

Condition Compliance Document

LP-21-00003

IV. CONDITIONS OF APPROVAL

All Conditions of Approval shall apply to the Applicant, and the Applicant's heirs, successors in interest and assigns.

1. The project shall proceed in substantial conformance with the plans and application materials on file dated September 8, 2021, and subsequent information included in the complete file index except as amended by the conditions herein. *Noted*
2. There shall be a notification on the final plat and all conveyance instruments with the following notice: "The subject property is within or newer existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted right to farm provisions contained in the Section 17.74 of the Kittitas County Zoning Code." *Note 8 on Pg 2 of Plat*
3. The applicant is responsible for meeting the KRD General Subdivision Guidelines. *Yes, see attached email*
4. The applicant is responsible for compliance with all applicable local, state, and federal rules and regulations, and must obtain all appropriate permits and approvals. *Noted*
5. All accesses and roads shall be IFC compliant. *Noted*
6. It is the responsibility of the applicant to contact the Kittitas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval. *Noted*
7. Computer sheets shall be submitted with the final plat showing the closure of plat boundaries, blocks, lots, or any tract. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate. *Attached*
8. The Final Plat shall contain the name of the Engineer/Surveyor responsible for preparing the documents on all sheets. *Noted*
9. All structures will be permitted and built to the current Kittitas County adopted building

codes at the time of construction. *Noted*

10. Except for lot D, the applicant shall provide one soil log for each new, proposed lot. *Completed*
11. Where individual wells are proposed, a well log must be provided along with documentation of water rights for each proposed new lot. Where shared wells are proposed a well log, water right documentation for each lot and a shared well user's agreement must be signed, notarized, and filed.
12. Driveways: A driveway shall serve no more than four tax parcels. See Kittitas County Road Standards, 12/15/15 edition.
- 12.1 New access easements shall be a minimum of 30' wide. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150', or 16' with 2' of clear zone on each side if the length of the driveway is more than 150'.
- 12.2 Driveways with a length greater than 150' shall construct a turnaround which meets or exceeds the International Fire Code Appendix D turnaround. *Noted*
- 12.3 Maximum grade shall be 10%.
- 12.4 Crushed surface depth per WSDOT standards.
- 12.5 Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- 12.6 Any further subdivision or lots to be served by proposed access may result in further access requirements.
13. Plat Notes: Plat notes shall reflect the following: *See Sheet 2 of Plat*
- 13.1 Maintenance of the access is the responsibility of the property owners who benefit from its use. *Note 5*
- 13.2 An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right-of-way. *Note 6*
- 13.3 Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards. *Note 7*
- 13.4 Kittitas County will not accept private roads until such roads are brought into conformance with current Kittitas County Road Standards and formally adopted by the Kittitas County Board of County Commissioners. *Note 11*
- 13.5 A public utility easement 10 feet in width is reserved along all lot lines. The 10-foot easement shall abut the exterior plat boundary and shall be divided 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation. *Note 2*
- 13.6 Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations. *Note 22*
- 13.7 The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law. *Note 23*
14. Open Space:
- 14.1 The final plat shall include plat notes and appropriate covenants and restrictions ensuring that the open space tract will not be further developed or subdivided in the

future. *See note 13 on Sheet 2 of Plat*

- 14.2 The applicant will place the open space tract of 40-acres in Open Space for perpetuity and will be designated as such on the final mylar. *Note 13 Sheet 2*
- 14.3 The use of open space area will be for passive and active recreational/agricultural uses as allowed in KCC 16.09 *Noted*
- 14.4 The final plat shall include a plat note ensuring the open space will be appropriately maintained to control noxious weeds and fire hazards. *Note 3 Sheet 2*

- 15. Plat Approvals: All plats must show the acceptance signature of the County Engineer. The acceptance block shall be as follows (per KCC 16.24.170):

EXAMINED AND APPROVED
This _____ day of _____, A.D., 20 ____

Kittitas County Engineer

*Sheet 1 of Plat
with other signature
blocks*

- 16. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements. *Noted*
- 17. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate. *Noted*
- 18. 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. *Noted*
- 19. 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. *Noted*
- 20. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response. *Noted*
- 21. 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. *Noted*
- 22. Flood: In accordance with KCC Chapter 14.08.220, all subdivisions as well as new development shall:
 - 22.1 Be consistent with the need to minimize flood damage.
 - 22.2 Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. *Noted*
 - 22.3 Have adequate drainage provided to reduce exposure to flood damage.
 - 22.4 Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments containing greater than 50 lots or 5 acres (whichever is lesser) and shall be included as part of the application and shall be noted on the final mylar.
 - 22.5 All subdivisions shall show on the face of both the preliminary and final plat, for

either short or long plats, the boundary of the 100-year floodplain and floodway.

23. **Water Mitigation and Metering:** Prior to final plat approval and recording, the following conditions shall be met. In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:
- 23.1 A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
 - 23.2 An adequate water right for the proposed new use; or
 - 23.3 A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.

See attached letter

24. All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended. *Noted*

Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.

25. In addition to the conditions noted above, the following MDNS conditions shall also apply
- 25.1 **Critical Areas:** All final surveys shall include denotation of the identified streams and category III wetland of the Critical Areas Report received 4-1-22 and the associated buffers in accordance with KCC 17A. *Noted and on Sheet 1*
 - 25.2 **Cultural Resources:** Should ground disturbing or other activities related to the proposed subdivision result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP). Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible. *Noted*

Dated this 31 day of May, 2022.

KITTITAS COUNTY HEARING EXAMINER



Andrew L. Kottkamp

This Decision is subject to appeal pursuant to the Kittitas County Code and the Revised Code of Washington.