

**Egan Short Plat**  
**File Number SP-23-00001**  
**FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL**

**I. General Information**

**Requested Action:** Tim & Christine Egan, landowners, have submitted a preliminary short plat application to subdivide 10.42 acres into two (2) parcels; One (1) 5.42-acre parcel with a residence, barn, sheds, and septic and well, and one (1) 5.00-acre parcel. The subject property is zoned Agriculture 5 with a Rural Residential Land Use designation.

**Location:** One tax parcel (#452836), located approximately 1.72 miles southeast of the Town of South Cle Elum off Iron Mt Rd. in a Portion of Section 2, T19, Range 15, W.M.; Kittitas County parcel map number 19-15-02010-0008.

**Site Information:**

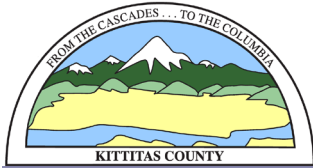
Total Property Size:	10.42 acres
Number of existing lots:	1
Number of proposed lots:	2
Domestic Water:	Existing individual well to be shared
Existing sewage Disposal:	Individual On-site septic
Fire District:	Cle Elum (Fire District 7)
Irrigation District:	Kittitas Reclamation District

**Site Characteristics:** The site consists of one (1) existing residence, one (1) existing barn, three (3) existing sheds, and an individual septic system and well.

**Surrounding Property:**

- North: Privately owned land primarily used for agricultural and/or residential purposes.
- South: Privately owned land primarily used for agricultural and/or residential purposes.
- East: Privately owned land primarily used for agricultural and/or residential purposes.
- West: Privately owned land primarily used for agricultural and/or residential purposes.

**Access:** The proposed project has existing access from Iron Mt Road via recorded easement and a road variance issued by Kittitas County Public Works.



## II. Administrative Review

**Notice of Application:** A Short Plat permit application was submitted to Kittitas County Community Development Services on February 27, 2023. The application was deemed complete on March 6, 2023. A Notice of Application for the Egan Short Plat (SP-23-00001) 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 March 16, 2023. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and published in the Northern Kittitas County Tribune, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

**Designated Permit Coordinator (staff contact):** Chace Pedersen, Staff Planner. Phone: (509) 962-7637, Email: [chace.pedersen@co.kittitas.wa.us](mailto:chace.pedersen@co.kittitas.wa.us).

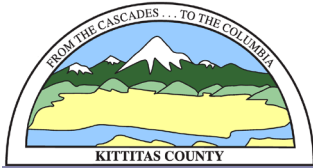
## III. Zoning and Development Standards

The subject property is located approximately 1.72 miles southeast of the Town of South Cle Elum and has a zoning designation of Agriculture 5. The intent of this zoning classification is to provide for an area where various agricultural activities and low-density residential developments co-exist compatibly. A-5 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. The minimum lot size of 5 acres in the Agriculture 5 zone is being met by the proposed Egan Short Plat.

The project is being proposed under KCC 16.32.050 Short Plat Review.

**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**

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) has no 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. Staff finds that the proposed short plat as conditioned is consistent with all applicable Washington State and Kittitas County codes.

### **IV. Comprehensive Plan**

The Kittitas County Comprehensive Plan designates the proposal as a short plat in a Rural Residential land use designation. Kittitas County has established the following goals and policies to guide activities in these areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

RR-G7: The County should consistently work to preserve and maintain the rural character of Kittitas County for the benefit of its residents.

#### **Consistency Statement**

*The Egan Short Plat application proposes two lots meeting the Agriculture 5 zoning density of 5 acres or more per lot, maintaining the rural character of the land.*

RR- P9: Encourage development activities and establish development standards which enhance or result in the preservation of rural lands.

#### **Consistency Statement**

*The proposed short plat preserves rural lands through adherence to the Agriculture 5 density of 1 unit per 5 acres.*

RR-P10: Allow for a variety of rural densities which maintain and recognize rural character, agricultural activities, rural community and development patterns, open spaces, and recreational opportunities.

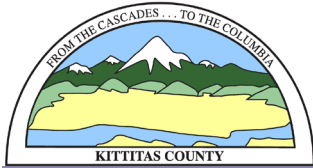
#### **Consistency Statement**

*The proposal is consistent with the density requirements of the Agriculture 5 zone and is consistent with the development pattern of the area.*

RR-P17: Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreation areas. Direct rural development to lands that have adequate public services.

#### **Consistency Statement**

*The application is consistent with the density requirements of the zone. There will be no change to public service demands and water/septic systems will remain private.*



## **Staff Comments**

*The Egan short plat as conditioned is consistent with the Kittitas County Comprehensive Plan Goals and Policies listed above. The proposal preserves the character of rural lands, is adequately served by local services, and meets density requirements for the established zoning designation.*

### **V. Environmental Review**

Based upon an initial Critical Area review, CDS determined the Egan Short Plat was exempt from SEPA review per WAC 197-11-800 (6)(d). A desktop critical area review was performed by staff and no critical areas were found to be present on or surrounding the proposed short plat. Any future development will be required to meet the standards of KCC 17A Critical Areas.

### **VI. Agency and Public Comments**

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

#### **Agency Comments:**

The following agencies provided comments during the comment period: Washington State Department of Health – Office of Drinking Water, Washington State Department of Transportation – Aviation, Kittitas County Public Health, Snoqualmie Tribe, Confederated Tribes of the Colville Reservation, Kittitas Reclamation District, Kittitas County Public Works. Substantive comments are addressed below.

The following members of the public submitted timely comments: Randy Kimmerly, William P. Blanchard & Catherine Walton. Substantive comments are addressed below.

#### **Washington State Department of Health – Office of Drinking Water**

Washington State Department of Health – Office of Drinking Water stated the applicant should consult the Department of Ecology regarding groundwater use and that groundwater use for drinking water is the administrative responsibility of Kittitas County Health.

*Applicant Response: No response provided.*

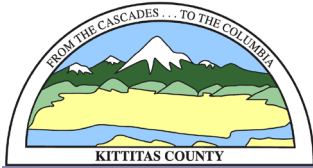
*Staff Response: The application has been conditioned to meet all State, Federal, and Local codes.*

#### **Washington State Department of Transportation - Aviation**

WSDOT – Aviation found no land use compatibility or airspace issues in relation to local airports and they have no comments.

*Applicant Response: No response provided.*

*Staff Response: As no substantive comments were provided, staff has no response.*



Kittitas County Public Health

KCPH provided comments noting water and on-site sewage requirements prior to final short plat.

*Applicant Response: No response provided.*

*Staff Response: The determination has been conditioned to ensure all Public Health requirements are met prior to final short plat approval.*

Snoqualmie Tribe

The Snoqualmie Tribe stated they had no comment.

*Applicant Response: No response provided.*

*Staff Response: As the comment provided was "No Comment", staff has no response.*

Confederated Tribes of the Colville Reservation

The Confederated Tribes of the Colville Reservation requested an Inadvertent Discovery Plan (IDP) be in place and if ground disturbing activities are to be conducted a cultural resource surface survey and subsurface testing of the area be performed.

*Applicants Response: Chris Cruse, surveyor, states no known historic artifacts have been found on site and if any were to be found the appropriate authorities would be contacted.*

*Staff Response: No additional cultural concerns were raised by other interested agencies or Tribes. The determination has been conditioned to prepare for the inadvertent discovery of cultural resources.*

Kittitas Reclamation District

KRD stated the proposed short plat falls within the Kittitas Reclamation District and is required to meet the KRD's subdivision requirements.

*Applicant Response: No response provided.*

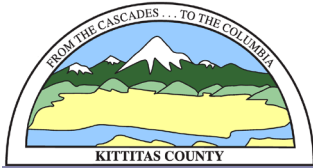
*Staff Response: The application has been conditioned to meet the KRD subdivision requirements.*

Kittitas County Public Works

KCPW provided comments regarding access permits and maintenance requirements, County Road Standards, grade and fill permit requirements, water mitigation/metering, survey requirements and floodplain requirements.

*Applicant Response: No response provided.*

*Staff Response: The application has been conditioned to meet all State, Federal and Local codes.*



**Public Comments:**

Randy Kimmerly, owner of parcel #655534, which lies directly east of the proposed short plat, provided timely comment stating their objections to the Egan Short Plat. Kimmerly states:

*"I'm writing to express objection to the application for short plat named "Egan Short Plat (SP-23-00001)". I own parcel 655534, neighboring directly east of the proposed short plat (parcel 452836). Those parcels, along with neighboring parcel 442836, are served by an ingress/egress easement on which is a single-lane gravel road. This road is in a nearly constant state of disrepair due to its current traffic load, is not wide enough to accommodate opposing traffic, and includes a dangerous sharp blind corner that affects traffic to/from all involved parcels. Given that the state of this road is insufficient even for its current usage, increasing its traffic load with an additional parcel is very unwise from a safety standpoint, especially considering hazardous winter conditions and potentially restricted emergency vehicle access. In addition to safety concerns, the additional traffic will increase wear and tear damage, dust generation, and noise, thereby reducing the value of my property. Based on this, I strongly object to this proposal and recommend that it be denied."*

*Applicant Response: Chris Cruse, surveyor, stated the road variance committee found RV-22-00008 to be in the public interest and the requirements for safety function, fire protection, appearance, and maintainability, based upon sound engineering judgment, are fully met.*

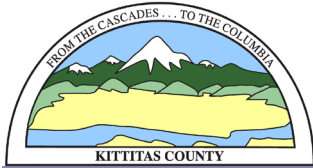
*Tim & Chriss Egan, landowners, stated the other property owners using "Easement X" knew of the road conditions when purchasing their property and have done little to no mitigation of the road conditions. The other owners and their various uses also contribute to the wear of the road.*

*Staff Response: The applicant has applied for and has been granted approval of a road variance (RV-22-00008) to allow for variance from private road design criteria (12.04.080) and private road certification (12.04.090). As determined by the Kittitas County Engineer, the Egan Short Plat does not generate the minimum number of trips required for a Transportation Impact Analysis to be required (KCC 12.10.040(C)). Per the recorded Declaration of Easement (AFN 587159), maintenance responsibilities are to be shared by the owners/contract purchasers and enforcement of these maintenance responsibilities is a private civil matter which may be resolved through litigation in Kittitas County court.*

William Blanchard and Catherine Walton, owners of parcel #442836, which lies directly east of the proposed short plat, provided timely comment stating their objections to the Egan Short Plat. Blanchard and Walton state:

*"I am in strong opposition to Egan Short Plat (SP-23-0001). Sub-division of parcel #452836 will have a detrimental affect to our property, parcel #442836. Current access to parcel # 452836 is limited to easement X as shown in survey recorded October 10, 1995 in Book 21 of Surveys, pages 113-115 under Auditor's File No. 586066 records of Kittitas County, Washington, Sections 1 and 2 in Township 19 North, Range 15 East, W.M., Kittitas County. The majority of said easement is on our property (parcel #442836). This easement is currently utilized by parcels 442836, 655534 and 452836. It is the ONLY access to these three parcels and will be the ONLY access to the proposed sub-division. The*





*easement is only composed of dirt and gravel with a hazardous, steep, and sharp blind corner at the southeast corner of our property. The full length of the easement road is already subject to washboard effect, deep potholes, and erosion due to constant wear from current traffic loads. Adding another plat will only increase this load. Easement X road surface has only ever been 14 feet wide at most over its entire length since it was excavated in 1995. This is due to steep embankments on either side of the lower half, and a runoff ditch along one side and embankment of the opposite side along the upper half. This makes it impossible for vehicles to pass in opposing directions. Especially at the steep, sharp, blind corner (see accompanying photos). Increased traffic will also increase the likelihood of more frequent head-on encounters making travel for all parties affected awkward and difficult. In addition, winter conditions compound these difficulties, including access by emergency vehicles. The north most section of Easement X is owned by Lonnie and Cindy Hartwig in the parcel north of ours. Their portion of the easement is on approach to our property and will also be affected by the increased noise, dust and wear if the proposal is approved. If this subdivision is approved, our parcel will be subject to devaluation due to increased traffic and noise through our property via Easement X with subsequent use of the newly formed parcel. The amount of dust and erosion will cause a significant increase in maintenance and repair needs. According to 12.01.090 of the Kittitas County Code, it is the responsibility of the developer to improve the "roads", in this case our easement, in accordance with KCC 12.10. Without the improvements made, we cannot agree to this subdivision. Based on these facts, I strongly object to the proposal and recommend that it be denied."*

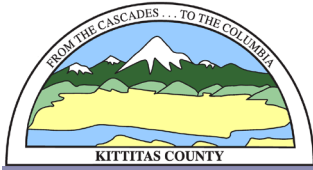
Blanchard and Walton provided further comment stating:

*"An additional detriment to our property, if the proposal is approved, will be the subsequent trenching of utilities through our property to support any building on the proposed new parcel."*

Applicant Response: *Chris Cruse, surveyor, stated the road variance committee found RV-22-00008 to be in the public interest and the requirements for safety function, fire protection, appearance, and maintainability, based upon sound engineering judgment, are fully met.*

*Tim & Chriss Egan, landowners, stated the other property owners using "Easement X" knew of the road conditions when purchasing their property and have done little to no mitigation of the road conditions. The other owners and their various uses also contribute to the wear of the road.*

Staff Response: *The applicant has applied for and has been granted approval of a road variance (RV-22-00008) to allow for variance from private road design criteria (12.04.080) and private road certification (12.04.090). As determined by the Kittitas County Engineer, the Egan Short Plat does not generate the minimum number of trips required for a Transportation Impact Analysis to be required (KCC 12.10.040(C)). Per the recorded Declaration of Easement (AFN 587159), maintenance responsibilities are to be shared by the owners/contract purchasers and enforcement of these maintenance responsibilities is a private civil matter which may be resolved through litigation in Kittitas County court.*



## VII. Project Analysis & Consistency Review

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, the following Comprehensive Plan policies apply to this proposal: RR-G7, RR-P9, RR-P10, RR-P17.

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

A desktop critical area review was performed by staff and no critical areas were identified on or adjacent to the proposed short plat.

### **Consistency with the provisions of KCC 17.28A, A-5 – Agriculture Zone:**

This proposal is consistent with the Kittitas County Zoning Code for the Agriculture 5 zoning designation.

### **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) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for both 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:**

All buildings must be consistent with International Building Codes.

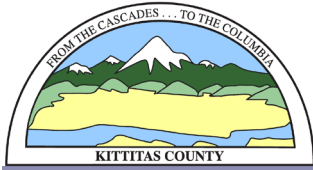
### **Consistency with the provisions of KCC Title 12, Roads and Bridges:**

As conditioned, the proposal must be consistent with the provisions of KCC Title 12.

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

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





## VIII. Findings of Fact

1. Requested Action: Tim & Christine Egan, landowners, have submitted a preliminary short plat application to subdivide 10.42 acres into two (2) parcels; One (1) 5.42-acre parcel with a residence, barn, sheds, and septic and well, and one (1) 5.00-acre parcel. The subject property is zoned Agriculture 5 with a Rural Residential Land Use designation.
2. Site Location: One tax parcel (#452836), located approximately 1.72 miles southeast of the Town of South Cle Elum off Iron Mt Rd. in a Portion of Section 2, T19, Range 15, W.M.; Kittitas County parcel map number 19-15-02010-0008.

3. Site Information:

Total Property Size: 10.42 acres  
Number of existing lots: 1  
Number of proposed lots: 2  
Domestic Water: Existing individual well to be shared  
Existing sewage Disposal: Individual on-site septic  
Fire District: Cle Elum (Fire District 7)  
Irrigation District: KRD

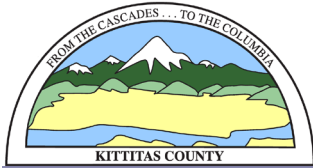
Site Characteristics: The site consists of one (1) existing residence, one (1) existing barn, three (3) sheds, and one (1) individual septic system and well.

Surrounding Property:

North: Privately owned land primarily used for agricultural and/or residential purposes.  
South: Privately owned land primarily used for agricultural and/or residential purposes.  
East: Privately owned land primarily used for agricultural and/or residential purposes.  
West: Privately owned land primarily used for agricultural and/or residential purposes.

Access: The proposed project has existing access from Iron Mt Road via recorded easement and a road variance issued by Kittitas County Public Works.

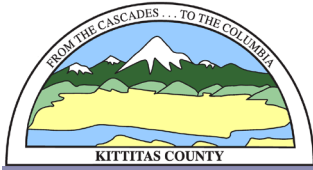
4. The Comprehensive Plan land use designation is "Rural Residential".
5. The subject property is zoned "Agriculture 5".
6. A Short Plat permit application was submitted to Kittitas County Community Development Services on February 27, 2023. The application was deemed complete on March 6, 2023. A Notice of Application for the Egan Short Plat (SP-23-00001) 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 March 16, 2023. Notice was published in the official newspaper of record for Kittitas County, published in the Northern Kittitas County Tribune, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).



7. 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.
8. The following agencies provided comments during the comment period: Washington State Department of Health – Office of Drinking Water, Washington State Department of Transportation – Aviation, Kittitas County Public Health, Snoqualmie Tribe, Confederated Tribes of the Colville Reservation, Kittitas Reclamation District, Kittitas County Public Works.
9. Public comments were made by Randy Kimmerly and William Blanchard & Catherine Walton.
11. SEPA review was not required. This project is exempt under WAC 197-11-800 (6)(d). The proposed short plat is consistent with KCC Title 15.
12. The proposed short plat is consistent with KCC Title 17A Critical Areas as conditioned.
13. The proposed short plat is consistent with KCC 17.28A A-5 - Agriculture Zone as conditioned.
14. The proposed short plat is consistent with KCC 16.32.050 as conditioned.
15. The proposed short plat is consistent with KCC Title 14 Building and Construction as conditioned.
16. The proposed short plat is consistent with KCC 12 Roads and Bridges as conditioned.
17. The proposed short plat is consistent with KCC 20 Fire and Life Safety as conditioned.

## **IX. 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.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Building Code, Title 13 Water and Sewers, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.



## X. Decision and Conditions of Approval

Kittitas County Community Development Services grants *preliminary approval* of the Egan Short Plat SP-23-00001 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

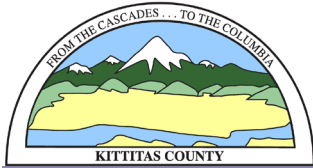
### Conditions of Approval:

#### 1. Building

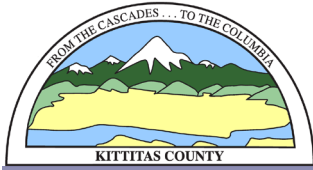
- A. All new construction must meet the International Building Code requirements.
- B. Environmental and statutory review may be required for all current and future development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.
- C. The applicant shall provide evidence to CDS of project consistency with KRD General Subdivision Guidelines prior to final approval.

#### 2. Roads and Transportation

- A. This application is subject to the latest revision of the Kittitas County Road Standards, dated 2015. The following conditions apply and must be completed prior to final approval of this project. A performance guarantee may be used in lieu of the required improvements, per the conditions outlined. (KCC 12.01.150)
- B. Conditions within approved road variance RV-22-00008 shall be met prior to the approval of an access permit.
- C. A driveway shall serve no more than four tax parcels. See Kittitas County Road Standards, 2015 edition.
- D. New access easements shall be a minimum of 30'. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150', or 16' if the length of the driveway is more than 150'.
- E. Driveways longer than 150' in length are required to provide a Fire Apparatus Road Turnaround meeting the requirements of the appendix D in the International Fire Code.
- F. Max grade shall be 10%.
- G. Crush surface depth per WSDOT Standards.



- H. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
  - I. 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.
  - J. 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.
  - K. Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
  - L. 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.
  - M. Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080).
- 3. State and Federal**
- A. Applicant shall meet all state and federal regulations.
- 4. Water & Sewer**
- A. A soil log must be completed for proposed lot L2.
  - B. A signed and recorded shared water user's agreement between proposed lots and a current water right must be provided.
- 5. Survey**
- A. Final plat shall meet the requirements of WAC 332-130-145 in regard to contour line sources, vertical datum, and contour accuracy.
  - B. The 30x60 driveway easement shall be labeled as existing, herein created, or created via separate document.



## 6. Water Mitigation/Metering

- A. The following comments outline the requirements for legal availability of water and metering for the proposed short plat:

The applicant must provide legal water availability for all new uses on the proposed lots of this project, which can be provided through a mitigation certificate.

In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:

1. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
2. An adequate water right for the proposed new use; or
3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.

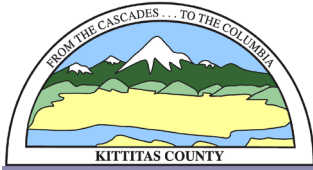
All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended.

Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.

## 7. Plat Notes

- A. The following plat notes shall be recorded on the final mylar drawings:

- Environmental and statutory review may be required for all current and future development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.
- All development shall comply with International Fire Code.
- Maintenance of the access is the responsibility of the property owners who benefit from its use.
- 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.

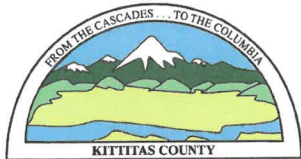


- The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.
- Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- 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.
- 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.

## 8. Other

- A. Taxes shall 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) prior to final plat recording.
- B. Should ground disturbing or other activities related to the proposed subdivision 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 findings are 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.
- C. Both sheets of the final mylars shall reflect short plat number SP-23-00001 and an accurate legal description shall be shown on the face of the final plat. Engineers and Surveyors need to be cognizant of all the requirements related to Final Plats (KCC 16.20) and Survey Data and Dedications (KCC 16.24). The final plat must be submitted in full conformance with these chapters of Kittitas County Code; **non-compliant mylars will be rejected and returned to the applicant.** A final plat file number will be assigned when CDS receives your final plat application. This file number will also be required on the face of the final plat.
- D. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
- E. This preliminary approval will expire 5 years from the date of this determination if no extension is filed in accordance with KCC 16.32.090.





## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

"Building Partnerships – Building Communities"

CDS@CO.KITTITAS.WA.US

**From these conclusions and findings, the proposed Short Plat is approved 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 \$1670 to Kittitas County. The appeal deadline for this project is May 18, 2023 at 5:00p.m. Appeals submitted on or before May 18, 2023 shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.**

**Responsible Official**

  
Chace Pedersen

**Title:** Planner I

**Address:** Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA. 98926  
Phone: (509) 962-7637

**Date:** May 4, 2023