

Mitchell Short Plat
File Number SP-17-00003
(Revised*) FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. GENERAL INFORMATION

***Revision:** Page three incorrectly referenced the name of the plat, error corrected on 7/30/2018.

Requested Action: Chris Cruse, agent for Ron & Sonja Mitchell, is proposing a 3-lot short plat which will divide parcel #614834 (123.87 acres) into one 20 acre lot, one 20.46 acre lot, and one 83.41 acre lot.

Location: The subject property is located approximately 2.3 miles east of the City of Ellensburg at 1351 Naneum Rd, Ellensburg, WA 98926, in NW1/4 of Section 33, T18N, R19E, WM in Kittitas County bearing Assessor's map number 18-19-33020-0001.

II. SITE INFORMATION

Total Property Size:	123.87 acres
Number of existing lots:	1
Number of proposed lots:	3
Domestic Water:	Well
Existing sewage Disposal:	On Site Septic
Power/Electricity:	Kittitas County PUD
Fire District:	Fire District 2
Irrigation District(s):	KRD

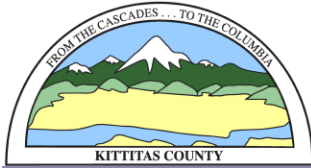
Site Characteristics: The site is relatively flat field/pasture with existing outbuildings.

North: Privately owned land primarily used for agriculture and residential purposes.
South: Privately owned land primarily used for agriculture and residential purposes.
East: Privately owned land primarily used for agriculture.
West: Naneum Rd and privately owned land used for agriculture and residential purposes

Access: The proposed project will have access from Naneum Road

III. ADMINISTRATIVE REVIEW

Notice of Application: A short plat permit application was submitted to Kittitas County Community Development Services on December 12, 2017. The application was deemed complete on January 3, 2018. A Notice of Application for the Mitchell Short Plat (SP-17-00003) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on January 9, 2018.



Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website on January 9, 2018 all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

Designated Permit Coordinator (staff contact): Chelsea Benner, Staff Planner. P: (509) 962-7637, E: chelsea.benner@co.kittitas.wa.us.

IV. ZONING AND DEVELOPMENT STANDARDS

The subject property is located approximately 2.3 miles east of the City of Ellensburg and has a zoning designation of Agriculture-20. The purpose and intent of this zone is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture. This project is being proposed under KCC 16.32.050 Short Plat Requirements.

KCC 16.32.050 Short plat review: The planning official shall be vested with the responsibility of processing short plat applications. The county shall review and consider the proposed short subdivision with regard to:

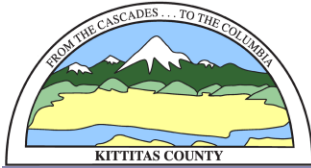
1. Its conformance with all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington.
2. Its conformance to all standards and improvements required under this title.
3. Potential hazards created by flood potential, landslides, etc.
4. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
5. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.
6. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
7. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in [RCW 58.17.060](#)
8. Its compliance with [Kittitas County Code Chapter 13.35](#), Adequate Water Supply Determination or work voluntarily with Kittitas County to develop an authorized conservation easement, see section 16.08.061.

Staff Conclusions

Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections. A critical area review was performed and appropriate conditions applied to mitigate flood and buffer concerns.

V. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the proposal as a short plat in a Rural Working Land Use. Kittitas County has established the following goals and policies to guide activities in Rural Working designations. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:



GPO 8.1: Rural lands are characterized by a lower level of service; mixed residential, agriculture and open space uses; broad visual landscapes and parcels of varying sizes, a variety of housing types and small unincorporated communities.

Staff Consistency Statement: The proposed short plat provides a variation of parcel size consistent with the zoning district.

GPO 8.18: Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreational areas. Direct rural development to lands that have adequate public services.

Staff Consistency Statement: The proposed short plat maintains adequate access to public services and complies with density requirements of the zoning district.

GPO 8.21: Kittitas County will provide criteria within its zoning code to determine what uses will be permitted within rural zone classifications in order to preserve rural character.

Staff Consistency Statement: The proposed short plat is consistent with the Kittitas County zoning code.

GPO 8.21B : Functional separation and setbacks found necessary for the protection of water resources, rural character and/or visual compatibility with surrounding rural areas shall be required where development is proposed. The first sentence of this policy shall not apply to agricultural activities as defined by RCW 90.58.065(2(a)). When required by the county shoreline master program or critical area regulations, buffers shall be provided.

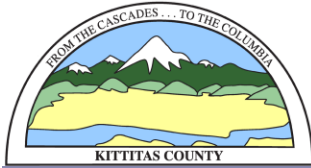
Staff Consistency Statement: The proposed short plat has been conditioned with appropriate setback requirements from the streams located on the subject parcel.

GPO 8.31 Residential uses, where permitted, shall be located where farming and forestry activities and opportunities are not negatively impacted.

Staff Consistency Statement: The proposed short plat does not negatively impact any farming or forestry activities.

Staff Conclusions:

The Mitchell short plat as proposed is consistent with the Kittitas County Comprehensive Plan GPO's listed above. The proposal, as conditioned, preserves the rural character and is not a detriment to neighboring agricultural activities. The property involved is adequately served by local services, meets density requirements for the zoning designation, and adequately protects adjacent water resources with appropriate setbacks.



VI. ENVIRONMENTAL REVIEW

Based upon an initial Critical Area review, CDS determined that the Mitchell short plat was exempt from SEPA review via WAC 197-11-800 (6)(d). CDS critical areas review identified two type 9 streams running north to south along the western side of the property. After reviewing comments submitted by the Washington State Department of Fish and Wildlife and Department of Ecology, staff required the applicant to perform a stream/wetland reconnaissance demonstrating that proposed lot 1C included a buildable area. The study identified no presence of wetlands and showed that all pertinent structures to construction of a Single Family Residence could adequately fit while maintaining a 100' buffer to the identified streams. Please see the attached site plan (Appendix A) showing the approved building area for Lot 1C.

VII. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments received are on file with CDS and available for public review.

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.

Consistency with the Comprehensive Plan:

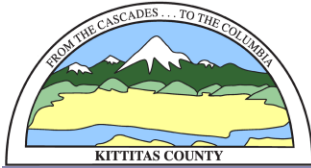
The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, this proposal is located within the Rural Residential land use designation and the following Comprehensive Plan GPOs apply to this proposal: GPO 8.1, 8.18, 8.21, 8.21B, and 8.31. Kittitas County values its rural lands and critical areas, while retaining the private property rights of individuals. The applicant is proposing a short plat parcel division consistent with the goals, policies, and objectives of the land use designation. As conditioned, this proposal is consistent with the County's Comprehensive Plan.

Consistency with the provisions of KCC 17A, Critical Areas:

CDS critical areas review identified two type 9 streams running north to south along the western side of the property. After reviewing comments submitted by the Washington State Department of Fish and Wildlife and Department of Ecology, staff required the applicant to perform a stream/wetland reconnaissance demonstrating that proposed lot 1C included a buildable area. The study identified no presence of wetlands and showed that all pertinent structures to construction of a Single Family Residence could adequately fit while maintaining a 100' buffer to the identified streams. As conditioned, this proposal is consistent with the provisions of KCC 17A. Please see the attached site plan (Appendix A) showing the approved building area for Lot 1C.

Consistency with the provisions of KCC 17.29, Agriculture 20 zoning:

This proposal is consistent with the provisions of KCC 17.28A as conditioned.



Consistency with the provisions of KCC 16.32.050, Short Plat Review:

This proposal, as conditioned, is consistent with the Kittitas County Short Plat Review requirements. The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) addresses hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for all proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply.

Consistency with the provisions of the KCC Title 14.04, Building Code:

This proposal is consistent with the provisions of KCC 14.04.

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

This proposal is consistent with the provisions of KCC Title 12.

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

As conditioned, the proposal is consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments during the comment period: Kittitas County Public Works, Kittitas County Public Health, Kittitas Valley Fire & Rescue, Department of Health, Washington State Department of Fish and Wildlife, City of Ellensburg, and City of Ellensburg Utilities. At the completion of the comment period, all comments were provided to the applicant/agent of this proposal. All comments are on file and available for public review.

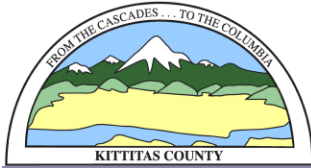
Public Comments:

There were no public comments submitted during the comment period.

IX. FINDINGS OF FACT

1. Chris Cruse, agent for Ron & Sonja Mitchell, is proposing a 3-lot short plat which will divide parcel #614834 (123.87 acres) into one 20 acre lot, one 20.46 acre lot, and one 83.41 acre lot. The proposed short plat meets the density requirements in the Agriculture 20 zone.
2. The subject property is located approximately 2.3 miles east of the City of Ellensburg at 1351 Naneum Rd, Ellensburg, WA 98926, in NW1/4 of Section 33, T18N, R19E, WM in Kittitas County bearing Assessor's map number 18-19-33020-0001.
3. Site Information:

Total Property Size:	123.87 acres
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Domestic Water:	Well
Existing sewage Disposal:	On Site Septic

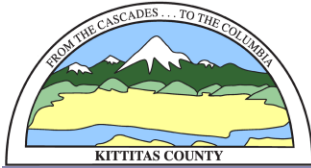


Power/Electricity: Kittitas County PUD
Fire District: Fire District 2
Irrigation District(s): KRD

4. Site Characteristics: The site is relatively flat field/pasture with existing outbuildings.
North: Privately owned land primarily used for agriculture and residential purposes.
South: Privately owned land primarily used for agriculture and residential purposes.
East: Privately owned land primarily used for agriculture.
West: Naneum Rd and privately owned land used for agriculture and residential purposes

The Comprehensive Plan land use designation is "Rural Working."

5. The subject property is zoned "Agriculre-20."
6. A short plat permit application was submitted to Kittitas County Community Development Services on December 12, 2017. The application was deemed complete on January 3, 2018. A Notice of Application for the Mitchell Short Plat (SP-17-00003) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on January 9, 2018. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website on January 9, 2018.
7. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this CPA determination, the following Comprehensive Plan GPO's apply to this proposal: GPO 8.1, 8.18, 8.21, 8.21B, and 8.31.
8. The proposal is consistent with Kittitas County Subdivision Code 16.32.050, Short Plat Review. Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections. A critical area review was performed and appropriate conditions applied to mitigate flood and buffer concerns.
9. The following agencies provided comments during the comment period: Kittitas County Public Works, Kittitas County Public Health, Kittitas Valley Fire & Rescue, Washington State Department of Parks, and Washington State Department of Fish and Wildlife. All comments are on file with CDS and available for public review.
10. No comments from the public were received as of the time of this staff report.
11. SEPA review was not required under WAC 197-11-800 (6)(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](#)."



12. Proposed short plat is consistent with KCC 17A and 17B as conditioned.
13. Proposed short plat is consistent with KCC 17.29.
14. Private road standards must be consistent with KCC 12.04.070, 12.04.080, and 12.04.090.
15. Access and driveways must be consistent with KCC 12.5.
16. Kittitas County Public Health requires water mitigation under KCC 13.35.027 and KCC 13.35.020 prior to final approval of a short plat.
17. KVFR requires consistency with KCC Title 20 upon issuance of any building permits.

X. CONCLUSIONS

1. As conditioned, the proposal 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. As conditioned the proposal is consistent with Kittitas County Code Title 16.32 Short Plat Requirements.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.04 Building Code, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

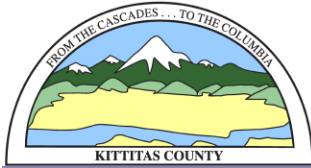
XI. DECISION AND CONDITIONS OF APPROVAL

Kittitas County Community Development Services grants *preliminary approval* of the Mitchell Short Plat SP-17-00003 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

Conditions of Approval:

Critical Areas

1. Future building on Lot 1C shall be located a minimum of 100 feet landward of the OHWM of the identified streams as shown on approved site plan for Lot 1C.
2. Naneum Creek shall be delineated on the final mylar and indicate the 100 foot buffer from the OHWM.



Water/Sewer

3. Proof of water adequacy including a well log or 4 hour draw down test, and a mitigation certificate for each proposed lot shall be submitted to CDS prior to final approval.
4. Final Mylars shall be marked with a "w" indicating location of the well and a broken line showing the one hundred foot radius around such.
5. All wells must meet the distance requirement of 50 feet from the property line, 50 feet from the septic tank and 100 feet from the drain field as per Kittitas County Critical Areas Ordinance 17A.08.25, and KCC Chapter If existing wells do not meet the setback requirement from property lines, the two adjoining parcels nearest the well must enter into a legal, shared well-users agreement

Roads and Transportation

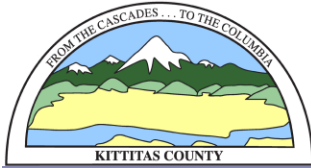
6. Access to lot 1B: A 30' joint access easement for lot 1B snf tax parcel 30936 to be shown on the face of the short plat.
7. Driveways are subject to the 12/15/15 Road Standards.
8. An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right-of-way.
9. The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
10. Lot closures ant title report shall be provided prior to final approval.
11. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.

Fire & Life Safety

12. Access will be fully compliant with current IFC-Appendix D.
13. Addressing to buildings shall be clearly visible from both directions of travel.
14. Construction shall meet WUI (Wildlife Urban Interface) standards.

Historic and Cultural Preservation

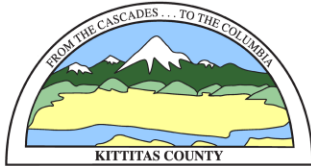
15. Should ground disturbing or other activities related to the proposed conditional use permit result in the inadvertent discovery of cultural or archaeological



materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP). 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.

Plat Notes

- 16.** The following plat notes shall be recorded on the final mylar drawings:
- a. All development must comply with International Fire Code.
 - b. 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.
 - c. 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
 - d. All water proposed to be used must be obtained from a water budget neutral source and meet conditions of Kittitas County Code 13.35.
 - e. 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.
 - f. Maintenance of the access is the responsibility of the property owners who benefit from its use.
 - g. 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.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
 - i. 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.
- 17.** Taxes must be paid in full on all tax parcels involved in this land use action as required by Washington State Law (RCWs 84.40.042 & 84.56.345).
- 18.** 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.

19. Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.

From these conclusions and findings, the proposed Short Plat is granted *PRELIMINARY APPROVAL* with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1,400 to the Kittitas County Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. The appeal deadline for this project is August 13, 2018 at 5:00p.m.

Responsible Official

_____ Chelsea Benner

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7506 Fax: (509) 962-7682

Date: July 30, 2018

Enclosed: Appendix A, Site Plan