



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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“Building Partnerships – Building Communities”

STAFF REPORT THORP LANDING LONG PLAT (LP-23-00001)

I. GENERAL INFORMATION

Requested Action: Thorp Landing LLC submitted an application for a 10-lot plat on 2 parcels totaling 54.39 acres of land. The proposal includes 10 residential lots ranging in size from 5.00 acres to 8.64 acres. The subject parcels are zoned Agriculture 5. It is part of a Rural Residential Land Use designation. These parcels had a land use designation change from Rural Working to Rural Residential and a zoning change from Agriculture 20 to Agriculture 5 under Ordinance 2022-017 (RZ/CP-22-00002 Thorp Landing) that was part of the County’s 2022 annual docket cycle for changes to the comprehensive plan, zoning map and development regulations.

Location: Two tax parcels (443233 and 493233), located approximately .5 miles northwest of the intersection of N. Thorp Hwy and I-90 off of Thorp Landing Lane in Section 11, Township 18, Range 17, W.M.; Kittitas County. The properties bear Kittitas County Map numbers 18-17-11040-0033 and 18-17-11040-0007.

II. SITE INFORMATION

Total Project Size:	54.39 acres
Number of Proposed Lots:	10 (2 currently existing)
Domestic Water:	2 Group B Wells (Existing one to serve 2 lots, New one to serve 8 lots)
Sewage Disposal:	Septic
Fire Protection:	Thorp (Fire District 1)
Irrigation District:	Westside Irrigating Company

Site Characteristics:

North: Residential/Town of Thorp
South: Residential/Some farmland
East: A Few Residential Lots/Vacant Land
West: Mostly Farming Uses

Access: Access to the site will be via Thorp Landing Lane (a private drive) from N. Thorp Highway.

III. ADMINISTRATIVE REVIEW

Deemed Complete: A Long Plat Application and SEPA Checklist were submitted to Kittitas County Community Development Services on January 10, 2023 (Index #1 & 16). The application was deemed complete on February 7, 2023 (Index #20). A petition for review of the County’s redesignation of the property from a land use designation from Rural Working to Rural Residential and zoning change from Agriculture 20 to Agriculture 5 was submitted to the Growth Management Hearings Board on February 12, 2023 after the application had been deemed complete on February 7, 2023 and therefore vested.

Notice of Application: The site was posted pursuant to KCC 15A.03.110 on February 9, 2023 (Index #21). Two posting sites were established (One off of Thorp Landing Lane and the other near Goodwin Road). A Notice of Application was mailed to all state and local agencies/departments with potential interest in the project as required by KCC 15A.03.060, as well as to adjacent landowners located within five hundred (500) feet of any portion of

the boundary of the proposal's contiguous tax parcels on February 21, 2023 and noticed in the local county paper of record on February 21, 2023 (Index #23). The comment period for this notice ended on March 9, 2023. Some comments were transmitted to the applicant on March 13, 2023 (Index #38) and full comments were transmitted on March 15, 2023 to the applicant (Index #40).

IV. ZONING & DEVELOPMENT STANDARDS

The subject property is located approximately .65 miles northwest of the I-90 Thorp Exit and has a zoning designation of Agriculture 5. The purpose and intent of Agriculture 5 zone is to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly.

The minimum lot size in Agriculture 5 districts is 5 acres unless in a cluster plat as seen in KCC 17.28A.030. As this property is not a cluster plat, the size of all lots must be at least 5 acres. As proposed, the plat meets the 5-acre minimum lot size criteria. KCC 17.28A.030 also requires the minimum average width to be at least 250 feet. All parcels except for one are greater than 250 feet in width, however averaging out the lot widths of all 10 lots achieves an average of 394.56 feet per lot which meets the width requirements.

The created parcels with potential future dwellings must be served by a legal 60 foot right of way or existing county road under KCC 17.28A.100. North Thorp Highway is an existing county road and Thorp Landing Lane is a private drive easement that is 60 feet wide which meets these criteria.

Preliminary Plats: The plat map submitted with the current application was reviewed under the existing KCC 16.12 Preliminary Plats and meets all requirements.

V. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the proposal site as “Rural Residential”. Kittitas County has established the following goals and policies to guide activities that are designated in these lands. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

RR-G2: Opportunities should exist for traditional rural lifestyle and rural based economies.

Consistency Statement

The proposed plat provides for people to live a traditional rural lifestyle and support the rural based economy especially being near the small town of Thorp.

RR-G10: The County should look for opportunities for a variety of rural density and housing choices while maintaining rural character and protecting health and safety.

Consistency Statement

This plat provides housing choices on 5 acres which is a variety of rural density and does not require local government services to meet the housing needs of the county. The county and state have found 5 acres to be consistent with rural character.

RR-G20: Protect residential activities from flooding areas and natural hazard areas.

Consistency Statement:

The plat provides sufficient area outside the 100-year flood zone and outside the Type F stream building setback for future housing.

RR-P25: New rural development shall provide adequate water for domestic use.

Consistency Statement

The plat will have 2 Group B well systems that are approved through Kittitas County Public Health that will provide adequate water for domestic use.

CDS staff reviewed the project for consistency with the Kittitas County Comprehensive Plan as described above. CDS finds the proposed development consistent with the Goals and Policies of the Kittitas County Comprehensive Plan.

VI. ENVIRONMENTAL REVIEW

A critical areas review of the parcel was conducted by CDS staff. There is a Type F Stream on the northern side of the project that has a 100' buffer and what looks like an irrigation line running through the SW portion of parcel 443233. Floodplain is located on the northeastern corner of parcels 443233 and 493233 A Critical area report conducted by GG Environmental was submitted to the County with the application materials (Index #14). This report indicated no jurisdictional wetlands and recognized the unnamed creek as a Type F stream with a 100-foot setback.

Kittitas County CDS issued a DNS for this project on June, 2023 (See Index #50) after utilizing the optional DNS process under WAC 197-11-355.

At the time of this writing, the SEPA DNS decision has not been appealed.

VII. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal and have been notified of the Public Hearing. Timely comments were received from the following agencies: Department of Health – Office of Drinking Water, Snoqualmie Tribe, Westside Irrigating Company, Kittitas County Public Health, Washington Department of Transportation – Aviation Division, Kittitas County Fire Marshal, Colville Tribe, Washington State Parks, Department of Ecology and Kittitas County Public Works. Public Comments were received from the following people (Index #'s 34-36):

1. Johnny & Erinn Boitano,
2. David, Lyla, Jarred and Ryan Fudacz,
3. Paula Thompson

Below are summaries of the substantive agency and public comments submitted as well as the response from the applicant regarding the comments. For full context and details please see Index #s 24-37, 39 and 44. Applicant responses can be seen in Index #45.

Snoqualmie Tribe: Snoqualmie Tribe commented that they do not have substantive comments at this time but if the project scope were to change, they reserve the right to modify their position.

Applicant response: *“At this time the plat will not be modified. Please also see RLR’s cultural resources report dated July 5, 2022.”*

Staff response: CDS staff provided these comments to the applicant and there is no change in plans considered at this time.

WSDOT Aviation: WSDOT Aviation found that there are no land use compatibility or airspace issues in relation to local airports.

Applicant response: “Agreed. This plat has no airspace issues with local airports.”

Staff response: CDS staff provided these comments to the applicant.

Department of Health – Office of Drinking Water (DOH-ODW): DOH-ODW commented that the project would be provided by a Group B water system that requires approval from Kittitas County Public Health in their initial comments on February 22, 2023. Public Health commented that their JPR with DOH that they don’t approve above 9 connections at the county so that the applicant would need to work with DOH for a system for 10 lots. DOH on February 23rd, 2023 then asked for clarification on what the applicant is proposing for the water system on these lots and if they were expanding the existing “Thorp Landing” water system. Staff then clarified on March 1, 2023 that the applicant was using an existing group B well to serve 2 of the new lots and a new group B well to serve the other 8 lots. After this clarification, DOH said that the two Group B water systems would be considered a “project” for ground water withdrawal and water rights and could not withdraw more than 5,000 gallons a day. They advised the applicant to confirm this with Ecology on the matter. They also said that the proposal for expansion of a group B well and a new group B well would be handled by Kittitas County Public Health. DOH sent new comments for the notice of Public Hearing on June 5, 2023, stating that if 10 lots are served as a collective water system, then it would require a Group A Water System that would have to be approved by them (Index #52).

Applicant response: “The plat will have 2 lots served by an existing and approved Group B well and a new Group B well is proposed on Lot 7 that will serve the rest of the proposed plat. The existing Group B Water system is not being expanded and is approved for 6 connections (see Exhibit 10 of application submittal). Also see e-mail chain from February 22 and March 1, 2023. All domestic water to serve the property which is the subject of this plat application will be withdrawn from two wells. One well has already been classified as a Group B system, and it serves lots not involved with the plat, but which are described as Kittitas County Tax Parcel Nos. 19588, 19589, 19590, 19591, 19592, and 19593. Two of these lots are owned by third parties and they had building permits issued after the current landowner bought a Kittitas County Mitigation Package. The plat will add 10 lots to the above six lots, for a total of 16 lots. Each lot may withdraw 275 gallons per day, so the combined withdrawal of ground water from the property is under 5,000 gallons per day. Because all of the property has irrigation water from the West Side Irrigation Company, there is no need for any outdoor irrigation to occur using ground water. The applicant, through covenants, conditions, and restrictions, will restrict individuals acquiring lots within the plat to 275 gallons of water per day with no outdoor use of water. Additionally, *see* responses related to outdoor irrigation below in response to the West Side Irrigation Company's comments.”

Staff response: CDS Staff transmitted these comments to the applicant and has proposed a condition to this proposal to get a Group B Well approvals from Kittitas County Public Health if they are adding 2 connections to an existing well and adding a new group B well. Staff have also proposed a condition for the plat to get a group A well approval from the state department of health if any system is to serve 10 or more lots.

Department of Ecology: The Department of Ecology made comments on the withdrawal of groundwater and said anything beyond 5,000 gallons of water per day withdrawn requires authorization from the Department of Ecology.

Applicant Response: See response to the Department of Health Comments

Staff response: CDS Staff provided comments to the applicant and proposed a condition to obtain approval from the Department of Ecology if planning on withdrawing over 5,000 gallons of water a day.

Colville Tribe: Colville Tribe requested an inadvertent discovery plan be in place prior to implementation. They also say if ground disturbing activities are to be conducted, then a cultural resource survey and sub-surface testing should be done.

Applicant Response: RLR Arch. & Cultural Resources has already surveyed the property and recommends the project to proceed as planned. Kittitas county is the overseer for future development within the plat. Yakama Nation has already reviewed the survey and agreed to its findings. There has been an Inadvertent Discovery Plan already established.

Staff response: CDS Staff is in receipt of the cultural resources survey. This survey was done for the road building of Thorp Landing Lane for Kittitas County SEPA Application SE-22-00015 but did not incorporate the entire plat area. Staff has recommended the proposal to have the inadvertent discovery plan in place during all ground disturbing activities.

Kittitas County Fire Marshal: The Kittitas County Fire Marshal's Office provided comments related to fire apparatus access roads, fire flow, hydrant systems and wildfire protection requirements on February 8, 2023. Staff received an e-mail from the Fire Marshal's office on April 26, 2023 (See Index #44) that previous fire flow and fire hydrant requirements for this plat are hereby waived and the lots are to be sprinkled from the irrigation canal(s) and that the lots are low hazard WUIC scores and do not have a high ability to expose to other structures in the event of a fire.

Applicant Response: At this time, there is no gate proposed and a key box will not be needed. Please see the Exhibit B, per the Fire Marshal E-mail, fire flow and hydrant systems are waived.

Staff response: Staff has recommended a plat note that requires all structures to be sprinkled and all roads constructed to meet International Fire Code (IFC) requirements.

Westside Irrigating Company (WSIC): WSIC commented that this plat lies wholly within their service area and that there are two turnouts on the Main Canal. They referenced KCC 16.18 which talks about provisions for the orderly system of providing irrigation water to property to be subdivided and requires a water delivery system with rights of way to each new lot to receive irrigation water. They talked about updated bylaws regarding subdivisions and that they have no formal objection to the proposal.

Applicant Response: The applicant agrees to this regarding Westside Irrigating Company comments and conditions for the plat. The applicant is aware of Kittitas County Code 16.18 which sets forth the County requirements and the applicant is aware of the West Side Irrigation Company's rules and regulations regarding delivery of water. The applicant intends to provide two points for all lots within the plat to access water from the West Side Canal. The water will be delivered to each lot in a piped system, with each lot having an irrigation riser which will be metered. Further, through the use of covenants, conditions and restrictions, the applicant will require that the application of all West Side Irrigation Company water to lots within the plat for purposes of irrigation will be required to be through a sprinkler system. No flood irrigation of these lots will be allowed.

Staff response: These comments have been provided to the applicant. Staff has recommended a condition to have a water delivery system (according to KCC 16.18) in place approved by WSIC prior to final plat approval.

Washington State Parks & Recreation (State Parks): State Parks commented their concerns about trespassing, noise and light glare, and potential stormwater discharge. They said if the project proponent needs access to state park land, they need to apply for and obtain legal access for easement.

Applicant Response: The preliminary plat map was submitted as part of the application. If the plat is approved, it will eventually be recorded, and a record will be provided to State Parks. There is no access for this proposal to State Parks land and access is through Thorp Landing Lane. No trespassing and dumping signs will be established on the property line with State Parks Land. Typical county setbacks will apply to development on the property and CCR's will cover noise, light and glare. The applicant has submitted an Ecology stormwater erosivity waiver and stormwater will stay on site and it is highly unlikely that that stormwater would ever discharge onto State Parks land.

Staff response: Staff has recommended conditions relating to signs for no trespassing and keeping all stormwater on site. The county currently does not have regulations pertaining to light and glare.

Kittitas County Public Health (KCPH): KCPH commented on well and septic requirements including the two proposed Group B water systems.

Applicant response: The applicant contacted Holly Erdman at the Kittitas County Health Department regarding the public health comment. In discussions with Ms. Erdman, it is clear that the heading of her comment referencing the Conner Short Plat and the date of the comment are incorrect; however, the applicant was able to confirm that the substance of Ms. Erdman's comments on behalf of Kittitas County Public Health did in fact relate to this plat application. The applicant understands and agrees to her comments. Specifically, the applicant understands that prior to final plat approval, the applicant will have to comply with KCC 13.35.027, by providing a certificate of water budget neutrality or other adequate interest in water rights from a water bank.

Staff response: CDS Staff has provided this comment to the applicant and proposed conditions regarding Group B well approvals, soil logs and water mitigation prior to final platting.

Kittitas County Public Works (KCPW): KCPW provided comments on access requirements, roads meeting fire codes, and that no access should be done from Goodwin Road. They also commented about projected traffic trips and the possibility of needing a traffic impact analysis. They had comments about required plat notes, flood development and water mitigation. A follow up e-mail with updated comments on March 14, 2023 mentioned that the owner information and the engineer of record should be included on the face of the preliminary plat.

Applicant response: The applicant agrees with Public Works conditions. The preliminary plat shows the location of the turnaround and that a portion of Thorp Landing Lane has been reviewed and approved by Kittitas County and was built. Thorp Landing Lane will be extended to serve this plat.

Staff response: CDS Staff has provided this comment to the applicant and proposed conditions regarding various road standards, floodplain standards as well as required plat notes. The applicant provided a transportation concurrency application on 5-15-23 (TC-23-00004) with estimated traffic trips (Index #47). Kittitas County Public Works determined that this plat does not require any mitigation measures for traffic impacts on May 30, 2023 (Index #49).

Fudacz Family: The Fudacz Family submitted comments and concerns regarding water runoff and irrigation water rights on the parcels including 3 springs as well as concerns about the applicant. They also said that the critical areas report submitted to the county is inadequate.

Applicant response: The water rights issue was sorted out by the Ecology v. Acquavella case that the Fudacz family were a part of. There are limited claims to the water and easements by the Fudacz family over the applicant's property. The applicant has no obligation to highlight perennial springs throughout the property and the report meets the county code and the Fudacz's and did not produce their own report. No lots will have the ability to apply irrigation water to the property except through the West Side

Irrigation Company system that complies with their rules and regulations as well as the County's.

Staff response: Critical Area Reports do not require springs to be identified on them at this time under KCC 17A. Springs would need to be included if the county had requested a hydrogeological assessment in a critical aquifer recharge area. As this project is for residential lots, it does not fall under the applicability sections of KCC 17A.03.030. All irrigation easements and an irrigation delivery system will have to be shown on the final plat and be approved by the Westside Irrigating Company prior to final plat approval.

Johnny & Erinn Boitano: Johnny & Erinn Boitano raised concerns about the aquifer and septic system approvals. They mention that during the summer, everyone flood irrigates their properties which brings the water table up and could contaminate the aquifer and negatively affect the surface water and drainage patterns. They also commented that the lots are in the floodplain.

Applicant Response: This proposed ten lot plat is not completely within the floodplain. Only a small portion of the plat is in the 100 year and 500-year floodplain and is in the back portion of the lots. Kittitas County does allow people to build within the 100-year floodplain as long as flood development requirements are met. The plat proposes a Group B water system that will be approved by Kittitas County Public Health. Per the Kittitas County Health Department's comment letter and county code, the proposed plat is allowed to apply for individual septic systems.

Staff response: There is sufficient space outside of the 100-year floodplain to build on all of the proposed lots. Kittitas County Public Health will have to approve all septic systems including soil logs prior to final plat approval that looks at things like groundwater. Staff has also recommended a condition that the lots not be flood irrigated.

Paula Thompson: Paula Thompson commented on the 2022 comprehensive plan and rezone update saying it was inadequate and that the current SEPA checklist does not identify wetlands and perennial springs. She also commented on irrigation rights and delivery systems as well as drainage patterns. She had concerns about lots without fire hydrants and that a turn lane should be required on Thorp Hwy to turn onto Thorp Landing Lane.

Applicant Response: Ms. Thompson did not file an appeal to the SEPA as part of the 2022 comprehensive plan and zoning change. She has now filed a petition to the Eastern Washington Growth Management Hearings Board but that petition does not matter as this application was vested prior to the petition as the county deemed it complete prior to that petition.

Staff response: The applicant provided a critical areas report done by a qualified professional that states there are no jurisdictional wetlands on the property and one Type F stream on the north side of the property. An irrigation system approved by Westside Irrigating Company will be required prior to final plat approval. Kittitas County received a transportation concurrency application from the applicant and found that no mitigation measures are required for the creation of 10 lots in this plat.

CDS has reviewed all of the comments submitted and proposed conditions in this Staff Report to address many of the concerns noted.

VIII. PROJECT ANALYSIS

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

Comprehensive Plan Consistency:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan as seen in Section V of this staff report. The subdivision can help promote a rural lifestyle, only requires rural government services and provides options for housing and development that can take place outside of the floodplain.

Consistency with the provision of KCC 17 Zoning:

The proposal is consistent with the provisions of KCC 17.28A. The lots are all over 5 acres and there is adequate size to put houses or other uses on the properties. All lots are served off Thorp Landing Lane from Thorp Highway which is an existing county road meeting the requirements of KCC 17.28A.100.

Consistency with the provisions of KCC 17A Critical Areas:

This proposal is consistent with the Kittitas County Critical Areas Code. The applicant submitted a critical areas report which indicated no wetlands on the property and one Type F stream. The stream has a 100' buffer (plus 15' additional building setback) which is shown in the plat map. The plat map also contains the 100-year floodplain. There are sufficient areas outside of required setbacks to build. CDS staff finds the project with recommended conditions consistent with KCC 17A Critical Areas.

Consistency with the provisions of KCC 16.12: Preliminary Plat Subdivision Code:

This proposal is consistent with the Kittitas County Subdivision Code (Title 16) for Preliminary Plats with the recommended conditions.

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

This proposal is consistent with the Kittitas County Title 12 Roads and Bridges with the recommended conditions.

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

This proposal is consistent with the Kittitas County Title 20 Fire & Life Safety with the recommended conditions.

IX. RECOMMENDATION

As conditioned below, the application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 13, Title 16.12, Title 17A, Title 17, Title 17.28A and Title 20 of the Kittitas County Code as well as the Kittitas County Comprehensive Plan. Staff recommends approval of the Thorp Landing Preliminary Plat, subject to the following findings of fact, conclusions, and conditions:

Suggested Findings of Fact

1. Thorp Landing LLC submitted an application for a 10-lot plat on 2 parcels totaling 54.39 acres of land. The proposal includes 10 residential lots ranging in size from 5.00 acres to 8.64 acres. The subject parcels are zoned Agriculture 5. It is part of a Rural Residential Land Use designation. These parcels had a land use designation change from Rural Working to Rural Residential and a zoning change from Agricultural 20 to Agricultural 5 under Ordinance 2022-017 (RZ/CP-22-00002 Thorp Landing) that was part of the County's 2022 annual docket cycle for changes to the comprehensive plan, zoning map and development regulations.

2. Site Information:

Total Project Size:	54.39 acres
Number of Proposed Lots:	10 lots (2 currently existing)
Domestic Water:	2 Group B Wells (Existing one to serve 2 lots, New one to serve 8 lots)
Sewage Disposal:	Septic
Fire Protection:	Thorp (Fire District 1)
Irrigation District:	Westside Irrigating Company

Site Characteristics:

North: Residential/Town of Thorp
South: Residential/Some farmland
East: A Few Residential Lots/Vacant Land
West: Mostly Farming Uses

Access: Access to the site will be via Thorp Landing Lane (a private drive) from N Thorp Highway.

3. The Comprehensive Plan Land Use designation is Rural Residential for these properties.
4. The subject properties are zoned Agriculture 5.
5. A Long Plat Application and SEPA Checklist were submitted to Kittitas County Community Development Services on January 10, 2023. The application was deemed complete on February 7, 2023. A petition for review of the County's redesignation of the property from a land use designation from Rural Working to Rural Residential and zoning change from Agriculture 20 to Agriculture 5 was submitted to the Growth Management Hearings Board of February 12, 2023 after the application had been deemed complete on February 7, 2023 and therefore vested. A Notice of Application was mailed to all state and local agencies/departments with potential interest in the project as required by KCC 15A.03.060, as well as to adjacent landowners located within five hundred (500) feet of any portion of the boundary of the proposal's contiguous tax parcels on February 21, 2023 and noticed in the local county paper of record on February 21, 2023. The comment period for this notice ended on March 9, 2023 and some comments were transmitted to the applicant on March 13, 2023 with all comments transmitted March 15, 2023. The applicant responded to the comments on May 1, 2023.
6. An DNS was issued by Kittitas County CDS on June 1, 2023.
7. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by County services. Staff has conducted an administrative critical area review in accordance with KCC 17A and found that although critical areas exist on the parcel, appropriate buffers and mitigations have been recommended to minimize impacts and protect these critical areas.
8. This proposal, as conditioned, is consistent with the Kittitas County Zoning Codes 17.28A
9. This proposal is consistent with the Kittitas County 16.12 Subdivision Code for Preliminary Plats.
10. This proposal as conditioned, is consistent with the provisions of KCC Title 12: Roads and Bridges.
11. This proposal is consistent with the provisions of KCC 15 Environmental Policy.
12. This proposal as conditioned, is consistent with KCC 17A Critical Areas.
13. This proposal, as conditioned, is consistent with KCC Title 20, Fire & Life Safety.
14. This proposal, as conditioned, will meet Kittitas County Road Standards.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.

2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, Title 12 Roads and Bridges and Title 20 Fire & Life Safety.

Suggested Conditions of Approval:

The project shall proceed in substantial conformance with the plans and application materials on file submitted on January 10, 2023 and transportation concurrency submitted May 15, 2023 except as amended by the conditions herein.

1. Building

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

2. Roads and Transportation

- A. Road Standards: This application is subject to the latest revision of the Kittitas County Road Standards, dated 12/15/2015. A performance guarantee may be used, in lieu of the required improvements, per the conditions outlined in KCC 12.01.150.
 - i. Roads & Driveways:
 - a. An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work in the county road right-of-way.
 - b. Private roads serving any of the lots within the development shall be inspected and certified by a licensed professional engineer for conformance with the 2015 Kittitas County Road Standards. This certification shall be completed prior to final plat approval or if a performance guarantee is used in lieu of the required improvements, the private road must be certified to comply with the minimum requirements of the International Fire Code prior to building permit issuance.
 - c. Roads and Driveways longer than 150' in length are required to provide a Fire Apparatus Road Turnaround meeting the requirements of Appendix D in the International Fire Code.

- d. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The county will not maintain access.
- e. Future access onto proposed lots may not be accessed off a county road if there is an alternative road to access from.
- f. Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards and formally adopted by the Kittitas County Board of County Commissioners.
- g. Access is not guaranteed to any existing or created parcel on this application.
- h. Newly created lots shall access onto an internal road system and not directly onto a County Road.
- i. All road construction within the public or private right-of-way shall be designed by or under the direct supervision of a civil engineer, licensed to practice in the State of Washington. Please submit a road plan and profile drawings along with any associated drainage reports for a formal Civil Review to Kittitas County Public Works (KCC 12.04.020)

ii. Other

- a. If over 100 cubic yards of material are displaced during construction, a grading permit shall be required. If over 500 cubic yards, an engineered grading permit shall be required. If the applicant plans on applying for final plat prior to building, a bond for construction shall be required
- b. Prior to the final platting process, a Civil Review of the plans will be required by Public Works. If the applicant is getting an engineered grading permit, the Civil Review will be included in the permit
- c. 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

- d. 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.
- e. Mailboxes must be approved the U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.
- f. All accesses and roads need to be compliant with the 2018 IFC including Appendix D.

3. Survey

- A. Owner, Engineer of Record, and Surveyor of Record shall be on final plat.
- B. A Title Report shall be submitted and the legal description on the Title Report shall match the legal description on the final plat.
- C. Controlling corners shall be noted, and property corners set.
- D. The boundaries along the Type F stream shall be delineated
- E. A right-of-way or easement shall be shown for an approved irrigation water delivery system as approved by the Westside Irrigation Company.
- F. The plat must show the acceptance signature of the Westside Irrigation Company. The acceptance block shall be as follows (per KCC 16.18.035):

I hereby certify that the irrigation for the Thorp Landing Plat conforms to the requirements of Westside Irrigating Company.

This _____ day of _____, A.D., 20____.

Westside Irrigating Company Representative

- G. Lot Closures shall be submitted. 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.

4. Water/Sewer

- A. In accordance with KCC 13.35.027, the applicant shall provide one of the following documents before final plat approval:
 - 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
 - 2. An adequate water right for the proposed new use
 - 3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.
- B. 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.
- C. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.
- D. In accordance with KCC 13.04.090, a minimum of one soil log for each proposed lot where individual sewage disposal systems are contemplated must be completed and approved prior to final plat approval.
- E. The existing Group B water system must be approved and/or expanded to serve 2 lots of this plat prior to final plat approval.

- F. The new proposed Group B water system must have a well drilled and a Group B water system approved to be able to serve 8 connections with a public water system ID # issued prior to obtaining final plat signature.
- G. If the proposed 10 lots are to be served a single water system, it shall be a Group A water system that is approved by the State Department of Health prior to final plat approval.
- H. Any Ground Water withdrawals over 5,000 gallons per day shall require authorization from the Department of Ecology.

5. Other

- A. Applicant must meet all state and federal regulations.
- B. An Irrigation Water Delivery System as described in in KCC 16.18.030 shall be provided by the developer and approved by Westside Irrigating Company prior to final plat approval.
- C. All stormwater shall be kept on site or require a Construction Stormwater permit from the Department of Ecology
- D. No trespassing signs shall be put up on the boundary line of each lot that abuts with Washington State Parks land. A legal easement shall be required if wanting access to State Parks Land from this plat.
- E. Taxes must be paid in full on all tax parcels involved in this land use action as required by Washington State Law (RCW 84.40.042 & 84.56.345) prior to final plat recording
- F. All sheets of the final mylars shall reflect plat number LP-23-00001 and an accurate legal description shall be shown on the face of the final plat. Engineers and Surveyors need to be cognizant of the requirements related to Final Plats (KCC 16.20) and Survey Data and Dedications (KCC 16.24). The final plat must be submitted in full conformance with these chapters of Kittitas County Code; **non-compliant mylars will be rejected and returned to the applicant.** A final plat number will be assigned when CDS receives your final plat application. This file number will also be required on the face of the final plat.
- G. There shall be no flood irrigating of the properties.
- H. Critical Areas
 - 1. All final surveys shall include denotation of the Type F Stream and its 100' buffer.
 - 2. All final surveys shall include denotation of boundary of the 100-year floodplain.
- I. Cultural Resources
 - 1. 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), Yakama Nation, and Colville Tribe. 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.

6. Plat Notes

A. The following plat notes shall be recorded on the final mylar drawings:

1. Environmental and statutory review may be required for all current and future development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.
2. All development must comply with International Fire Code.
3. 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.
4. Lots 5 & 6 shall not have access from Goodwin Road unless approved by Kittitas County Public Works.
5. 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.
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.
7. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
8. Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards and formally adopted by the Kittitas County Board of County Commissioners.
9. Maintenance of the access is the responsibility of the property owners who benefit from its use.
10. A public utility easement 10 feet in width is reserved along all lot lines. The 10-foot easement shall abut the exterior plat boundary and shall be divided by 5 feet on each side of interior lot lines. Said easement may also be used for irrigation.
11. All structures on these lots shall be sprinkled unless otherwise waived by the Kittitas County Fire Marshal.
12. The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW

7.48.305)

13. All activities within the floodplain must be permitted through the floodplain development permit process and follow regulations within KCC 14.08.220.
14. All lots shall not allow flood irrigation.