

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

AGENDA STAFF REPORT

AGENDA DATE: July 1, 2008

ACTION REQUESTED: Conduct Closed Record Hearing to consider the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

BACKGROUND: Richard Graham, landowner, submitted an application on February 7, 2008 for a rezone from Forest & Range to Rural-3 along with a short plat application to subdivide approximately 12.19 acres into 4-lots. The proposed lot sizes are each approximately 3.00 acres.

The subject property is located south of Interstate-90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

The site was accurately posted with the "Land Use Action" sign as provided by CDS in compliance with KCC 15A.03.110. The signed affidavit of posting was returned to CDS and received on February 19, 2008.

Kittitas County Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on February 22, 2008. Said notice was published in the official county newspaper of record, the Daily Record, on February 22, 2008. Due notice was also mailed to jurisdictional government agencies, adjacent property owners and other interested parties.

This project was subject to review under the State Environmental Policy Act (SEPA) and, based on review of comments received during the comment period, a MDNS was issued on April 25, 2008 pursuant to WAC 197-11-350. There were no appeals.

An open record hearing was held before the Kittitas County Planning Commission on May 27, 2008 to consider this matter and testimony was taken from those persons present who wished to be heard.

The Kittitas County Planning Commission approved a motion by a vote of 3-1 to forward the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02) to the Kittitas County Board of Commissioners with a *recommendation of denial*.

INTERACTION: Comments were received from the Washington State Department of Ecology,

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

40

Kittitas County Environmental Health, Kittitas County Public Works, CTED and the Kittitas Reclamation District.

RECOMMENDATION: Staff recommends the Board take action on the Planning Commission's recommendation for the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02) and direct staff to prepare enabling documents.

HANDLING: None

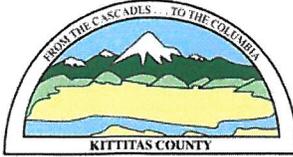
ATTACHMENTS: Full project record was prepared and delivered to the Board of County Commissioners as part of the July 1, 2008 agenda session.

LEAD STAFF: Mackenzie Moynihan, Staff Planner

PROJECT NAME: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

<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	Rezone Application
2	Rezone Criteria detail
3	Short Plat Application and Plat Maps
4	Encompass Project Overview
5	SEPA Checklist
6	500' radius landowners submittal
7	Encompass Public Disclosure Request Form
8	Affidavit of Posting – February 19, 2008
9	Letter from Public Health – January 29, 2008
10	Notice of Application memo – February 22, 2008
11	Notice of Application legal – February 22, 2008
12	Notification Checklist & Address List – February 22, 2008
13	Comments received from KRD – February 25, 2008
14	Comments received from Public Works – February 26, 2008
15	Comments received from Department of Ecology – March 31, 2008
16	Comments received from Environmental Health – March 28, 2008
17	Comments received from CTED – March 17, 2008
18	Affidavit of Publication – Daily Record
19	Affidavit of Publication – NKC Tribune
20	SEPA MDNS – April 25, 2008
21	SEPA Notice of Action memo – April 25, 2008
22	SEPA Notice of Action legal – April 25, 2008

23	Notification checklist – SEPA Action – April 25, 2008
24	Affidavit of Publication – Daily Record
25	Affidavit of Publication – NKC Tribune
26	Email from Encompass addressing SEPA mitigation – May 14, 2008
27	Notice of Public Hearing memo – May 2, 2008
28	Notice of Public Hearing legal – May 2, 2008
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30	Affidavit of Publication – Daily Record
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32	Correspondence with Public Works – May 27, 2008
33	Planning Commission Staff Report – May 27, 2008
34	Planning Commission Staff Presentation – Powerpoint
35	Planning Commission Minutes – May 27, 2008
36	Findings of Fact – June 10, 2008
37	Planning Commission Minutes – June 10, 2008
38	Letter from Richard Graham – May 30, 2008
39	BOCC Staff Report – Set date – June 17, 2008
40	BOCC Staff Report – conduct – July 1, 2008



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REZONE APPLICATION

(To change from the existing zone to another zone)

KITTTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CALL THE DEPARTMENT IF YOU WOULD LIKE TO SET UP A MEETING TO DISCUSS YOUR PROJECT. INCOMPLETE APPLICATIONS WILL **NOT** BE ACCEPTED.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. THE FOLLOWING ITEMS MUST BE ATTACHED TO THIS APPLICATION PACKET:

REQUIRED ATTACHMENTS

- ADDRESS LIST OF ALL LANDOWNERS WITHIN 500 FEET OF THE SITE'S TAX PARCEL. IF ADJOINING PARCELS ARE OWNED BY THE APPLICANT, THE 500 FEET EXTENDS FROM THE FARTHEST PARCEL. IF THE PARCEL IS WITHIN A SUBDIVISION WITH A HOMEOWNERS OR ROAD ASSOCIATION, PLEASE INCLUDE THE ADDRESS OF THE ASSOCIATION.
- SITE PLAN OF THE PROPERTY WITH ALL PROPOSED: BUILDINGS; POINTS OF ACCESS, ROADS, AND PARKING AREAS; SEPTIC TANK AND DRAINFIELD AND REPLACEMENT AREA; AREAS TO BE CUT AND/OR FILLED; AND, NATURAL FEATURES SUCH AS CONTOURS, STREAMS, GULLIES, CLIFFS, ETC.
- SEPA CHECKLIST

FEE:

\$1725.00 (\$1500 Rezone + \$225 SEPA) to Kittitas County Community Development Services Department

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KITTTITAS COUNTY
CDS

FOR STAFF USE ONLY

APPLICATION RECEIVED BY:

SIGNATURE:

[Handwritten Signature]

DATE:

2/7/08

RECEIPT #

**DATE STAMP
HERE**

NOTES:

Revised application. Original was denied.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING BUILDING INSPECTION PLAN REVIEW ADMINISTRATION PERMIT SERVICES CODE ENFORCEMENT FIRE INVESTIGATION

1. Name, mailing address and day phone of land owner(s) of record:

Name: Richard Graham
Mailing Address: PO Box 1026
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509-304-6145
Email Address: rgraham@johnlscott.com

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:

Agent Name: Same as above
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

3. Contact person for application (select one):

Owner of record Authorized agent

All verbal and written contact regarding this application will be made only with the contact person.

4. Street address of property:

Address: 7641 Lower Peoh Point Road
City/State/ZIP: Cle Elum, WA 98922

5. Legal description of property:

See attached Legal Description

6. Tax parcel number:

19-16-04030-0013

7. Property size:

12.19 ac

8. Narrative project description: Please include the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description (be specific, attach additional sheets as necessary):

The subject property is currently 12.19 acres in size located south of I-90 off of Lower Peoh Point Road, Cle Elum WA within the southwest quarter of section 04, T19N, R16E, W.M. Water: Individual or Group B Well, Septic: Individual Septic

9. **What is the present zoning district?**
Forest & Range

10. **What is the zoning district requested?**
Rural-3

11. **Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):**

A. The proposed amendment is compatible with the comprehensive plan.
See Attached

B. The proposed amendment bears a substantial relation to the public health, safety or welfare.
See Attached

C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.
See Attached

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.
See Attached

E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
See Attached

F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
See Attached

G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.
See Attached

12. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

Signature of Authorized Agent:

Date:

X _____

Signature of Land Owner of Record
(Required for application submittal):

Date:

X Richard Graham

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Graham Rezone Seven Criteria:

A. The proposed amendment is compatible with the comprehensive plan.

The Kittitas County Comprehensive Plan (Comp Plan) allows for a variety of land uses from residential to resource based activities. According to the Comp Plan, Chapter 8.2: Rural Lands-Identification of Rural Lands: “The Rural Lands exhibit a vibrant and viable landscape where a diversity of land uses and housing densities are compatible with rural character. Many sizes and shapes can be found in the rural lands, its topography and access variations allow for small to large acreage, economic activities, residential subdivisions, farming, logging and mining.”

The Comp Plan supports a mixture of land uses and densities by the following Goals, Policies and Objectives (GPO’S): GPO 2.2, Diversified economic development providing broader economic opportunities; GPO 2.5, Kittitas County should encourage residential and economic growth that will minimize the costs of providing public utilities and services; GPO 2.6, Kittitas County will maintain a flexible balance of land uses; GPO 8.5, Kittitas County recognizes and agrees with the need for continued diversity in densities and uses on rural lands. The proposed rezone meets the compatibility requirement of the Comp Plan.

B. The proposed amendment bears a substantial relation to the public health, safety or welfare.

The primary goal of the Comp Plan is to enhance, preserve and protect the public health, safety and welfare. In a recent court case, the court recognized that if the rezone is consistent with the County Comprehensive Plan and implements the Comprehensive Plan, then that is a clear indication that the rezone is in the interest of the public health, safety and welfare.

The rezone and proposed subdivision will have access directly to Lower Peoh Point Road, a county road. There is also a network of county roads available for future landowners to access the subject property that can handle the level of traffic created by the proposed development.

The proposed rezone and preliminary short plat will allow the creation of smaller, more valuable parcels within Kittitas County. Smaller parcels, once built upon, will increase the assessed values of the property and in effect provide more revenue for county services, schools and the fire district.

C. The proposed amendment has merit and values for Kittitas County or a sub-area of the county.

Rural character, development and services are defined in RCW 36.70A.030 (15), (16) and (17) as follows: “Rural Character refers to the pattern of land use and development established by a county in the rural element of its comprehensive plan: (b) that foster traditional rural lifestyles, rural based economies and opportunities to both live and work in rural areas; (e) that reduce the inappropriate conversion of

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undeveloped land into sprawling, low density development. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

The Comp Plan states: “the current mix of rural uses and densities has not increased the cost to taxpayers for road and utility improvements, police and fire protection, or the education of school populations beyond the means of the local people to finance such infrastructure.

The proposed rezone and preliminary short plat will take the pressure off of and preserve the agricultural lands in the area. Larger agriculturally used parcels may not be taken out of production when individuals desire smaller parcels as apposed to parcels 20+ acres is size, thus decreasing the potential of creating rural sprawl.

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 reasonable development of the subject property.

Looking at the zoning map you will notice the subject property is surrounded by Forest and Range zoning. All of these parcels are below the 20 acre minimum for the zone. For any future development to occur on this property, it will need to be rezoned.

The county has recently seen the development of parcels to the west of the subject property on Lower Peoh Point Road. This is an indication of the desire of landowners in this area for more parcels.

Given the current pattern of development in the area, this property would better be served in smaller, residential lots, thus allowing the property owner to realize some economic return on their investment.

E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

Both the current zone (Forest & Range) and the proposed zone (R-3) are considered Rural Lands as defined by the Comp Plan. Upon detailed analysis of KCC 17.30.020(R-3) and 17.56.030 (Forest & Range) you will observe that the permitted uses are similar across the two zoning districts. The conditional uses in the R-3 zone are far more restrictive than the Forest & Range zone. With the increased level of residential development in the area, it only makes sense to have a zone where both the allowed and conditional uses are not affecting daily activities of residential developments in the area.

F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

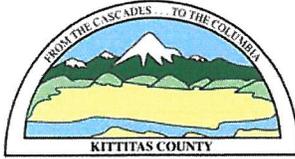
There are only three parcels that access Lower Peoh Point Road beyond the subject property. Lower Peoh Point Road ends 100 yards down the road as it junctions the I-90 right-of-way. At full build out, there would only be three new residences on the subject property as Mr. Graham currently resides on the property. The road system

has recently been improved and is more than adequate to handle this minor increase in traffic.

G. The proposed changes in use of the subject property shall not adversely impact water deliveries to other properties.

A water distribution plan may be submitted to the KRD upon submittal of this application. This plan outlines water conveyances and provisions for distribution for each proposed lot in the subdivision. A statement from KRD will disclose how many acre feet each parcel is granted and provisions for the duties of the water master. Prior to final plat approval, Kittitas County must receive verification that the distribution plan has been approved by the KRD Board of Directors.

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SHORT PLAT APPLICATION

(To divide lot into 2-4 lots)

KITTTAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CALL THE DEPARTMENT IF YOU WOULD LIKE TO SET UP A MEETING TO DISCUSS YOUR PROJECT. INCOMPLETE APPLICATIONS WILL **NOT** BE ACCEPTED.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. THE FOLLOWING ITEMS MUST BE ATTACHED TO THIS APPLICATION PACKET:

REQUIRED ATTACHMENTS

- Five large copies of short plat with all preliminary drawing requirements complete (reference KCC Title 16 Subdivision Code for plat drawing requirements) and one small 8.5"x11" copy.
- Address list of all landowners within 500 feet of the site's tax parcel. If adjoining parcels are owned by the applicant, the 500 feet extends from the farthest parcel. If the parcel is within a subdivision with a Homeowners or Road Association, please include the address of the association.

OPTIONAL ATTACHMENTS

(Optional at preliminary submittal, but required at the time of final submittal)

- Certificate of Title (Title Report)
- Computer lot closures

FEES:

\$190 plus \$10 per lot for Public Works Department;
\$380 plus \$75/hr. over 4 hrs. for Environmental Health Department;
\$450 for Community Development Services Department
(One check made payable to KCCDS)

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FOR STAFF USE ONLY

APPLICATION RECEIVED BY:

SIGNATURE:

X *[Signature]*

DATE:

2/7/08

RECEIPT #

DATE STAMP
HERE

NOTES:

Revised application. Original was denied.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING BUILDING INSPECTION PLAN REVIEW ADMINISTRATION PERMIT SERVICES CODE ENFORCEMENT FIRE INVESTIGATION

1. Name, mailing address and day phone of land owner(s) of record:

Name: Richard Graham
Mailing Address: PO Box 1026
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509-304-6145
Email Address: rgraham@johnlscott.com

2. Name, mailing address and day phone of authorized agent (if different from land owner of record):

Agent Name: Same as above
Mailing Address:
City/State/ZIP:
Day Time Phone:
Email Address:

3. Contact person for application (select one):

[X] Owner of record [] Authorized agent

All verbal and written contact regarding this application will be made only with the contact person.

4. Street address of property:

Address: 7641 Lower Peoh Point Road
City/State/ZIP: Cle Elum, WA 98922

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GDS

5. Legal description of property:

see attached legal

6. Tax parcel number(s): 19-16-04030-0013

7. Property size: 12.19 (acres)

8. Narrative project description: Please include the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description (be specific, attach additional sheets as necessary):

The subject property is currently 12.19 acres. The short plat request is to subdivide the 12.19 acre parcel into four lots. The subject property is located south of I-90 off of Lower Peoh Point Road, Cle Elum, WA. Proposed water: Individual or Group B; Proposed Septic: Individual.

9. Are Forest Service roads/easements involved with accessing your development? Yes (explain) No

10. What County maintained road(s) will the development be accessing from?
Lower Peoh Point Road

11. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

Signature of Authorized Agent:

Date:

X _____

Signature of Land Owner of Record:
(Required for application submittal)

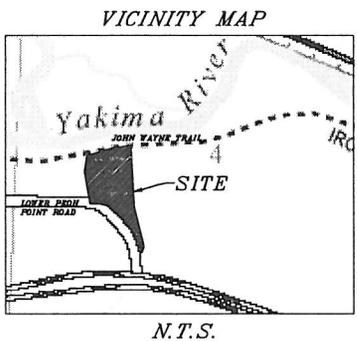
Date:

X Richard Graham

01/31/08

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GRAHAM FAMILY SHORT PLAT SP-08-???
PORTION OF SW 1/4 OF SECTION 4,
TOWNSHIP 19 NORTH, RANGE 16 EAST, W.M.

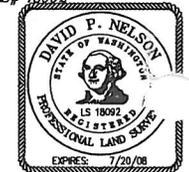


LEGEND

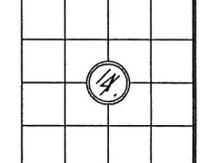
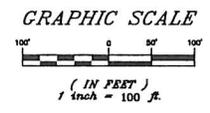
- SECTION CORNER
- RECORD DATA
- MEASURED BEARING AND/OR DISTANCE
- FND CAP & REBAR
- SET CAP & REBAR LS# 18092

NOTE:
 THE EXISTING UTILITIES AS SHOWN ARE ONLY APPROXIMATE AND ARE BASED ON THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE SIZE, TYPE, LOCATION, AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO STARTING CONSTRUCTION, AND INFORM THE DESIGN ENGINEER OF ANY DISCREPANCIES.

Call Before You Dig
 1-800-553-4344



INDEX LOCATION:
 SEC. 4 T. 19N R. 16E W.M.



APPROVALS

KITITAS COUNTY PUBLIC WORKS

EXAMINED AND APPROVED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY ENGINEER

COUNTY PLANNING DIRECTOR

I HEREBY CERTIFY THAT THE GRAHAM FAMILY SHORT PLAT HAS BEEN EXAMINED BY ME AND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITITAS COUNTY PLANNING COMMISSION.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY PLANNING DIRECTOR

KITITAS COUNTY HEALTH DEPARTMENT

PRELIMINARY INSPECTION INDICATED SOIL CONDITIONS MAY ALLOW USE OF SEPTIC TANKS AS A TEMPORARY MEANS OF SEWAGE DISPOSAL FOR SOME, BUT NOT NECESSARILY ALL BUILDINGS WITHIN THIS SHORT PLAT. PROSPECTIVE PURCHASERS OF THIS LOT ARE URGED TO MAKE INQUIRIES AT THE COUNTY HEALTH DEPARTMENT ABOUT ISSUANCE OF SEPTIC TANK PERMITS FOR LOTS.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY HEALTH OFFICER

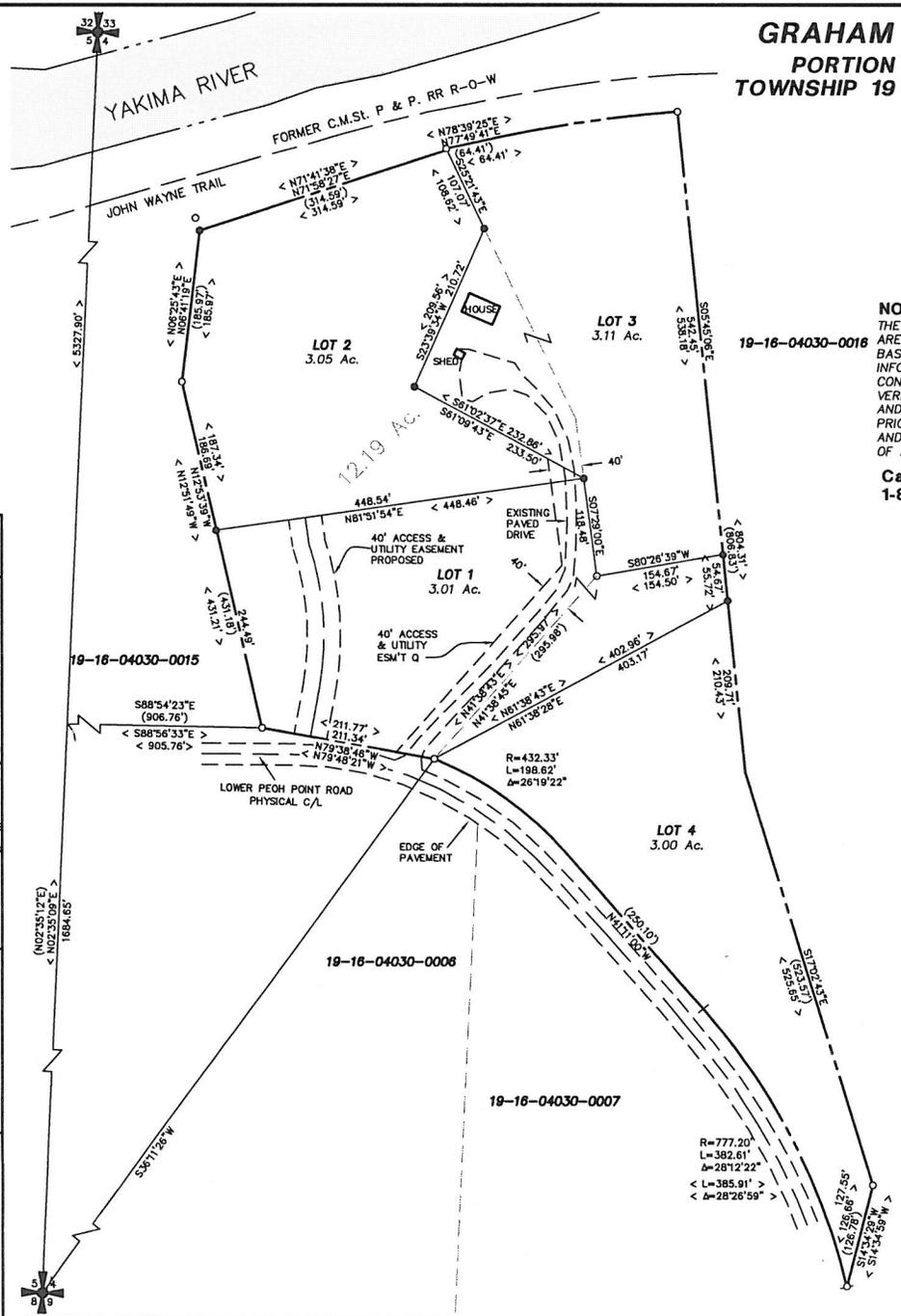
CERTIFICATE OF COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW BEING FILED.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY TREASURER

ORIGINAL TAX LOT NO. 19-16-04030-0013 (456534)



RECORDER'S CERTIFICATE
 FILED FOR RECORD THIS.....DAY OF 20.....AT.....M
 IN BOOK.....OF.....AT PAGE.....AT THE REQUEST OF
 DAVID P. NELSON
 Surveyor's Name
 County Auditor Deputy County Auditor

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 AT THE REQUEST OF RICHARD GRAHAM.....
 IN.....AM.....2008.
 DAVID P. NELSON "DAVE"
 CERTIFICATE NUMBER.....18092.....

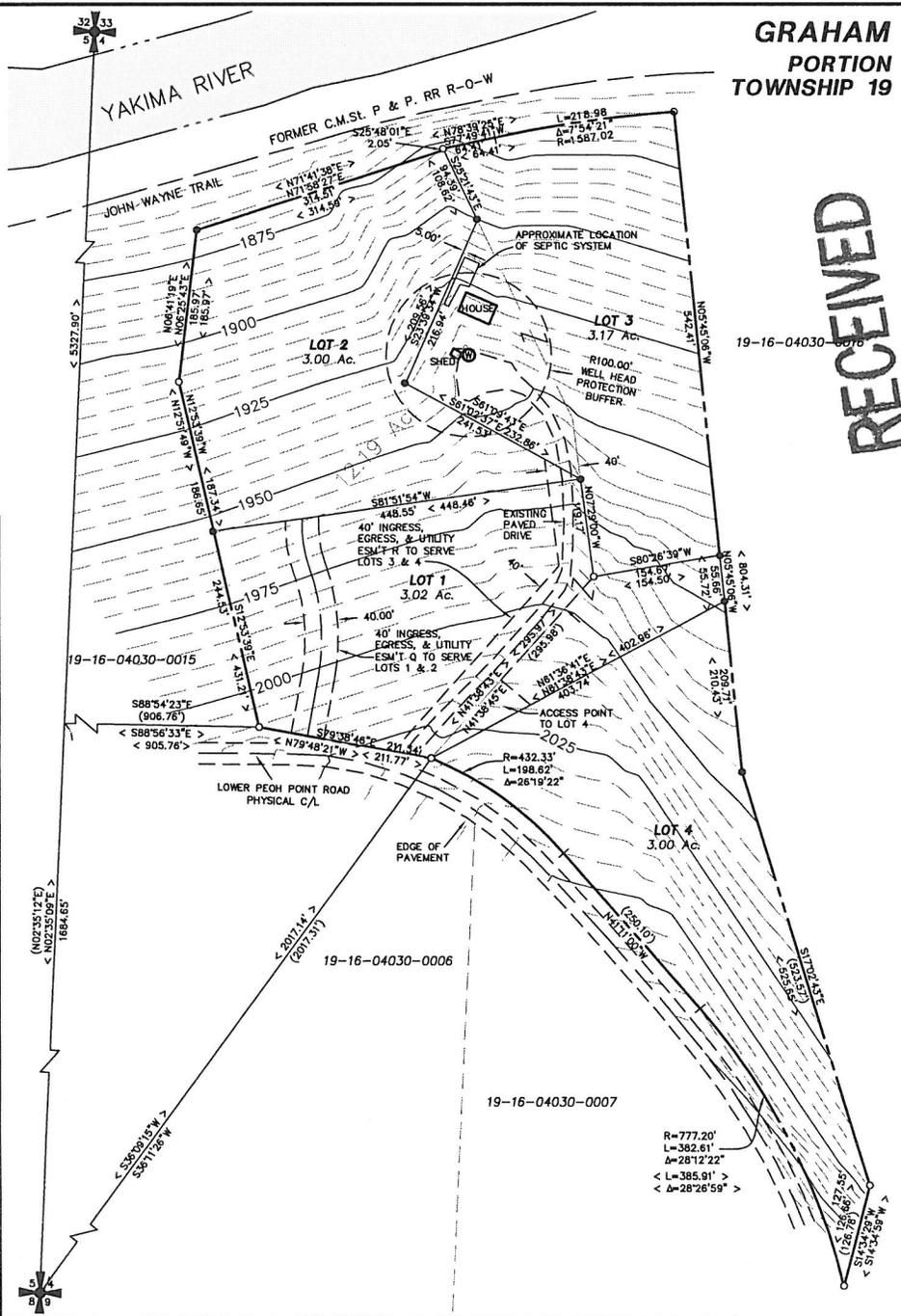
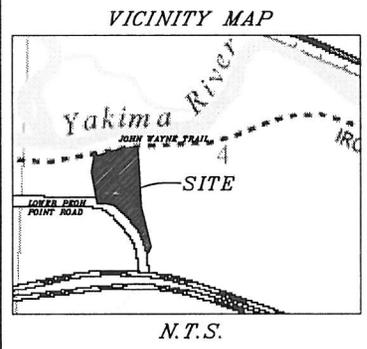
K.C.S.P. NO. 08-???
Portion of Sec. 04, T.19N., R.16E., W.M.
Kittitas County, Washington

DWN BY DLP/MRN	DATE 01/2008	JOB NO. 07206
CHKD BY D. NELSON	SCALE 1"=100'	SHEET 1 OF 2

Encompass
 ENGINEERING & SURVEYING

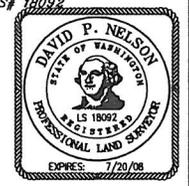
108 EAST 2ND STREET
 CLE ELUM, WA 98922
 PHONE: (509) 674-7433
 FAX: (509) 674-7419

GRAHAM FAMILY SHORT PLAT SP-08-02
 PORTION OF SW 1/4 OF SECTION 4,
 TOWNSHIP 19 NORTH, RANGE 16 EAST, W.M.

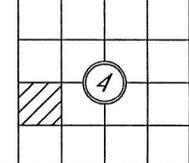
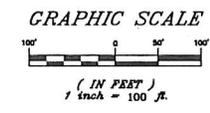


- LEGEND**
- ⊕ SECTION CORNER
 - ⊕ RECORD DATA
 - < > MEASURED BEARING AND/OR DISTANCE
 - FND CAP & REBAR
 - ⊙ SET CAP & REBAR LSH 18092
 - ⊕ WELL HEAD

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KITTTAS COUNTY
CDS



INDEX LOCATION:
 SEC. 4 T. 19N. R. 16E W.M.



APPROVALS

KITTTAS COUNTY PUBLIC WORKS

EXAMINED AND APPROVED THIS ____ DAY OF _____ A.D., 20__

 KITTTAS COUNTY ENGINEER

COUNTY PLANNING DIRECTOR

I HEREBY CERTIFY THAT THE GRAHAM FAMILY SHORT PLAT HAS BEEN EXAMINED BY ME AND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITTTAS COUNTY PLANNING COMMISSION.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITTTAS COUNTY PLANNING DIRECTOR

KITTTAS COUNTY HEALTH DEPARTMENT

PRELIMINARY INSPECTION INDICATED SOIL CONDITIONS MAY ALLOW USE OF SEPTIC TANKS AS A TEMPORARY MEANS OF SEWAGE DISPOSAL FOR SOME, BUT NOT NECESSARILY ALL BUILDINGS WITHIN THIS SHORT PLAT. PROSPECTIVE PURCHASERS OF THIS LOT ARE URGED TO MAKE INQUIRIES AT THE COUNTY HEALTH DEPARTMENT ABOUT ISSUANCE OF SEPTIC TANK PERMITS FOR LOTS.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITTTAS COUNTY HEALTH OFFICER

CERTIFICATE OF COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW BEING FILED.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITTTAS COUNTY TREASURER

ORIGINAL TAX LOT NO. 19-16-04030-0013 (456534)

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS.....DAY OF 20.....AT.....M
 IN BOOK.....OF.....AT PAGE.....AT THE REQUEST OF
 DAVID P. NELSON
 Surveyor's Name

..... County Auditor Deputy County Auditor

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 AT THE REQUEST OF.....RICHARD.GRAHAM.....
 IN..VAN.....2008.

DAVID P. NELSON "BATE"
 CERTIFICATE NUMBER.....18092.....

K.C.S.P. NO. 08-02
 Portion of Sec. 04, T.19N., R.16E., W.M.
 Kittitas County, Washington

DWN BY DLP/MRN	DATE 01/2008	JOB NO. 07208
CHKD BY D. NELSON	SCALE 1"=100'	SHEET 1 OF 2

Encompass
 ENGINEERING & SURVEYING

108 EAST 2ND STREET
 CLE ELUM, WA 98922
 PHONE: (509) 674-7433
 FAX: (509) 674-7419



GRAHAM FAMILY REZONE & 4 LOT SHORT PLAT PROJECT OVERVIEW

OVERVIEW:

The attached proposal is to rezone one 12.19 acre parcel from Forest & Range-20 to Rural-3 and a short plat consisting of 4 lots. The proposed short plat will be on 12.19 acres. Lot 1 will be 3.01 acres, lot 2 will be 3.05 acres, lots 3 will be 3.11 acres and lot 4 will be 3.00 acres.

UTILITIES:

The project's proposed sewer shall be individual septic and drainfield and the proposed water will be either a Group B or individual wells.

TRANSPORTATION:

Access to the property will be off of Lower Peoh Point Road, a county road, and will consist of two points of access. One is existing and serves lots 3 and 4. The new access proposed will serve lots 1 and 2.

COMMENTS:

Attached are copies of the SEPA checklist, rezone application, short plat application, closures, public disclosure request and title report for your review and comment.

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FEB 07 2008

KITTITAS COUNTY
CDS



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 ENVIRONMENTAL CHECKLIST

FEE \$225.00

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PURPOSE OF CHECKLIST:

The State Environmental Protection Act (SEPA), chapter 43.21C RCW. Requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS:

This environmental checklist asks you to describe some basic information about your proposals. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "don not know" or "does not apply" Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS.

For nonproject actions, the references in the checklist to the words "project," "applicant" and "property or site" should be read as "proposal," "proposer" and "affected geographic area" respectively.

TO BE COMPLETED BY APPLICANT

FOR STAFF USE

A. BACKGROUND

1. Name of proposed project, if applicable:

Graham Family Rezone & Graham Family 4-Lot Short Plat

2. Name of applicant:

Richard Graham

3. Address and phone number of applicant and contact person:

PO Box 1026 Cle Elum, WA 98922

4. Date checklist prepared:

November 14, 2007

5. Agency requesting checklist:

Kittitas County Community Development Services

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

6. Proposed timing or schedule (including phasing, if applicable):

No phasing involved. Preliminary approval expected in the spring of 2008. Final approval expected in the summer of 2008 or as soon as possible.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No. After the property is subdivided by this plat, no further subdivisions can occur within the subject boundary, as they exist.

8. List any environmental information you know about that had been prepared, or will be prepared, directly related to this proposal.

Other than this checklist, no other environmental review was requested by the agency with jurisdiction.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There has been other development in the vicinity, but none will have a direct affect on the subject property.

10. List any government approvals or permits that will be needed for your proposal, if known.

I am seeking a rezone and 4 lot short plat approvals from Kittitas County. Permits for access and a SWPPP may be required.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The application is for a "project rezone" per KCC 17.98.020. I am seeking approval of a rezone from Forest & Range to Rural-3 along with a 4 lot short plat on 12.18 acres.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The subject property is located south of I-90 off of Lower Peoh Point Road in Section 04, Township 19N, Range 16E in Kittitas County. The associated map number is 19-16-04030-0013. Plat maps, a vicinity map and legal description are included in the application package.

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KITITAS COUNTY
CDS

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): flat, ~~rolling~~, hilly, steep slopes, mountainous, other.

b. What is the steepest slope on the site (approximate percent slope)? +/- 10% across the site

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Soils include: loam, sand & gravel.

d. Are there surface indications or history of unstable soils in the immediate vicinity?

No. There are areas of slope on the subject property, but no development will occur within these areas.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Some fill will be required for the road. Quantities have not been calculated at this time.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No. Only one new driveway needs to be constructed. If signs of erosion occur, proper erosion control measures will be put in place.

g. About what percentage of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

5-8%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Erosion control measures will be in place at the time of driveway construction.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e. dust, automobiles, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Dust from construction equipment.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Sprinkling may be used to control wind erosion during construction.

3. WATER

a.

Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what streams or river it flows into.

The Yakima River is located on the north side of parcel number 19-16-04030-0014. The Yakima River is a shoreline of the state. No development will take place within this shoreline.

2) Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not at this time.

3) Estimate the fill and dredge material that would be placed in or removed from surface water or wetlands, and indicate the area of the site that would be affected. Indicate the source of fill material.

No materials will be moved around the vicinity of the ditches or any other water feature.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No surface withdrawals. KRD must approve a distribution plan for irrigation.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b.

Ground

1) Will ground water be withdrawn, or will water be discharged to surface waters? If so, give general description, purpose, and approximate quantities if known.

Individual wells or a group B may be constructed.

2) Describe waste materials that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. All waste materials will be held in tanks designed and installed by licensed installers. Each parcel will have its own septic system

c.

Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known).

Where will this water flow? Will this water flow into other waters?

If so, describe.

Most stormwater will be absorbed and ditching along roads and driveways will carry stormwater away from structures.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Ditching and basins could be used to controll runoff and allow waters to naturally absorb back into the ground.

4. PLANTS

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattails, buttercup, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation: _____

b. What kind and amount of vegetation will be removed or altered?

Grasses and possibly one ore two trees will be removed for driveways and home sites.

c. List threatened or endangered species known to be on or near the site.

None observed

d. Proposed landscaping use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None proposed. The landscape will be reserved in an "as is", natural condition as much as possible.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beavers, other:
- fish: bass, salmon, trout, herring, shellfish, other: _____

b. List any threatened or endangered species known to be on or near the site.

None observed

c. Is the site part of a migration route? If so, explain.

No

d. Proposed measures to preserve or enhance wildlife, if any.

None proposed

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity, wood stoves, propane

b. Would your project affect the potential use of solar energy by adjacent properties? If so, describe.

No. No attempts to stop the usage of solar energy sources will be used.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

None are included in the preliminary plat plans. Energy conservation of future landowners should be encouraged.

7. ENVIRONMENTAL HEALTH

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

1) Describe special emergency services that might be required.

Fire and emergency services will be provided by FD #7.

2) Proposed measures to reduce or control environmental health hazards, if any.

None proposed

b. Noise

1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)?

None that would affect the project

2) What types and levels of noise would be created by or associated with the project on a short-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction equipment, temp. vehicle traffic

3) Proposed measures to reduce or control noise impacts, if any.

Limit hours of construction per Kittitas County Code

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?

One SFR occupies the site at this time. No other uses exist.

b. Has the site been used for agriculture? If so, describe.

No

c. Describe any structures on the site.

One home exists on the site.

d. Will any structures be demolished? If so, what?

No

- e. What is the current zoning classification of the site?
Forest & Range
- f. What is the current comprehensive plan designation of the site?
Rural
- g. If applicable, what is the current shoreline master program designation of the site?
Rural
- h. Has any part of the site been classified as an environmentally sensitive area?
No
- i. Approximately how many people would the completed project displace?
None
- j. Approximately how many people would reside or work in the completed project?
3-4 families
- k. Proposed measures to avoid or reduce displacement impacts, if any.
None proposed
 - 1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.
The project proposal is consistent with the comp plan and KCC

9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.
At full buildout, approximately 4 SFR's will be provided with the ability to supply 1 ADU to each lot for a potential total of 8.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle or low-income housing.
No units of any class will be eliminated.
- c. Proposed measures to reduce or control housing impacts, if any.
CC&R's may be created to reduce and structure the types of housing within the development.

10. AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
No structures are proposed at this time.
- b. What views in the immediate vicinity would be altered or obstructed?
No views will be altered.
- c. Proposed measures to reduce or control aesthetic impacts, if any.
Again, CC&R's may be created to control aesthetic impacts, if any.

11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Light from future residential development may occur in the future mostly from SFR's. Road lighting is not proposed at this time.
- b. Could light or glare from the finished project be a safety hazard or
No. There is not a viewshed ordinance in this county

interfere with views?

c. What existing off-site sources of light or glare may affect your proposal?
Nothing that currently exists.

d. Proposed measures to reduce or control light and glare impacts, if any.
All future lighting will be pointed down and away from other residences.

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?

Hiking, skiing, snow mobiling, trails, motor sports, bird and animal watching.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No. Recreational uses do not exist on the site.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No impact reduction required.

13. HISTORIC AND CULTURAL PRESERVATION

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

The subject property is not listed on any local, state or federal preservation or archaeological register.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

Development in the immediate area has shown no signs of any historical/cultural importance.

c. Proposed measures to reduce or control impacts, if any.
If evidence of cultural or historic significance is discovered on the subject property, the state department of archaeology will be contacted.

14. TRANSPORTATION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The subject property is served off of Lower Peoh Point Road, a county road.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No. The nearest is in Ellensburg, 15 miles away.

c. How many parking spaces would the completed project have? How many would the project eliminate?

The project would not create any new parking spaces.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

A new driveway and access for two lots will be constructed.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The only official means of transportation to the subject property is via motor vehicle.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Depending if future land owners are full or part time residences, TPD could vary from 0-50.

g. Proposed measures to reduce or control transportation impacts, if any.

None proposed.

15. PUBLIC SERVICE

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

The project, as it stands, should not create a need for any additional public services within the district.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Firewise lot development practices could be in place, fire resistant building materials could be used to lessen the need for public services.

16. UTILITIES

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse services, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the services, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electricity-PSE, Phone-Inland, Septic- On site, Water- On site
GroupB

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Richard Graham

Date: 02/21/08

Print Name: RICHARD GRAHAM

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FEB 07 2008

KITTITAS COUNTY
CDS

**500' Radius
Owned by GRAHAM, RICHARD**

19-16-05051-0001
HENRIKSEN, JOHN K ETUX
7361 LOWER PEOH PT RD
CLE ELUM WA 98922

19-16-04020-0002
TEANAWAY RIDGE LLC
PO BOX 808
CLE ELUM WA 98922-

19-16-04030-0006
RENFROW, ROSELLEN
% WICKERATH, JAMES
1706 E CAPITOL AVE
ELLENSBURG WA 98926-

19-16-04030-0007
EDWARDS, BETTY J
8101 LOWER PEOH POINT RD
CLE ELUM WA 98922-

19-16-04030-0012
OVERTON, THOMAS W.
1903 N.E. 16TH
RENTON WA 98055

19-16-04030-0015
MC EWEN, DONN J
7611 LOWER PEOH POINT RD
CLE ELUM WA 98922

19-16-04030-0016
ARD, GARY ETUX
2572 5TH AVE N
SEATTLE WA 98109-

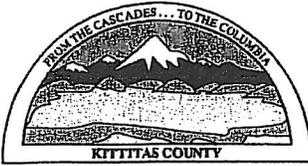
19-16-04030-0017
WHITE, PETER A
8080 LOWER PEOH POINT RD
CLE ELUM WA 98922

19-16-04055-0003
BAKER, MICHAEL D ETUX
7460 LOWER PEOH POINT RD
CLE ELUM WA 98922

19-16-05040-0001
LONZO-HORISH LP
730 TEANAWAY HEIGHTS DR
CLE ELUM WA 98922

19-16-04010-0008
BNSF RAILWAY COMPANY
PO BOX 961089
Fort Worth TX 96161

19-16-05051-0002
ANDERSON, JEFF R &
NELSON, STEPHANY J
4402 BULLFROG RD
CLE ELUM WA 98922



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

PUBLIC DISCLOSURE REQUEST FORM

All records maintained by state and local agencies are available for public inspection unless they are specifically exempted by law. You are entitled to access to public records, under reasonable conditions, and to copies of those records upon paying the costs of making the copy. In most cases, you do not have to explain why you want the records. An agency may require information necessary to establish if disclosure would violate certain provisions of law.

Name	Encompass Engineering & Surveying			
	First	Last	MI	
Address	108 East 2nd Street	Cle Elum	WA	98922
	Street or P.O. Box	City	State	Zip Code
Phone Number	(509) 674-7433			

You should make your request as specific as possible; it helps the agency to identify specific records you wish to inspect.

I am requesting public disclosure of

All past and future County correspondence related to this project that is normally sent to the applicant.
PLEASE EMAIL ALL DOCUMENTS TO information@encompasses.net AS WELL AS HARD COPIES TO ADDRESS ABOVE.



DARRYL PIERCY, DIRECTOR

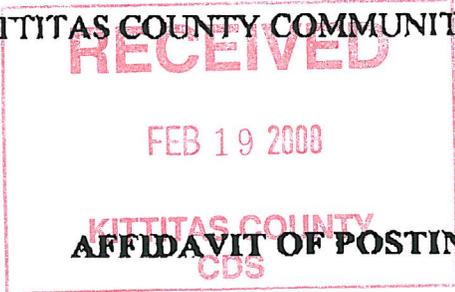
ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

7



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

AFFIDAVIT OF POSTING

Effective July 19, 2007, Kittitas County Code requires all project actions that are not processed administratively to have a notice posted at the site of the project. Per KCC 15A.03.110 the following applies:

1. The applicant shall post the subject property with signs as required by Community Development Services.
2. Signs shall be posted on each road frontage on the subject property and shall be clearly visible and accessible.
3. Signs shall be posted and on-site prior to the issuance of a Notice of Application.
4. The sign shall be posted in a sturdy manner to remain on-site until fifteen days after the expiration of the Notice of Decision appeal period. It shall be the responsibility of the applicant to properly dispose of the sign.
5. At the time of development application, Community Development Services will identify the number of signs needed and the general location of each sign on the subject property.
6. It shall be the responsibility of the applicant to place the structure on which the sign will be posted on site. At such time the structure and sign is in place, the applicant shall contact Community Development Services.

DATE: February 15, 2008	PLANNER: Mackenzie
-------------------------	--------------------

PROJECT NAME: Graham Rezone and Short Plat	FILE NUMBER: Z-08-02 and SP-08-02
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PLEASE COMPLETE THE FOLLOWING:

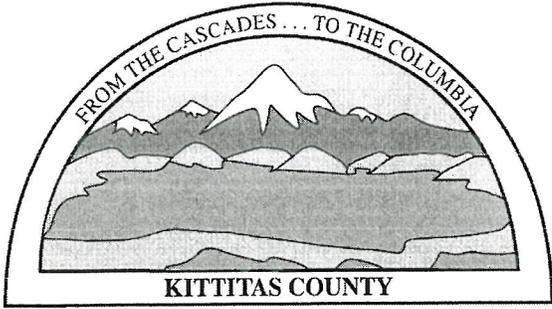
I, Richard Graham, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Kittitas County Code. I understand that the required posting period begins immediately and ends 15 days after the ending of the appeal period on the Notice of Decision and the sign(s) will be posted at the site until this time. Failure to post the site and return this form to Community Development Services in a timely manner will result in a delay of the application review for the project.

Richard Graham
Signature

02/19/08
Date

Please return the above certification to CDS; Fax at 509-962-7682; or mail to; Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926.

For Staff Use Only
Received 2/19/08 *mm*



PUBLIC HEALTH DEPARTMENT

www.co.kittitas.wa.us/health/

Administration
Community Health Services
Health Promotion Services
507 N. Nanum Street, Ste 2
Ellensburg, WA 98926
Phone: (509) 962-7515
Fax: (509) 962-7581

Environmental Health
411 N. Ruby Street, Ste. 3
Ellensburg, WA 98926
Phone: (509) 962-7698
Fax: (509) 962-7052

January 22, 2008

Richard Graham
PO Box 1026
Cle Elum, WA 98922

Dear Mr. Graham,



We have received the proposed Graham Family Short Plat, located in Section 4, Township 19N, Range 16E, off of Lower Peoh Point Road. We have also received the \$380.00 plat submission fee (receipt #055072 & 055073).

~~For plat approval both sewage and water availability must be satisfactorily addressed. Refer to WAC 246-272-20501 and 246-272-09501 for septic and well setbacks.~~

For sewage disposal you have two options:

1. PUBLIC UTILITY SEWER

Submit a signed letter of agreement between the responsible public utility official and the developer/owner or other documentation that provides proof of connection to public sewer.

2. ON SITE SEWAGE

Soil logs will 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 the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.

Prior to receiving final approval for subdivisions (short and long plats) in Kittitas County, applicants shall be required to show the adequacy of potable water supplies. Proof of potable water supply can be demonstrated four ways:

1. PUBLIC UTILITY WATER SUPPLY APPLICANTS – shall submit a signed letter of agreement with the responsible public utility official and the developer/owner, granting delivery of potable water for the entire development.
2. GROUP WATER SYSTEMS: All Group Water System applicants must contact a Satellite Management Agency (SMA) before initiating the application process. There is only one (1) SMA in Kittitas County. Their contact information is as follows:

Evergreen Valley Utilities
P.O Box 394
301 W. 1st
Cle Elum, WA 98922
(509) 674-9642

- A. GROUP "A" PUBLIC WELL – if you have an existing well and a Department of Ecology issued "water right" for potable usage of the well, Washington State Department of Health (DOH) is the regulatory

authority for approving Group A systems. We require written verification that DOH has approved the system prior to final plat approval (see contact information below). If you have not secured a water right for potable use you must contact the Washington State Department of Ecology (Central Region Office) located in Yakima, Washington to begin the process of obtaining a water right. Their contact number is: (509) 575-2800.

- B. GROUP "B" PUBLIC WELLS –Washington State Department of Health and Kittitas County Public Health Department share the regulatory authority for approving Group B Water Systems in Kittitas County. The process for approval includes 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; drilling of the well and/or ensure that the well is located within the subdivision boundaries; completion of the well infrastructure, the workbook and all related documentation including testing and satisfactory results.

****All Group B applications with 3-9 connections** should be submitted to Kittitas County Public Health Department.; all Group B applications **10-14 connections** should be submitted to Washington State Department of Health at the addresses provided below.

Kittitas County Public Health Department
Environmental Health Division
411 N. Ruby Street, Suite 3
Ellensburg, WA 98926
(509) 962-7698

Washington State Department of Health
1500 W. 4th, Suite 305
Spokane, WA 99204
(509) 456-2453
ATTN: Tom Justus, Regional Engineer

After all of the aforementioned information is submitted, reviewed, and approved by Washington State DOH, final issuance of the well ID number completes the requirement.

3. INDIVIDUAL WELLS – 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. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydrogeologist. According to Critical Areas Ordinance 17A.08.25, individual wells must be located 50 feet from all property lines.

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."

Once we have received and reviewed complete information, we will notify Community Development Services through our Environmental Health Checklist that you have satisfactorily addressed health department requirements.

Sincerely,



Catherine Bambrick, Administrator
Kittitas County Public Health Department

cc: Community Development Services
Encompass Engineering and Surveying



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

NOTICE OF APPLICATION

To: Washington State Department of Ecology
Washington State Department of Natural Resources
Washington State Department of Fish & Wildlife
Washington State Department of Transportation
Washington State Department of Health
CTED Growth Management Services
Kittitas County Sheriff's Department
Kittitas County Board of County Commissioners
Kittitas Valley Fire & Rescue
Kittitas County Environmental Health
Kittitas County Solid Waste Programs
Kittitas County Public Works
Cle Elum Roslyn School District # 404
Adjacent Property Owners
Applicant

From: Mackenzie Moynihan, Staff Planner

Date: February 22, 2008

Subject: **Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)**

Pursuant to RCW 36.70B, notice is hereby given that Kittitas County did, on February 7, 2008, receive a complete application from Richard Graham, landowner, for a proposed project related rezone from Forest & Range to Rural-3 followed by a 4-lot Short Plat on approximately 12.19 acres of land. The subject property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

Written comments from the public may be submitted to Kittitas County CDS no later than Friday, March 28, 2008, 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.

The submitted application and related filed documents may be examined by the public at the Community Development Services Department office between 8:00 A.M. and 5:00 P.M. at 411 N. Ruby Ste. 2, Ellensburg, WA 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>. Phone (509) 962-7506. File No. Z-08-02 and SP-08-02. Staff Planner: Mackenzie Moynihan. If you have any questions, please contact Community Development Services at (509) 962-7506.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

Notice of Application
Graham Family Short Plat (SP-08-02)
Graham Rezone (Z-08-02)

Pursuant to RCW 36.70B, notice is hereby given that Kittitas County did, on February 7, 2008, receive a complete application from Richard Graham, landowner, for a project specific rezone from Forest & Range to Rural-3 together with a Short Plat proposing a total of 4-lots on approximately 12.19 acres of land. The subject property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

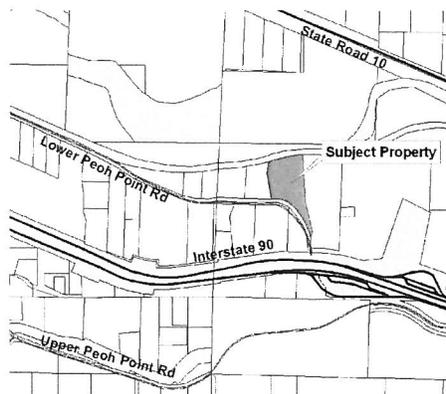
Any person desiring to express their views or to be notified of the action taken on this application should contact the Kittitas County Community Development Services Department (CDS). The submitted application and related filed documents may be examined by the public at the Community Development Services Department office between 8:00 A.M. and 5:00 P.M. at 411 N. Ruby Ste. 2, Ellensburg, WA 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>. Phone (509) 962-7506. File No. Z-08-02 and SP-08-02. Staff Planner: Mackenzie Moynihan

Written comments from the public may be submitted to Kittitas County CDS no later than Friday, March 28, 2008, 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 will be scheduled in the near future so this project may be heard by the Kittitas County Planning Commission. Notice of said hearing will be issued at a later date.

Date: February 20, 2008

Publish: February 22, 2008, Daily Record; February 28, 2008 NKC Tribune



AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: **Diane Ewing** being first duly sworn on oath, deposes and says: That she is the **Office Manager** of the Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

NOTICE OF APPLICATION **Graham Family Short Plat (SP-08-02)** **Graham Rezone (Z-08-02)**

As is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

FEBRUARY 22, 2008

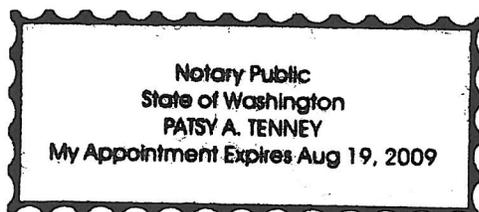
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of **\$ 88.85** rate of \$5.10 per column inch for each insertion.

Diane Ewing
Subscribed to me this *29* day of *February*, 2008.

Patsy A Tenney

PATSY A TENNEY

Notary Public in and for
The State of Washington
Residing at Ellensburg,
Washington (SEAL)



RECEIVED
MAR 06 2008
KITITAS COUNTY
CDS

DAILY RECORD

401 N. Main St. • Ellensburg, WA 98926 • (509) 925-1414

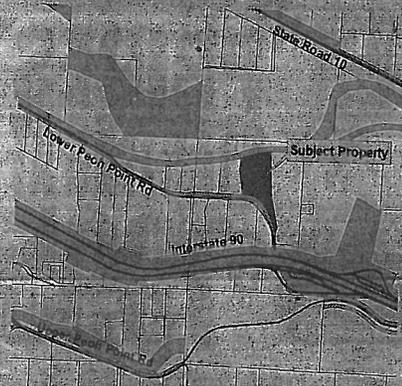
20104728 - 03521223
 Kittitas County Community
 Development Services
 411 N. Ruby St., Suite 2
 ELLENSBURG, WA 98926

INVOICES ARE DUE IN 10 DAYS

INVOICE		MAKE CHECKS PAYABLE TO →	
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EDITIONS	AD TAKER		
01	KA		
Cust # 20104728		PHONE	
(509)962-7506			
SORTLINE			
Notice of Application			
START DATE	STOP DATE		
02/22/08	02/22/08		

Notice of Application Graham Family Short Plat (SP-08-02) Graham Rezone (Z-08-02)

Pursuant to RCW 36.70B, notice is hereby given that Kittitas County did, on February 7, 2008, receive a complete application from Richard Graham, landowner, for a project specific rezone from Forest & Range to Rural-3 together with a Short Plat proposing a total of 4 lots on approximately 12.19 acres of land. The subject property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

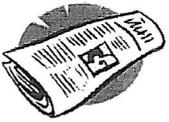


Any person desiring to express their views or to be notified of the action taken on this application should contact the Kittitas County Community Development Services Department (CDS). The submitted application and related filed documents may be examined by the public at the Community Development Services Department office between 8:00 A.M. and 5:00 P.M. at 411 N. Ruby St., Ellensburg, WA 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>. Phone (509) 962-7506. File No. Z-08-02 and SP-08-02. Staff Planner: Mackenzie Moynihan

Written comments from the public may be submitted to Kittitas County CDS no later than Friday, March 28, 2008, 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 will be scheduled in the near future so this project may be heard by the Kittitas County Planning Commission. Notice of said hearing will be issued at a later date.

Date: February 20, 2008
 Publish: February 22, 2008, Daily Record
 February 28, 2008 NKC Tribune



P.O. Box 308
Cle Elum, WA 98922
(509) 674-2511

Invoice

Bill To:

**Kittitas County Community Development
Services**
411 N. Ruby, Suite 2
Ellensburg, WA 98926

Invoice #: 00051971

Date: 2/28/08

Page: 1

DATE	DESCRIPTION	AMOUNT
2/28/08	Applications SP-08-02 and Z-08-02 Graham-Family Short Plat and Rezone RECEIVED MAR 14 2008 KITTITAS COUNTY CDS	\$124.00
		Sales Tax: \$0.00
		Total Amount: \$124.00
		Amount Applied: \$0.00
		Balance Due: \$124.00

19

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON)
) SS
COUNTY OF KITTITAS)

JANA E. STONER, being duly sworn on oath, deposes and says that she is the publisher of the *NORTHERN KITTITAS COUNTY TRIBUNE*, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a weekly newspaper in Cle Elum, Kittitas County, Washington, and is now and during all of said time was published in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a true copy of

APPLICATIONS SP-08-02,
Z-08-02 - GRAHAM FAMILY
SHORT PLAT & REZONE

as it was published in regular issues (and not in supplement form) of said newspaper once a

week for a period of one consecutive weeks, commencing on the 28TH day of February, 2008 and ending on

the 28TH day of February, 2008,

both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the

sum of \$ 124⁰⁰, which amount has been paid in full.

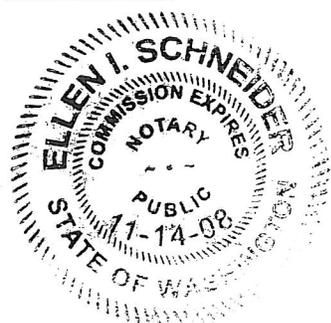
Jana E. Stoner

Subscribed and sworn to before me this 7^E day of March, 2008.

Ellen I. Schneider

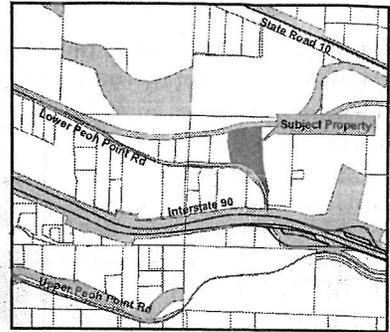
Notary Public in and for the State of Washington, residing at So. Cle Elum Wa 98943

County of Kittitas. Expires 11-14-08



Notice of Application
Graham Family Short Plat (SP-08-02)
Graham Rezone (Z-08-02)

Pursuant to RCW 36.70B, notice is hereby given that Kittitas County did, on February 7, 2008, receive a complete application from Richard Graham, landowner, for a project specific rezone from Forest & Range to Rural-3 together with a Short Plat proposing a total of 4-lots on approximately 12.19 acres of land. The subject property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.



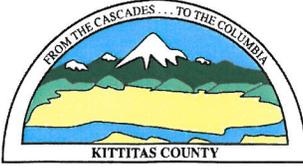
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Dated: February 20, 2008

(Published in the N.K.C. TRIBUNE, Feb. 28, 2008.)



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

NOTIFICATION CHECKLIST FOR PLANNING ISSUES

(to be filled out and kept in the files at all times)

PROPOSAL NAME: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

NOTIFICATION MAIL DATE: February 22, 2008

Mailer: In addition to attaching copies of the documents mailed, please attach a copy of the names and addresses of those to whom the documents were mailed and of the public hearing notice sent to the newspapers.

State of Washington
County of Kittitas

I certify that the acts of notification of land use action, including those requiring SEPA review, and other actions described in this document have occurred or have been performed.

[Handwritten signature]
Staff Signature

Subscribed and sworn to before me this 25 day of February, 20 08.

[Handwritten signature: Amanda J. Weed]
Notary Public for the State of Washington
residing in Ellensburg

My appointment expires January 20 09.



Henriksen, John K
7361 Lower Peoh Point Road
Cle Elum, WA 98922

Teanaway Ridge LLC
PO Box 808
Cle Elum, WA 98922

Renfrow, Rosellen
c/o Wickerath, James
1706 E. Capitol Avenue
Ellensburg, WA 98926

Edwards, Betty J
8101 Lower Peoh Point Road
Cle Elum, WA 98922

Overton, Thomas W
1903 NE 16th Street
Renton, WA 98055

McEwen, Donn J
7611 Lower Peoh Point Road
Cle Elum, WA 98922

Ard, Gary
2572 5th Avenue N
Seattle, WA 98109

White, Peter A
8080 Lower Peoh Point Road
Cle Elum, WA 98922

Baker, Michael D
7460 Lower Peoh Point Road
Cle Elum, WA 98922

Lonzo-Horish LP
730 Teanaway Heights Drive
Cle Elum, WA 98922

Kittitas County Department of Public
Works

Kittitas County Environmental Health

Kittitas County Solid Waste Programs

Kittitas County Sheriff's Department

Kittitas County Board of County
Commissioners

Kittitas County Enforcement and
Investigation

Kittitas County Fire Marshal

Cle Elum Roslyn School District 404
Administration Office
2690 SR 903
Cle Elum, WA 98922

Fire District # 7
Attn: Fire Chief
PO Box 777
So. Cle Elum, WA 98943

Kittitas Reclamation District
PO Box 276
Ellensburg, WA 98926

Betsy Billeter
390 Bar 14 Rd
Ellensburg, WA 98926

Washington Dept. of Ecology
Derek Sandison, Regional Director
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

DNR
External SEPA Coordinator
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

Tom Justus
WA State Department of Health
Eastern Regional Office
1500 West Fourth Avenue Suite 305
Spokane, Washington 99201

Yakama Nation Dept. of Natural
Resources
P.O. Box 151
Toppenish, WA 98948

James E Brooks Library
Documents Dept.
400 E. University Way
Ellensburg, WA 98926 MS-7548

Washington State DOT
Rick Holmstrom
PO Box 12560
Yakima, WA 98909

Review Team
CTED Growth Management Services
P.O. Box 42525
Olympia, WA 98504-2525

Sean Northrop
206 West 1st
Cle Elum, WA 98922

Town of South Cle Elum
PO Box 160
South Cle Elum, WA 98943

Washington State Department of
Archaeology &
Historic Preservation
1063 S. Capitol Way, Suite 106
Olympia, WA 98501

Department of Ecology
Environmental Review Section
PO Box 47703
Olympia, WA 98504-7703

CITY OF CLE ELUM
119 W 1ST
CLE ELUM, WA 98922

Cindy Preston
DNR Aquatic Land Manager
713 E Bowers Road
Ellensburg, WA 98926

Yakama Nation
Kate Valdez
Tribal Historic Preservation Officer
PO Box 151
Toppenish, WA 98948

Kittitas County
Assessor's Office

Johnson Meninick
Cultural Resources Program
PO Box 151
Toppenish, WA 98948

Henry Fraser
Yakama Nation Fisheries
MS 7420 CWU
400 E. University Way
Ellensburg, WA 98926

Yakama Nation
Dept. of Natural Resources
Philip Rigdon
PO Box 151
Toppenish, WA 98948

BNSF Railway Company
PO Box 961089
Fort Worth, TX 96161

Anderson, Jeff R & Stephany Nelson
4402 Bullfrog Road
Cle Elum, WA 98922

Richard Graham
PO Box 1026
Cle Elum, WA 98922

Encompass Engineering and Surveying
108 East 2nd Street
Cle Elum, WA 98922

Mackenzie Moynihan

From: Keli Bender [krd.keli@fairpoint.net]
Sent: Monday, February 25, 2008 10:41 AM
To: Mackenzie Moynihan
Subject: Graham

Good morning Mackenzie;

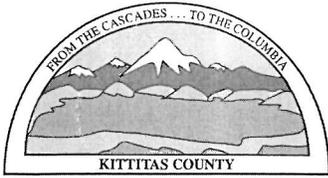
This is in regards to the Graham Rezone (**Z-08-02**) and Graham Family Short Plat (**SP-08-02**) This property has **no** KRД ground, so our requirements will not need to be met. If you have any questions, please let me know.

Keli

Keli R. Bender

KRD Lands Clerk/RRA

krd.keli@elltel.net



KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Mackenzie Moynihan, Community Development Services
FROM: Randy Carbary, Planner II *RC*
DATE: February 26, 2008
SUBJECT: Graham Family Short Plat SP08-02



Our department has reviewed the plat application and has the following comments:

- “Conditional Preliminary Approval”** is recommended based on the information provided. See below for conditions of preliminary approval.
- “Additional Information Requested”**. Prior to continuing the approval process for the submitted development, additional information is requested for analysis.

The following issue shall be resolved prior to final approval:

1. Access to Lot 4: The short plat drawing depicts a proposed access location to lot 4; however, no easement is shown where it crosses lot 1. A minimum 20' wide access and utility easement shall be shown for the proposed access location to lot 4.
2. Plat Note #7: Plat note #7 does not apply and shall be removed.
3. Revised Lot Closures: Our department received a revised short plat application on 2/13/08. Revised lot closures which reflect the new lot dimensions shall be required prior to final approval.

The following shall be conditions of preliminary approval:

1. Access Easements “Q” and “R” - Joint-Use Driveway: Access easements “Q” and “R” shall meet current Kittitas County Road Standards for joint-use accesses. Each joint-use access shall serve no more than two tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 20' wide. The roadway width shall have a minimum width of 12'.
 - b. The surface requirement is for a minimum gravel surface depth of 6”.

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- c. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- d. Any further subdivision or lots to be served by proposed access may result in further access requirements.
2. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
3. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
4. Access Permit: 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.
5. Addressing: 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.
6. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
7. Mailbox Placement: 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.
8. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

RECEIVED

MAR 31 2008

Kittitas County
CDS

March 28, 2008



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

Mackenzie Moynihan
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Dear Ms. Moynihan:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the rezone of approximately 12.19 acres from Forest & Range to R-3 and the short plat of 4 lots, proposed by Richard Graham [Z 08-02/SP 08-02]. We have reviewed the documents and have the following comments.

Air Quality

If the proponent is planning to remove trees or debris from the property, they need to verify that the property is located outside the Urban Growth Area (UGA), where residential and land clearing burning is prohibited. They can do so by contacting their county planning department. If the project location is outside the UGA, they need to obtain a burn permit from Ecology if they are planning to burn trees or debris from the property. Only natural unprocessed vegetation may be burned in an outdoor fire. If the project location is inside the UGA, they must use an alternative to burning.

Due to the dry conditions of our region, we are reminding people that extra efforts are needed to control blowing dust and dirt. The proponent should create a site-specific Fugitive Dust Control Plan (FDCP) before starting this project, and then follow the plan for construction of the project and duration of activity on property. The FDCP should include, but is not limited to, the following components:

- Identify all potential fugitive dust emission points.
- Assign dust control methods.
- Determine the frequency of application
- Record all dust control activities.
- Train personnel in the FDCP.
- Shut down during windy conditions.
- Follow the FDCP and monitor dust control efforts.



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Ms. Moynihan.
March 28, 2008
Page 2 of 3

Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the site. Also, dust is prohibited from interfering unreasonably with the use and enjoyment of property, causing health impacts, or damaging property or business.

If you have any questions concerning the Air Quality comments, or would like assistance in creating a FDCP, please contact Maureen McCormick at 509-454-7660.

Water Resources

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in your area becomes limited your use could be curtailed by those with senior water rights.

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than .5 acre of lawn and garden are irrigated.

The Attorney General's opinion suggests that caution should be used in finding developments to be exempt from needing a water right permit if the possibility exists that the development of the project will result in the ultimate withdrawal of water in excess of 5,000 gallons per day or the irrigation of more that .5 acre of lawn and garden.

With the Supreme Court's guidance on the limitations of groundwater exemptions, all lots within this proposed subdivision would be covered by a single groundwater exemption provided this development is not part of a larger project.

To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. Water use data should be recorded by the property owner of the well monthly. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions. For metering information, please contact Ken Schuster at (509) 454-4263.

Ms. Moynihan
March 28, 2008
Page 3 of 3

To comply with irrigating up to 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.

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.

If you have any questions concerning the Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

Water Quality

Project Greater-Than 1 Acre with Potential to Discharge Off-Site

An NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact Bryan Neet at the Dept. of Ecology, (509) 575-2808, with questions about this permit.

Sincerely,



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



Administration

**Community Health Services
Health Promotion Services**
507 N. Nanum Street, Ste 102
Ellensburg, WA 98926

Environmental Health
411 North Ruby Street, Ste 3
Ellensburg, WA 98926
Phone (509) 962-7698
Fax (509) 962-7052

March 28, 2008

Mackenzie Moynihan, Staff Planner
Kittitas County Community Development Services
411 N. Ruby St., Suite 2
Ellensburg, WA. 98926

RE: Graham Family Short Plat (SP-08-02)

Dear Ms. Moynihan,

Thank you for the opportunity to comment on the above referenced project. The file indicates soil logs are needed. A well log for the existing well drilled on lot 3 of the property will suffice as proof of water availability for the plat.

I recommend that a Group B water system be used to serve lots 1, 2 and 4. A shed, a home and possibly an existing drain field and septic tank appear to be located within the 100-foot radius of the existing well on lot 3, making this well unsuitable for use as a Group B water system. The water system plan and design for the Group B system will need to be submitted and approved and the water system installed and approved prior to final plat approval. Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Holly Duncan".

Holly Duncan
Environmental Health Specialist0



Received via
email
3/17/08

STATE OF WASHINGTON

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

128 - 10th Avenue SW • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000

March 14, 2008

Mr. Darryl Piercy, Director
Kittitas County Community Development Services
411 North Ruby Street, Suite 2
Ellensburg, Washington 98926

RE: Proposed rezone from Forest & Range to Rural-3, with a four lot short plat on 12.19 acres;
Graham Rezone and Graham Family Short Plat, (Z-08-02 and SP-08-02).

Dear Mr. Piercy:

Thank you for sending the Washington State Department of Community, Trade and Economic Development (CTED) the proposed amendments to the Kittitas County development regulations that we received on February 26, 2008.

We are aware that Kittitas County recently adopted its update of the comprehensive plan and is diligently working to address the final decision and order from the Eastern Washington Growth Management Hearings Board. We understand that revisions to the Rural Element have been made, although allowed densities in the rural lands still permit three-acre zoning districts. We continue to have concerns about the provision of a three-acre zoning district outside of an urban growth area (UGA). There still appears to be a fair number of such applications being submitted, which you will recall was a specific concern we expressed during the draft comprehensive plan review. We recognize the tremendous growth and development pressures currently facing Kittitas County. However, we do not support the three-acre zone in rural areas and ask the county to carefully consider the following in review of this rezone request:

- We are concerned the proposed rezone would increase development pressures on adjacent lands.
- We are concerned that the pattern of rezones across the county, including this one, could result in additional domestic water wells being developed without the benefit of water rights. This could have unintended effects to aquifer(s) and in-stream flows in the area.
- The applicants are proposing to increase the allowed density to one unit per three acres. In general, CTED does not support densities greater than one unit per five acres outside of UGAs. We are concerned that there are not adequate facilities, such as transportation facilities and emergency response, available to adequately serve a higher density in this location. Further, we are concerned that through the short subdivision process these facilities and/or services may not be provided.

Mr. Darryl Piercy, Director
March 14, 2008
Page 2

I do have a few comments specific to the subsequent short plat proposal. The checklist indicates there are wet soil plants on the property. However, the map submitted did not show where on the property these wet plants are located. Given the proximity of the property to the Yakima River, it is likely that wetlands could be located on site. Care should be taken to ensure any wetlands on site are protected. In addition, if the rezone and short plat are approved, the applicant may wish to provide an easement to allow for pedestrian access from all lots in the plat to the John Wayne Trail.

We support the county's efforts to address growth-related issues through additional environmental review at the time of subsequent subdivision or short subdivisions, such as through a more detailed review under the State Environmental Policy Act. When cities and counties work with citizens to discuss their priorities for the future, they must balance important considerations—using land wisely, providing the foundation for economic vitality, and protecting environmental and natural resources. In crafting your comprehensive plan and development regulations to meet the unique needs of your community, you, along with other local governments planning under the Growth Management Act, make important and long-lasting choices. These choices can sustain the quality of life that makes Washington a remarkable place to live and create the predictability needed for economic investment.

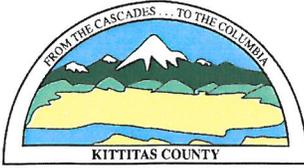
If you have any questions or concerns about our comments or any other growth management issues, please contact me at (360) 725-3045 or joycep@cted.wa.gov. We extend our continued support to Kittitas County in achieving the goals of growth management.

Sincerely,

Joyce Phillips, AICP
Growth Management Planner
Growth Management Services

JP:cr

cc: Mackenzie Moynihan, Staff Planner
Leonard Bauer, AICP, Managing Director, Growth Management Services, CTED
David Andersen, AICP, Plan Review and Technical Assistance Manager, Growth Management Services, CTED



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

- Project:** Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)
- Description:** A rezone from Forest & Range to Rural-3 together with a Short Plat to subdivide approximately 12.19 acres of land into four (4) lots.
- Proponent:** Richard Graham
PO Box 1026
Cle Elum, WA 98922
- Location:** The project is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.
- 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:

The following conditions shall also apply based on the project specific analysis:

I. Transportation

- A. The applicant shall be responsible for meeting or exceeding all conditions and requirements set forth by the Department of Public Works, as listed in the attached memorandum.
- B. A minimum 20' wide access and utility easement shall be shown on the final mylars for the proposed access location to Lot 4 of the Graham Family Short Plat.

II. Air

- A. If the applicant plans to burn trees or debris from the property, the applicant shall obtain a burn permit from the Department of Ecology. Only natural unprocessed vegetation may be burned in an outdoor fire. It is the applicant's responsibility to contact the Department of Ecology regarding this permit.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

- B. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the project site. Additionally, dust is prohibited from interfering unreasonably with the use and enjoyment of property, causing health impacts or damaging property or business. As a result, the applicant shall be responsible for creating a site-specific Fugitive Dust Control Plan (FDCP) before starting this project. The plan shall be followed throughout the duration of any activity and construction of the project.

III. Water

- A. Activities such as road widening, stump pulling and clearing, grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan. It is the applicant's responsibility to contact the Department of Ecology.
- B. Stormwater and surface runoff generated from this project shall be treated onsite and shall not be allowed to flow into County road right-of-ways.
- C. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology; this includes the use of water for irrigation. Legally obtained water must be used on-site.
- D. The Graham Family Short Plat (SP-08-02) shall be considered as one project and therefore shall be limited to one groundwater withdrawal exemption for all four (4) proposed lots.
- E. Property owners shall be required to demonstrate compliance with the single project withdrawal limitation of 5,000 gallons to be shared between the four lots.
- F. All wells serving the Graham Family Short Plat (SP-08-02) shall be metered and records documenting water usage shall be kept and made available for public inspection. The cumulative daily withdrawal limit of all wells combined shall not exceed the 5,000 gallon per day exemption set forth by the Department of Ecology.
- G. Washington Administrative Code (WAC) 173-150 provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If the water supply in your area becomes limited your use could be curtailed by those with senior water rights.

IV. Light and Aesthetics

- A. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.

V. Noise

- A. Development and construction practices for this project shall only occur between the hours of 7:00am to 7:00pm to minimize the effect of construction noise on nearby residential properties.

VI. Public Safety

- A. Addresses of all new residences shall be clearly visible from both directions at the county road.
- B. The applicant shall consult with the local school district to determine a safe location for a school bus stop and said location shall be depicted on the final mylars.

VII. SEPA Review

This MDNS is issued under WAC 197-11-350. The lead agency will not act on this proposal for 15 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 within 10 working days (on or before 5:00 PM, Friday, May 9, 2008).

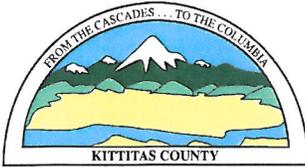
Responsible Official: 
Mackenzie Moynihan

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: April 25, 2008

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$500.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 PM, May 9, 2008. 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

NOTICE OF SEPA ACTION

TO: WA Dept. of Ecology - Yakima
WA Dept. of Ecology – SEPA Registry
WA Department of Natural Resources – Ellensburg
WA Department of Fish & Wildlife – Ellensburg
Yakama Nation
Yakama Nation – Dept. of Natural Resources
Kittitas County Board of Commissioners
Kittitas County Sheriff's Dept.
Kittitas County Fire Marshal
Kittitas County Environmental Health
Kittitas County Solid Waste Programs
Kittitas County Public Works
Kittitas County Fire District # 7
Cle Elum Roslyn School District # 404
CWU Library
Adjacent Property Owners
Applicant

FROM: Mackenzie Moynihan, Staff Planner

DATE: April 25, 2008

SUBJECT: **SEPA NOTICE OF ACTION: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)**

Enclosed please find a SEPA Notice of Action and Mitigated Determination of Nonsignificance (MDNS) for the referenced proposal. A copy of the submitted environmental checklist and related application materials for this proposal were mailed to you for review on February 22, 2008. If you did not receive any of these documents, or require additional information, please contact our office.

An application for a rezone from Forest & Range to Rural-3 followed by a short plat to subdivide approximately 12.19 acres into 4-lots was submitted on February 7, 2008 by Richard Graham, landowner. The property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

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 Friday, May 9, 2008 at 5:00 p.m.** to the Kittitas County Board of County Commissioners, Room 108, County Courthouse, Ellensburg, WA 98926.

If you have any questions please contact Community Development Services at (509) 962-7506, Mackenzie Moynihan, Staff Planner. Please retain all enclosed materials.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

21

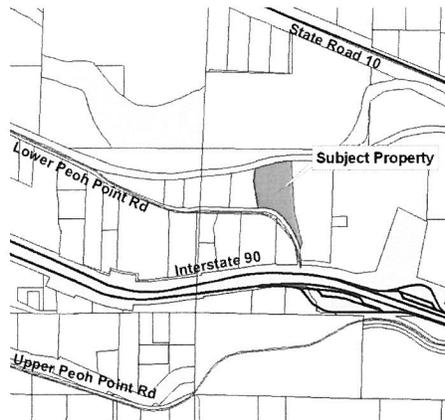
Notice of SEPA Action
Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

NOTICE IS HEREBY given that pursuant to 43.21C RCW (SEPA), Kittitas County Community Development Services did, on April 25, 2008, issue a Mitigated Determination of Non-Significance (MDNS) on an application from Richard Graham, landowner, for a rezone from Forest & Range to Rural-3 followed by a short plat subdivision of approximately 12.19 acres of land into 4 lots. The project is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

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 Friday, May 9, 2008 at 5:00 p.m. to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA 98926.

The complete application files, Z-08-02 and SP-08-02, may be viewed at Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>. Telephone 509-962-7506. Staff Planner: Mackenzie Moynihan

Date: April 25, 2008
Publish: April 25, 2008 and May 2, 2008; Daily Record
Publish: May 1, 2008 and May 8, 2008; NKC Tribune





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

NOTIFICATION CHECKLIST FOR PLANNING ISSUES

(to be filled out and kept in the files at all times)

PROPOSAL NAME: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02) Notice of SEPA Action

NOTIFICATION MAIL DATE: April 25, 2008

Mailer: In addition to attaching copies of the documents mailed, please attach a copy of the names and addresses of those to whom the documents were mailed and of the public hearing notice sent to the newspapers.

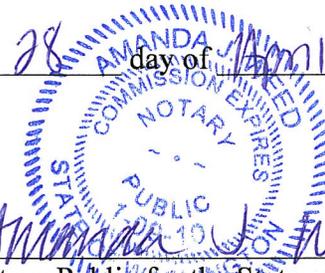
State of Washington
County of Kittitas

I certify that the acts of notification of land use action, including those requiring SEPA review, and other actions described in this document have occurred or have been performed.



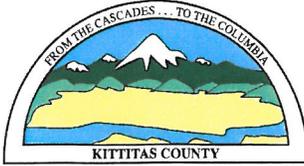
Staff Signature

Subscribed and sworn to before me this 28 day of April, 2008.




Notary Public for the State of Washington
residing in Ellensburg

My appointment expires January 9, 2010.



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

NOTICE OF SEPA ACTION

TO: WA Dept. of Ecology - Yakima
WA Dept. of Ecology – SEPA Registry
WA Department of Natural Resources – Ellensburg
WA Department of Fish & Wildlife – Ellensburg
Yakama Nation
Yakama Nation – Dept. of Natural Resources
Kittitas County Board of Commissioners
Kittitas County Sheriff's Dept.
Kittitas County Fire Marshal
Kittitas County Environmental Health
Kittitas County Solid Waste Programs
Kittitas County Public Works
Kittitas County Fire District # 7
Cle Elum Roslyn School District # 404
CWU Library
Adjacent Property Owners
Applicant

FROM: Mackenzie Moynihan, Staff Planner

DATE: April 25, 2008

SUBJECT: **SEPA NOTICE OF ACTION: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)**

Enclosed please find a SEPA Notice of Action and Mitigated Determination of Nonsignificance (MDNS) for the referenced proposal. A copy of the submitted environmental checklist and related application materials for this proposal were mailed to you for review on February 22, 2008. If you did not receive any of these documents, or require additional information, please contact our office.

An application for a rezone from Forest & Range to Rural-3 followed by a short plat to subdivide approximately 12.19 acres into 4-lots was submitted on February 7, 2008 by Richard Graham, landowner. The property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

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 Friday, May 9, 2008 at 5:00 p.m.** to the Kittitas County Board of County Commissioners, Room 108, County Courthouse, Ellensburg, WA 98926.

If you have any questions please contact Community Development Services at (509) 962-7506, Mackenzie Moynihan, Staff Planner. Please retain all enclosed materials.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

23

Henriksen, John K
7361 Lower Peoh Point Road
Cle Elum, WA 98922

Teaway Ridge LLC
PO Box 808
Cle Elum, WA 98922

Renfrow, Rosellen
c/o Wickerath, James
1706 E. Capitol Avenue
Ellensburg, WA 98926

Edwards, Betty J
8101 Lower Peoh Point Road
Cle Elum, WA 98922

Overton, Thomas W
1903 NE 16th Street
Renton, WA 98055

McEwen, Donn J
7611 Lower Peoh Point Road
Cle Elum, WA 98922

Ard, Gary
2572 5th Avenue N
Seattle, WA 98109

White, Peter A
8080 Lower Peoh Point Road
Cle Elum, WA 98922

Baker, Michael D
7460 Lower Peoh Point Road
Cle Elum, WA 98922

Lonzo-Horish LP
730 Teaway Heights Drive
Cle Elum, WA 98922

Kittitas County Department of Public
Works

Kittitas County Environmental Health

Kittitas County Solid Waste Programs

Kittitas County Sheriff's Department

Kittitas County Board of County
Commissioners

Kittitas County Enforcement and
Investigation

Kittitas County Fire Marshal

Cle Elum Roslyn School District 404
Administration Office
2690 SR 903
Cle Elum, WA 98922

Fire District # 7
Attn: Fire Chief
PO Box 777
So. Cle Elum, WA 98943

Kittitas Reclamation District
PO Box 276
Ellensburg, WA 98926

Betsy Billeter
390 Bar 14 Rd
Ellensburg, WA 98926

Washington Dept. of Ecology
Derek Sandison, Regional Director
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

DNR
External SEPA Coordinator
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

Tom Justus
WA State Department of Health
Eastern Regional Office
1500 West Fourth Avenue Suite 305
Spokane, Washington 99201

Yakama Nation Dept. of Natural
Resources
P.O. Box 151
Toppenish, WA 98948

James E Brooks Library
Documents Dept.
400 E. University Way
Ellensburg, WA 98926 MS-7548

Washington State DOT
Rick Holmstrom
PO Box 12560
Yakima, WA 98909

Review Team
CTED Growth Management Services
P.O. Box 42525
Olympia, WA 98504-2525

Sean Northrop
206 West 1st
Cle Elum, WA 98922

Town of South Cle Elum
PO Box 160
South Cle Elum, WA 98943

Washington State Department of
Archaeology &
Historic Preservation
1063 S. Capitol Way, Suite 106
Olympia, WA 98501

Department of Ecology
Environmental Review Section
PO Box 47703
Olympia, WA 98504-7703

CITY OF CLE ELUM
119 W 1ST
CLE ELUM, WA 98922

Cindy Preston
DNR Aquatic Land Manager
713 E Bowers Road
Ellensburg, WA 98926

Yakama Nation
Kate Valdez
Tribal Historic Preservation Officer
PO Box 151
Toppenish, WA 98948

Anderson, Jeff R & Stephany Nelson
4402 Bullfrog Road
Cle Elum, WA 98922

Johnson Meninick
Cultural Resources Program
PO Box 151
Toppenish, WA 98948

Henry Fraser
Yakama Nation Fisheries
MS 7420 CWU
400 E. University Way
Ellensburg, WA 98926

Yakama Nation
Dept. of Natural Resources
Philip Rigdon
PO Box 151
Toppenish, WA 98948

BNSF Railway Company
PO Box 961089
Fort Worth, TX 96161

Encompass Engineering and Surveying
108 East 2nd Street
Cle Elum, WA 98922

Richard Graham
PO Box 1026
Cle Elum, WA 98922

AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: Diane Ewing being first duly sworn on oath, deposes and says: That she is the Office Manager of the Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

NOTICE OF PUBLIC HEARING
Graham Rezone (Z-08-02) and
Graham Family Short Plat (SP-08-02)

As is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

MAY 2, 2008

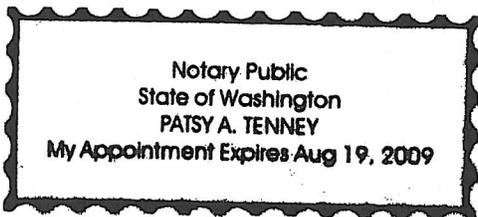
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$ 87.57 rate of \$5.10 per column inch for each insertion.

Diane Ewing

Subscribed to me this 12 day of May, 2008.

[Signature]
PATSY A TENNEY

Notary Public in and for
The State of Washington
Residing at Ellensburg,
Washington (SEAL)

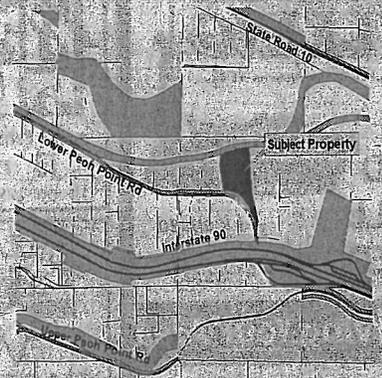


RECEIVED

MAY 29 2008
KITTITAS COUNTY
CDS

**Notice of Public Hearing
Graham Rezone (Z-08-02) and
Graham Family Short Plat
(SP-08-02)**

Notice is hereby given that the Kittitas County Planning Commission will be conducting an open record public hearing to consider the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02), as submitted by Richard Graham, landowner. The applicant is proposing a rezone from Fore & Range to Rural-3 followed by a short plat to subdivide approximately 12.19 acres into 4-lots pursuant to Kittitas County Code 16.32. The subject property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, W1 in Kittitas County. Map number 19-1-04030-0013.



An open record hearing is scheduled before the Kittitas County Planning Commission, May 27, 2008, at 6:30 p.m. in the Commissioner's Auditorium, Kittitas County Courthouse. The Planning Commission at said public hearing will consider written and oral testimony. Interested persons are encouraged to verify with Kittitas County Community Development Services by calling (509) 962-7506 prior to attending.

Project documents may be viewed during normal business hours at Kittitas County Community Development Services (CDS) Office, 411 N. Ruby Street, Ellensburg, WA 98926. Related documents may also be viewed on the CDS website <http://www.co.kittitas.wa.us/cds/current>. Please contact CDS at (509) 962-7506 with any questions you might have. Staff Planner: Mackenzie Moynihan.

Date: April 29, 2008
Publish: May 2, 2008; Daily Record
Publish: May 8, 2008; NKC Tribune

INVOICE		FOR CLASSIFIED		MAKE CHECKS	
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Cost # 80104728					
PHONE					
509-962-7506					
SORTLINE					
Notice of Public Hearing					
START DATE			STOP DATE		
05/02/08			05/02/08		

13

DAILY RECORD

401 N. Main St. • Ellensburg, WA 98926 • (509) 925-1414

80104728 - 03522125

Kittitas County Community
Development Services
411 N. Ruby St, Suite 2
Ellensburg, WA 98926

INVOICES ARE DUE IN 10 DAYS

30

Northern Kittitas County Tribune

P.O. Box 308
Cle Elum, WA 98922
(509) 674-2511



Invoice

Bill To:

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

Invoice #: 00053303

Date: 5/8/08

Page: 1

DATE	DESCRIPTION	AMOUNT
5/8/08	Public Hearing (SP-08-02) Graham Rezone (Z-08-02) and Graham Family Short Plat	\$96.00
RECEIVED MAY 29 2008 KITTITAS COUNTY CDS		
		Sales Tax: \$0.00
		Total Amount: \$96.00
		Amount Applied: \$0.00
		<i>Balance Due:</i> \$96.00

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON)
) SS
COUNTY OF KITTITAS)

JANA E. STONER, being duly sworn on oath, deposes and says that she is the publisher of the *NORTHERN KITTITAS COUNTY TRIBUNE*, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a weekly newspaper in Cle Elum, Kittitas County, Washington, and is now and during all of said time was published in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a true copy of

PUBLIC HEARING (SP-08-02)
GRAHAM REZONE (Z-08-02)
GRAHAM FAMILY SHORT PLAT

as it was published in regular issues (and not in supplement form) of said newspaper once a

week for a period of one consecutive weeks,
commencing on the 8TH day of
MAY, 2008 and ending on
the 8TH day of MAY, 2008,

both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the

sum of \$ 96⁰⁰, which amount has been paid in full

Jana E. Stoner

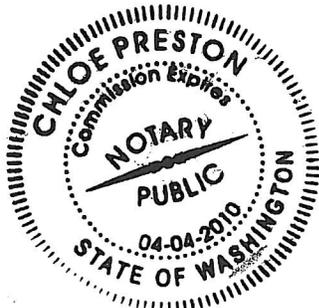
Subscribed and sworn to before me this 20th day of

May, 2008.
Chloe Preston

Notary Public in and for the State of Washington, residing at

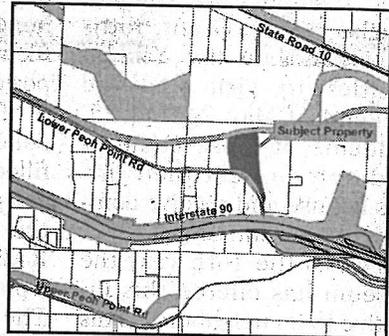
Cle Elum

County of Kittitas. Expires 04/04/2010



**Notice of Public Hearing
Graham Rezone (Z-08-02) and
Graham Family Short Plat (SP-08-02)**

Notice is hereby given that the Kittitas County Planning Commission will be conducting an open record public hearing to consider the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02), as submitted by Richard Graham, landowner. The applicant is proposing a



rezoning from Forest & Range to Rural-3 followed by a short plat to subdivide approximately 12.19 acres into 4-lots pursuant to Kittitas County Code 16.32. The subject property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

An open record hearing is scheduled before the Kittitas County Planning Commission on **May 27, 2008, at 6:30 p.m.** in the Commissioner's Auditorium, Kittitas County Courthouse. The Planning Commission at said public hearing will consider written and oral testimony. Interested persons are encouraged to verify with Kittitas County Community Development Services by calling (509) 962-7506 prior to attending.

Project documents may be viewed during normal business hours at Kittitas County Community Development Services (CDS) Office, 411 N. Ruby Street, Ellensburg, WA 98926. Related documents may also be viewed on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>. Please contact CDS at (509) 962-7506 with any questions you might have. Staff Planner: Mackerizie Moynihan.

Dated: April 29, 2008

(Published in the N.K.C. TRIBUNE, May 8, 2008.)

AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: Diane Ewing being first duly sworn on oath, deposes and says: That she is the **Office Manager** of the Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

NOTICE OF SEPA ACTION **Graham Rezone (Z-08-02) and** **Graham Family Short Plat (SP-08-02)**

As is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 2 consecutive week(s), commencing on the following days.

APRIL 25, 2008
MAY 2, 2008

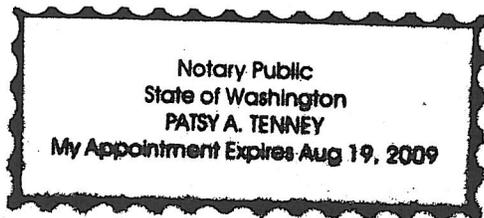
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$ 170.02 rate of \$5.10 per column inch for each insertion.

Diane Ewing

Subscribed to me this 12 day of May, 2008.

Patsy A Tenney
PATSY A TENNEY

Notary Public in and for
The State of Washington
Residing at Ellensburg,
Washington (SEAL)



RECEIVED

MAY 29 2008

KITTITAS COUNTY
CDS

**Notice of SEPA Action
Graham Rezone (Z-08-02) and
Graham Family Short Plat
(SP-08-02)**

NOTICE IS HEREBY given that pursuant to 43.21C RCW (SEPA), Kittitas County Community Development Services did, on April 25, 2008, issue a Mitigated Determination of Non-Significance (MDNS) on an application from Richard Graham, landowner, for a rezone from Forest & Range to Rural-3 followed by a short plat subdivision of approximately 12.19 acres of land into 4 lots. The project is located south of Interstate 90, off Lower Peoh Point Road Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM in Kittitas County. Map number 19-16 04030-0013.



Any action to set aside, enjoin, review, otherwise challenge such administrative SEPA action on the grounds of noncompliance with the provisions of chapter 43.21RCW shall be commenced on or before Friday, May 9, 2008 at 5:00 p.m. at the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA 98926.

The complete application files, Z-08-02 and SP-08-02, may be viewed at Kittitas County Community Development Services, 411 Ruby St, Suite 2, Ellensburg, WA 98926 or on the CDS website at <http://www.co.kittitas.wa.us/cds/current>. Telephone 509-962-7506. Staff: Mackenzie Moynihan

Date: April 25, 2008
Publish: April 25, 2008 and May 2, 2008
Daily Record
Publish: May 1, 2008 and May 8, 2008
Tribune

INVOICE		FOR CLASSIFIED		MAKE CHECKS	
03522003 ADVERTISING		AD TYPE		PAYABLE TO →	
CLASS	999	INS.	2	AMOUNT	\$170.02
AGATES	11	WORDS	27	INCHES	
EDITIONS	1	AD TAKER	MM		
01					
Cost #	20104128				
PHONE					
LEADLINE	04/25/08				
START DATE	04/25/08				
STOP DATE	05/02/08				

10

DAILY RECORD
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20104128 - 03522003
Kittitas County Community
Development Services
411 N. Ruby St, Suite 2
Ellensburg, WA 98926

INVOICES ARE DUE IN 10 DAYS

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Northern Kittitas County Tribune

P.O. Box 308
Cle Elum, WA 98922
(509) 674-2511



Invoice

Bill To:

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

Invoice #: 00053201

Date: 5/1/08

Page: 1

DATE	DESCRIPTION	AMOUNT
5/1/08	Notice of SEPA Action Graham Rezone (Z-08-02) Graham Family Short Plat (SP-08-02)	\$88.00
5/8/08	Notice of SEPA Action Graham Rezone (Z-08-02) Graham Family Short Plat (SP-08-02)	\$77.00
RECEIVED MAY 29 2008 KITTITAS COUNTY CDS		
		Sales Tax: \$0.00
		Total Amount: \$165.00
		Amount Applied: \$0.00
		<i>Balance Due:</i> \$165.00

25

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON)
) SS
COUNTY OF KITTITAS)

JANA E. STONER, being duly sworn on oath, deposes and says that she is the publisher of the *NORTHERN KITTITAS COUNTY TRIBUNE*, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a weekly newspaper in Cle Elum, Kittitas County, Washington, and is now and during all of said time was published in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a true copy of

NOTICE OF SEPA ACTION
GRAHAM REZONE (Z-08-02)
GRAHAM FAMILY SHORT PLAT
(SP-08-02)

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week for a period of two consecutive weeks, commencing on the 1ST day of MAY, 2008 and ending on the 8TH day of MAY, 2008,

both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the

sum of \$ 165⁰⁰, which amount has been paid in full.

Jana E. Stoner

Subscribed and sworn to before me this 20th day of

May, 2008.
Chloe Preston

Notary Public in and for the State of Washington, residing at Cle Elum

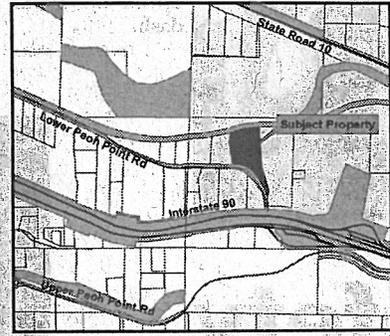
County of Kittitas. Expires 04/04/2010



Notice of SEPA Action
Graham Rezone (Z-08-02) and
Graham Family Short Plat (SP-08-02)

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Dated: April 25, 2008
(Published in the N.K.C. TRIBUNE, May 1 and 8, 2008.)

Mackenzie Moynihan

From: Noah Goodrich [ngoodrich@encompasses.net]
Sent: Wednesday, May 14, 2008 9:44 AM
To: Richard Graham; Mackenzie Moynihan
Subject: RE: Bus Stop/Final



Good morning Mackenzie. Richard has done his due diligence in regards to the bus stop requirement. Based on the comment below, the school district does not want to alter the existing stop on Lower Peoh Point Road. Please include this information into the permanent record for project rezone. Thanks again,

Noah Goodrich

Encompass Engineering & Surveying
108 East 2nd Street
Cle Elum, WA 98922
Phone: (509) 674-7433
Fax: (509) 674-7419
ngoodrich@encompasses.net
www.encompasses.net

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From: Richard Graham [mailto:richardgraham886@hotmail.com]
Sent: Wednesday, May 14, 2008 8:50 AM
To: Noah Goodrich
Subject: FW: Bus Stop/Final

Noah,

This is the result of a handfull of emails and a meeting I had with Barr.

Richard

From: barr@cleelum.wednet.edu
To: richardgraham886@hotmail.com
Date: Tue, 13 May 2008 16:42:30 -0700
Subject: Bus Stop

RE: our conversation today. Our policy is to provide safe and accessible bus stops. As you know, our school year involves between four and six months of adverse weather. This would prevent us from using the end of the Lower Peoh Point road as a turn around due to the grade of the hill, and the potential of

sliding on the ice and snow. Therefore, The bus stop for your development would be the existing turn around that is maintained and signed as a bus turn around by the county. I am not sure of the physical location, but it is located next to #7151 Lower Peoh Point, the Massucco property. I hope this helps you. If you have further questions, please feel free to contact me.

Greg Barr

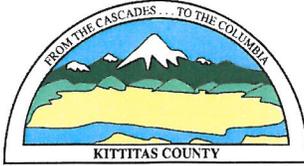
Transportation Manager

Cle Elum Roslyn S.D.

O. 509 649 4855

C. 509 304 6024

barrg@cleelum.wednet.eduprevent



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

To: Washington State Department of Ecology
Washington State Department of Natural Resources
Washington State Department of Fish & Wildlife
Washington State Department of Transportation
Washington State Department of Health
Kittitas County Sheriff's Department
Kittitas County Board of County Commissioners
Kittitas County Fire Department #7
Kittitas County Environmental Health
Kittitas County Solid Waste Programs
Kittitas County Public Works
Kittitas County Enforcement & Investigation
Cle Elum Roslyn School District #404
Adjacent Property Owners
Applicant

From: Mackenzie Moynihan, Staff Planner

Date: May 2, 2008

Subject: **NOTICE OF PUBLIC HEARING: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)**

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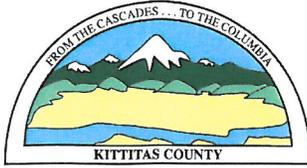
Please contact CDS at (509) 962-7506 with any questions you might have. Staff Planner: Mackenzie Moynihan

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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27



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

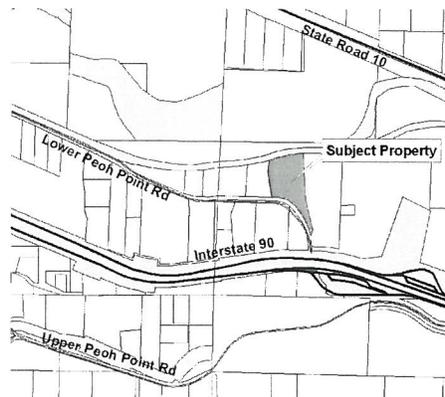
Notice of Public Hearing Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

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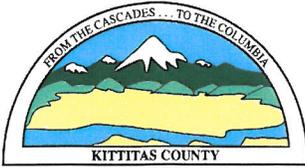
Date: April 29, 2008
Publish: May 2, 2008; Daily Record
Publish: May 8, 2008; NKC Tribune



DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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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

NOTIFICATION CHECKLIST FOR PLANNING ISSUES
(to be filled out and kept in the files at all times)

PROPOSAL NAME: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02) Notice of Public Hearing

NOTIFICATION MAIL DATE: May 2, 2008

Mailer: In addition to attaching copies of the documents mailed, please attach a copy of the names and addresses of those to whom the documents were mailed and of the public hearing notice sent to the newspapers.

State of Washington
County of Kittitas

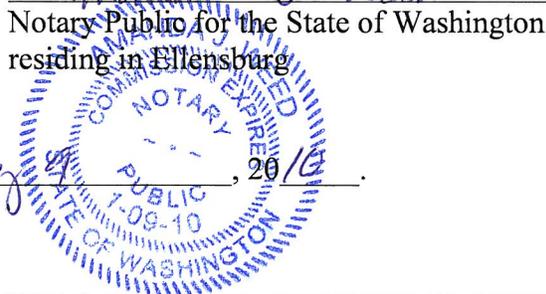
I certify that the acts of notification of land use action, including those requiring SEPA review, and other actions described in this document have occurred or have been performed.

Staff Signature

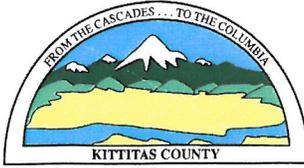
Subscribed and sworn to before me this 8 day of May, 20 08.

Amanda J. Weed
Notary Public for the State of Washington
residing in Ellensburg

My appointment expires January 4, 2010.



29



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

To: Washington State Department of Ecology
Washington State Department of Natural Resources
Washington State Department of Fish & Wildlife
Washington State Department of Transportation
Washington State Department of Health
Kittitas County Sheriff's Department
Kittitas County Board of County Commissioners
Kittitas County Fire Department #7
Kittitas County Environmental Health
Kittitas County Solid Waste Programs
Kittitas County Public Works
Kittitas County Enforcement & Investigation
Cle Elum Roslyn School District #404
Adjacent Property Owners
Applicant

From: Mackenzie Moynihan, Staff Planner

Date: May 2, 2008

Subject: **NOTICE OF PUBLIC HEARING: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)**

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Please contact CDS at (509) 962-7506 with any questions you might have. Staff Planner: Mackenzie Moynihan

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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Mackenzie Moynihan

From: Randy R. Carbary
Sent: Tuesday, May 27, 2008 1:22 PM
To: Noah Goodrich
Cc: Doug D'Hondt; Mackenzie Moynihan
Subject: RE: Graham Family SP - Rezone

This proposal should work. The (2) accesses proposed are, essentially, joint-use driveways – each serving only (2) lots. The access to lot 4 is only identified as “Access Point to Lot 4” – this could be better represented as an “easement” with the (minimum) easement width shown, as well.

Each individual access onto Lower Peoh Point Road is required to meet minimum Kittitas County Road Standards for Access Spacing (100' required on this road) – The proposed access locations appear to be close to being 100' apart. – You may want to pay close attention to this.

These driveways also need to meet the minimum sight distance requirements and grade transition requirements from the county road.

Randy Carbary, Planner II
Kittitas County Public Works
411 N Ruby, Suite 1
Ellensburg, WA 98926

(509)962-7019

From: Mackenzie Moynihan
Sent: Tuesday, May 27, 2008 10:24 AM
To: Randy R. Carbary
Cc: Noah Goodrich
Subject: FW: Graham

Randy - FYI – see below. Does it make sense????

Mackenzie Moynihan, Staff Planner
Kittitas County Community Development Services
411 North Ruby Street, Suite 2
Ellensburg, WA 98926
mackenzie.moynihan@co.kittitas.wa.us
Phone: 509.962.7024 Fax: 509.962.7682

All e-mail sent to this address will be received by the Kittitas County e-mail system and may be subject to Public Disclosure under Chapter 42.56 RCW and is subject to archiving and review by someone other than the recipient.

From: Noah Goodrich [mailto:ngoodrich@encompasses.net]
Sent: Tuesday, May 27, 2008 10:23 AM
To: Mackenzie Moynihan
Subject: RE: Graham

Take a look at the southeast edge of lot 1. There is an arrow stating "access to lot 4". Above that is a dashed line. That entire triangle is the easement access to lot 4. Because the topography is gradually getting steeper in that area, we decided a future landowner may want more room to create a driveway off the existing paved access. Does that make sense?

Noah Goodrich

Encompass Engineering & Surveying
108 East 2nd Street
Cle Elum, WA 98922
Phone: (509) 674-7433
Fax: (509) 674-7419
ngoodrich@encompasses.net
www.encompasses.net

Encompass Engineering & Surveying, its officers or agents shall not be responsible for the accuracy or completeness of electronic file copies.

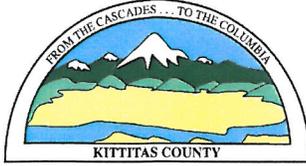
Due to the potential that information exchanged by electronic media can deteriorate, be damaged, lost or modified, intentionally or otherwise, use of this electronic data by anyone other than Encompass Engineering & Surveying shall be at the sole risk of such user and without liability or legal exposure to Encompass Engineering & Surveying. The recipient is responsible for verifying the accuracy of data against governing hard copy documentation. If there is a discrepancy between the hard copy and the electronic copy, the hard copy will govern. Recipient assumes all risks in the changing or modification of data and revisions or updating of hard copy documents.

From: Mackenzie Moynihan [mailto:mackenzie.moynihan@co.kittitas.wa.us]
Sent: Tuesday, May 27, 2008 10:16 AM
To: Noah Goodrich
Cc: Randy R. Carbary
Subject: Graham

Looking at the Graham Short Plat, where is the access to Lot 4?

Mackenzie Moynihan, Staff Planner
Kittitas County Community Development Services
411 North Ruby Street, Suite 2
Ellensburg, WA 98926
mackenzie.moynihan@co.kittitas.wa.us
Phone: 509.962.7024 Fax: 509.962.7682

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Office (509) 962-7506

Fax (509) 962-7682

PLANNING COMMISSION STAFF REPORT

TO: Kittitas County Planning Commission
FROM: Mackenzie Moynihan, Staff Planner
DATE: May 19, 2008 for May 27, 2008 Public Hearing
SUBJECT: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

I. BACKGROUND INFORMATION

Proposal: Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)
The Graham Rezone is an application for a rezone of one parcel from Forest & Range to Rural-3, followed by the Graham Family Short Plat (SP-08-02) to subdivide the approximately 12.19 acre parcel into 4-lots. The applications were submitted by Richard Graham, landowner.

Location: The subject property is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

Environmental Health: The applicant proposed individual wells and septic systems for this project. Because this is one project with one single exemption from the Department of Ecology, the wells will be required to be metered. The single groundwater exemption of 5,000 gallons per day shall be shared between the 4-proposed lots. Individual septic systems are allowed.

Transportation: The proposed access to the plat will be off of Lower Peoh Point Road and all conditions and requirements set forth by the Department of Public Works shall be met or exceeded by the applicant.

Land Use and Site Characteristics: The proposed development site is located within a rural area zoned Forest & Range, within agricultural and natural resource areas. The property borders the John Wayne Trail followed by the Yakima River on the north end. The subject property is bordered on all sides by Forest & Range zoning, though there is some Ag-3 zoning and Rural-3 zoning beyond that to the north, south and west.

II. POLICY AND REGULATORY REQUIREMENTS

Comprehensive Plan: The Comprehensive Plan's Land Use Element designates the subject parcel as Rural. Lands that can support residential development, but also farming, mining and forestry generally characterize such areas. Consequently, particular precaution must be taken to minimize conflict between new residential developments and natural resource activities. The economy of our

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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rural community has traditionally been based on natural resource activities and Kittitas County encourages and supports their continuation in Rural Lands.

Comprehensive Plan – Rural Lands

8.5(A) General Goals, Policies and Objectives

The following GPO's apply to all Rural Lands or uses on those lands:

GPO 8.5: Kittitas County recognizes and agrees with the need for continued diversity in densities and uses on Rural Lands.

GPO 8.9: Projects or developments which result in the significant conservation of rural lands or rural character will be encouraged.

GPO 8.11: Existing and traditional uses should be protected and supported while allowing as much as possible for diversity, progress, experimentation, development and choice in keeping with the retention of Rural Lands.

GPO 8.12: Descriptions of rural character included in the Comprehensive Plan shall not be used as a criteria in the evaluation of an individual project application.

GPO 8.13: Methods other than large lot zoning to reduce densities and prevent sprawl should be investigated.

Zoning Code: The subject zoning is currently Forest & Range. 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.

Some permitted uses in this zone include single family homes, cabins, mobile homes, duplexes, lodges and community clubhouses, agriculture, livestock, poultry or hog raising, forestry

Some conditional uses in this zone include campgrounds, private trail clubs, airports, sawmills, firing ranges, golf courses, greenhouses, nurseries, riding academies, etc.

The proposed zoning designation is Rural-3. The purpose and intent of this zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in citing R-3 zones will be to minimize adverse effects on adjacent natural resource lands.

Some permitted uses in this zone include single family homes, mobile homes, cabins, lodges and community clubhouses, forestry, accessory dwelling units and accessory living quarters.

Some conditional uses include campgrounds, guest ranches, retreat centers, motor trail clubs and golf courses.

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.*

Critical Areas: An administrative site analysis was completed by Community Development Services in compliance with Title 17A. The only noted critical area to the property is the presence of steep slopes, some in excess of 30%.

III. ADMINISTRATIVE REVIEW

Affidavit of Posting: The site was accurately posted with the “Land Use Action” sign as provided by Community Development Services and as required by KCC 15A.03.110. The signed Affidavit of Posting was returned to Community Development Services on February 19, 2008.

Notice of Application: A complete application was submitted to Community Development Services on February 7, 2008. A Notice of Application was issued on February 22, 2008. This notice was published in the official county paper of record on February 22, 2008 and was mailed to jurisdictional government agencies, adjacent property owners within 500 feet and other interested parties.

Written Testimony: Comments were received from the Washington State Department of Ecology, Kittitas County Environmental Health, Kittitas County Department of Public Works, and the Washington State Department of Community, Trade and Economic Development (CTED).

State Environmental Policy Act: Review under the State Environmental Policy Act was required for this project and the completed SEPA checklist and application materials were mailed to interested parties and required jurisdictions on February 22, 2008. On April 25, 2008, Community Development Services issued a Mitigated Determination of Non-significance (MDNS) for this project. The MDNS was issued with the following mitigation measures:

I. Transportation

- a. The applicant shall be responsible for meeting or exceeding all conditions and requirements set forth by the Department of Public Works, as listed in the attached memorandum.
- b. A minimum 20’ wide access and utility easement shall be shown on the final mylars for the proposed access location to Lot 4 of the Graham Family Short Plat.

II. Air

- a. If the applicant plans to burn trees or debris from the property, the applicant shall obtain a burn permit from the Department of Ecology. Only natural, unprocessed vegetation may be burned in an outdoor fire. It is the applicant’s responsibility to contact the Department of Ecology regarding this permit.
- b. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the project site. Additionally, dust is prohibited from interfering unreasonably with the use and enjoyment of the property, causing health impacts or damaging property or business. As a result, the applicant shall be responsible for creating a site-specific Fugitive Dust Control Plan (FDCCP) before starting this project. The plan shall be followed throughout the duration of any activity and construction of the project.

III. Water

- a. Activities such as road widening, stump pulling and clearing, grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to the start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan. It is the applicant's responsibility to contact the Department of Ecology.
- b. Stormwater and surface runoff generated from this project shall be treated onsite and shall not be allowed to flow into County road right-of-ways.
- c. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology; this includes the use of water for irrigation. Legally obtained water must be used on-site.
- d. The Graham Family Short Plat (SP-08-02) shall be considered as one project and therefore shall be limited to one groundwater withdrawal exemption for all four (4) proposed lots.
- e. Property owners shall be required to demonstrate compliance with the single project withdrawal limitation of 5,000 gallons to be shared between the four lots.
- f. All wells serving the Graham Family Short Plat (SP-08-02) shall be metered and records documenting water usage shall be kept and made available for public inspection. The cumulative daily withdrawal limit of all wells combined shall not exceed the 5,000 gallon per day exemption set forth by the Department of Ecology.
- g. Washington Administrative Code (WAC) 173-150 provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If the water supply in your area becomes limited, your use could be curtailed by those with senior water rights.

IV. Light and Aesthetics

- a. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.

V. Noise

- a. Development and construction practices for this project shall occur between the hours of 7:00am and 7:00pm to minimize the effect of construction noise on nearby residential properties.

VI. Public Safety

- a. Addresses of all new residences shall be clearly visible from both directions at the county road.
- b. The applicant shall consult with the local school district to determine a safe location for a school bus stop and said location shall be depicted on the final mylars.

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. Richard Graham, landowner, submitted complete applications to Community Development Services for a rezone from Forest & Range to Rural-3 along with a Short Plat to subdivide approximately 12.19 acres into 4-lots.
2. The proposed development is located south of Interstate 90, off Lower Peoh Point Road, Cle Elum, WA 98922, and located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.
3. The proposed development application included a rezone application from Forest & Range to Rural-3 and a Short Plat to subdivide approximately 12.19 acres into 4-lots. The lots are all around 3.00 acres in size.
4. The site was accurately posted with the "Land Use Action" sign as provided by Community Development Services and as required by KCC 15A.03.110. The signed Affidavit of Posting was returned to Community Development Services on February 19, 2008.
5. Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on February 22, 2008. Interested jurisdictional agencies and landowners within 500 feet of the subject property were notified specifically, as required by law. The Legal Notice of Application was published in the Daily Record on February 22, 2008. Said notices solicited comments from jurisdictional agencies and from the general public.
6. Review under the State Environmental Policy Act (SEPA) was required for this project. Based on review of comments received, a Mitigated Determination of Nonsignificance was issued on April 25, 2008 under WAC 197-11-350.
7. All conditions of the SEPA Mitigated Determination of Non-Significance shall be adhered to by the applicant.
8. A plat note shall be added as follows:

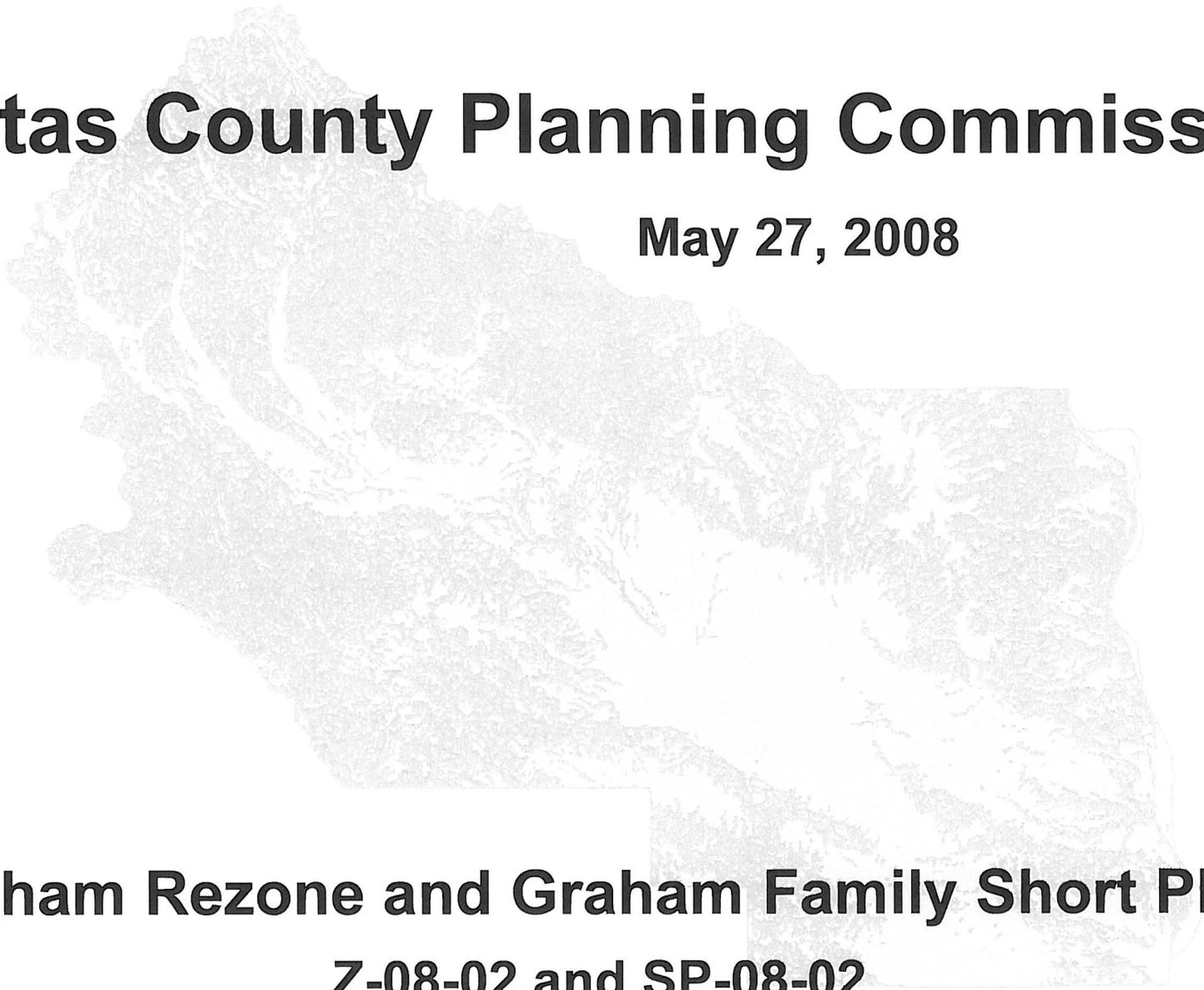
Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administered by the Washington State Department of Ecology; this includes the use of water for irrigation. Legally obtained water shall be used on site.
9. A plat note shall be added as follows:

The Graham Family Short Plat (SP-08-02) shall be considered as one project and therefore shall be limited to one groundwater withdrawal exemption for all four (4) proposed lots. All wells serving the Graham Family Short Plat (SP-08-02) shall be metered and records documenting water usage shall be kept and made available for public inspection. The cumulative daily withdrawal limit of all wells combined shall not exceed the 5,000 gallon per day exemption set forth by the Department of Ecology.
10. An open record hearing was held on May 27, 2008 and testimony was taken from those persons present who wished to be heard. Due notice of this public hearing was given as required by law, and the necessary inquiry was made into the public interest to be served by this proposed project.

11. The proposed rezone is consistent with the underlying Comprehensive Plan designation of Rural.
12. 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. Additional conditions **are/are not** necessary to protect the public's interest.

Kittitas County Planning Commission

May 27, 2008

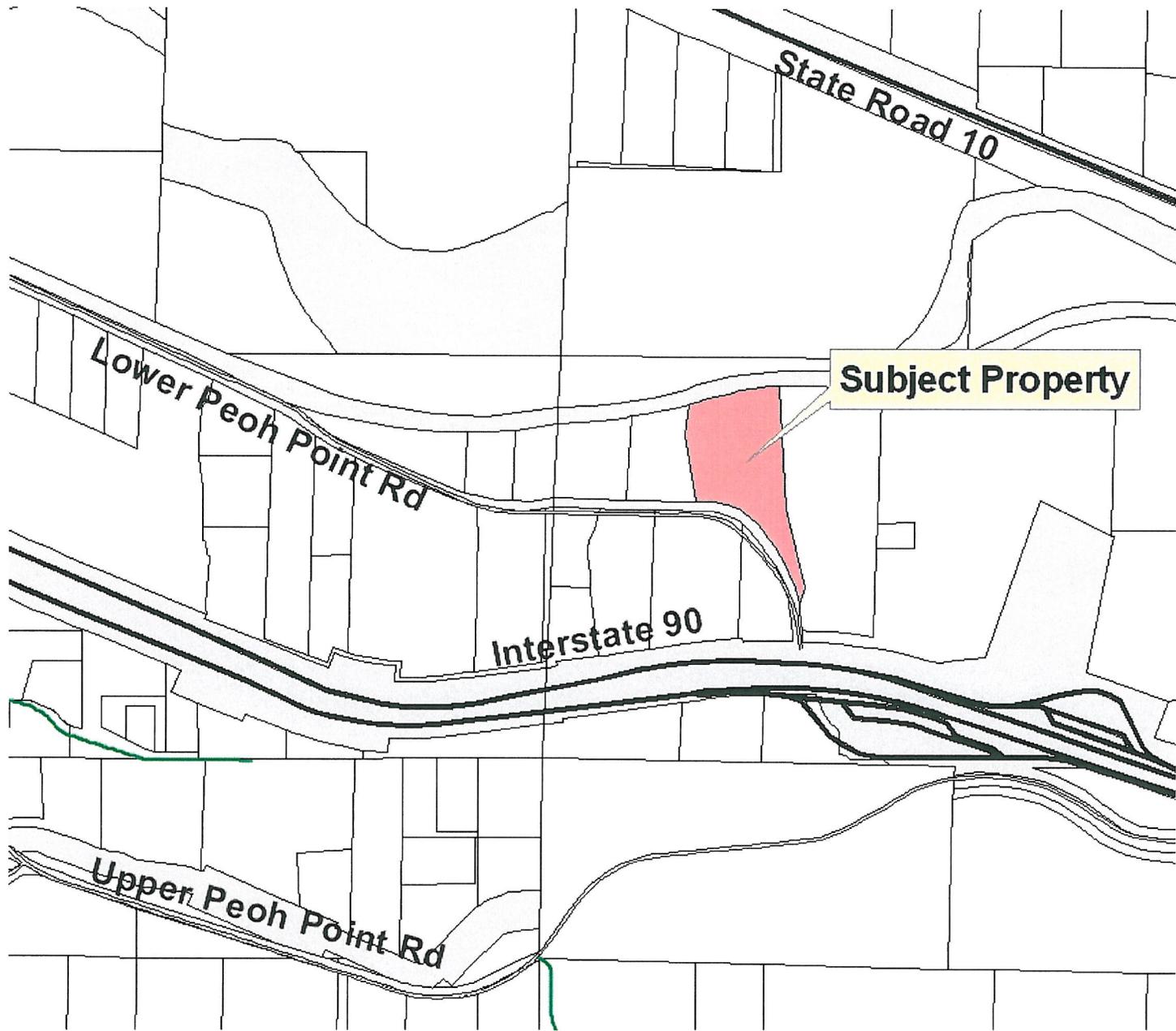


**Graham Rezone and Graham Family Short Plat
Z-08-02 and SP-08-02**

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Overview of Proposal

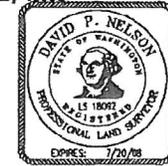
- Rezone approximately 12.19 acres from Forest & Range to Rural-3
- Short Plat the 12.19 Acres into 4-lots
- Subject property is located south of Interstate 90, off of Lower Peoh Point Road
- Submitted by Richard Graham, landowner
- SEPA MDNS issued April 25, 2008 – no appeals were received



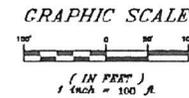
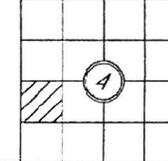
GRAHAM FAMILY SHORT PLAT SP-08-02
 PORTION OF SW ¼ OF SECTION 4,
 TOWNSHIP 19 NORTH, RANGE 16 EAST, W.M.

LEGEND

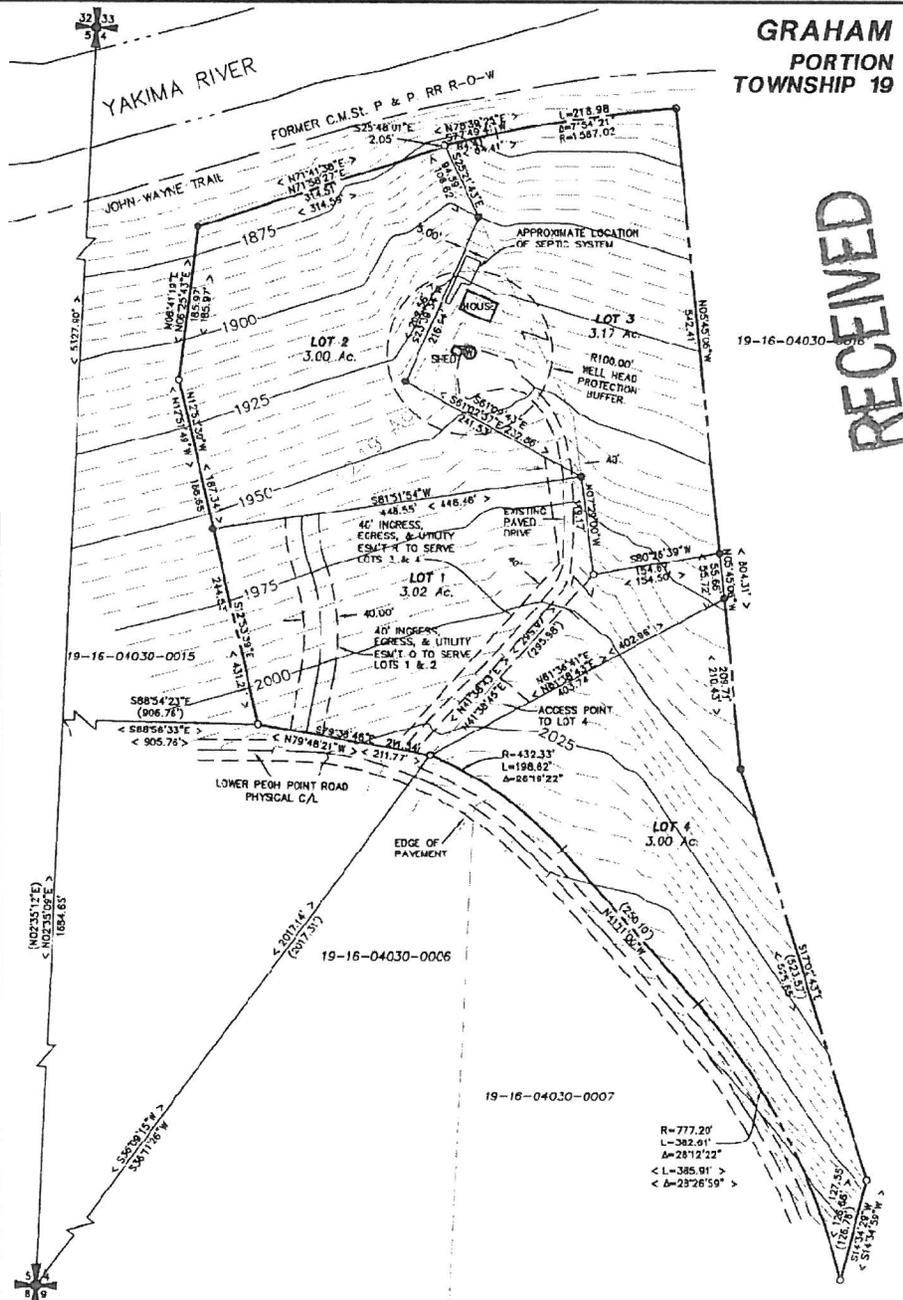
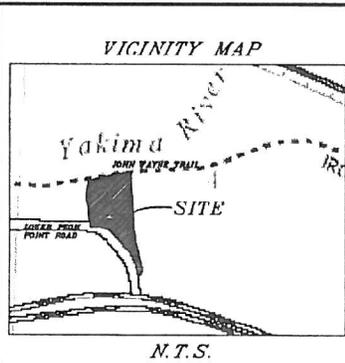
- SECTION CORNER
- RECORD DATA
- MEASURED BEARING AND/OR DISTANCE
- FIND CAP & REBAR
- SET CAP & REBAR LSI 18092
- WELL HEAD



INDEX LOCATION:
 SEC. 4 T. 19N R. 16E W.M.



RECEIVED
FEB 07 2008
KITITAS COUNTY
CDS



APPROVALS

KITITAS COUNTY PUBLIC WORKS

EXAMINED AND APPROVED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY ENGINEER

COUNTY PLANNING DIRECTOR

I HEREBY CERTIFY THAT THE GRAHAM FAMILY SHORT PLAT HAS BEEN EXAMINED BY ME AND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITITAS COUNTY PLANNING COMMISSION.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY PLANNING DIRECTOR

KITITAS COUNTY HEALTH DEPARTMENT

PRELIMINARY INSPECTION INDICATED SOIL CONDITIONS MAY ALLOW USE OF SEPTIC TANKS AS A TEMPORARY MEANS OF SEWAGE DISPOSAL FOR SOME, BUT NOT NECESSARILY ALL BUILDINGS WITHIN THIS SHORT PLAT. PROSPECTIVE PURCHASERS OF THIS LOT ARE URGED TO MAKE INQUIRIES AT THE COUNTY HEALTH DEPARTMENT ABOUT SUITABILITY OF SEPTIC TANK PERMITS FOR LOTS

DATED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY HEALTH OFFICER

CERTIFICATE OF COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW BEING FILED.

DATED THIS ____ DAY OF _____ A.D., 20__

 KITITAS COUNTY TREASURER

ORIGINAL TAX LOT NO. 19-16-04030-0013 (156534)

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS.....DAY OF 20.....AT.....M
 IN BOOK.....OF.....AT PAGE.....AT THE REQUEST OF
 DAVID P. NELSON
 Surveyor's Name

.....
 County Auditor Deputy County Auditor

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 AT THE REQUEST OF.....RICHARD GRAHAM.....
 IN.....JAN.....2008.

DAVID P. NELSON DATE
 CERTIFICATE NUMBER 18092.....

K.C.S.P. NO. 08-02
 Portion of Sec. 04, T.19N., R.16E., W.M.
 Kittitas County, Washington

DWN BY DLP/MRN	DATE 01/2008	JOB NO. 07208
CHKD BY D. NELSON	SCALE 1"=100'	SHEET 1 of 2

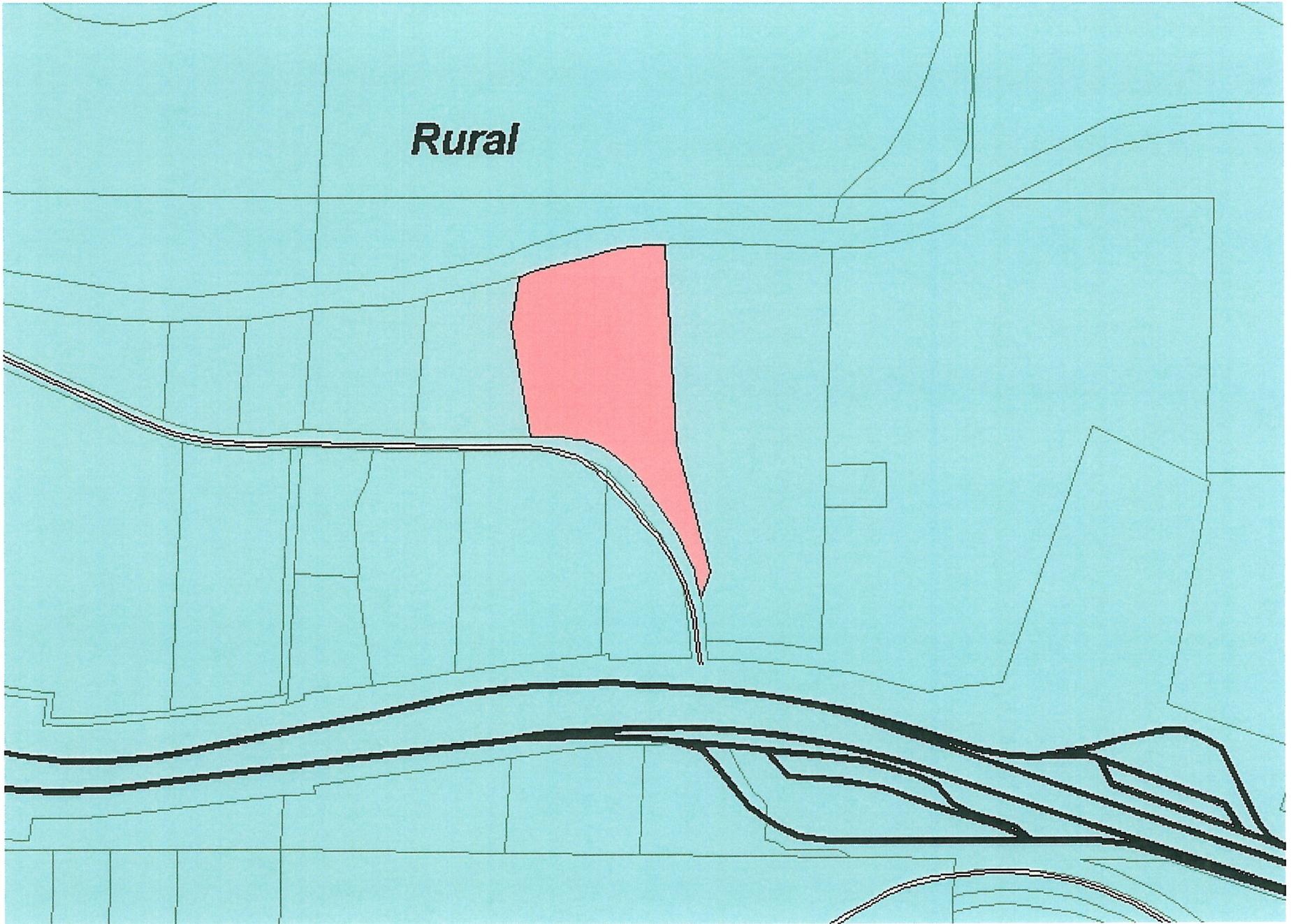
Encompass

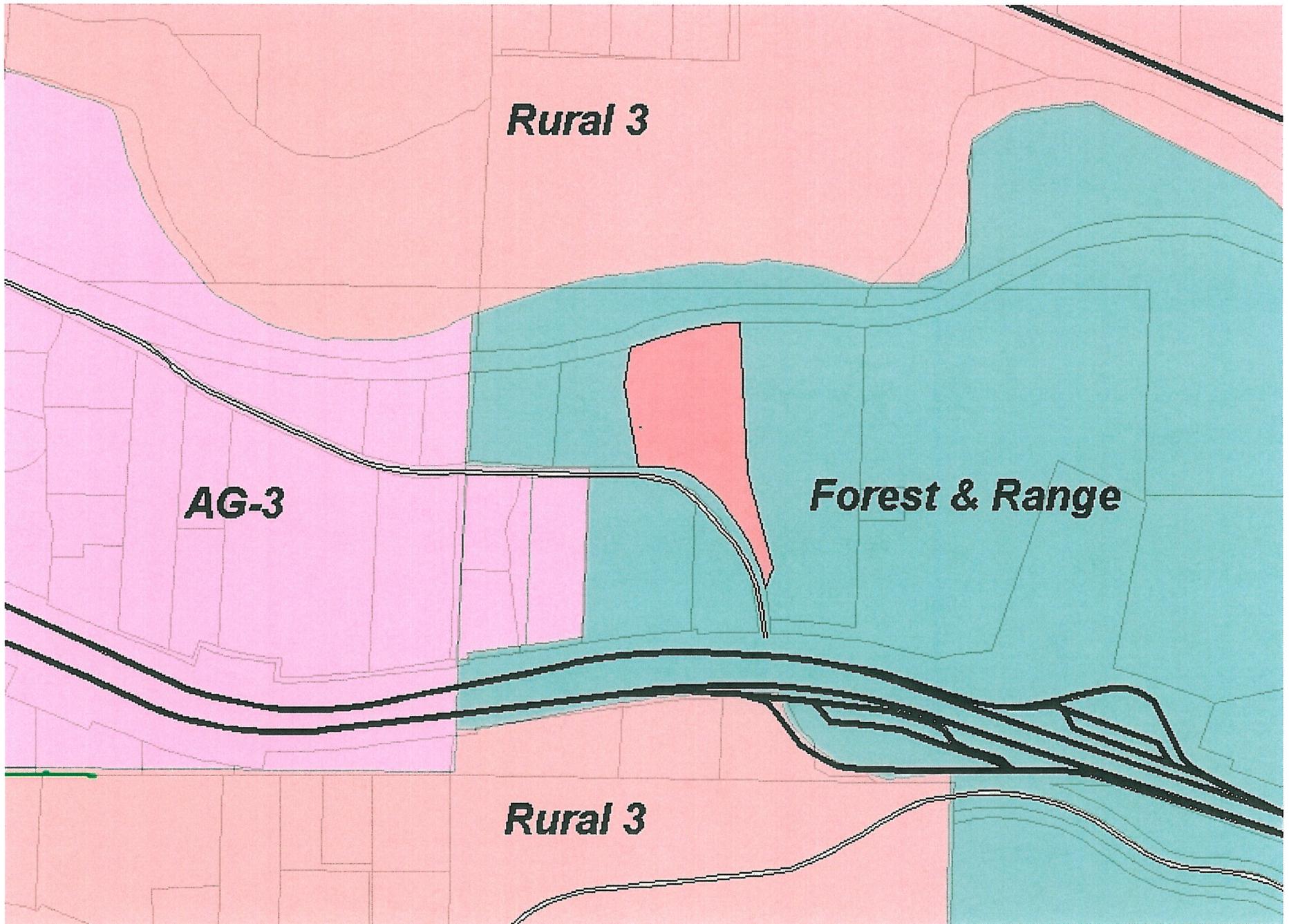
ENGINEERING & SURVEYING

108 EAST 2ND STREET
 CLE ELUM, WA 98922
 PHONE (509) 674-7433
 FAX (509) 674-7479

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Rural



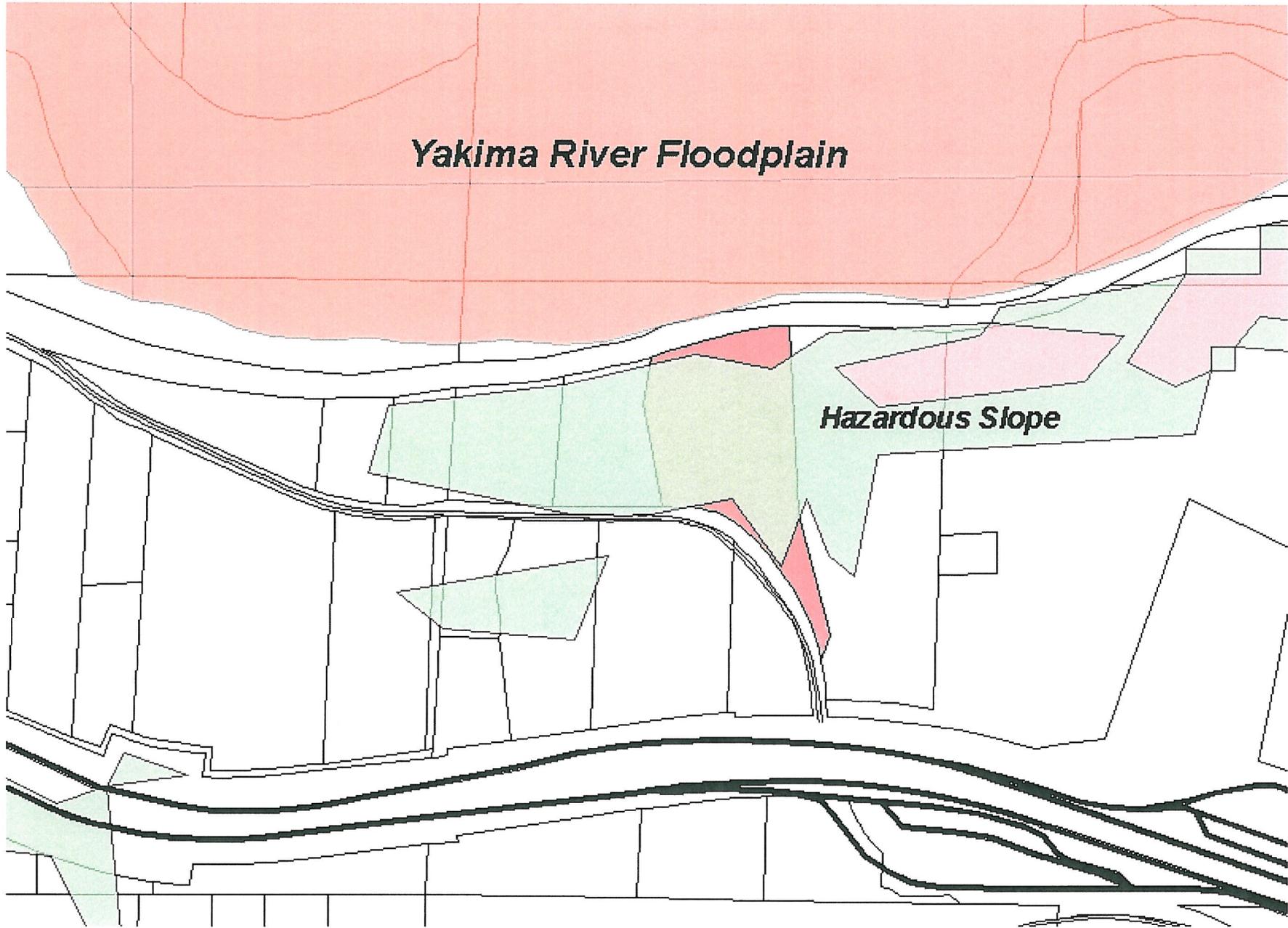


Rural 3

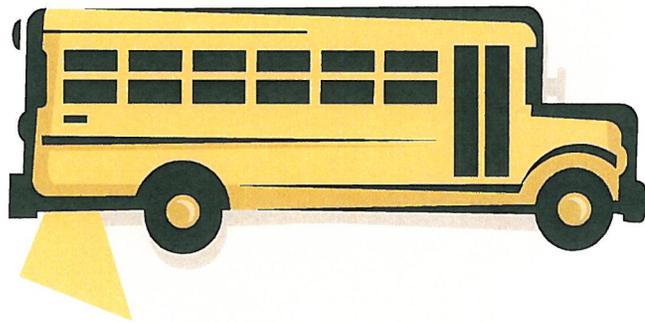
AG-3

Forest & Range

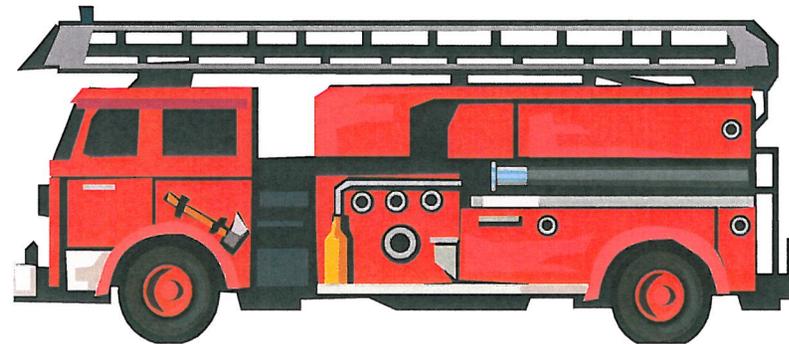
Rural 3

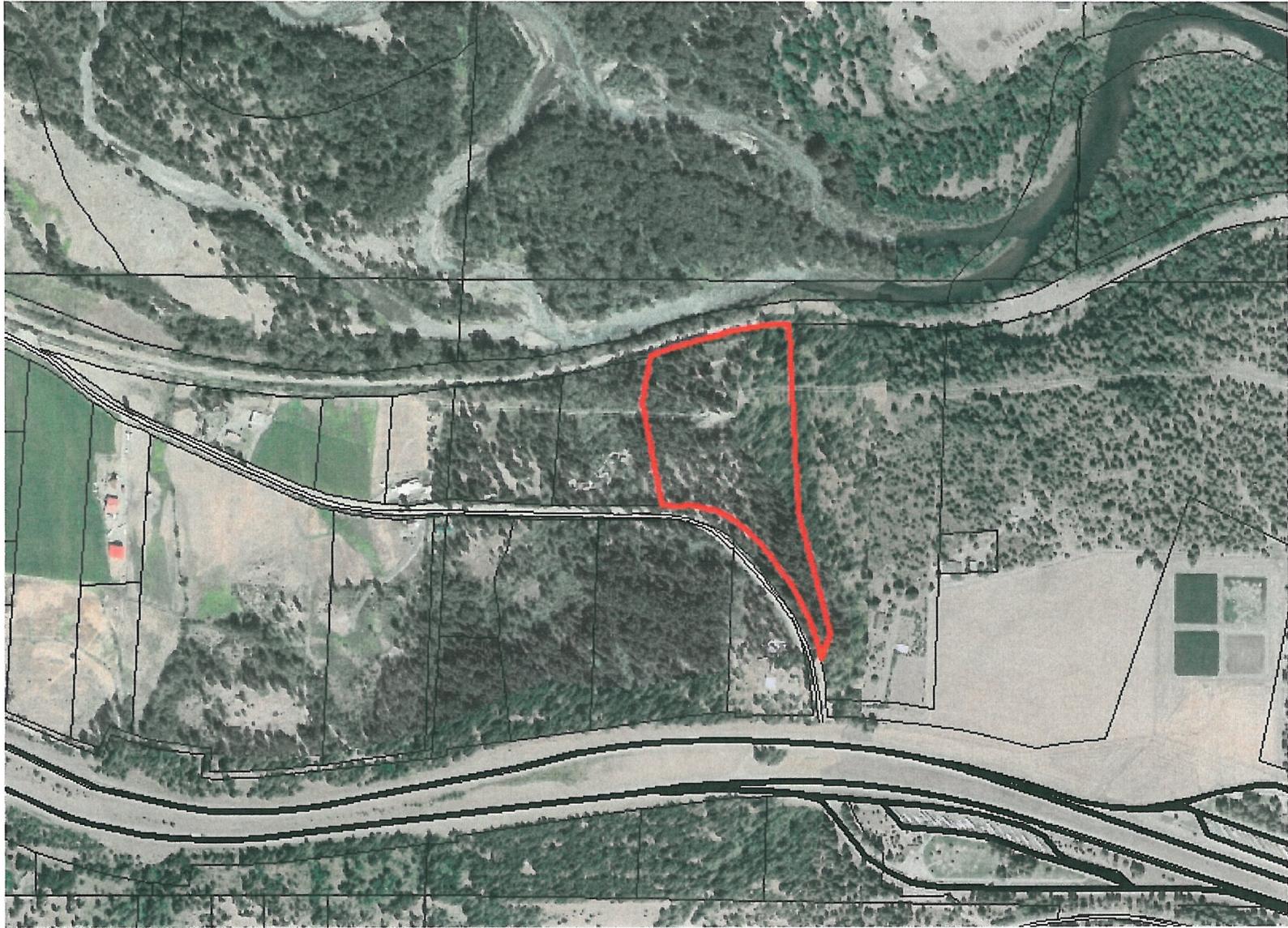


Cle Elum Roslyn School District 404



Kittitas County Fire District # 7





AERIAL PHOTO – GRAHAM SHORT PLAT

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Notices

- Application received February 7, 2008
- Affidavit of Posting was signed and returned to CDS on February 19, 2008
- Notice of Application was issued and published on February 22, 2008 in the Daily Record
- Comments were received from Department of Ecology, Department of Archaeology & Historic Preservation, Department of Public Works, Kittitas County Environmental Health
- A SEPA MDNS was issued on April 25, 2008

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, May 27, 2008 @ 6:30 P.M.**

**COMMISSIONER'S AUDITORIUM
205 W. Fifth Street, Ellensburg**

I. Call to order and introduction of members and staff.

Chairman Black called the meeting to order at 6:30 p.m.

Those present: Chairman David Black, Grant Clark, Larry Fuller, and Jason Grant.

Also present: CDS Assistant Director Allison Kimball, CDS Staff Planners Scott Turnbull, Trudie Pettit, Dan Valoff, and Mackenzie Moynihan, Public Works, Christina Wolman, Randy Carbarry, Clerk Lindsay Watkins and approximately 17 individuals representing applicants and public interest.

II. Correspondence

Christina Wolman stated she wanted to give the Planning Commission Board members notice that the County Road Standards will be coming before the Planning Commission July 22, 2008.

II. Approval of Minutes

Larry Fuller moved to approve May 13, 2008 Planning Commission minutes as written. **Grant Clark** seconded and the motion carried with all in favor.

III. Old Business

A. Ponderosa Pines 12-lot Preliminary Plat (P-07-42)

Chair opened Hearing for Findings of Fact.

Larry Fuller moved to pass Ponderosa Pines 12-lot Preliminary Plat (P-07-42) Findings of Fact. **Grant Clark** seconded and the motion passed with all in favor.

B. Henley Rezone (Z-07-10)

Chair opened Hearing for Planning Commission Deliberation and motion.

Planning Commission Board members went through the 7 criteria.

Grant Clark moved to pass Henley Rezone (Z-07-10) to the Board of County Commissioners for approval. **David Black** seconded and the motion passed 3/0/1 with Jason Grant abstaining.

Findings of Fact will be brought back to June 10, 2008 meeting.

C. Thunder Ridge Plat (P-07-23)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Dan Valoff** read portions of his staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

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Chuck Cruse, Cruse & Associates, 217 E. 4th Avenue, Ellensburg, WA 98926, stated he agrees with the staff presentation and gave a brief overview the project.

Clark asked Mr. Cruse to address a letter from the City of Cle Elum regarding a 10 foot utility easement.

Cruse stated this is already in County Code and each lot will have a 10 foot utility easement.

Fuller asked if there was a well log for any wells in the area.

Traci Shallbetter, 3201 Airport Road, Cle Elum, WA 98922, stated she had the well logs and submitted Exhibits D, E, F, G, H, I, J, K and L into the record.

Chair opened Hearing for Public Testimony.

Wanda Goldie, 121 Deer Meadow Drive, Cle Elum, WA 98922, stated they are concerned with the dust control and submitted **Exhibit M** into the record.

Ben Goldie, 121 Deer Meadow Drive, Cle Elum, WA 98926, stated he is worried about having enough water if the applicant taps into the same aquifer.

Shallbetter stated everyone is concerned about wells and water and as long as the applicant follows the regulations everything is satisfied.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Clark stated he agrees with the Goldie's about being concerned with the dust issue.

Grant stated he hopes that the neighbor's sit down and discuss what needs to be done and come to an understanding about the conditions they want.

Fuller stated he wasn't sure about the road situation.

Black stated he thinks the Board can give some kind of condition for the dust control on the road.

Grant Clark moved to pass forward Thunder Ridge Plat (P-07-23) to the Board of County Commissioner's with a condition on a dust abatement program acceptable to the County. Jason Grant seconded and the motion passed with all in favor.

Findings of Fact will be brought back to the June 10, 2008 Planning Commission meeting.

IV. New Business

A. Sunset Farms Preliminary Plat (P-07-60)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Trudie Pettit** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Clark asked on the Department of Public Works letter the very first condition of approval says minimum access of 300 feet and the survey shows it's less than 300 feet. **Clark** then asked if that has been addressed.

Public Works, **Christina Wollman** stated as long as driveways for lot 3 and 4 are shared there will be no issue.

Chair opened Hearing for Applicant Presentation.

Gene Lamoureux, 319 Gangl Road, Wapato, WA 98951, landowner stated he agrees with the staff presentation and would like to ask the Board for approval.

Chair opened Hearing for Public Testimony.

No public Testimony.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Clark stated he thinks it's a good plat and good use of the property.

Grant Clark moved to pass forward **Sunset Farms Preliminary Plat (P-07-60)** to the Board of County Commissioner's for approval. **Jason Grant** seconded and the motion passed with all in favor.

Findings of Fact will be brought back to June 10, 2008 Planning Commission meeting.

B. Firkins Rezone & Firkins Plat (Z-08-01) & (P-08-02)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Mackenzie Moynihan** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

Noah Goodrich, Encompass and Surveying, 108 East 2nd Street, Cle Elum, WA 98922, stated he agrees with the staff report and gave a brief overview of his presentation.

Cam Sherwood, 3323 Brickmill Road, Ellensburg, WA 98926, authorized agent for land owner gave a brief overview of the project he has been working on.

Charles Firkins, 2951 Game Farm Road, Ellensburg, WA 98926, landowner stated he appreciates the opportunity to speak and stated the reason for the project is because he cannot maintain his property on his own anymore.

Chair opened Hearing for Public Testimony.

Andy Schmidt, 300 Mission View Drive, Ellensburg, WA 98926, stated he is concerned with a ditch that runs through the property that he uses to get water to the high point of his cattle field. **Schmidt** also stated he would like to see some deed language that allows ingress or egress to maintain the ditch.

Harvey Dodge, 1150 Lyons Road, Ellensburg, WA 98926, stated this will not meet DOE requirements and his property is of the north. **Dodge** also stated he would hope the Board will deny this project.

Goodrich stated he thinks they have met all seven criteria and asked for approval.

Sherwood stated he would be happy to have an easement if that is required.

Firkins stated the only way for him to irrigate his field is by sprinkler and he pays a large power bill.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Black stated the Board is deliberating on the rezone portion only right now.

Fuller stated it looks like a good boundary land but he has a problem with criteria #3.

Black stated he feels it's an island rezone.

Larry Fuller moved to pass forward **Firkins Rezone (Z-08-01)** to the Board of County Commissioners with a recommendation of denial. **David Black** seconded and the motion passed 3/1 with **Jason Grant** declining.

Grant Clark moved to pass forward **Firkins Plat (P-08-02)** to the Board of County Commissioners for approval. **Jason Grant** seconded and the motion passed 3/1 with **Larry Fuller** declining.

Findings of Fact will be brought back to June 10, 2008 Planning Commission meeting.

C. Graham Rezone & Graham Family Short Plat (Z-08-02) & (SP-08-02)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Mackenzie Moynihan** read portions of her staff report and submitted **Exhibit A** into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

Noah Goodrich, Encompass and Surveying, 108 East 2nd Street, Cle Elum, WA 98922, stated he agrees with the staff report and gave a brief overview of his presentation.

Chair opened Hearing for Public Testimony.

No Public Testimony.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Black stated he feels he would be inconsistent if the Board approved this and denied the last project.

Fuller stated that's his problem as well, it's the same thing we just denied.

Grant stated we have to have the ability to take things by a case by case basis.

Fuller stated we are, its just when you look at two things that are identical.

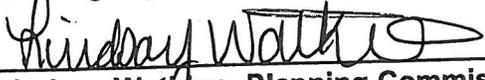
Larry Fuller moved to pass forward **Graham Rezone (Z-08-02)** to the Board of County Commissioner's with a recommendation of denial. **David Black** seconded and the motion passed 3/1 with **Jason Grant** declining.

Moynihan stated short plats are administratively approved so you don't have to make a motion for the short plat.

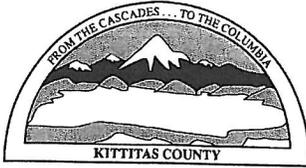
Findings of Fact will be brought back to June 10, 2008 Planning Commission meeting.

Next regularly scheduled meeting is June 10, 2008 at 6:30 p.m. at the Commissioner's Auditorium.

Meeting adjourned at 9:23 p.m.

A handwritten signature in cursive script that reads "Lindsay Watkins". The signature is written in black ink and is positioned above a horizontal line.

Lindsay Watkins, Planning Commission Clerk



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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FINDINGS OF FACT

Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

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. The Planning Commission finds that Richard Graham, landowner, submitted complete applications to Community Development Services for a rezone from Forest & Range to Rural-3 along with a Short Plat to divide approximately 12.19 acres into 4-lots.
2. The Planning Commission finds that the proposed development is located south of Interstate-90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.
3. The Planning Commission finds that the proposed development application included a rezone application from Forest & Range to Rural-3 and a Short Plat to divide approximately 12.19 acres into 4-lots. The lots are all approximately 3.00 acres in size.
4. The Planning Commission finds that the site was accurately posted with the "Land Use Action" sign as provided by Community Development Services and as required by KCC 15A.03.110. The signed Affidavit of Posting was returned to Community Development Services on February 19, 2008.
5. The Planning Commission finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on February 22, 2008. Interested jurisdictional agencies and landowners within 500 feet of the subject property were notified specifically, as required by law. The Legal Notice of Application was published in the Daily Record on February 22, 2008. Said notices solicited comments from jurisdictional agencies and from the general public.
6. The Planning Commission finds that review under the State Environmental Policy Act (SEPA) was required for this project. Based on review of comments received, a Mitigated Determination of Nonsignificance was issued on April 25, 2008 under WAC 197-11-350.
7. The Planning Commission finds that all conditions of the SEPA Mitigated Determination of Nonsignificance (reissue) shall be adhered to by the applicant.
8. The Planning Commission finds that a plat note shall be added as follows:

Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administered by the Washington State Department of

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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Ecology; this includes the use of water for irrigation. Legally obtained water shall be used on site.

9. The Planning Commission finds that a plat note shall be added as follows:

The Graham Family Short Plat (SP-08-02) shall be considered as one project and therefore shall be limited to one groundwater withdrawal exemption for all four (4) proposed lots. All wells serving the Graham Family Short Plat (SP-08-02) shall be metered and records documenting water usage shall be kept and made available for public inspection. The cumulative daily withdrawal limit of all wells combined shall not exceed the 5,000 gallon per day exemption set forth by the Department of Ecology.

10. The Planning Commission finds that an open record hearing was held on May 27, 2008 and testimony was taken from those persons present who wished to be heard. Due notice of this public hearing was given as required by law, and the necessary inquiry was made into the public interest to be served by this proposed project.
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 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.*
 - i. *The Planning Commission finds that both Forest & Range and Rural-3 zoning are compatible with the county's comprehensive plan.*
 - b. *The proposed amendment bears a substantial relation to the public health, safety or welfare.*
 - i. *The Planning Commission finds that the proposed rezone would not substantially affect the public health, safety or welfare.*
 - c. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county.*
 - i. *The Planning Commission finds that the applicant failed to meet the burden of proof for merit and value to 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.*
 - i. *The Planning Commission finds that there have been no changed circumstances and there is no need for additional property in the proposed zone to support the zone change.*
 - e. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone.*
 - i. *The Planning Commission finds that the proposed rezone is a "spot" or "island" rezone and as such the location of the rezone is not appropriate and thus the subject property would not be suitable for higher density development.*
 - f. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.*

- i. *The Planning Commission finds that the proposed rezone would not be materially detrimental to the use of properties in the vicinity.*
- g. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.*
 - i. *The Planning Commission finds that the subject property is located outside of any irrigation district and therefore irrigation water deliveries would not be adversely impacted.*

13. Additional conditions **are not** necessary to protect the public's interest.

The Planning Commission motioned to forward the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02) to the Board of County Commissioners with a *recommendation of denial*. The motion passed with a vote of 3-1.

Ainsley Watkins for David Black
David Black, Chairman, Kittitas County Planning Commission

6/11/08
Date

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, June 10, 2008 @ 6:30 P.M.**

COMMISSIONER'S AUDITORIUM
205 W. Fifth Street, Ellensburg

I. Call to order and introduction of members and staff.

Chairman Black called the meeting to order at 6:30 p.m.

Those present: Chairman David Black, Grant Clark, Larry Fuller, Kim Green and Jason Grant no members were absent.

Also present: CDS Assistant Director Allison Kimball, CDS Staff Planners Scott Turnbull, Dan Valoff, Mackenzie Moynihan and Kari Braniff, Public Works Randy Carbary, Clerk Lindsay Watkins and approximately 5 individuals representing applicants and public interest.

II. Correspondence

II. Approval of Minutes

Larry Fuller moved to approve May 27, 2008 Planning Commission minutes as written. **Grant Clark** seconded and the motion carried with all in favor.

III. Old Business

A. Henley Rezone (Z-07-10)

Chair opened Hearing for Findings of Fact.

Grant Clark moved to pass Henley Rezone (Z-07-10) Findings of Fact. **Larry Fuller** seconded and the motion passed with all in favor.

B. Thunder Ridge Plat (P-07-23)

Chair opened Hearing for Findings of Fact.

Larry Fuller moved to pass Thunder Ridge Plat (P-07-23) Findings of Fact. **Grant Clark** seconded and the motion passed with all in favor.

C. Sunset Farms Preliminary Plat (P-07-60)

Chair opened Hearing for Findings of Fact.

Grant Clark moved to pass Sunset Farms Preliminary Plat (P-07-60) Findings of Fact. **Larry Fuller** seconded and the motion passed with all in favor.

D. Firkins Rezone & Firkins Plat (Z-08-01) & (P-08-02)

Chair opened Hearing for Findings of Fact.

Grant Clark moved to pass Firkins Rezone (Z-08-01) & Firkins Family Preliminary Plat (P-08-02) Findings of Fact. **Larry Fuller** seconded and the motion passed majority in favor and **Jason Grant** declining.

E. Graham Rezone & Graham Family Short Plat (Z-08-02) & (SP-08-02)

Chair opened Hearing for Findings of Fact.

Grant Clark moved to pass Graham Rezone (Z-08-02) & Graham Family Short Plat (SP-08-02) Findings of Fact. Larry Fuller seconded and the motion passed with all in favor.

IV. New Business

A. Finley Rezone (Z-08-04) and Finley Preliminary Plat (P-08-05)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Mackenzie Moynihan** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

Noah Goodrich, Encompass and Surveying, 108 East 2nd Street, Cle Elum, WA 98922, stated he agreed with the staff presentation and gave a brief overview of his presentation and submitted **Exhibits A, B, C and D** into the record.

Chair opened Hearing for Public Testimony.

Sandford Kinzer, 820 Bare Road, Ellensburg, WA 98926, stated the Planning Commission Board denied a similar rezone in the past and should deny this rezone as well.

Grant asked if Mr. Kinzer if he signed a court appeals form.

Kinzer stated he did.

Chris Gaidos, 2603 West Willis Road, Ellensburg, WA 98926, stated he has no concerns with the rezone what so ever he is just concerned with water and wants to make sure there will be no restrictions from its current path right now.

Stacy Finley, 4352 Hawk Street, San Diego, CA 92123, stated she is a widower and the reason for the request of a rezone is to sell off parcels so she doesn't have to sell her home that her husband and she built.

Goodrich stated he didn't know about that and referred the question to Dave Nelson.

Green asked about an underground pipe.

Dave Nelson, 707 Tamarack Road, Ellensburg, WA 98926, stated the water will not be stopped from going through the property.

Clark asked about access to the back lots.

Goodrich pointed out the access to the back lots on the power point maps.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Black stated he would like to continue this to the next Planning Commission meeting.

David Black moved to continue Finley Rezone (Z-08-04) and Finley Preliminary Plat (P-08-05) to June 24, 2008 Planning Commission meeting. Larry Fuller seconded and the motion passed with all in favor.

B. McBeth Preliminary Plat (P-07-54)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Mackenzie Moynihan** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report and submitted **Exhibit A** in to the record.

Chair opened Hearing for Applicant Presentation.

Noah Goodrich, Encompass and Surveying, 108 East 2nd Street, Cle Elum, WA 98922, stated he agreed with the staff presentation and gave a brief overview of his presentation and submitted **Exhibit B** into the record.

Public Works, **Randy Carbary** stated the Department of Public Works has been requiring on plats that applicants provide more detail on access roads.

Chair opened Hearing for Public Testimony.

No Public Testimony.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Fuller stated until they get a second access he is not in favor of this.

Clark stated he agrees with Fuller but it's something we could condition.

Green stated she agrees with Clark.

Grant Clark moved to pass forward McBeth Preliminary Plat (P-07-54) to the Board of County Commissioners with a recommendation of approval with the condition that the secondary access be defined and constructed prior to final approval. Jason Grant seconded and the motion passed 4/0/1 with Larry Fuller declining.

Findings of Fact will be brought back to the June 24, 2008 Planning Commission meeting.

Next regularly scheduled meeting is June 24, 2008 at 6:30p.m.

Meeting adjourned at 7:52 p.m.

Lindsay Watkins, Planning Commission Clerk

Mackenzie Moynihan

From: Richard Graham [richardgraham886@hotmail.com]
Sent: Friday, May 30, 2008 5:13 AM
To: Goodrich, Noah; Mackenzie Moynihan
Subject: Graham Rezone (Z-08-02)

As you know, my original rezone application was denied as it contained a second lot. This is a 3ac parcel adjoining and north of the 12.19 acre lot now in the rezone application process, reference above. At the time of this denial, I was informed that this 3 ac parcel was already partially zoned F&R and partially rural 3.

None of the colored zoning maps used at the presentations at the open record public hearing this week (5/27/08) showed color zoning designations for this 3 ac parcel. Thus the major point of 12.19ac request to be rezoned rural 3 as being a logical and contiguous progression was lost on the planning commissioners. Visually it appeared to be a request for an inconsistent island of rural 3 zoning in a sea of existing Forest & Range zoning, instead of an extension of hundreds of existing rural 3 acre zoned parcels.

As the commissioners said, "It's the same problem as the previous previous petition, (Furgeson or some such), A SPOT REZONE!" Later oral comments, including my own, about the incomplete color maps fell on deaf ears, the damage had been done.

The commissioners voted to recommend denial of my application. This was neither fair, right or reasonable. However, based on the flawed and incomplete presentation (colored zoning maps), well ???

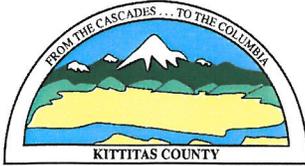
In any event, I would like to see complete colored zoning maps and then I will determine if a petition to set aside the commissioner's denial recommendation should be made, along with a request for a new hearing.

Or what do you advise as to how to set the record straight, so that my application can see the light of a full and fair presentation before this goes any further.

Thank you,

Richard Graham

19-16-04030-0014
19-16-04030-0013



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AGENDA STAFF REPORT

AGENDA DATE: June 17, 2008

ACTION REQUESTED: Set Closed Record Meeting for July 1, 2008 to consider the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02)

BACKGROUND: Richard Graham, landowner, submitted an application on February 7, 2008 for a rezone from Forest & Range to Rural-3 followed by a short plat application to subdivide approximately 12.19 acres into 4-lots. The proposed lot sizes are each approximately 3.00 acres.

The subject property is located south of Interstate-90, off Lower Peoh Point Road, Cle Elum, WA 98922, and is located in a portion of Section 04, T19N, R16E, WM, in Kittitas County. Map number 19-16-04030-0013.

The site was accurately posted with the "Land Use Action" sign as provided by CDS in compliance with KCC 15A.03.110. The signed affidavit of posting was returned to CDS and received on February 19, 2008.

Kittitas County Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on February 22, 2008. Said notice was published in the official county newspaper of record, the Daily Record, on February 22, 2008. Due notice was also mailed to jurisdictional government agencies, adjacent property owners and other interested parties. Said notice solicited comments from jurisdictional agencies and landowners as required by law.

This project was subject to review under the State Environmental Policy Act (SEPA) and, based on review of comments received during the comment period, a MDNS was issued on April 25, 2008 pursuant to WAC 197-11-350. There were no appeals.

An open record hearing was held before the Kittitas County Planning Commission on May 27, 2008 to consider this matter and testimony was taken from those persons present who wished to be heard. Due notice of the public meeting was given as required by law, and the necessary inquiry has been made into the public interest to be served by the proposed subdivision.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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The Kittitas County Planning Commission approved a motion by a vote of 3-1 to forward the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02) to the Kittitas County Board of Commissioners with a *recommendation of denial*.

INTERACTION: Comments were received from the Washington State Department of Ecology, Kittitas County Environmental Health, Kittitas County Public Works, CTED and the Kittitas Reclamation District.

RECOMMENDATION: Staff recommends the Board set a closed record meeting for July 1, 2008 to consider the Planning Commission's *recommendation of denial* for the Graham Rezone (Z-08-02) and Graham Family Short Plat (SP-08-02).

HANDLING: None

ATTACHMENTS: None

LEAD STAFF: Mackenzie Moynihan, Staff Planner