



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

January 4, 2010

Chris Cruse
Cruse and Associates
P.O. Box 959
Ellensburg WA 98926

RE: Lower Green Canyon Short Plat (SP-09-00015)

Dear Mr. Cruse,

The Kittitas County Community Development Services Department has determined that the Lower Green Canyon Short Plat (SP-09-00015) is a complete application and hereby grants *conditional preliminary approval* subject to the following conditions:

1. Both sheets of the final mylars shall reflect short plat number SP-09-00015 and an accurate legal description shall be shown on the face of the final plat.
2. Full year's taxes must be paid on all tax parcel numbers per requirement of the Kittitas County Treasurer's Office.
3. The following plat notes shall be recorded on the final mylar drawings:
 - All development must comply with International Fire Code.
 - This short plat has exhausted the use of the one time split provision allowed per Kittitas County Code. No further one time splits are allowed for the subject parcels and subsequent parcels created via this short plat.
 - 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).
 - 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.
 - Metering shall be required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements.
 - 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.
 - This property is located outside of the Kittitas County Stock Restricted Area; as such, under The State of Washington's open range law (RCW 16.24.010), it shall be the responsibility of the property owner to fence out grazing livestock belonging to other residents.
4. Property owners shall be required to demonstrate by metering or other means compliance with the single project withdrawal limitation of 5,000 gallons to be shared between the four lots.
5. Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than 1/2 acre of lawn or noncommercial garden will require a permit from the Department of Ecology.
6. This property is within the boundaries of the KRD and both parcels contain irrigable ground. The applicant will need to comply with the requirements set forth in the KRD General Guidelines prior to approval from KRD and prior to final approval of the short plat.

7. 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.
8. Individual wells are required to have a 50 foot setback from neighboring property lines (KCC 17A.08.025). Please see the comments from Kittitas County Public Health Department for further information and requirements.
9. The applicant is encouraged to work with the adjoining property owner to the south in an effort to mitigate potential barriers which might interrupt source waters from reaching the existing pond on said property.
10. The applicant should be aware of the protective covenants, conditions, and restrictions placed on the subject parcels as recorded on February 25, 2003 by Scott and Gayle McIntosh with the Kittitas County Auditor (recording number 200302250059).
11. All lots of the Lower Green Canyon Short Plat have a PEMC wetland across the east end of the properties. The final mylars shall reflect the location of this wetland and a statement on the plat shall read as follows: "Future development of lots may require a study by a certified wetland biologist to determine wetland classification and for buffer requirements pursuant to KCC Critical Areas Code."
12. Should ground disturbing or other activities related to the proposed short plat 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 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.
13. Per Kittitas County Environmental Health, soil logs need to be performed and proof of water availability is needed. Evidence of both shall be provided to Community Development Services prior to final approval.
14. The addresses shall be clearly visible from both directions at the County Road for all properties.
15. The Fire Department access road shall be capable of supporting 75,000 lbs in all weather, be 20' wide, provide 13'6" vertical clearance and provide for adequate turn-around for fire department apparatus.
16. Please see the attached comments from Kittitas County Department of Public Works for plat notes and further issues that must be addressed prior to final approval.

Approval of the Lower Green Canyon Short Plat may be appealed to the Kittitas County Board of Commissioners upon request of any aggrieved party within 10 working days, and shall accordingly be eligible for final administrative approval after January 15, 2010. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until so filed. If you have any questions, please do not hesitate to contact our office.

You may appeal this determination pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$500 to the Kittitas County Board of Commissioners (205 W. 5th, Room 108) by January 15, 2010 at 5:00p.m.

Sincerely,



Jeff Watson
Staff Planner

File Copy

CC: Applicant
Required parties (KCC 15A)