this project is June 28, 2024, at 5:00p.m. Appeals submitted on or before June 28, 2024, shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official



Zach Torrance-Smith

Title: Planner I

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

Date: June 12, 2024