

KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Project:** Airport Heights PUD Rezone (RZ-08-00009) and Plat (LP-08-00026)
- Description:** A project related rezone from Ag-3 to PUD along with a 14-lot Preliminary Plat on approximately 24.36 acres of land. An additional 9.93 acres included in the rezone was identified as Urban Redevelopment Land as part of the Lannigan Meadows Performance Based Cluster Plat (P-05-38).
- Proponent:** Terra Design Group, Authorized Agent
PO Box 686
Cle Elum, WA 98922
Landowners: Schuler Deneen Family Ranch LLC, Schuler, James K care of Deneen, Pat, PQD Construction Inc.
- Location:** The project is located east of the City of Cle Elum, north of Airport Road, off Danko Road, Cle Elum, WA 98922, and is located in a portion of Section 30, T20N, R16E, WM, in Kittitas County. Map numbers 20-16-30030-0004, 0008, 0009 and 20-16-30056-0016.
- 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.

II. Air

- 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 regarding this permit.
- B. Prior to any grading, clearing or construction, erosion control measures shall be in place and shall be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater



runoff. The erosion control sediment plan shall be a part of the Stormwater Prevention Plan, as referenced in Item A of this section.

- C. The applicant shall provide proof of approval of a Group A Public Water System by the Washington State Department of Health prior to Final Plat approval.
- D. Prior to final approval, identification of individual or community septic areas along with completed site evaluations shall be required by Kittitas County Environmental Health.
- E. Metering shall be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements (Reference Memorandum of Agreement between Kittitas County and the Department of Ecology).
- F. The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. 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.
- 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.
- H. Proof of potable water shall be shown prior to final plat approval.
- I. All applicants for subdivision utilizing wells shall have a note placed on the face of the final mylar 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 that there is a legal right to withdraw groundwater within the land division.

III. Historic & Cultural Preservation

- A. Prior to any groundbreaking activity on the subject property, the applicant shall complete an archaeological survey of the subject property due to a high potential for cultural resource sites at the proposed subdivision. Documentation shall be submitted to Community Development Services to be maintained in the project file.

IV. Light and Aesthetics

- A. All outdoor lighting shall be shielded, directed downward and away from adjacent neighbors and the Cle Elum Municipal Airport.

V. Land and Shoreline Use

- A. A Wetland and Wildlife study shall be required prior to final approval, establishing the appropriate buffers regarding the sensitive areas as determined by the consultant.
- B. If any cutting or removal of timber exceeding the allowance of the Washington State Department of Natural Resources requirements is proposed, a Forest Practice Application Permit will be required prior to final plat approval.

VI. Public Safety

- A. The applicant shall consult with the local school district and provide for and depict on the final mylars a safe location for a bus stop.
- B. Prior to final approval the developer shall be required to conduct a Part 77 Airspace Obstruction Analysis with the Federal Aviation Administration for the proposed plat to; evaluate the effect of the construction or alteration on CEMA operating procedures, determine the potential hazardous effect of the proposed construction on air navigation, identify mitigating measures to enhance safe air

navigation, and for the charting of new objects.

C. The following plat note shall appear on the face of the final plat:

This subdivision is in the vicinity of the Cle Elum Municipal Airport and is located within the designated Cle Elum Municipal Airport Runway Safety Zone and within the FAR Part 77 Imaginary Surfaces for Runway 7-25. Future landowners should expect to experience noise, vibrations, fumes, dust, the effects of lighting, and other effects associated with the operation of an airport or aircraft taking off or landing at an airport. No use shall be permitted that causes discharge into the air of fumes, smoke, dust or similar which will obstruct the visibility and/or adversely affect the operation of an aircraft or interfere with navigational facilities or equipment necessary to aircraft operation. No development or use shall occur that in any way interferes with the safe operation of aircraft in the airspace and aviations ways of the Cle Elum Municipal Airport.

D. The following plat note shall appear on the face of the final plat:

Building location, types, heights, and densities shall not encroach upon or otherwise impact Cle Elum Municipal Airports current for future compliance with Federal Aviation Administration (FAR) Part 77 Imaginary Surface requirements as detailed in Part 77 Airspace Obstruction Analysis performed prior to final plat approval by the developer and recorded under Kittitas County Auditor's File No. _____.

VII. Parks & Recreation

A. 10.81 acres of property shall be designated on the final mylars as open space. The uses to be allowed within this open space will be those defined in KCC 17.36 and KCC 16.09.

VIII. 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, Monday, November 17, 2008).

**Responsible
Official:**

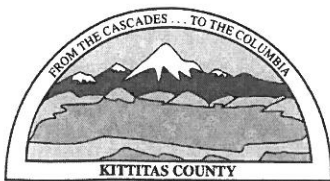

Mackenzie Moynihan

Title: Staff Planner

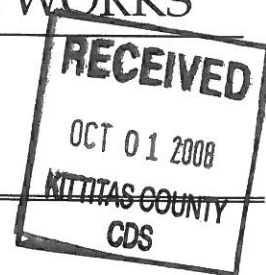
Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX 962-7682

Date: October 31, 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, November 17, 2008. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.



KITITAS COUNTY
DEPARTMENT OF PUBLIC WORKS



MEMORANDUM

TO: Mackenzie Moynihan, Community Development Services
FROM: Christina Wollman, Planner II CW
DATE: September 29, 2008
SUBJECT: Airport Heights Rezone RZ-08-09 and Preliminary Plat LP-08-26

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 shall be SEPA mitigation:

Danko Road Improvements: The following improvements are required on Danko Road. Road and cul-de-sac improvements shall be designed by an engineer and approved by Kittitas County prior to construction.

1. Danko Road: The existing temporary cul-de-sac shall be removed, and Danko Road improved to public road standards from approximately the west end of the temporary cul-de-sac to the beginning of the public use cul-de-sac. The exact location of improvements shall be determined by Public Works prior to design.
2. Cul-de-Sac: A public use cul-de-sac shall be constructed to public road standards at the end of Danko Road. The cul-de-sac shall be constructed on the Airport Heights property and have an outside right-of-way diameter of 110 feet. The right-of-way shall be dedicated to the public. The driving surface shall be at least 96 feet in diameter.

The following shall be Conditions of Preliminary Approval:

1. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.

2. Private Road Improvements: Easement 'Q' shall be constructed to meet or exceed the requirements of a High-Density Private Road that serves 3-14 tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 40' wide. The roadway shall have a minimum width of 20', with 1' shoulders, for a total width of 22'.
 - b. Minimum centerline radius will be 60'.
 - c. Surface requirement is for a minimum gravel surface depth of 6".
 - d. Maximum grade 8% flat, 12% rolling or mountainous.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road.
3. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2006 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
4. Joint-Use Driveway: A 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".
 - 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.

Single-Use Driveway: A single-use access shall serve no more than one lot. See Kittitas County Road Standards, 9/6/05 edition.

- a. The roadway shall be a minimum of 8' wide with gravel surface.
 - b. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - c. Any further subdivision or lots to be served by proposed access may result in further access requirements.
5. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
 6. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
 7. 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.
 8. 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.
 9. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
 10. 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.

Current Kittitas County Road Standards, as adopted 9/6/05.

Chapter 12 – PRIVATE ROADS

12.12.010 General

Private roads shall meet the following conditions:

1. Private roads shall meet the minimum access requirements of the International Fire Code as adopted by the County, and
2. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400) 2001, as now exists or hereafter amended, and
3. Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works

Director. If certification by the public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and

4. Permanently established by an easement recorded with the Kittitas County Auditor or right-of-way, providing legal access to each affected lot, dwelling unit, or business, and
5. Will not result in land locking of existing or proposed parcels, and
6. Maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and
7. Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
8. The following note shall be placed on the face of the plat, short plat, or other development authorization:

"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. This requirement will include the hard surface paving of any street or road surfaced originally with gravel."

Please let me know if you have any questions or need further information.

