

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

September 27, 2010

Dean & Judy Nowak
711 West 11th Avenue
Ellensburg WA 98926

COPY

RE: Nowak Short Plat (SP-10-00009)

Dear Mr. & Mrs. Nowak,

The Kittitas County Community Development Services Department has determined that the Nowak Short Plat (SP-10-00009) 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-10-00009 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. A title report will need to be submitted to Kittitas County Community Development Services prior to final approval of this application to assure that all dedications and ownership criteria are met.
4. 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 designated natural resource land of long-term commercial significance on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited 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.
 - 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.
 - Prospective purchasers of lots are urged to make inquiries at the Kittitas County Department of Public Works regarding road and access development requirements and permits.
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. A statement regarding the contemplated sewage disposal, water supply, and drainage improvements for the proposed subdivision shall be reflected on the final mylars.
7. Individual or Shared Water Systems: Applicants shall submit a well log(s) from a well located within the subdivision of land. If a well log does not exist, a four (4) hour well draw down test shall be provided prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, a recorded shared well user's agreement is required for each proposed parcel. If the proposed subdivision does not have an existing well within the boundaries, a hydro-geological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted prior to recommendation for final plat approval. This report shall be

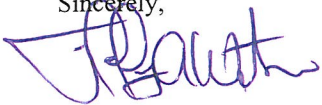
submitted by a Professional Engineer who practices in the field of hydrology or by a licensed hydro-geologist.

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. This property is within the Kittitas Reclamation District boundaries. Proof that all KR D general guidelines have been met for newly created lots shall be provided to Community Development Services prior to final approval.
10. 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.
11. Both lots of the Nowak Short Plat have a PEMA wetland across the east end of the property. 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. "Reecer Creek Road" is incorrectly spelled on the Preliminary Plat.
17. Please review KCC 16.12 (at http://www.co.kittitas.wa.us/boc/countycode/title16.asp#Chapter_16.12) to insure that all plat drawing requirements met.
18. 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 Nowak 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 October 11, 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 October 11, 2010 at 5:00p.m.

Sincerely,



Jeff Watson
Staff Planner

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CC: Applicant
Required parties (KCC 15A)