



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

December 22nd, 2017

Alex Cordas
c/o Swauk Valley Ranch LLC
Seattle, WA 98124

RE: Swauk Valley Plat (LP-17-00007) – Request for additional information

Dear Mr. Cordas,

This letter is to summarize the issues discussed in our meeting at Community Development Services (CDS) on Monday, December 18th, 2017 in regards to the proposed plat to subdivide parcel # 207734 (LP-17-00007). As we discussed, there were a number of inconsistencies in the proposed conservation plat, mainly a combination of conservation plat and agriculture plat elements. The following modifications are required for compliance with Kittitas County Code (KCC) and Washington Administrative Code (WAC):

- 1) The farmstead parcel must be adjusted such that it is not larger than 10 acres, in order to meet KCC 16.09.060(2)(a).
- 2) Building envelopes must be shown on the plat, along with a narrative showing justification of location and size of building envelopes, consistent with KCC16.09.060(2)(b).
- 3) A completed SEPA checklist and review fees must be submitted.

As currently proposed, the plat shows a farmstead on a 138.68 acre lot, with four other lots ranging from 2.13 to 4.99 acres, without building envelopes. The plat was submitted as a short plat.

Several provisions in KCC apply to the project:

KCC 16.09.040(1)(d):

"Farmstead. The farmstead, including the pre-existing residential and associated out buildings within the project boundary, will not be required to become part of a cluster of residences".

KCC 16.09.060(1-2):

1. *"Generally: The size of the lots to be developed shall be no larger than necessary to meet the minimum Washington State Department of Health requirements and the Kittitas County Code.*

2. *Exceptions:*

- a. *The existing farmstead lot can be up to ten (10) acres in size; and*
- b. *New lots may be as large as five (5) acres if building envelopes are established on the plat that ensure the same development pattern that would occur with smaller lots created consistent with subsection 16.09.060.1 above.*
- c. *Agricultural plats.”*

These sections of code provide the regulations governing lot sizes within a conservation plat. Under these provisions, lots are limited to the minimum lot sizes necessary to conform to well, septic, and lot line setbacks, but with exceptions. For a conservation plat, the exceptions listed in items a) and b) are applicable. These items limit the farmstead parcel to 10 acres, and allow lots up 5 acres within the clustered area provided that building envelopes are shown on the face of the plat.

Additional provisions apply to the proposal. KCC 16.09.080 reads:

- 1. *“Submit preliminary Cluster Plat or Conservation Plat map in conformance with requirements in KCC Chapter [15A](#) Project Permit Application Review, KCC Chapter [16.12](#) Preliminary Plats or KCC Chapter [16.32](#) Short Plat Requirements, as applicable, and [Title 12](#) Road Standards.*
- 2. *Cluster Plats and Conservation Plats are to be processed as a short subdivision or subdivision, depending on the number of lots proposed, and are subject to the review process as provided for in [KCC Title 15A](#) Project Permit Application Process.”*

Further, KCC 16.08 contains pertinent definitions:

16.08.186 Short Subdivision.

“Short subdivision” means the division or re-division of land into four (4) or fewer lots, tracts, parcels, sites or divisions, for the purpose of sale, lease, or transfer of ownership any one of which is less than twenty (20) acres.

16.08.200 Subdivision.

“Subdivision” means the division or re-division of land into five (5) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership any one of which is less than twenty (20) acres.

Also, WAC contains rules outlining which subdivision proposals are exempt from SEPA in WAC 197-11-800(d):

“Except upon lands covered by water, the approval of short plats or short subdivisions pursuant to the procedures required by RCW 58.17.060, and short plats or short subdivisions within the original short subdivision boundaries provided the cumulative divisions do not exceed the total lots allowed to be created under RCW 58.17.020. This exemption includes binding site plans authorized by RCW 58.17.035 up to the same number of lots allowed by the jurisdiction as a short subdivision.”

As currently proposed, the plat divides parcel # 207734 into 5 total parcels. Under these provisions, the proposal fits the definition of a long plat under County Code and as such is not exempt from SEPA review.

After a completed SEPA checklist and new information are submitted to CDS, a Notice of Application requesting public comment and incorporating SEPA review will be issued which includes a 15 day comment period. Upon completion of staff review, a public hearing will be scheduled before the Kittitas County Hearing Examiner, who will make a recommendation to the Kittitas County Board of County Commissioners (BOCC). The BOCC will then render a final decision during a closed record public hearing.

CDS will not require a new application even though it was submitted in short plat form. Staff will continue processing this application as a long plat subdivision once the required changes and additional information is provided.

If you have any questions or require further clarification, please do not hesitate to contact me at (509)-962-7079 or by email at dusty.pilkington@co.kittitas.wa.us.

Sincerely,



Dusty Pilkington
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Enclosure: Project Analysis Matrix

CC: Dan Carlson, AICP, CDS Director

via email

Lindsey Ozbolt, CDS Planning Official

via email

Swauk Valley LP-17-00007 KCC 16.09 Review

Citation(s)	Code Language	Consistency Review	As Submitted, Meets w/Conservation or Agriculture Platting	Needed for Consistency with Conservation Platting
KCC 16.09.040(1)(d)	Farmstead. The farmstead, including the pre-existing residential and associated out buildings within the project boundary, will not be required to become part of a cluster of residences.	Application shows farmstead residence in open space tract, separate from cluster.	Agriculture Plat	Farmstead must be on its own lot, outside of the open space tract and meet acreage limitation of 10 acres.
KCC 16.09.040(7)(c)	<p>c. The agricultural plat is necessitated or pursued for one or more of the following reasons:</p> <ul style="list-style-type: none"> i. to accommodate housing for farm labor or farm family members; or ii. to implement an irrigation improvement; or iii. to create parcels of real property for financing purposes; or iv. to improve or increase agricultural efficiencies or dispose of property no longer useful to the agricultural activities; or v. to allow gradual or sequential platting as needed to ensure the economic viability of the farm's future; or vi. to facilitate residential dwellings on acreages with varying sizes to allow "small" farms such as Community Support Agriculture (CSA), local farmer's market suppliers to exist in Ag and other zones while acres in excess of those purchased remain with original owner but carry nondevelopment status to meet the density of the underlying zone. 	Application materials not consistent with this section. If processed as an agricultural plat, must show that it fits these criteria.	Conservation Plat	Current submission does not include details concerning reason for farm platting. This is consistent with Conservation Platting and requires no update of additional information.
16.09.040(7)(e)	Lots smaller than two acres and, for all lots, home sites and facilities that support the residential development, such as onsite waste disposal systems, residential units shall be located on lands with poor soils or otherwise not suitable for agricultural purposes.	No information on soils or agricultural potential in narrative materials	As submitted, consistent with conservation plat.	Current submission does not include descriptions of soils. As proposed, consistent with Conservation Platting and requires no update of additional information.
16.09.060(1-2)	<p>1. Generally: The size of the lots to be developed shall be no larger than necessary to meet the minimum Washington State Department of Health requirements and the Kittitas County Code.</p> <p>2. Exceptions:</p> <ul style="list-style-type: none"> a. a. The existing farmstead lot can be up to ten (10) acres in size; and b. New lots may be as large as five (5) acres if building envelopes are established on the plat that ensure the same development pattern that would occur with smaller lots created consistent with subsection 16.09.060.1 above. c. Agricultural plats. 	Lots shown as less than 5 acres, but building envelopes not shown on plat. Exception if applied for and processed as an Agriculture Plat.	As submitted, consistent with Agriculture Plat.	Building envelopes must be shown on the face of the plat drawing, demonstrating clustering of residences.

Swauk Valley LP-17-00007 KCC 16.09 Review

Citation(s)	Code Language	Consistency Review	As Submitted, Meets w/Conservation or Agriculture Platting	Needed for Consistency with Conservation Platting
<p>16.09.080(2-3), 16.08.186, 16.08.200, WAC 197-11-800</p>	<ol style="list-style-type: none"> 1. Submit preliminary Cluster Plat or Conservation Plat map in conformance with requirements in KCC Chapter 15A Project Permit Application Review, KCC Chapter 16.12 Preliminary Plats or KCC Chapter 16.32 Short Plat Requirements, as applicable, and Title 12 Road Standards. 2. Cluster Plats and Conservation Plats are to be processed as a short subdivision or subdivision, depending on the number of lots proposed, and are subject to the review process as provided for in KCC Title 15A Project Permit Application Process. <p>16.08.186 Short Subdivision. "Short subdivision" means the division or re-division of land into four (4) or fewer lots, tracts, parcels, sites or divisions, for the purpose of sale, lease, or transfer of ownership any one of which is less than twenty (20) acres.</p> <p>16.08.200 Subdivision. "Subdivision" means the division or re-division of land into five (5) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership any one of which is less than twenty (20) acres.</p> <p>WAC 197-11-800(d) Except upon lands covered by water, the approval of short plats or short subdivisions pursuant to the procedures required by RCW 58.17.060, and short plats or short subdivisions within the original short subdivision boundaries provided the cumulative divisions do not exceed the total lots allowed to be created under RCW 58.17.020. This exemption includes binding site plans authorized by RCW 58.17.035 up to the same number of lots allowed by the jurisdiction as a short subdivision.</p>	<p>As proposed, dividing into 5 lots. Needs to be processed as a long plat, with public hearing and SEPA review. If reduced to 4 lots, can be processed as a short plat.</p>	<p>N/A</p>	<p>Make final determination as to desired number of lots. If final number is five or more, plat must be processed as a long plat, with public notice, hearing, and SEPA review.</p>