



DOUGLAS COUNTY

Transportation & Land Services

STATE OF WASHINGTON

STAFF REPORT

DOWNES – WIGGINS CLUSTER SUBDIVISION

P-2021-03

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Downes – Wiggins Cluster Subdivision (P-2021-03)
DATE: August 3, 2021

I. GENERAL INFORMATION

Requested Action: An application for a 6 lot major subdivision. The subdivision will be processed under DCC 18.16.046 – *Cluster Divisions*. The subdivision will consist of five lots that range in size from 1.1 acres to 1.6 acres, and one remainder lot that is approximately 19.8 acres in size. The subject properties were originally created by the Downs Short Plat (SS-87-09).

Location: The subject property is located at 64 Van Winkle Rd, Orondo WA. The property is located in the Rural Resource 5 (RR-5) zoning district under Douglas County Code and is further described as being located within Section 28, Township 26N, Range 21E, W.M. The Assessor's Parcel Numbers are 26212820005, 26212820006, 26212820007, and 26212820008.

II. SITE INFORMATION

Total Project Size:	23.3 acres
No. of lots	6
Domestic Water:	Domestic wells
Sewage Disposal:	On-site septic systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #4
Telephone Service:	Varied

Site Characteristics: The subject property includes one single family home, accessory storage structures, and existing orchard.

Uses adjacent to the subject properties:

North: Single family homes, agriculture

South: Single family home, agriculture

East: Agriculture

West: Columbia River

Access: The subdivision will be accessed via Ribbon Cliff Road, or as approved alternative.

Zoning and Development Standards: The subject property is located within the Rural Resource 5 (RR-5) zoning district under Douglas County Code, which allows for the subdivision of land.

Major Subdivisions:

The requirements of Title 17, "Subdivisions" Douglas County Code, apply to the design and review requirements for approval of major subdivisions of 9 or more lots, parcels or tracts.

III. COMPREHENSIVE PLAN AND SHORELINE MASTER PROGRAM:

The Douglas County Countywide Comprehensive Plan designates this property as Rural Resource 5 (RR-5). The minimum lot size permitted in the RR-5 zoning district is 5 acres, however the cluster division provision will allow for 1 acre lots with the requirement for a remainder lot. The purpose of the RR-5 rural resource district is to provide an area for a variety of rural lifestyles, hobby farms, densities, and open space, while protecting the rural and resource characteristics in the vicinity. This district provides an opportunity for compatible rural land uses, and is sensitive to the site's physical characteristics. Areas may be located adjacent to urban growth areas or existing development of higher densities and, where appropriate, may serve as a transition and buffer area between commercial agricultural areas and other land uses. This district is also appropriate for areas that currently have a range of rural densities or land parcel sizes generally less than twenty acres in size and/or have adequate rural levels of services available such as roads, schools, and fire protection. Clustering or other innovative techniques for residential lots are encouraged; provided, that the density does not encourage urban levels of service and provides significant open space corridors and protection of critical areas. The following goals and policies set forth in the comprehensive plan are relevant to this development:

GENERAL LAND USE

POLICY G-9: Rural developments should only occur where adequate access to transportation systems, rural levels of utilities and facilities are available. Appropriate facilities/services may include domestic water, sewage disposal, fire and police protection, schools, and power, etc. depending on the scale and impact of the development

RURAL LAND USE:

GOAL: Provide a balance between maintaining the existing, traditional pattern of uses in the rural areas of Douglas County, including agricultural activities, while still providing opportunities for future, compatible development.

POLICY R-4: Concentrations of development will be encouraged in designated Master Planned Resorts (MPRs), fully contained communities, cluster developments and/or in designated rural service centers

POLICY R-6: Encourage development in rural areas to be served by rural levels of service.

RURAL DEVELOPMENT:

GOAL: Provide opportunities for continued smaller scale developments outside UGAs that will be compatible with and continue to preserve, maintain and enhance the vital agricultural uses in the County

POLICY RD-3: Development and recreational opportunities in rural shoreline and other rural areas shall minimize potential adverse impacts to water quality, slope stability, vegetation, wildlife and aquatic life.

POLICY RD-4: Rural developments will not impact existing public facilities/services to the extent that the level of service for that facility is reduced below the adopted threshold and/or an acceptable operation capacity.

POLICY RD-6: Rural developments should consider and comply with the spirit, intent and requirements of all the chapters and sections of this comprehensive plan, including but not limited to, the Resource Lands Element and Resource and Critical Areas Conservation Element.

POLICY RD-7: Buffers for clustering or other development activities may be required between the rural development and the resource activity or any critical areas when clustering development. Buffers will be provided by the development, as opposed to being on the resource lands or critical areas of adjacent property ownerships unless specifically approved through the development process.

TRANSPORTATION

GOAL: Provide efficient use of existing and future transportation facilities through a systematic approach of monitoring and maintaining the road system, integrating all types of transportation systems and facilities, by coordinating transportation facilities planning with other elements of the comprehensive plan, and coordination with other federal, state and local agencies.

POLICY T-26: Development shall provide improvements adjacent to their development in accordance with adopted design standards and approved traffic studies. Where deficiencies are present, these issues would have to be addressed prior to development occurring in order to protect the public's health, safety and general welfare consistent with the policies of the comprehensive plan, standard engineering principals, and adopted standards. Improvements necessary to maintain adopted levels of service shall be in place at the time of development, or a financial commitment agreed to by county and the applicant must be in place to complete the improvements or strategies within six years.

UTILITIES:

GOAL: Development in Douglas County will only occur in conjunction with the availability of adequate, cost effective provision of utilities. The installation and expansion of utilities will be coordinated to minimized cost and disruption of normal activities.

POLICY U-4: Require that development take into account the timely and concurrent provision of adequate and efficient utility systems.

POLICY U-9: The cost of on-site utility improvements or site preparation for developments will be the responsibility of the development benefiting from the improvement.

POLICY U-10: Promote the continued use, maintenance, development and revitalization of existing utilities whenever possible.

DOUGLAS COUNTY REGIONAL SHORELINE MASTER PROGRAM:

The Douglas County Regional Shoreline Master Program designates the subject property Rural Conservancy. The purpose of the rural conservancy environment is to protect ecological functions, conserve existing natural resources and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural flood plain processes, and provide recreational opportunities. Examples of appropriate uses include but are not limited to low impact outdoor recreation uses, agricultural uses, aquaculture, low intensity residential development, and other natural resource based low intensity uses.

POLICY 1: The Master Program is the primary guide for the location, type, density, and distribution of uses in the shoreline residential environment designation. Local comprehensive plans and development regulations also provide guidance and standards for development which occurs within shorelines of the state.

POLICY 3: Multi-family, multi-lot residential and recreational developments should provide public access and joint use for community recreational facilities.

POLICY 4: Access, utilities, and public services should be available and adequate to serve existing needs and/or planned future development.

ECOLOGICAL PROTECTION AND CTITICAL AREAS:

POLICY 1: Shoreline use and development should occur in a manner that assures no net loss of existing ecological functions and processes and protects critical areas. Uses should be designed and conducted to avoid, minimize, or to fully mitigate in so far as practical, any damage to the ecology and environment.

POLICY 3: Development standards for density, lot frontage, setbacks, lot coverage, shoreline stabilization, vegetation conservation, buffers, critical areas, and water quality should protect existing shoreline ecological functions and processes. Review of shoreline development should consider potential impacts associated with proposed shoreline development when assessing compliance with this policy.

POLICY 4: Except where development is otherwise exempt, the cities and the county should seek input and coordinate with federal, state, local and tribal agencies with expertise for development occurring within or near wetlands or fish and wildlife habitat.

REGULATION 1: Mitigation sequencing – applicants shall demonstrate all reasonable efforts have been taken to mitigate potential adverse impacts in the following prioritized order:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action;
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;
- c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project;
- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
- f. Monitoring the impact and the compensation projects and taking appropriate corrective measures.

REGULATION 2: The provisions of this section and Appendix H shall apply to any use, alteration or development within shoreline jurisdiction, whether or not a shoreline permit or written statement of exemption is required.

REGULATION 3: Unless otherwise stated, critical area buffers shall be protected and/or enhanced pursuant to Appendix H and all other applicable provisions of this Program.

REGULATION 5: The cumulative effects of individual development proposals shall be identified and evaluated to assure that no net loss standards are achieved.

WATER QUALITY:

POLICY 1: The location, construction, operation, and maintenance of all shoreline uses and developments should maintain or enhance the quantity and quality of surface and ground water over the long-term.

POLICY 3: Appropriate buffers along all wetlands, streams, and lakes should be provided and maintained in a manner that avoids the need for chemical treatment for vegetation management and be consistent with critical areas ordinances and best management practices.

REGULATION 1: Appropriate buffers along all wetlands, streams, and lakes should be provided and maintained in a manner that avoids the need for chemical treatment for vegetation management and be consistent with critical areas ordinances and best management practices.

REGULATION 2: New development shall provide stormwater management facilities designed, constructed, and maintained in accordance with the current stormwater management standards. Deviations from these standards may be approved where it can be demonstrated that offsite facilities would provide better treatment, or where common retention, detention and/or water quality facilities meeting such standards have been approved as part of a comprehensive stormwater management plan.

REGULATION 4: To avoid water quality degradation by malfunctioning or failing septic systems located in the shoreline jurisdiction, on-site sewage systems shall be located and designed to meet all applicable water quality, utility, and health standards.

REGULATION 7: Permanent stormwater management systems serving property within the shoreline shall be designed using best management practices ensuring water quality treatment in compliance with the Stormwater Management Manual for Eastern Washington to prevent stormwater runoff from degrading or adding to the pollution of recipient waters or adjacent properties. Maintenance of storm drainage facilities on private property shall be the responsibility of the property owner(s). This responsibility and the provision for maintenance shall be clearly stated on any recorded subdivision, short plat, or binding site plan map, building permit, property conveyance documents, maintenance agreements and /or improvement plans.

VEGATATION CONSERVATION:

POLICY 1: Native shoreline vegetation should be conserved to maintain shoreline ecological functions and/or processes and mitigate the direct, indirect and/or cumulative impacts of shoreline development, wherever feasible. Disturbance of native plant communities should be avoided. Disturbed areas should be revegetated with native plant species appropriate to the soil and hydrologic conditions.

REGULATION 1: Shoreline developments shall address conservation and maintenance of vegetation through compliance with the critical area standards in Section 4.1 Ecological Protection and Critical Areas.

REGULATION 2: Where impacts to buffers are permitted under Section 4.1, Ecological Protection and Critical Areas, new developments shall be required to develop and implement a management and mitigation plan. When required, management and mitigation plans shall be prepared by a qualified biologist and shall be consistent with the requirements in Appendix H. Management and mitigation plans shall describe actions that will ensure no net loss of ecological functions. Vegetation shall be maintained over the life of the use and/or development by means of a conservation easement or similar legal instrument recorded with the County Auditor.

REGULATION 6: Vegetation removal not associated with a development permit application requires the submittal and approval of a management and mitigation plan prepared by a qualified biologist, and must be consistent with the provisions of Section 4.1, Ecological Protection and Critical Areas.

ARCHEOLOGICAL AND HISTORICAL RESOURCES:

POLICY 1: Prevent the destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Indian Tribes, and the Washington State Department of Archaeology and Historic Preservation.

POLICY 2: The jurisdictions should work with tribal, state, federal and local governments as appropriate to maintain an inventory of all known significant local historic, cultural and archaeological sites in observance of applicable state and federal laws protecting such information from general public disclosure. As appropriate, such sites should be protected, preserved and/or restored for study, education and/or public enjoyment to the maximum possible extent.

POLICY 3: Site development plans should incorporate provisions for historic, cultural and archaeological site preservation, restoration and education with open space or recreation areas whenever compatible and possible.

POLICY 4: Cooperation among involved private and public parties is encouraged to achieve the archaeological, historical and cultural element goals and objectives of this Program.

REGULATION 1: If archaeological resources are uncovered during excavation, developers and property owners shall immediately stop work and notify the local government, the Washington State Department of Archaeology and Historic Preservation and affected Indian tribes.

REGULATION 3: If a cultural resource site assessment identifies the presence of significant historic or archaeological resources, a cultural resource management plan shall be prepared by a professional archaeologist or historic preservation professional. In addition, a permit or other requirements administered by the Washington State Department of Archaeology and Historic Preservation pursuant to RCW 27.44 and RCW 27.53 may apply.

RESTORATION:

POLICY 2: Mitigation associated with shoreline development projects shall be designed to achieve no net loss of ecological function.

POLICY 5: Encourage public and private shoreline owners to promote the proliferation of native, noninvasive wildlife, fish and plants.

MOORAGE: DOCKS, PIERS, WATERCRAFT LIFTS, MOORING BUOYS, FLOATS

POLICY 5: Moorage should be restricted to the minimum size necessary to meet the needs of the proposed water-dependent use. The length, width and height of piers and docks should be no greater than necessary for safety and functional use.

POLICY 7: Moorage facilities should not be constructed of materials that will adversely affect water quality or aquatic plants and animals.

POLICY 9: Multiple agencies have permitting standards, requirements or limitations for the use and development of moorage facilities. Many of these agencies have specific ownership or easement rights. The county and cities should coordinate with federal, tribal, state and local agencies during the review of shoreline permits. The granting of a shoreline permit does not relieve a project from compliance with the standards of other agencies.

REGULATION 1: Shared moorage to serve new residential development shall be limited to the amount of moorage needed to serve lots within the development.

REGULATION 3: If moorage is to be provided as part of a new residential development of two or more dwelling units, moorage facilities shall be joint use or community docks. New residential developments shall contain a restriction on the face of the plat and restrictive covenants prohibiting individual docks and requiring joint use or community dock facilities. Community dock facilities should be encouraged. A site for shared moorage should be owned in undivided interest by property owners or managed by the homeowner's association as a common easement within the residential development. Community dock facilities should be available to property owners in the residential development for community access. If shared moorage is provided, the applicant/proponent shall file at the time of building permit submittal for the dock a legally enforceable joint use agreement or other legal instrument that, at minimum, addresses the following:

- a. Provisions for maintenance and operation;
- b. Easements or tracts for community access; and
- c. Provisions for joint or community use for all benefiting parties

REGULATION 10: Private docks shall not encroach into the required side yard setbacks for residential development (both onshore and offshore); provided that, a shared moorage may be located adjacent to or upon a side property line of the affected properties upon filing of an easement agreement or other legal instrument by the affected property owners.

RESIDENTIAL:

POLICY 1: New residential development should be planned and built in accordance with the policies and regulations of this Program, including without limitation Section 4.1 Ecological Protection and Critical Areas.

POLICY 3: Residential development, including appurtenant structures and uses, should be set back an adequate distance from steep slope areas and shorelines vulnerable to erosion to ensure that shoreline and/or soil stabilization structures will not be needed to protect the residential use. (E.g. bulk-heads, rip rap or other shoreline or slope stabilization structures.)

POLICY 7: Allowable density of new residential development should comply with applicable comprehensive plan goals and policies, zoning restrictions and shoreline environment designation standards.

REGULATION 4: Minimum required setbacks from critical area buffers and side property lines, maximum height limits and density standards are contained in Section 5.13 Shoreline Bulk and Dimensional Standards.

REGULATION 5: Residential development shall make provisions for vegetation conservation in conformance with Section 4.3 Vegetation Conservation.

REGULATION 9: Non-conforming residential uses shall meet the sections standards.

SHORELINE BULK AND DIMENSIONAL STANDARDS:

POLICY 1: Standards for density, setbacks, height, and other provisions should ensure no net loss of shoreline ecological functions and/or processes, and should preserve the existing character of the shoreline, consistent with the purpose of the shoreline environment designations.

REGULATION 2: Bulk and dimensional standards shall be coordinated with locally adopted zoning and development standards to protect the natural character of the shoreline and ensure no net loss of shoreline ecological functions and processes consistent with the purpose of the environment designation. In the event the provisions of this Program conflict with provisions of federal, state, county or city regulations, the more Chapter 5 76 protective of shoreline resources shall prevail, when consistent with Shoreline Management Act policy.

REGULATION 10: Lot frontage standards of underlying zoning districts and/or development standards of each jurisdiction may be more restrictive. The most restrictive lot frontage standard shall apply. Lot frontage refers to the minimum lot frontage for any division or exempt parcel transfer, or parcel boundary modification permitted by a local jurisdiction on the shoreline. Lot frontage shall be measure at right angles along a horizontal distance, between the side lot lines, at the most landward point of the ordinary high water mark. Lot frontage requirements are measured in feet.

IV. ENVIRONMENTAL REVIEW

Douglas County issued a Determination of Non-Significance on April 27, 2021 in accordance with WAC 197-11-355 (Optional DNS).

VI. AGENCY AND PUBLIC COMMENTS:

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as Attachment A.

Agency comments:

Agency Notified	Response Received	Agency Notified	Response Received
Chelan-Douglas Health District	05/03/2021	Washington Department of Fish and Wildlife	04/26/2021
Douglas County PUD	04/14/2021	Douglas County GIS	07/12/2021
WA State Dept. of Ecology	N/R	Douglas County Assessor	04/14/2021

Douglas County Fire Marshal	04/15/2021	Chelan County PUD	07/09/2021
Dept. of Arch. & Historical Preservation	04/28/2021	Douglas County Transportation & Storm Water	07/20/2021
Douglas County Land Services	07/06/2021	Colville Confederated Tribes	05/13/2021
WSDOT	04/19/2021	Douglas County Treasurer	04/14/2021

* N/R = No Reply

Agency comments have been included as suggested conditions of approval, as applicable.

No public comments were received.

VII. 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.

Comprehensive plan consistency:

The proposal is consistent with the goals and policies of the Douglas County Countywide Comprehensive Plan. The proposed lot sizes meet the density standards for residential lots. Policy G-9 requires that rural development be served by adequate transportation facilities and infrastructure. The development will be served by adequate transportation facilities and infrastructure.

Douglas County Regional Shoreline Master Program consistency:

As conditioned, the proposal is consistent with the policies and regulations of the Douglas County Regional Shoreline Master Program.

Consistency with the provisions of Title 17, "Subdivisions", DCC:

As conditioned, the proposal is consistent with the provision of this title.

Consistency with the provisions of the RR-5 Zoning District, DCC Chapter 18.30:

The RR-5 district allows cluster subdivisions as a permitted use. As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the provisions of DCC Chapter 20.34, Stormwater Drainage

As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the provisions of DCC Title 12 Road Standards

As conditioned, the proposal is consistent with the provisions of this chapter.

VIII. RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 18, 19 and 20 of the Douglas County Code, The Douglas County Comprehensive Plan, and the Douglas County Regional Shoreline Master Program. Staff recommends approval of P-2021-03 subject to the following findings of fact and conditions:

Suggested Findings of Fact:

1. The applicant is Mark Wiggins, 2025 N. Stagecoach Dr., Post Falls, ID 83854.
2. The owner of the property is Michael Downes, 64 Van Winkle Rd., Orondo, WA 98843.
3. General Description: An application for a 6 lot major subdivision. The subdivision will be processed under DCC 18.16.046 – *Cluster Divisions*. The subdivision will consist of five lots that range in size from 1.1 acres to 1.6 acres, and one remainder lot that is approximately 19.8 acres in size. The subject properties were originally created by the Downs Short Plat (SS-87-09).
4. Location: The subject property is located at 64 Van Winkle Rd, Orondo WA. The property is located in the Rural Resource 5 (RR-5) zoning district under Douglas County Code and is further described as being located within Section 28, Township 26N, Range 21E, W.M. The Assessor’s Parcel Numbers are 26212820005, 26212820006, 26212820007, and 26212820008.
5. Site Information:

Total Project Size:	23.3 acres
No. of lots	6
Domestic Water:	Domestic wells
Sewage Disposal:	On-site septic systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #4
Telephone Service:	Varied
6. Site Characteristics: The subject property includes one single family home, accessory storage structures, and existing orchard.
7. Surrounding Property:

<u>North:</u>	Single family homes, agriculture
<u>South:</u>	Single family home, agriculture
<u>East:</u>	Agriculture
<u>West:</u>	Columbia River
8. The Comprehensive Plan Designation is Rural Resource 5.
9. The subject property is located in the Rural Resource 5 (RR-5) zoning district which allows for subdivisions as a permitted use.
10. The subject property meets the minimum development standards of the Rural Resource 5 (RR-5) Zoning District.
11. According to DCC 18.30.080 Density. The maximum density in the RR-5 district shall be one dwelling unit per five acres, except as provided in DCC Chapter 18.16 for

accessory dwelling units, accessory agricultural housing, family farm support divisions, and limited land segregations. This density may be increased by fifty percent for cluster divisions created pursuant to DCC Section 18.16.046. The non-submerged land is approximately 22 acres. According to 18.30.080, the density may be increased by fifty percent for cluster divisions created pursuant to DCC Section 18.16.046 which allows for an adjusted density (cluster) of 6 lots.

12. According to the WA State Department of Archaeology & Historic Preservation, "Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. This is due, in part, to the proximity of the proposed project area to the Columbia River, a resource known to have been historically important to Native American groups and/or settlers in the area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.
13. The applicant has not provided the required cultural resource survey. The applicant has provided an agreement with a cultural resource consultant to conduct the survey, and has requested that the survey be provided as a condition of approval.
14. The application materials reviewed by Douglas County Transportation and Land Services include the following:
 - a. Civil plans prepared by Erlandsen, received March 9, 2021.
 - b. Preliminary Stormwater Report prepared by Erlandsen, received March 9, 2021.
 - c. Preliminary Plat prepared by the applicant, received July 6, 2021.
 - d. Narrative prepared by the applicant, received March 9, 2021
 - e. Soil Evaluation prepared by Tower Designs, received March 9, 2021.
 - f. Reserve Lot Management Plan prepared by the applicant, received March 9, 2021.
15. Preliminary Civil Plans: The plans submitted depict construction of an internal access road with emergency vehicle turnaround and associated drainage infrastructure. The plans indicate the intention to tie into an existing private road located on adjacent private property.
16. Preliminary Stormwater Report: The preliminary stormwater report adequately demonstrates feasibility of stormwater management for the proposed project.
17. A request for additional information was issued May 13, 2021 by Douglas County Transportation and Stormwater. The request for additional information included a request from the Transportation and Stormwater Department for the applicant to provide proof of legal access for the use of the proposed ingress and egress located on adjacent private property. On July 19, email correspondence was received by Douglas County Transportation and Stormwater in regards to the request for additional information. The email stated that the applicant believes that they have an easement for ingress and egress on the adjacent private property and that should that prove to be false they would relocate the road completely onto the development property. The email further requested that this be covered through the Conditions of Approval for the project.
18. The applicant has addressed the non-conforming structure.
19. A preliminary Reserve Management Plan has been submitted.

20. Comments from reviewing agencies have been considered and addressed where appropriate.
21. Douglas County issued a Determination of Non-Significance on April 27, 2021 pursuant to WAC 197-11-355 (Optional DNS).
22. Surrounding property owners were given the opportunity to comment on the proposals, can request a copy of the decision, and can appeal the decision subject to the requirements outlined in DCC Title 14.
23. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
24. Purveyors who responded to the project have indicated that adequate utilities/services are or can serve this project.
25. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Douglas County Countywide Plan Comprehensive Plan and Douglas County Regional Shoreline Master Program.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interests will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Title 17 "Subdivisions", Title 18 "Zoning", Title 19 "Environment", and Title 20 "Development Standards", of the Douglas County Code.

Suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials of file dated 03/09/2021 and 07/06/2021 except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. A plat certificate showing parties of interest, from a title company, must be submitted with the blueline drawings.
4. The final plat shall be submitted by a land surveyor licensed in the State of Washington, and shall comply with the standards set forth in Title 17 of the Douglas County Code.
5. All parties having an ownership interest in the subject property shall acknowledge the plat.
6. It is the responsibility of the applicant to contact the Douglas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.
7. During construction, all work associated with the proposed project shall occur between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday and 7:00 a.m. to 7:00 p.m., Saturday. Construction activities on Sunday shall not commence before 8:00 a.m. and shall conclude by 7:00 p.m.
8. The final plat shall show the location of all easements serving or encumbering the subject property.
9. The preliminary Reserve Management Plan shall be revised to comply with the DCC and be recorded with the Douglas County Auditor's office. The plan shall identify permitted uses and management of the reserve lot so that it maintains its designated functions and provides for the protection of the reserve lot. The management plan

shall identify the responsibility for maintaining the reserve lot. The plan shall also include a description of any construction activities (trails, fencing, recreation, buildings or similar improvements) and vegetation clearing that may occur on-site. All subsequent activities must be conducted in conformance with the approved management plan. Management plans may be modified pursuant to DCC Section 14.10.020. The AFN shall appear on the face of the plat. A note shall appear on the face of the plat:

- a. The reserve lot may not be further subdivided until such time as the zoning of the area would allow further subdivision and in compliance with DCC.
10. Prior to any earth disturbance, the applicant shall submit a cultural resource survey prepared by a qualified archeologist. No earthwork shall commence until the Washington State Department of Archeology and Historic Preservation have reviewed the survey, concurred with the findings, and authorized disturbance.
11. The applicant shall comply with the Shoreline Master Program, to include but not limited to:
 - a. Utilities serving new development shall be located underground.
 - b. The shoreline buffer shall be clearly annotated.
 - c. New residential developments shall contain a restriction on the face of the plat and restrictive covenants prohibiting individual docks and requiring joint use or community dock facilities.
 - d. The applicant/proponent shall file at the time of permit submittal for the dock a legally enforceable joint use agreement or other legal instrument that, at minimum, addresses the following:
 - e. Provisions for maintenance and operation;
 - f. Easements or tracts for community access; and
 - g. Provisions for joint or community use for all benefiting parties
 - h. Any non-compliant improvements within the Shoreline Jurisdiction shall be removed, or converted to a compliant improvements with permits and mitigation.
 - i. New or expanded public or private utilities should be located inland from the water, preferably out of shoreline jurisdiction
 - j. The preliminary plat shows the conceptual locations of shared docks and easements. In the event of perfecting the easements and/or pursuing access, the applicant shall comply with the Shoreline Master Program above and include: The applicant shall submit a Habitat Management and Mitigation Plan, provide mitigation areas, comply with Geologically Hazardous Area and other regulations to ensure slope stabilization, prepare and record Douglas County approved maintenance documents, and any other requirement of the SMP.
12. A note shall appear on the face of the plat:
 - a. Individual docks are prohibited. Joint use docks or a single community dock is required for placement of moorage.
13. The location of existing utilities (i.e. power and irrigation lines, domestic wells, septic system for the existing residence, etc.) and utility easements shall be depicted on the face of the final plat.
14. The applicant shall label the Chelan County PUD G-Line "Chelan County PUD Exhibit G-line (see note #"-)" A Corresponding note shall be provided on the face of the plat that states "Chelan County PUD Supplemental Easement, AFN 287450, recorded August 11, 1993"

15. A complete Private Water System Review application (for each well) including copies of:
 - a. Well Log
 - b. Current Nitrate testing
 - c. Current Coliform Bacteria Testing
 - d. Copy of Declaration of Covenant and/or Restrictive Covenants to be recorded
 - e. Pump/drawdown testing (shared well)
 - f. Joint Use Agreement (shared well)
 - g. Water line easements (shared well)
16. A system user agreement for the well must be created if sharing the well between two new lots.
17. Any existing or proposed private wells must be shown on the plat drawing including at least a 50' sanitary control radius around the well head. Each well point must have (1) recorded protective covenant(s) with the owners of all properties covered by the 50' sanitary control radius or (2) for well points that the plat developer can't secure protective covenants, a variance granted by the Health District. Any variance granted will require a Notice to be recorded against that lot's title and the reduced sanitary control radius, as it actually exists, shown on the final plat. Please contact the Health District if a well site variance will be necessary.
18. All necessary easements and covenants for access and protection of the water supply must be shown or described on the final plat drawing. The Health District has more information and examples of the following protective covenants and variance notice to title. A Restrictive Covenant is necessary for that part of the 50' sanitary control radius that falls outside the well owner's property and is recorded to the neighboring property owner's parcel. A Declaration of Covenant is necessary for that part of the 50' sanitary control radius that falls completely within the well owner's property and is owned in fee simple by the well owner. Some wells will have both protective covenants. The Health District recommends the plat developer consult an attorney about these covenants. Protective covenants for each well point must be declared in the dedicatory language on the plat as follows:
 - a. "A Restrictive Covenant recorded with [name of county here] as AFN: _____ establishes a sanitary control area with a 50' radius around the domestic well shown [as well tag # _____]. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area without the specific recorded permission of the well owner(s)."
 - b. "A Declaration of Covenant recorded as a notice to title with [name of county] as AFN: _____ establishes a sanitary control area with a 50' radius around the domestic well shown [as well tag # _____]. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area."
 - c. A variance regarding the Sanitary Control Area around the domestic well shown [as well tag # _____] is described in the Declaration of Covenant recorded as a notice to title with [name of county] as AFN: _____. This variance allows a reduced sanitary control area. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area
19. Operation and maintenance agreements not declared on the plat will require a blank for referencing the document, such as:
 - a. "Well maintenance and operation agreement filed with the County Auditor, No. _____."

20. The dedicatory language on the final plat shall carry these notes:
 - a. "The Health District has not reviewed the legal availability of water to this plat development"
 - b. "The combined water use by all the wells in this development may not exceed 5000 gallons per day or be used to irrigate more than ½ acre unless a ground water withdrawal permit is obtained from the Department of Ecology (RCW 90.44.050)."
21. A soil/site evaluation for placement of onsite sewage systems is still needed for each proposed lot as per previous development comments. This requirement can be found in WAC 246- 272A-0320 subsection (2) (c). This evaluation can be completed by the Chelan-Douglas Health District or a state licensed septic system designer or professional engineer. Soil information gleaned from a Geotechnical Report is not acceptable.
22. The dedicatory language on the final plat shall contain this statement:
 - a. "Site evaluations may be required at the time of application for individual septic system construction permits."
23. A 10' utility easement is required adjacent to Van Winkle Rd.
24. An estimate for service to the project must be paid to the Douglas County PUD prior to final plat approval.
25. Written approval from the Douglas County PUD is required prior to final plat approval.
26. Lots greater than one (1) acre are EXEMPT from fire flow requirements PROVIDED that all structures maintain no less than 50 feet of separation utilizing the closest and most direct path as measured from eave to eave.
27. All access longer than 150 feet must end in an approved Turn Around. The Turn Around must not be a part of a garage approach, must not counted as parking, must not be counted as a storage area, must account for seasonal snow accumulation, and must be capable of supporting the weight of emergency apparatus in all weather conditions.
28. Where applicable, all access longer than 150 feet must end in an approved Turnout every 300-450 feet. The turnout must be no less than 20 wide and 50 feet long. The Turnout must not be counted as parking, must not be counted as a storage area, must account for seasonal snow accumulation, and must be capable of supporting the weight of emergency apparatus in all weather conditions.
29. Maximum grade for any graveled access is 10%. Grades greater than 10% but not greater than 12% must be paved. Grades beyond 12% are typically not allowed unless approved by the Fire Marshal on a case-by-case basis.
30. Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to and accepted by Douglas County prior to construction. Construction plans shall be prepared in accordance with the requirements of Douglas County Code.
31. Half-street improvements are required along the frontage of the parcel in accordance with Figure 3-2, including but not limited to: widening and storm ditch.
32. The orchard trees located within Douglas County right of way shall be removed (stumps included) prior to final plat acceptance. The applicant shall verify the right of way limits in advance of performing this work.
33. A storm ditch shall be installed along the frontage of Van Winkle Road and the tributary runoff shall be mitigated in accordance with the current edition of the Stormwater Management Manual of Eastern Washington (SWMMEW).

34. Access to the proposed lots shall be via access easement (min. 30') from Van Winkle Road. The pre-application materials appear to indicate the intent to utilize the access along the northern property line (A/K/A "Ribbon Cliff Road"). This access is private and was constructed to serve the subdivision to the north. The applicant shall provide proof of legal access for this road prior to construction plan acceptance or alternatively shall construct access to the property entirely on the development property.
 - a. Driveways serving three or more lots shall have a minimum improved width of 20 feet.
 - b. The minimum surfacing shall be six inches of compacted gravel base, crushed surfacing base course, or crushed surfacing top course.
 - c. All dead end access easements greater than 150 feet in length shall be improved with an approved turnaround for emergency vehicles.
 - d. The maximum grade shall be 10 percent for gravel surfacing and 12 percent for paved
35. The location of any cluster mailbox units proposed for the subdivision shall be shown on the construction plans. Location to be accepted by the County Engineer and USPS Postmaster prior to plan acceptance; additional right of way may be required.
36. Five-foot utility easements (min.) are required along all lots or tracts with County road frontage in accordance with applicable road standards. Utility purveyors may require easements in excess of five feet.
37. All existing and proposed easements shall be clearly delineated with the Auditor's File Number(s) noted as necessary on the final plat.
38. A Private Access Operation and Maintenance Agreement shall be prepared, executed, and recorded by the applicant; the Auditor's File Number(s) shall be noted on the final plat map. A note shall be included on the face of the plat which states:
 - a. "Douglas County shall not be responsible for the maintenance of roadway and appurtenant improvements, including storm drainage structures and pipes located on private property."
39. Prior to final plat acceptance and/or release of financial security, the Engineer of Record shall provide written certification that the internal roads, utility infrastructure, stormwater systems, and grading have been constructed/completed in accordance with the Conditions of Approval, applicable codes, and the accepted construction plans. Monitoring shall be required as determined appropriate by the Engineer of Record and in accordance with the Road Standards, with final reports submitted to Douglas County along with the certification
40. Final acceptance shall be processed in accordance with Douglas County Code (DCC) Section 12.56.110 Final Acceptance and a Warranty Assurance Agreement shall be completed per DCC 12.50.110 prior to final plat acceptance.
41. Final acceptance shall be processed in accordance with Douglas County Code (DCC) Section 12.56.110 Final Acceptance and a Warranty Assurance Agreement shall be completed per DCC 12.50.110 prior to final plat acceptance.
42. Per DCC Chapter 12.24, all new or revised accesses onto a County road (including temporary accesses) require an approved access permit.
43. Utility installation/replacement/upgrade within the Douglas County right-of-way shall be approved by Douglas County. A permit to perform work in the right-of-way shall be obtained prior to construction. Damage to existing roads resulting from construction activities (including utility extensions required to provide necessary services to the proposed development) shall be repaired to the satisfaction of Douglas County, by the applicant. The extent of repair and/or replacement will be

- determined during construction plan review and during field inspection of the proposed work within the right-of-way.
44. A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and the 2019 Stormwater Management Manual for Eastern Washington (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
 45. A note shall be included on the face of the final plat which states:
 - “At the time of building permit submittal, an engineered site specific stormwater plan and report shall be submitted that conforms to Douglas County Code and the current edition of the Stormwater Management Manual for Eastern Washington. The Engineer of Record shall provide certification that the private on-site stormwater system has been completed in accordance with the accepted plans. A private stormwater operation and maintenance covenant, prepared with standard Douglas County forms, shall be executed and recorded with the Douglas County Auditor.”
 46. Stormwater facilities shall be located on a separate tract(s) and/or easement(s) under the functional control of the Homeowners’ Association (HOA) and/or Lot Owner’s, as applicable, with each lot having an undivided ownership, interest, and responsibility for the tract(s).
 47. Provisions to provide access for inspection and maintenance of the stormwater facilities shall be addressed within the design plans, report, and on the face of the final plat.
 48. Prior to any on-site grading occurring or prior to construction plan acceptance (whichever comes first), a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
 49. As applicable, registration of facilities that are regulated under the Washington State Department of Ecology’s Underground Injection Control Program shall be completed prior to construction.
 50. The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans. UIC registration shall be provided as applicable.
 51. As applicable, prior to final plat acceptance, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant. A note shall be included on the face of the final plat which states:
 - “Douglas County will not maintain the private stormwater facilities located within this subdivision. Responsibility for the long term maintenance of the private stormwater facilities is described within the Declaration of Stormwater System Maintenance Covenants recorded under AFN _____.”
 52. Individual/common plan development for this proposal exceeds 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning ground breaking activities, including but not

limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.

53. The underlying Downes Short Plat (SS-87-09) is hereby vacated.

Respectfully Submitted,



Tanner Ackley – Senior Planner

Date: August 9, 2021

Attachments:
Agency Comments



Type: Permit Workflow Step

Id: COMMENTS-DC PUD

Note Type:* APPLICATION COMMENTS

Note Code:

Text:* Easements (new and existing) must be shown on plat. 10' utility easement adjacent to Van Winkle Rd. Estimate for service to project must be paid prior to final approval.

Begin Date:* 04/14/2021

End Date:

Link: [GOTO](#)

Publish on Portal - Private: Public:

Attachments

[SELECT FILES](#)

[CLOSE](#)



Shari Tincher (x6589)

From: Lisa Graves <lisa.graves@chelanpud.org>
Sent: Friday, April 23, 2021 3:54 PM
To: Shari Tincher (x6589)
Cc: Alicia Hankins
Subject: Comment on P-2021-03 - Downes cluster subdivision

[EXTERNAL MESSAGE]

The District has the following requests/comments on the proposed project:

- The page labeled "Pre-application Exhibit" has the *OHW Today* line labeled and the *PUD Exhibit G Line* labeled. There is an inaccuracy in one or the other as the District's Exhibit G line at no point should be below the OHW line. Please have the applicant review and correct.
- The District requests the label for the Exhibit G line read: Chelan County PUD Exhibit G-line (see note #"-"); then have a note added that reads: Chelan County PUD Supplemental Easement, AFN 287450, recorded August 11, 1993

Please contact me with any questions on the District's request. Thank you for the opportunity to review.

Lisa

Lisa Graves
Real Estate Specialist
PUD No. 1 of Chelan County | Wenatchee, Washington

(509) 661-4196 | lisa.graves@chelanpud.org

Shari Tincher (x6589)

From: Lisa Graves <lisa.graves@chelanpud.org>
Sent: Thursday, July 08, 2021 11:34 AM
To: Shari Tincher (x6589)
Cc: Nathan Pate (x6563); Tanner Ackley (x6544)
Subject: RE: P-2021-03 revised map

[EXTERNAL MESSAGE]

Hi Shari,

The depiction of the project boundary on this revised map appears to reflect the project boundary accurately and resolves the conflict between the OHW and project boundary. Will the final plat also be sent to me later?

Thank you for passing this on to me.

Lisa

Lisa Graves
Real Estate Specialist
PUD No. 1 of Chelan County | Wenatchee, Washington

(509) 661-4196 | lisa.graves@chelanpud.org

-----Original Message-----

From: Shari Tincher (x6589) <stincher@co.douglas.wa.us>
Sent: Tuesday, July 6, 2021 9:29 AM
To: Lisa Graves <lisa.graves@chelanpud.org>
Cc: Nathan Pate (x6563) <npate@co.douglas.wa.us>; Tanner Ackley (x6544) <tackley@co.douglas.wa.us>
Subject: [External] P-2021-03 revised map

ATTENTION: This email is from btv1==8211237e7f8==stincher@co.douglas.wa.us. Are you expecting this? If not, please forward it to our Phishing Hole. Thank You!

Hi Lisa.

We have received a revised prelim plat map for P-2021-03. See attached

Your previous comments from 4/23/2021 were:

"The District has the following requests/comments on the proposed project:

The page labeled Pre-application Exhibit has the OHW Today line labeled and the PUD Exhibit G Line labeled. There is an inaccuracy in one or the other as the Districts Exhibit G line at no point should be below the OHW line. Please have the applicant review and correct.

The District requests the label for the Exhibit G line read: Chelan County PUD Exhibit G-line (see note #-); then have a note added that reads: Chelan County PUD Supplemental Easement, AFN 287450, recorded August 11, 1993"

Does the map meet your requirements?

Thank you,
Shari Tincher
Permit Center Facilitator

This email may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56

Shari Tincher (x6589)

From: Rebecca Gordon (HSY) <Rebecca.Gordon.HSY@colvilletribes.com>
Sent: Monday, April 19, 2021 4:03 PM
To: Shari Tincher (x6589)
Cc: Guy Moura (HSY); SEPA (DAHP)
Subject: RE: P-2021-03 Comment Period Agency Review - Wiggins/Downes 6 Lot Subdivision

[EXTERNAL MESSAGE]

Good Afternoon-

We have completed our review of permit application P-2021-03 by Mark Wiggins and Michael Downes for a 6 lot subdivision. The proposed subdivision falls within the traditional territory of the Entiat Tribe, a constituent Tribe of the Confederated Tribes of the Colville Reservation (CCT), which is governed by the Colville Business Council (CBC). The CBC has delegated to the Tribal Historic Preservation Officer (THPO) the responsibility of representing the CCT with regard to cultural resources management issues throughout the traditional territories of all of the constituent tribes under Resolution 1996-29. This area includes parts of eastern Washington, northeastern Oregon, the Palus territory in Idaho, and south central British Columbia.

We concur with the APE as presented.

The proposed subdivision is located in high to very high probability for the potential presence of cultural resources according to Washington Department of Archaeology and Historic Preservation's statewide predictive model. As a result, we recommend the property be surveyed by a professional archaeologist, utilizing pedestrian survey and shovel probes, prior to any ground disturbing activity occurring. If a survey is completed, we would like to request a copy of the resulting survey report for our review and comment.

We strongly recommend the applicant contact DAHP for further guidance.

Thank you for consulting with the Confederated Tribes of the Colville Reservation. These comments are based on the information as currently presented. Any changes to the project will require additional consultation. We reserve the right to revise our comments as additional information becomes available. If you have any questions, please contact me at the number below, or contact Guy Moura, THPO, at 509-634-2695.

Lámlamt (Thank you)

Rebecca L. Gordon, MA, RPA

Archaeologist Senior
History & Archaeology Program
Confederated Tribes of the Colville Reservation
P.O. Box 150
21 Colville Street
Nespelem, WA 99155
509-634-2789 office
509-631-1173 cell
Rebecca.Gordon.HSY@colvilletribes.com

Office Hours: Monday-Thursday 6:30 AM to 5 PM



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

April 28, 2021

Shari Tincher
Douglas County
140 19th Street NW
East Wenatchee, WA 98802

In future correspondence please refer to:
Project Tracking Code: 2021-04-02484
Property: Douglas County_Downes Cluster Subdivision (P-2021-03)
Re: Survey Requested

Dear Shari Tincher:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. This is due, in part, to the proximity of the proposed project area to the Columbia River, a resource known to have been historically important to Native American groups and/or settlers in the area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov



Shari Tincher (x6589)

From: Region2 Planning (DFW) <WDFWR2Planning@dfw.wa.gov>
Sent: Monday, April 26, 2021 5:42 AM
To: Shari Tincher (x6589)
Cc: Pentico, Eric D (DFW)
Subject: RE: P-2021-03 Comment Period Agency Review

[EXTERNAL MESSAGE]

Shari,

I would like to thank Douglas County for providing WDFW the opportunity to comment regarding the proposed Downs Subdivision. After reviewing the documents provided, it has been determined the 4 lots that are to be used for the proposed subdivision development have been previously converted to agricultural use and therefore provide marginal function and value to fish and wildlife. WDFW supports the use of previously converted lands for this project and feels further environmental review and comment is unnecessary at this time.

Eric

Eric Pentico
Washington Department of Fish and Wildlife
Habitat Biologist
Region 2 Office – Ephrata, WA
Office: (509) 754-4624 ext. 215
Cell : (509) 630-2729
Email : eric.pentico@dfw.wa.gov
Work Schedule: Mon.-Thurs - 6:30 a.m to 8:00 a.m. email and cellular phone
8:00 a.m. - 5:00 p.m. office hours

From: Shari Tincher (x6589) <stincher@co.douglas.wa.us>
Sent: Wednesday, April 14, 2021 7:18 AM
To: Alicia Hankins-CCPUD Real Estate Services <alicia.hankins@chelanpud.org>; Lisa Graves <lisa.graves@chelanpud.org>; Rebecca Gordon <Rebecca.Gordon.HSY@colvilletribes.com>; Guy Moura <Guy.Moura@colvilletribes.com>; ECY RE CRO SEPA Coordinator <crosepa@ecy.wa.gov>; ECY RE SEPA REGISTER <separegister@ecy.wa.gov>; SEPA (DAHP) <sepa@dahp.wa.gov>; ECY RE SMP (SEA) <ECYreSEAsmp@ECY.WA.GOV>
Cc: 'NC-Review@WSDOT.WA.GOV' <NC-Review@WSDOT.WA.GOV>; Region2 Planning (DFW) <WDFWR2Planning@dfw.wa.gov>
Subject: P-2021-03 Comment Period Agency Review

External Email

Please see attached Agency Review Packet

Shari Tincher (x6589)

From: NC-Review <NC-Review@WSDOT.WA.GOV>
Sent: Monday, April 19, 2021 3:23 PM
To: Shari Tincher (x6589)
Cc: Mazur, George
Subject: RE: [EXTERNAL] P-2021-03 Comment Period Agency Review

[EXTERNAL MESSAGE]

Shari,

has no comments on this proposal at this time.

Thank you,

-Max

From: Shari Tincher (x6589) <stincher@co.douglas.wa.us>
Sent: Wednesday, April 14, 2021 7:18 AM
To: Alicia Hankins-CCPUD Real Estate Services <alicia.hankins@chelanpud.org>; Lisa Graves <lisa.graves@chelanpud.org>; Rebecca Gordon <Rebecca.Gordon.HSY@colvilletribes.com>; Guy Moura <Guy.Moura@colvilletribes.com>; SEPA-Central Regional Office <crosepa@ecy.wa.gov>; SEPA-Ecology <separegister@ecy.wa.gov>; SEPA-DAHP <sepa@dahp.wa.gov>; 'smp@ecy.wa.gov' <smp@ecy.wa.gov>
Cc: NC-Review <NC-Review@WSDOT.WA.GOV>; 'WDFWR2Planning@dfw.wa.gov' <WDFWR2Planning@dfw.wa.gov>
Subject: [EXTERNAL] P-2021-03 Comment Period Agency Review

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

Please see attached Agency Review Packet

REQUEST FOR AGENCY COMMENTS

Name of Applicant: Mark Wiggins

Name of Owner: Michael Downes

Date of Application: 3/9/2021

Date Letter of Completeness Issued: 4/12/2021

Date Notice of Application Issued: 4/13/2021

Application Number: P-2021-03

Description of Proposal: Six (6) Lot Cluster Subdivision for single family dwellings. The subject property is approximately 23.3 acres in size and is located at 64 Van Winkle Rd, Orondo WA. Five lots are proposed ranging in size from approximately 1.1 acres to 1.6 acres with a remaining reserve lot at 19.8 acres. The property is located in the Rural Resource 5 (RR-5) zoning district under Douglas County Code and is further described as being located within Section 28, Township 26N, Range 21E, W.M. The Assessor's Parcel Numbers are



Memorandum

TO: Shari Tincher, Douglas County
FROM: Richmond Petty, R.S.
DATE: 5/1/21
RE: Downes (SP 2021-03) Major Plat Comments

I have reviewed the above development proposal to subdivide 23.3 acres into a six (6)-lot cluster subdivision. Five lots are proposed to range in size from 1.1 acres to 1.6 acres with a remaining reserve lot at 19.8 acres. The subject property is located at 64 Van Winkle Rd., Orondo, WA (county tax parcels: 26212820005, 26212820006, 26212820007, and 26212820008). Domestic water to be provided by three separate shared private wells. Sanitation to be provided by individual onsite septic systems. I recommend further approval of the project. Please note that Chelan-Douglas Health District cannot sign the final Mylar until the following conditions are addressed:

Proposed Private (or two-party) Water Supplies:

The application states a well will serve the lots. A "Private Water System Review" by the Chelan-Douglas Health District is needed to approve a well as the water source. Water must be available to serve all proposed lots per CDHD's Health Code subsection 4.20.040 B 1. The following must be completed prior to plat approval:

- A complete Private Water System Review application (for each well) including copies of:
 - Well Log
 - Current Nitrate testing
 - Current Coliform Bacteria Testing
 - Copy of Declaration of Covenant and/or Restrictive Covenants to be recorded
 - Pump/drawdown testing (shared well)
 - Joint Use Agreement (shared well)
 - Water line easements (shared well)

- A system user agreement for the well must be created if sharing the well between two new lots.
- Any existing or proposed private wells must be shown on the plat drawing including at least a 50' sanitary control radius around the well head. Each well point must have (1) recorded protective covenant(s) with the owners of all properties covered by the 50' sanitary control radius or (2) for well points that the plat developer can't secure protective covenants, a variance granted by the Health District. Any variance granted will require a Notice to be recorded against that lot's title and the reduced sanitary control radius, as it actually exists, shown on the final plat. Please contact the Health District if a well site variance will be necessary.
- All necessary easements and covenants for access and protection of the water supply must be shown or described on the final plat drawing. The Health District has more information and examples of the following protective covenants and variance notice to title. A Restrictive Covenant is necessary for that part of the 50' sanitary control radius that falls outside the well owner's property and is recorded to the neighboring property owner's parcel. A Declaration of Covenant is necessary for that part of the 50' sanitary control radius that falls completely within the well owner's property and is owned in fee simple by the well owner. Some wells will have both protective covenants. The Health District recommends the plat developer consult an attorney about these covenants. Protective covenants for each well point must be declared in the dedicatory language on the plat as follows:

"A Restrictive Covenant recorded with [name of county here] as AFN: _____ establishes a sanitary control area with a 50' radius around the domestic well shown [as well tag # _____]. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area without the specific recorded permission of the well owner(s)."

"A Declaration of Covenant recorded as a notice to title with [name of county] as AFN: _____ establishes a sanitary control area with a 50' radius around the domestic well shown [as well tag # _____]. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area."

A variance regarding the Sanitary Control Area around the domestic well shown [as well tag # _____] is described in the Declaration of Covenant recorded as a notice to title with [name of county] as AFN: _____. This variance allows a reduced sanitary control area. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area.

- Operation and maintenance agreements not declared on the plat will require a blank for referencing the document, such as:



“Well maintenance and operation agreement filed with the County Auditor, No.

- The dedicatory language on the final plat shall carry these notes:
 - *“The Health District has not reviewed the legal availability of water to this plat development”*
 - *“The combined water use by all the wells in this development may not exceed 5000 gallons per day or be used to irrigate more than 1/2 acre unless a ground water withdrawal permit is obtained from the Department of Ecology (RCW 90.44.050).”*

Proposed On-site Sewer Systems

- A soil/site evaluation for placement of onsite sewage systems is still needed for each proposed lot as per previous development comments. This requirement can be found in WAC 246-272A-0320 subsection (2) (c). This evaluation can be completed by the Chelan-Douglas Health District or a state licensed septic system designer or professional engineer. Soil information gleaned from a Geotechnical Report is not acceptable.
- The dedicatory language on the final plat shall contain this statement:

“Site evaluations may be required at the time of application for individual septic system construction permits.”

Fees for review of land-use applications have been established by the Chelan-Douglas Health District Board of Health. The District will bill the applicant upon receipt of these comments.

Project	CDHD 2021 fees
Plats with Municipal sewer and water	\$53
Short Plat, BSP < 5 lots Review (\$113 + 1/2 hour, then \$91/hr)	\$113+
Major Plat, BSP > 5-20 lots Review	\$619
Major Plat Review, per lot over 20 lots	\$35
Pre-Application Review	\$53
Other Land Use Review comments (\$91/hour with a 1/2 hour minimum staff review fee)	\$91

Additional information and forms can be downloaded from the Chelan-Douglas Health District’s website at:
<http://www.cdhd.wa.gov/FormsandDocuments.htm>



DOUGLAS COUNTY
TRANSPORTATION & LAND SERVICES
140 19TH STREET NW, SUITE A • EAST WENATCHEE, WA 98802
PHONE: 509/884-7173 • FAX: 509/886-3954
www.douglascountywa.net

P-2021-03
PRELIMINARY GIS REVIEW
Plat Naming / Private Road Easements / Road Naming / Addressing

April 14, 2021

Thank you for the opportunity to comment on P-2021-03. According to the submitted materials, you wish to re-subdivide the Downes short plat recorded in 1987 under Auditor's File Number 244373 into 6 new lots. This encompasses parcel numbers 26212820005, 26212820006, 26212820007, and 26212820008.

Plat Naming

In the narrative outlining the proposed project, it indicates you wish to call this subdivision "Downes Subdivision". Unfortunately, this will need to be revised slightly to Downes 2 or a different name entirely so as not to conflict with the existing plat name.

Private Road Easements

As mentioned in the pre-app meeting, the private road as indicated on the Downes short plat does not appear to be built. Unless other documents are provided, it does not appear that there is legal access to the river lots should the property be sold. The driveway on the north property line, going to the house, appears to be using Ribbon Cliff Road. This is a private road which was created on the Pieple short plat in 2006. I cannot find any document that grants the use of this private road to any properties located to the south of its location.

Road Naming

All new public and private roads needing to be named in the unincorporated parts of Douglas County, need to conform to the road naming standards as outlined in Douglas County Code 12.04, *Road Naming and Addressing*. We have been working with your neighbor to the south, Barbara Heinle, in naming the private road as shown on the Downes short plat. The name we came up with, which was approved by Rivercom, was Running Quail Lan. However, this has not been officially adopted as of this date.

Addressing

During the review of the cluster subdivision, addresses will be assigned to all the lots and included as part of by blue line review. The addresses can then be added to the mylar for final recording. These cannot be assigned until the access issue is resolved.

If you have any questions regarding these comments, feel free to contact me at 884-7173.

Sincerely,

Todd Wilson, PLS
GIS Coordinator

Shari Tincher (x6589)

From: Kasey Dirks (x6348)
Sent: Wednesday, April 14, 2021 8:22 AM
To: Shari Tincher (x6589)
Subject: RE: P-2021-03 Comment Period

Hi Shari,

The only issue will be the 5 riverfront homesites that are in the Current Use Farm & Ag Classification. They will be removed from that classification when the plat is processed.

Thank you,

Kasey Dirks

Douglas County Assessor's Office
P.O. Box 387
213 S. Rainier Ave.
Waterville, WA 98858
Phone: (509) 745-8521
Direct: (509) 888-6348
Website: www.douglascountywa.net



Please consider the environment before printing this e-mail.

This email may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56.

From: Shari Tincher (x6589) <stincher@co.douglas.wa.us>
Sent: Wednesday, April 14, 2021 5:54 AM
To: Carlee Murphy (x6428) <cmurphy@co.douglas.wa.us>; Sarah Goodwin (x6429) <sgoodwin@co.douglas.wa.us>; Kasey Dirks (x6348) <KDirks@co.douglas.wa.us>
Subject: P-2021-03 Comment Period

REQUEST FOR AGENCY COMMENTS

Name of Applicant: Mark Wiggins

Name of Owner: Michael Downes

Date of Application: 3/9/2021

Date Letter of Completeness Issued: 4/12/2021

Date Notice of Application Issued: 4/13/2021

Application Number: P-2021-03

Description of Proposal: Six (6) Lot Cluster Subdivision for single family dwellings. The subject property is approximately 23.3 acres in size and is located at 64 Van Winkle Rd, Orondo WA. Five lots are proposed ranging in size from approximately 1.1 acres to 1.6 acres with a remaining reserve lot at 19.8 acres. The property is located in the Rural Resource 5

Shari Tincher (x6589)

From: Sarah Goodwin (x6429)
Sent: Wednesday, April 14, 2021 8:16 AM
To: Shari Tincher (x6589)
Subject: RE: P-2021-03 Comment Period

Hi Shari,

The taxes owed are as follows:

26212820005 – 2021 Taxes are due in two installments, 1st \$461.86 and 2nd \$461.86.

26212820006 – 2021 Taxes are due in two installments, 1st \$1,253.95 and 2nd \$1,253.94

26212820007 – 2021 Taxes are due in two installments, 1st \$94.01 and 2nd \$94.01.

26212820008 – 2021 Taxes are due in two installments, 1st \$96.20 and 2nd \$192.40.

Have a great day!



Sarah Goodwin

Deputy Treasurer
Accounts Receivable

Direct Line : 509-888-6429

Phone : 509-745-8525

Fax : 509-745-8412

Email: sgoodwin@co.douglas.wa.us

P.O. Box 609
203 S. Rainier Ave.
Waterville, WA 98858

"The opinions expressed here are my own and do not necessarily represent those of Douglas County."

From: Shari Tincher (x6589) <stincher@co.douglas.wa.us>

Sent: Wednesday, April 14, 2021 5:54 AM

To: Carlee Murphy (x6428) <cmurphy@co.douglas.wa.us>; Sarah Goodwin (x6429) <sgoodwin@co.douglas.wa.us>;

Kasey Dirks (x6348) <KDirks@co.douglas.wa.us>

Subject: P-2021-03 Comment Period

REQUEST FOR AGENCY COMMENTS

77 Lots greater than one (1) acre are EXEMPT from fire flow requirements PROVIDED that all structures maintain no less than 50 feet of separation utilizing the closest and most direct path as measured from eave to eave.

77 All access longer than 150 feet must end in an approved Turn Around. The Turn Around must not be a part of a garage approach, must not be counted as parking, must not be counted as a storage area, must account for seasonal snow accumulation, and must be capable of supporting the weight of emergency apparatus in all weather

77 Where applicable, all access longer than 150 feet must end in an approved Turnout every 300-450 feet. The turnout must be no less than 20 wide and 50 feet long. The Turnout must not be counted as parking, must not be counted as a storage area, must account for seasonal snow accumulation, and must be capable of supporting the weight of emergency apparatus in all weather conditions.

77 Maximum grade for any graveled access is 10%. Grades greater than 10% but not greater than 12% must be paved. Grades beyond 12% are typically not allowed unless approved by the Fire Marshal on a case-by-case basis.

DOUGLAS COUNTY TRANSPORTATION & LAND SERVICES



MEMO

TO: Nathan Pate, AICP

FROM: Zachary Horton, EIT

DATE: July 20, 2021

RE: P-2021-03 – Downes Plat – Preliminary Approval
Transportation & Stormwater Comments

Suggested Findings of Fact:

Initial application materials reviewed by Douglas County Transportation and Stormwater include:

- Civil Plans prepared by Erlandsen, received March 9, 2021.
- Preliminary Stormwater Report prepared by Erlandsen, received March 9, 2021.
- Email Correspondence prepared by Dan Beardslee, received July 19, 2021.

Preliminary Civil Plans

The plans submitted depict construction of an internal access road with emergency vehicle turnaround and associated drainage infrastructure. The plans indicate the intention to tie into an existing private road located on adjacent private property.

Preliminary Stormwater Report

The preliminary stormwater report adequately demonstrates feasibility of stormwater management for the proposed project.

Email Correspondence

A request for additional information was issued May 13, 2021. The request for additional information included a request from the Transportation and Stormwater Department for the applicant to provide proof of legal access for the use of the proposed ingress and egress located on adjacent private property. On July 19, email correspondence was received by our department in regards to the request for additional information. The email stated that the applicant believes that they have an easement for ingress and egress on the adjacent private property and that should that prove to be false they would relocate the road completely onto the development property. The email further requested that this be covered through the Conditions of Approval for the project.

With incorporation of the conditions below, preliminary approval is recommended.

Suggested Conditions of Approval:

Transportation

- 1) Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to and accepted by Douglas County prior to construction. Construction plans shall be prepared in accordance with the requirements of Douglas County Code.

- 2) Half-street improvements are required along the frontage of the parcel in accordance with Figure 3-2, including but not limited to: widening and storm ditch.
 - a. It appears that there are several orchard trees located within existing Douglas County right of way. The orchard trees shall be removed (stumps included) prior to final plat acceptance. The applicant shall verify the right of way limits in advance of performing this work.
 - b. This area has historical drainage issues. A storm ditch shall be installed along the frontage of Van Winkle Road and the tributary runoff shall be mitigated in accordance with the current edition of the SWMMEW.
- 3) Access to the proposed lots shall be via access easement (min. 30') from Van Winkle Road. The pre-application materials appear to indicate the intent to utilize the access along the northern property line (A/K/A "Ribbon Cliff Road"). This access is private and was constructed to serve the subdivision to the north. The applicant shall provide proof of legal access for this road prior to construction plan acceptance or alternatively shall construct access to the property entirely on the development property.
 - a. Driveways serving three or more lots shall have a minimum improved width of 20 feet.
 - b. The minimum surfacing shall be six inches of compacted gravel base, crushed surfacing base course, or crushed surfacing top course.
 - c. All dead end access easements greater than 150 feet in length shall be improved with an approved turnaround for emergency vehicles.
 - d. The maximum grade shall be 10 percent for gravel surfacing and 12 percent for paved.
- 4) The location of any cluster mailbox units proposed for the subdivision shall be shown on the construction plans. Location to be accepted by the County Engineer and USPS Postmaster prior to plan acceptance; additional right of way may be required.
- 5) Five-foot utility easements (min.) are required along all lots or tracts with County road frontage in accordance with applicable road standards. Utility purveyors may require easements in excess of five feet.
- 6) All existing and proposed easements shall be clearly delineated with the Auditor's File Number(s) noted as necessary on the final plat.
- 7) A Private Access Operation and Maintenance Agreement shall be prepared, executed, and recorded by the applicant; the Auditor's File Number(s) shall be noted on the final plat map. A note shall be included on the face of the plat which states:

"Douglas County shall not be responsible for the maintenance of roadway and appurtenant improvements, including storm drainage structures and pipes located on private property."
- 8) Prior to final plat acceptance and/or release of financial security, the Engineer of Record shall provide written certification that the internal roads, utility infrastructure, stormwater systems, and grading have been constructed/completed in accordance with the Conditions of Approval, applicable codes, and the accepted construction plans. Monitoring shall be required as determined appropriate by the Engineer of Record and in accordance with the Road Standards, with final reports submitted to Douglas County along with the certification.
- 9) Final acceptance shall be processed in accordance with Douglas County Code (DCC) Section 12.56.110 *Final Acceptance* and a Warranty Assurance Agreement shall be completed per DCC 12.50.110 prior to final plat acceptance.
- 10) Per DCC Chapter 12.24, all new or revised accesses onto a County road (including temporary accesses) require an approved access permit.

- 11) Utility installation/replacement/upgrade within the Douglas County right-of-way shall be approved by Douglas County. A permit to perform work in the right-of-way shall be obtained prior to construction. Damage to existing roads resulting from construction activities (including utility extensions required to provide necessary services to the proposed development) shall be repaired to the satisfaction of Douglas County, by the applicant. The extent of repair and/or replacement will be determined during construction plan review and during field inspection of the proposed work within the right-of-way.

Stormwater

- 1) A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and the 2019 *Stormwater Management Manual for Eastern Washington* (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
- 2) A note shall be included on the face of the final plat which states:

“At the time of building permit submittal, an engineered site specific stormwater plan and report shall be submitted that conforms to Douglas County Code and the current edition of the Stormwater Management Manual for Eastern Washington. The Engineer of Record shall provide certification that the private on-site stormwater system has been completed in accordance with the accepted plans. A private stormwater operation and maintenance covenant, prepared with standard Douglas County forms, shall be executed and recorded with the Douglas County Auditor.”
- 3) Stormwater facilities shall be located on a separate tract(s) and/or easement(s) under the functional control of the Homeowners’ Association (HOA) and/or Lot Owner’s, as applicable, with each lot having an undivided ownership, interest, and responsibility for the tract(s).
- 4) Provisions to provide access for inspection and maintenance of the stormwater facilities shall be addressed within the design plans, report, and on the face of the final plat.
- 5) Prior to any on-site grading occurring or prior to construction plan acceptance (whichever comes first), a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
- 6) As applicable, registration of facilities that are regulated under the Washington State Department of Ecology’s Underground Injection Control Program shall be completed prior to construction.
- 7) The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans. UIC registration shall provided as applicable.
- 8) As applicable, prior to final plat acceptance, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant. A note shall be included on the face of the final plat which states:

“Douglas County will not maintain the private stormwater facilities located within this subdivision. Responsibility for the long term maintenance of the private stormwater facilities is described within the Declaration of Stormwater System Maintenance Covenants recorded under AFN _____.”
- 9) Individual/common plan development for this proposal exceeds 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is

responsible for acquisition of all applicable permits prior to beginning ground breaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.