

## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

February 14, 2008

Rich Wilson  
Development Services of America  
PO Box 25139  
Scottsdale, AZ 85255

Kevin Walker  
Duncanson Company, Inc.  
145 SW 155<sup>th</sup> Street, Suite 102  
Seattle, WA 98166

**RE: Wilson Short Plat, File Number SP-07-14**

Dear Mr. Wilson,

Kittitas County Community Development Services has determined that the Wilson Short Plat (SP-07-14) is a complete application and hereby grants **conditional preliminary approval** subject to the following conditions:

- 1) Both sheets shall reflect Short Plat Number **SP-07-14**.
- 2) The location of all existing ditches, whether apparent or of record, shall be depicted on the final mylars in accordance with Kittitas County Code 16.12.030 (C).
- 3) All existing fences located on the subject property shall be clearly depicted on the final mylars in accordance with Kittitas County Code 16.12.030 (D).
- 4) Kittitas County Community Development has completed a critical areas review in compliance with Title 17A. This subdivision contains the following critical areas:
  - Lot 1 of the Wilson Short Plat is affected by a potential PEMC Wetland (Palustrine Emergent Seasonal). The location of the potential wetland shall be depicted on the final mylars drawing, and the following plat note shall be recorded on the final mylars:
    - “Lot 1 of the Wilson Short Plat is affected by a potential PEMC Wetland (Palustrine Emergent Seasonal). Future development of Lot 1 may require a study by a certified wetland biologist to determine wetland classification and for buffer requirements pursuant to Kittitas County Critical Areas Code Title 17A.”
- 5) The following Plat notes shall be recorded on the final mylars for the Wilson Short Plat:
  - All development shall comply with International Fire Code.
  - The subject parcel of the Wilson Short Plat has exhausted the use of the one-time split provision allowed per Kittitas County Code 17.29.040. No further subdivision shall be permitted for the subject parcels and subsequent parcels created via this short plat.
  - 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 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation.
- 6) Attached you will find comments from the Kittitas County Department of Public Works and Kittitas County Environmental Health. **Please see those documents for required plat notes and additional conditions which must be met before final approval of this short plat.**

Approval of the Wilson Short Plat may be appealed to the County Commissioners upon request of any aggrieved party within 10 working days, and shall accordingly be eligible for final administrative approval after February 29, 2008. 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.

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DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

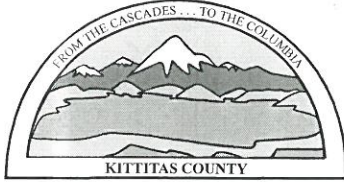
You may appeal this determination pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$500 to the Kittitas County Board of Commissioners (205 W. 5<sup>th</sup>, Room 108) by February 29, 2008 at 5:00p.m.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Elkins", written over a light blue horizontal line.

Mike Elkins  
Staff Planner

CC: Required Parties (KCC 15A)



**KITTITAS COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**

**RECEIVED**

JAN 09 2008

Kittitas County  
CDS

**MEMORANDUM**

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TO: Mike Elkins, Community Development Services  
FROM: Christina Wollman, Planner II *cw*  
DATE: January 3, 2008  
SUBJECT: Wilson Short Plat SP-07-14

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Our department has reviewed the Plat application and has the following comments:

- "Preliminary Approval" has been granted, based on the information provided.
  - "Conditional Preliminary Approval"** has been granted, 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 conditions of preliminary approval:**

1. Access: 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 Smithson Road and Lower Green Canyon Road rights-of-way. Smithson Road is classified as Rural Minor Collector and accesses must meet the 300' spacing requirement. Lower Green Canyon Road is classified as Rural Access and accesses must meet the 100' spacing requirement.
2. Joint-Use Driveway: A joint-use access shall serve no more than two tax parcels.
  - 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.

Page 1 of 3

Single-Use Driveway: A single-use access shall serve no more than one lot.

- 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.
  - c. The County will not maintain accesses. Any further subdivision or lots to be served by proposed access may result in further access requirements.
3. Existing Features: The existing access for Lot 2 shall be shown on the face of the plat.
4. Plat Notes: Plat notes for each short plat shall reflect the following:
- a. Plat note #3 is incorrect and shall be removed.
  - b. Maintenance of the access is the responsibility of the property owners who benefit from its use.
  - c. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
  - d. 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 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation.
5. Certificate of Title and Legal Description: The Certificate of Title, including the existing legal description, shall be submitted with each plat.
6. Plat Approvals: All plats must show the acceptance signature of the County Engineer. The acceptance block shall be as follows (per KCC 16.24.170):

EXAMINED AND APPROVED

This \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

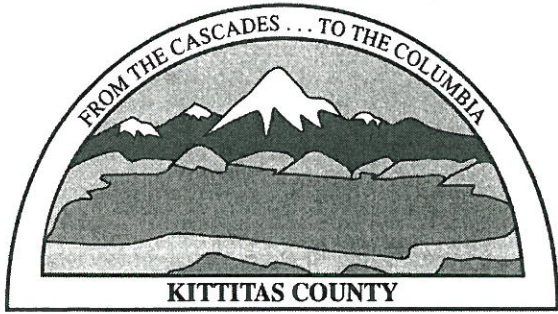
\_\_\_\_\_  
Kittitas County Engineer

7. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
8. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
9. 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.

10. Fire Protection: Contact the Kittitas County Fire Marshall regarding any additional access requirements for emergency response.
11. Mailbox Placement: 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.

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





## PUBLIC HEALTH DEPARTMENT

[www.co.kittitas.wa.us/health/](http://www.co.kittitas.wa.us/health/)

**Administration**  
**Community Health Services**  
**Health Promotion Services**  
507 N. Nanum Street, Ste 102  
Ellensburg, WA 98926  
Phone: (509) 962-7515  
Fax: (509) 962-7581

**Environmental Health**  
411 N. Ruby Street, Ste. 3  
Ellensburg, WA 98926  
Phone: (509) 962-7698  
Fax: (509) 962-7052

February 15, 2007

Duncanson Company, Inc.  
145 SW 155<sup>th</sup> St # 102  
Seattle, WA 98166

Dear Kevin Walker:



We have received the proposed Wilson Short Plat, located in Section 32, Township 19, Range 18, off of Lower Green Canyon and Smithson Road. We have also received the \$376.88 plat submission fee (receipt #49744 & 49746).

For plat approval both sewage and water availability must be satisfactorily addressed. Refer to WAC 246-272-20501 and 246-272-09501 for septic and well setbacks.

For sewage disposal you have two options:

1. **PUBLIC UTILITY SEWER**

Submit a signed letter of agreement between the responsible public utility official and the developer/owner or other documentation that provides proof of connection to public sewer.

2. **ON SITE SEWAGE**

Soil logs will need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.

Prior to receiving final approval for subdivisions (short and long plats) in Kittitas County, applicants shall be required to show the adequacy of potable water supplies proof of potable water supply can be demonstrated four ways:

1. **PUBLIC UTILITY WATER SUPPLY APPLICANTS** – shall submit a signed letter of agreement with the responsible public utility official and the developer/owner, granting delivery of potable water for the entire development.
2. **GROUP “A” PUBLIC WELL** – if you have an existing well and a Department of Ecology issued “water right” for potable usage of the well, Washington State Department of Health (DOH) is the regulatory authority for approving Group A systems. We require written verification that DOH has

approved the system prior to final plat approval (see contact information below). If you have not secured a water right for potable use you must contact the Washington State Department of Ecology (Central Region Office) located in Yakima, Washington to begin the process of obtaining a water right. Their contact number is: (509) 575-2800.

3. GROUP "B" PUBLIC WELLS - As of January 11, 2007, Washington State Department of Health is the regulatory authority for approving Group B Water Systems in Kittitas County. The process for approval includes a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval; drilling of the well and/or ensure that the well is located within the subdivision boundaries; completion of the well infrastructure, the workbook and all related documentation including testing and satisfactory results. After all of the aforementioned information is submitted, reviewed, and approved by Washington State DOH, final issuance of the well ID number completes the requirement.

Washington State Department of Health  
1500 W. 4<sup>th</sup>, Suite 305  
Spokane, WA 99204  
(509) 456-2453  
ATTN: Tom Justus, Regional Engineer

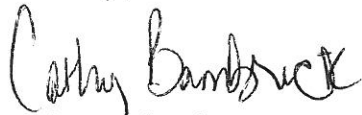
4. INDIVIDUAL WELLS - the submittal of well logs or a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydrogeologist.

All applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars 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 or assurance that there is a legal right to withdraw groundwater within the land division."*

Once we have received and reviewed complete information, we will notify Community Development Services through our Environmental Health Checklist that you have satisfactorily addressed health department requirements.

Sincerely,



Cathy Bambrick  
Kittitas County Environmental Health Manager

cc: Community Development Services

3970 Lyons Road  
Ellensburg, WA 98926  
March 27, 2007



Kittitas County Community Development Services  
411 North Ruby Street, Suite 2  
Ellensburg, WA 98926

Attention: Mary Rill, Staff Planner

We, Donald L. Frye and Charlotte A. Frye, own property on Lower Green Canyon Road adjacent to the land divisions and short plats submitted by Duncanson Company, Inc., for Development Services of America. These short plats and land divisions, each and in their entirety, cause the following concerns.

Our fence lines and property lines have been in the same location for many decades. We receive KRD irrigation water through existing delivery ditches, and have always had an availability of year-around stock water.

Is the new survey conformable to actual land ownership?

Is an irrigation plan attached?

What is the review responsibility of county government and its agents?

Where is the recognition of preservation of existing rights and uses?

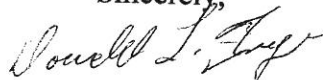
County government has responsibility of applying all relevant law.

The county is in a state of adoption between comprehensive plan and development rules—what is the status of these applications in the interim?

Will the percentage of approved applications preclude equal treatment of adjacent land owners? (How can you assure equal apportionment of the short plats over time?) (See Daily Record 3-21-07)

When are open space back taxes and penalties due and payable?

Sincerely,

  
Donald L. Frye

  
Charlotte A. Frye



RECEIVED

MAR 28 2007

KITTITAS COUNTY

3-28-07

P6-1

TO: KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES  
FM: ROGER OVERBECK

SHORT PLAT APPLICATIONS SP-07-12 - SP-07-15 - SP-07-13

THESE OBJECTIONS, QUESTIONS AND SOLUTIONS ARE CONTINUING IN NATURE AND WILL BE DIRECTED TO KITTITAS COUNTY AND DEVELOPMENT SERVICES OF AMERICA ON ALL APPLICATIONS CONCERNING REZONES, FORMAL PLATS, SHORT PLATS, FLOODS ETC.

1. IS THE SECTION SURVEY CONFORMABLE TO ACTUAL LAND OWNERSHIP?
2. UNDER 58.17.310 KITTITAS COUNTY IS THERE AN APPROVAL OR PROVISION WITHIN THE IRRIGATION DISTRICT FOR WATER AND EASEMENTS
3. WHAT IS THE REVIEW RESPONSIBILITY OF KITTITAS COUNTY GOVERNMENT AND ITS AGENTS?  
(A) DUE TO THE IMPACT OF LAND INVOLVED, SHOULD NOTICE OF PUBLIC HEARING (58.17.090 TEN DAYS NOTICE GIVEN)?
4. WHERE IS THE RECOGNITION OF EXISTING RIGHTS AND USES?
5. COUNTY GOVERNMENT AND WASHINGTON STATE HAS THE RESPONSIBILITY OF APPLYING ALL RELEVANT LAW AND PROCEDURES?

Pg 2

3-28-07

6. KITTITAS COUNTY IS IN THE STATE OF ADOPTION BETWEEN THE COMPREHENSIVE PLAN AND DEVELOPMENT RULES AND PROCEDURES - WHAT IS THE STATUS OF APPLICATION IN THE INTERIM?
7. WILL PERCENTAGE OF APPROVED APPLICATIONS PRECLUDE EQUAL TREATMENT OF ADJACENT LAND OWNERS (REF. DAILY RECORD 3-21-07)?
8. WHEN ARE OPEN SPACE BACK TAXES AND PENALTIES DUE AND PAYABLE TO THE COUNTY BY LAND SERVICES OF AMERICA OR ITS AGENTS?
9. FENCES ROW TITLE 16 - EXISTING FENCE LINES OVER SEVEN YEARS FALLS UNDER ADVERSE POSSESSION BY ADJACENT PROPERTY OWNERS AND MEETS THE CRITERIA.
  - A. KITTITAS COUNTY CODE TITLE 18-17-16 REFLECTS
  - B. TO DETERMINE PRIORITYS PAST AND PRESENT SECTION SURVEYS SHOULD BE PROVIDED FOR INSPECTION BEFORE APPROVAL, ALSO SHOWING DEEDS AND EASEMENTS OF RECORD.
10. EXISTING HOME WATER WELLS / IMPACTS, CONTAMINATION AND AQUIFERS - RESPONSIBILITY

10. CONT - DAMAGES, REPLACEMENT. COUNTY OR LAND SERVICES OF AMERICA OR ITS AGENTS
11. ROAD IMPACTS - RURAL ROAD - COATED EVERY SEVEN YEARS, NO SHOULDERS, INCREASED TRAFFIC (10 ONLY PER HOUSEHOLD - NEW DEVELOPEMENT). PRIORS NOT UP TO STANDARDS ETC. WILL THE COUNTY MITIGATE MONIES OR FUTURE FROM LAND SERVICES OF AMERICA OR DEVELOPER OR ITS AGENTS CONCERNING RURAL ROADS
12. A/R SECTION SURVEYS PAST AND PRESENT NOW AVAILBLE FOR INSPECTION AND WILL THEY BE MADE PART OF THE FILING RECORD
13. FEED LOTS OWNED BY FOOD SERVICES OF AMERICA / MISTY HILL CATTLE COMPANY / LAND SERVICES OF AMERICA OR ITS AGENTS ARE IN COMPLAINEE WITH DOE. IN YAKIMA. (EXHIBITS AVAILABLE)
14. BURN BAN - PRESENT AND FUTURE - DOE. TO BE MADE PART OF RECORD.
15. PRESENT PROPERTY OWNERS - PROPERTY TAX INCREASE AND IMPACTS BY COUNTY LAND VALUES ETC. FORMULA USED BY AGENCY FOR TAX DETERMINATION.

Pg. 4

3-26-07

16. WHO IS GOING TO MAKE THE DETERMINATION ON THE ISSUE OF WETLANDS AS PROVIDED BY THE COUNTY AND HIS PROCEDURES FOR ENFORCING THE DEVELOPERS AND THEIR AGENTS TO CONFORM.
17. FIRE PROTECTION NEEDS TO ADDRESSED AND PUT IN PLACE AS IT INCREASES THE DENSITY OF THE POPULATION AT THE TIME OF APPROVAL ON ITS SHORT PLATS
18. WATER TESTS OF EXISTING LAND OWNERS WILL DOCUMENTED AND MADE PART OF THE COUNTY'S DECISION FOR APPROVAL AS PROVIDED BY THE DEPT OF PUBLIC HEALTH IN KITTITAS COUNTY.
19. OPEN RANGE - IMPACT SHOULD BE ADDRESSED AND MADE PART OF APPROVAL
20. RIGHT TO FARM - IMPACT SHOULD BE ADDRESSED AND MADE PART OF THE APPROVAL
21. MAINTAINING ANIMALS RCW - TITLE 16 - IMPACT SHOULD BE ADDRESSED AND BE MADE PART OF THE APPROVAL
22. IS THE COUNTY GOING TO BE PROACTIVE OR REACTIVE CONCERNING DEVELOPMENTS PRESENT OR FUTURE? IS THE COUNTY



Pg. 5

3-26-87

22 CONT. GOING TO USE THE PHILOSOPHY  
LET BUYER BEWARE?

23. WITH KITTITAS COUNTY FUD<sup>0</sup> PROVIDES  
POWER TO THESE SHORT PLATS WILL  
THEY UNDERGROUND OR OVERHEAD LINES  
WHO WILL BE ASSESSED FOR THESE  
IMPROVEMENTS AND WILL EXISTING  
LAND OWNERS BE ASSESSED FOR  
THIS SERVICE IN ANY WAY BY RATE  
INCREASES.

24. THESE FIVE PAGES HAVE BEEN HAND  
DEL. TO KITTITAS County Community  
Development Services ON 3-28-87  
BY ROGER OUSTEBECK  
5168 LOWER GREEN CANYON RD  
EURESBURG WA 98926

CC. HOUSE COUNSEL

RGC BY:

March 26, 2007

Kittitas County Community Development Services  
411 North Ruby Street, Suite 2  
Ellensburg, WA 98926

Attention: Mary Rill, Staff Planner

Robert J. and Patty L. Burke, 4591 Lower Green Canyon Road, Ellensburg, Washington 98926, have concerns relating to the land divisions and short plats submitted by Duncanson Company, Inc., for Development Services of America, each and in their entirety.

Currently, and for the past 28 years, we have lived in the same location on Lower Green Canyon Road. We have enjoyed an ample supply of good, potable water. Our fence and property line has been in the same location since many years before we acquired the property. We have received KRD irrigation water through existing delivery ditches. We have had stock water available year-around.

In all the years we have been here we have never had an altercation with our neighbors, but have enjoyed peaceful coexistence in the quiet serenity of a rural atmosphere.

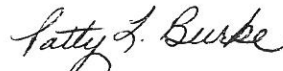
We feel that it is incumbent upon Kittitas County Community Development Services to ensure that we continue to enjoy all aspects of this existing environment in light of these proposed short plats and developments.

Additional concerns follow:

1. Is the new survey conformable to actual land ownership?
2. Is an irrigation plan attached?
3. What is the review responsibility of county government and its agents?
4. Where is the recognition of preservation of existing rights and uses?
5. County government has responsibility of applying all relevant law.
6. The county is in a state of adoption between comprehensive plan and development rules--what is the status of these applications in the interim?
7. Will the percentage of approved applications preclude equal treatment of adjacent land owners? (How can you assure equal apportionment of the short plats over time? ) (See Daily Record 3-21-07)

Respectfully,

  
Robert J. Burke

  
Patty L. Burke



## Mary Rill

---

**From:** Keli Bender [krd.keli@elltel.net]  
**Sent:** Tuesday, March 20, 2007 10:50 AM  
**To:** Mary Rill  
**Subject:** Development Services of America

Good morning Mary;

This is in regards to the following short plat applications:

**Richard Short Plat**      **SP-07-15**  
**Wilson Short Plat**      **SP-07-14**  
**Sage Short Plat**        **SP-07-12 and**  
**Range Short Plat**      **SP-07-13.**

All of this property is within the boundaries of the Kittitas Reclamation District and all parcels contain irrigable ground. The conditions set forth in the KRD General Guidelines for Subdivisions will need to be met prior to approval. If you need additional information, please let me know.

Keli

Keli R. Bender  
KRD Lands Clerk/RRA  
(509) 925-6158