



**MLH Short Plat**  
**File Number SP-24-00014 MLH**  
**FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

**I. General Information**

**Requested Action:** The applicants are proposing a 2-lot short plat resulting in one (1) 9.58-acre lot and one (1) 49.44-acre lot, utilizing the "Short Plat Requirements" section of Kittitas County Code 16.32.

**Location:** One tax parcel (#504636/961873), located approximately 1.74 miles East of Cle Elum, WA, in a portion of Sections 28 & 33, T. 20 N., Range 16 E., W.M.; Kittitas County parcel map numbers 20-16-33010-0007 and 20-16-33010-0010, with a land use designation of Rural Residential and a zoning designation of Agriculture-5.

**Site Information:**

Total Property Size:	59.02 acres
Number of existing lots:	1
Number of proposed lots:	2
Domestic Water:	Mundy Water System (Potable)
Existing Sewage Disposal:	Existing On-Site Sewage System
Fire District:	Fire District #7 (Cle Elum)
Irrigation District:	N/A

**Site Characteristics:** The site consists of existing non-residential structures and forested/agricultural lands within an Agriculture-5 zoning designation.

**Surrounding Property:**

North:	Forested and agricultural lands with low-density residential development within a Forest & Range zoning designation.
South:	Forested and agricultural lands with low-density residential development within an Agriculture-5 zoning designation.
East:	Forested and agricultural lands with low-density residential development within a Forest & Range zoning designation.
West:	Forested and agricultural lands with low-density residential development within an Agriculture-5 zoning designation.

**Access:** The property has existing access from Masterson Road and Flying M Drive.

**II. Administrative Review**

**Notice of Application:** A Short Plat permit application was submitted to Kittitas County Community Development Services on November 5, 2024. The application was deemed complete on November 13, 2024. A Notice of Application for the MLH Short Plat (SP-24-00014) 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 November 13, 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](mailto:zach.torrancesmith@co.kittitas.wa.us).

### **III. Zoning and Development Standards**

The subject property is located approximately 1.74 miles East of Cle Elum, WA, and has a zoning designation of Agriculture-5 with a Land Use designation of Rural Residential. The intent of this zoning classification is to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. The Agriculture-5 zone has a minimum lot size of 5 acres. The MLH 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 Short Plat Requirements; 1) The lot sizes are 9.58 acres and 49.44 acres, which meet the minimum lot size requirements for this zoning designation. 2) The lot comprising the balance of the division is capable of meeting all setback requirements ensuring continued agricultural use.

**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 Residential 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-G16: Allow for residential opportunity with rural character and a variety of densities outside UGAs without population expecting all urban services.

##### Consistency Statement

*By creating an additional parcel, while keeping both parcels well above the minimum lot size for this zoning designation, Kittitas County is showing that we are prioritizing increased residential opportunities in rural areas without sacrificing rural character or increasing overall density in an unsustainable manner.*

RR-G17: Generally, provide services supporting rural development and lower population densities.

##### Consistency Statement

*By ensuring that both parcels included in this short plat are well above the minimum lot size for this zone, Kittitas County is demonstrating that we support continued residential opportunities in rural areas without sacrificing rural character or stressing rural services with excessive development.*

##### Staff Comments

*The MLH short plat as conditioned is consistent with the Kittitas County Comprehensive Plan Goals and Policies listed above. The proposal preserves agricultural lands and allows for continued agricultural land use.*

#### **V. Environmental Review**

CDS determined the MLH 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 the possible presence of natural wetlands and streams on proposed lots. 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: Bonneville Power Administration, Confederated Tribes of the Colville Reservation, Washington State Dept. of Natural

Resources, Kittitas County Public Health, Snoqualmie Tribe, Washington State Dept. of Fish and Wildlife, Washington State Dept. of Ecology, Kittitas County Public Works. One public comment was received during the public comment period.

#### **Bonneville Power Administration**

The Bonneville Power Administration provided comments acknowledging that this project will not impact their facilities and that they have no concerns.

*Applicant Response: Thank you for sending the comments received on our application and most look typical from the various departments.*

*Staff Response: As BPA provided comments stating that they have no concerns, staff has no further comment.*

#### **Confederated Tribes of the Colville Reservation**

The CTCR stated that they have no comments or concerns, and that they defer to the concerns of other tribes.

*Applicant Response: Thank you for sending the comments received on our application and most look typical from the various departments.*

*Staff Response: As CTCR provided comments stating that they have no concerns, staff has no further comment.*

#### **Washington State Dept. of Natural Resources**

The DNR stated that a Forest Practices Application (FPA) will be required if merchantable timber is removed from the property.

*Applicant Response: No earthwork or timber harvest is planned for this application and noted that we must contact DNR prior to harvest of merchantable timber.*

*Staff Response: Staff affirms the requirements of the DNR, if merchantable timber is removed from this property, applicants are required to obtain an FPA through the appropriate channels.*

#### **Kittitas County Public Health**

KCPH provided comment stating that a new water supply determination will be required, as well as well logs and soil logs.

*Applicant Response: Thank you for sending the comments received on our application and most look typical from the various departments.*

*Staff Response: Staff hereby reaffirms the required elements stated by Kittitas County Public Health, and has conditioned this project to include those requirements.*

#### **Snoqualmie Tribe**

The Snoqualmie Tribe provided comments recommending an archaeological review of the property.

They asked to be notified if archaeological work or studies are conducted on this property.

*Applicant Response:* *This property has been worked and tilled for agricultural use for decades and has had the timber harvested by previous owners several times. This property does not contain any undisturbed ground. No earthwork is planned for this application and a cultural resources study should not be needed at this time. I think if the county placed a notice on this application requiring the lot owners to contact authorities in case of any inadvertent discoveries and we also place a notice on the plat that further review and permitting may be required for future development it should address concerns.*

*Staff Response:* *As the comments provided are recommendations and requests, staff has no further comment.*

### **Washington State Dept. of Fish and Wildlife**

WDFW expressed concerns regarding critical areas. WDFW asked the applicants to demonstrate that Variances and Reasonable Use permits will not be needed after this project is complete. WDFW also pointed out that the site plans need to show a tributary they are aware of being in existence, as well as reflecting that this parcel lies within the habitat “Elk Winter Range.” WDFW also provided recommendations regarding Critical Area Ordinances, variances, ways to identify areas that can be developed, and detailed development patterns necessary to protect critical areas.

*Applicant response:* *Masterson ditch no longer exists as it was replaced by an underground irrigation pipeline years ago and has been filled in intentionally and naturally on this property and other properties along the old ditch route east to the Teanaway River. No evidence remains or was observed for the Masterson Ditch or any tributary on this property and a critical area report should not be needed for this application. Again, we are not creating any additional buildable parcels as most of the property is already within a conservation easement. Placing a notice on the plat that further review and permitting may be required for future development should address any concerns.*

*Staff Response:* *Staff finds that the applicants have addressed concerns of the WDFW and has included stated requirements of this agency in the conditions of approval for this project.*

### **Washington State Dept. of Ecology**

WSDOE provided comments clarifying that withdrawal of groundwater must be water budget neutral and provided direction to appropriate applications.

*Applicant Response:* *Thank you for sending the comments received on our application and most look typical from the various departments.*

*Staff Response:* *Staff hereby reaffirms all specifications and regulations regarding water and has conditioned approval upon adhering to said regulations and requirements put forth by WSDOE.*

### **Kittitas County Public Works**

KCPW provided comments pertaining to access requirements, engineering requirements, required documents for legal water availability. KCPW detailed needed water related documents that are needed, as well as water mitigation/metering information. KCPW provided notice that failure to adhere to these requirements is a code enforcement violation. KCPW also gave required final plat notes.

*Applicant Response: Thank you for sending the comments received on our application and most look typical from the various departments.*

*Staff Response: As the comments provided contained requirements, staff hereby reaffirms the requirements set forth by KCPW and has conditioned approval upon adhering to these requirements.*

**One public comment was received during the public comment period.**

**Debbie Thiel, Adjacent Property Owner**

Debbie Thiel provided comments expressing concern regarding the Homeowner's Association and their associated by-laws as they relate to this project.

*Applicant Response: HOA's and CCR's are a private agreement between land owners not typically enforced by Kittitas County. As most of this property is within a conservation easement and this application is not creating any additional residences it should not impact the existing CCR's and can be addressed by HOA members, if needed.*

*Staff Response: As relationships between property owners and HOA's are a private civil matter, Kittitas County has no response and will process this project according to Kittitas County Code requirements and regulations.*

## **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 V of this staff report, the following Comprehensive Plan policies apply to this proposal: RR-G16 and RR-G17.

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

A desktop critical area review was performed by staff and GIS data indicates the possible presence of streams and/or wetlands on the property. Any future development is subject to requirements and restrictions associated with any present critical areas.

**Consistency with the provisions of KCC 17.28A, A-5– Agriculture-5 Zone:**

This proposal, as conditioned, is consistent with the Kittitas County Zoning Code for the Agriculture-5 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 2-lot short plat resulting in one (1) 9.58-acre lot and one (1) 49.44-acre lot, utilizing the “Short Plat Requirements” section of Kittitas County Code 16.32.
2. Site Location: One tax parcel (#504636/961873) located approximately 1.74 miles East of Cle Elum, WA, in a portion of Sections 28 & 33, T. 20 N., Range 16 E., W.M.; Kittitas County parcel map numbers 20-16-33010-0007 and 20-16-33010-0010, with a land use designation of Rural Residential and a zoning designation of Agriculture-5.

3. Site Information:

Total Property Size:	59.02 acres
Number of existing lots:	1
Number of proposed lots:	2
Domestic Water:	Mundy Water System (Potable)
Existing sewage Disposal:	Existing On-Site Sewage System
Fire District:	Fire District #7 (Cle Elum)
Irrigation District:	N/A

Site Characteristics: The site consists of existing non-residential structures and forested/agricultural lands within an Agriculture-5 zoning designation.

Surrounding Property:

North: Forested and agricultural lands with low-density residential development within a Forest & Range zoning designation.

South: Forested and agricultural lands with low-density residential development within an Agriculture-5 zoning designation.

East: Forested and agricultural lands with low-density residential development within a Forest & Range zoning designation.

West: Forested and agricultural lands with low-density residential development within an Agriculture-5 zoning designation.

Access: The property has existing access from Masterson Road and Flying M Drive.

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

6. A Short Plat permit application was submitted to Kittitas County Community Development Services on November 5, 2024. The application was deemed complete on November 13, 2024. A Notice of Application for the MLH Short Plat (SP-24-00014) 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 November 13, 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: Bonneville Power Administration, Confederated Tribes of the Colville Reservation, Washington State Dept. of Natural Resources, Kittitas County Public Health, Snoqualmie Tribe, Washington State Dept. of Fish and Wildlife, Washington State Dept. of Ecology, Kittitas County Public Works. One public comment was received during the public comment period.
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 17.28A A-5 – Agriculture-5 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 Requirements.
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 MLH Short Plat, SP-24-00014, based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

### Conditions of Approval:

#### **1. Building**

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

#### **2. Roads and Transportation**

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

- I. Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
- J. Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
- K. Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.
- L. Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080).

### **3. State and Federal**

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

#### 4. 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.
- A public utility easement 10 feet in width is reserved along all lot lines. The 10-foot easement shall abut the exterior plat boundary and shall be divided by 5 feet on each side of interior lot lines. Said easement may also be used for irrigation.
- Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.
- 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.
- Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County

Code Chapter 13.35.027 and Ecology regulations.

- The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.

## 5. Other

- A. Taxes shall be paid in full on all tax parcels involved in this land use action as required by Washington State Law (RCWs 84.40.042 & 84.56.345) prior to final plat recording.
- B. Per Kittitas County Public Health: Lot A1 will need to submit an adequate water supply determination as well as a well log for drinking water on the lot. Lot A1 will also need to submit a soil log.
- C. Should ground disturbing or other activities related to the proposed subdivision result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP) and the Confederated Tribes of the Colville Reservation. Work shall remain suspended until the findings are assessed, and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.
- D. Both sheets of the final mylars shall reflect short plat number SP-24-00014 and an accurate legal description shall be shown on the face of the final plat. Engineers and Surveyors need to be cognizant of all the requirements related to Final Plats (KCC 16.20) and Survey Data and Dedications (KCC 16.24). The final plat must be submitted in full conformance with these chapters of Kittitas County Code; **non-compliant mylars will be rejected and returned to the applicant.** A final plat file number will be assigned when CDS receives your final plat application. This file number will also be required on the face of the final plat.
- E. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
- F. Requirements for legal availability of water and metering for the proposed short plat: The applicant must provide legal water availability for all new uses on the proposed lots of this project, which can be provided through mitigation certificates. This parcel is not within the service area of the Kittitas County Water Bank. Prior to final plat approval and recording, the following conditions shall be met. In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:
  - i. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
  - ii. An adequate water right for the proposed new use; or
  - iii. A certificate of water budget neutrality from the Department of Ecology or other

adequate interest in water rights from a water bank.

All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.

- G. This preliminary approval will expire 5 years from the date of this determination if no extension is filed in accordance with KCC 16.32.090.

**From these conclusions and findings, the proposed Short Plat is approved with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1670 to Kittitas County. The appeal deadline for this project is December 27, 2024, at 5:00 p.m. Appeals submitted on or before December 27, 2024, shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.**

**Responsible Official**



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Zach Torrance-Smith

**Title:** Planner I

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

**Date:** December 9, 2024