



DOUGLAS COUNTY

Transportation & Land Services

STATE OF WASHINGTON

STAFF REPORT DAVIS SUBDIVISION P-2019-04

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Davis Subdivision (P-2019-04)
DATE: April 6, 2020

I. GENERAL INFORMATION

Requested Action An application for a 10 lot major subdivision. The subject property is approximately 16 acres in size and located approximately four miles north of Lincoln Rock State Park. The property is located within the Rural Recreation (R-REC) zoning district, and is further described as being located within the NW Quarter of Section 18, Township 24N, Range 21E, W.M. The Assessor's Parcel Number is: 24211830004.

II. SITE INFORMATION

Total Project Size:	16 acres
No. of lots	10
Domestic Water:	Domestic wells
Sewage Disposal:	On-site septic systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #2
Telephone Service:	Varied

Site Characteristics: The subject property includes a single family home, and is located between US 97 and the Columbia River. The topography is relatively flat.

Uses adjacent to the subject properties:

North: Single family homes

South: Single family home and vacant land.

East: US 97

West: Columbia River

Access: The subdivision will be accessed from an extension of Shore Drive. The proposal includes an internal road system. Access allows connection to all properties within the division. All roadway improvements would be the responsibility of the developer; and compliant with Douglas County Standards and Specifications.

Zoning and Development Standards: The subject property is located within the Rural Recreation (R-REC) 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 Recreation. The minimum lot size permitted in the Rural Recreation designation is 15,000 square feet. The purpose of this designation is to provide the opportunity for the development, redevelopment, and infill of existing intensely developed rural recreational areas for residential, recreation, and tourist development consistent with the rural character in the vicinity. Uses may include intensification of existing residential development or new development of small scale recreational or tourist uses, provided uses rely on a rural location and setting and do not encourage urban type development or services. 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-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-5: Strive for a reduction in the frequency and severity of highway accidents through efficient management of resources, and through adequate facilities and education that reduce conflicts between different modes of travel.

POLICY T-13: Ensure that transportation planning and implementation considers and is respectful of the rural and historic character found throughout the County.

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-5. Provide utilities at service levels that are appropriate for the specific land uses and areas, thereby avoiding excess capacities that may encourage growth beyond the desired densities of an area.

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.

POLICY U-16: Stormwater facilities and infrastructure shall be of the type, nature and location to facilitate ease of access for required inspection, maintenance and operation. Stormwater facilities shall be located on a separate tract, where feasible overflow and access is provided from a county or city right-of-way.

DOUGLAS COUNTY REGIONAL SHORELINE MASTER PROGRAM:

The Douglas County Regional Shoreline Master Program designates the subject property Shoreline Residential. The purpose of the shoreline residential environment is to accommodate residential development and accessory structures that are consistent with this chapter. An additional purpose is to provide appropriate public access and recreational 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 CRITICAL 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.

REGULATION 7: Filling, clearing and grading in vegetated shoreline areas shall be in conformance with the provisions of Section 5.8, Filling, Grading, and Excavation; in addition to Section 4.1, Ecological Protection and Critical Areas, and the provisions of this Program.

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.

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 March 26, 2020 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.

No public comments have been 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. The first goal of the transportation chapter strives 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.

Douglas County Regional Shoreline Master Program consistency:

The proposal is consistent with the policies and regulations of the Douglas County Regional Shoreline Master Program. The proposed uses are allowed and encouraged within the Shoreline Residential designation. The development will be served by adequate infrastructure, consistent with SMP policies.

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

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

Consistency with the provisions of the R-REC Zoning District, DCC Chapter 18.27:

As conditioned, the following dimensional standards for the R-REC zoning district will be met for each proposed lot:

- a. Lot Size. Fifteen thousand square feet;
- b. Lot Width. Seventy feet minimum width;
- c. Lot Coverage. The maximum lot coverage shall be calculated at thirty-five percent for the first acre and twenty percent for the remaining land area;
- d. Building Height. Thirty-five feet maximum height for residential buildings and forty feet for agricultural structures; and
- e. Landscaping, off-street parking/loading, road improvements and stormwater drainage shall be provided in accordance with DCC Title [20](#). (Res. TLS 04-39 Att. (part): Ord. TLS 03-01-01B Exh. B (part): Ord. TLS 01-04-07B Exh. B (part))

As applied, 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.

Agency comments:

Agency Notified	Response Received	Agency Notified	Response Received
Chelan-Douglas Health District	08/28/2019	Washington Department of Fish and Wildlife	N/R
Douglas County PUD	09/06/2019	Douglas County GIS/Addressing	08/26/2019
WA State Dept. of Ecology	N/R	Douglas County Assessor	N/R
Douglas County Fire Marshal	09/11/2019	Chelan County PUD	09/04/2019

Dept. of Arch. & Historical Preservation	08/27/2019	Douglas County Transportation & Storm Water	01/30/2020
Douglas County Land Services	03/01/2020	Colville Confederated Tribes	08/28/2019
WSDOT	09/05/2019		

* N/R = No Reply

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

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 17, 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-2019-04 subject to the following findings of fact and conditions:

Suggested Findings of Fact:

1. The applicant and owner are Corey and Tanya Davis, 13609 #B SR 2, East Wenatchee, WA 98802.
2. General Description: An application for 10-lot major subdivision. The subject property is approximately 16 acres in size. Proposed lot sizes range from 1.03 acres, to 4.22 acres (Non-inundated land) in size. Lots are proposed to be served by private water systems and on-site septic systems.
3. Location: The proposal is located approximately four miles north of Lincoln Rock State Park. The property is located within the Rural Recreation (R-REC) zoning district and is further described as being located within the NW Quarter of Section 18, Township 24N, Range 21E, W.M. The Assessor's Parcel Number is: 24211830004.
4. Site Information:

Total Project Size:	16 acres
No. of lots	10
Domestic Water:	Domestic wells
Sewage Disposal:	On-site septic systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #2
Telephone Service:	Varied
5. Site Characteristics: The topography is relatively flat, adjacent to the Columbia River.
6. Surrounding Property:

<u>North:</u>	Single family homes
<u>South:</u>	Single family home and vacant land.
<u>East:</u>	State Route 2
<u>West:</u>	Columbia River
7. The Comprehensive Plan Designation is Rural Recreation.

8. The subject property is located in the Rural Recreation (R-REC) zoning district which allows for subdivisions as permitted uses.
9. The purpose of the rural recreation (R-REC) district is to provide the opportunity for the development, redevelopment, and infill of existing intensely developed rural recreational areas for residential, recreation, and tourist-related development consistent with the rural character in the vicinity. These areas provide a distinct rural lifestyle closely associated with the many natural amenities found within Douglas County. These areas are clearly identifiable as existing intensely developed rural recreational developments where a logical boundary can be delineated and as set by the built environment. Such boundary shall not permit or encourage a new pattern of sprawling low density. The predominate parcel size is generally less than one acre in size. Uses may include intensification of existing residential development or new development of residential, small scale recreational or tourist uses, provided uses rely on a rural location and do not encourage urban type development or services.
10. The subject property meets the minimum development standards of the rural Recreation (R-REC) Zoning District.
11. Applicant has submitted a shoreline buffer assessment, prepared by Grette Associates, dated June 25, 2019.
12. The Douglas County Fire Marshal has reviewed the project, and subject to the recommended conditions, the proposal can be granted.
13. According to the WA State Department of Archaeology & Historic Preservation, "A desktop review using our statewide predictive model has identified the proposed project area as having a very high sensitivity for archaeological resources. There have also been numerous archaeological sites recorded in the vicinity of the proposed project 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."
14. According to the Confederate Tribes of the Colville Reservation "We have reviewed the land use application for the proposed Davis Subdivision (P-2019-04, DAHP #2019-08- 06565). Please be advised that the project falls within the traditional territories of the Entiat and Wenatchi Tribes, two constituent Tribes of the Confederated Tribes of the Colville Reservation. We concur with DAHP's recommendations for a professional archaeological survey. We further recommend that this survey include subsurface shovel probes."
15. According to the Cultural Resources Assessment for the Davis Plat Project, Douglas County, Washington dated November 18, 2019 (DAHP Project #: 2019-08-06565) prepared by Margaret Berger, Principal Investigator, "Background research and field investigations did not identify any previously recorded archaeological or historic sites within the project. Based on the results of background research and field investigations, impacts to cultural resources are not anticipated. In the event that any ground-disturbing or other construction activities result in the unanticipated discovery of archaeological resources, work should be halted in the immediate area, and contact made with county officials, the technical staff at DAHP, and tribal representatives (Attachment C). An Inadvertent Discovery Plan is attached."

16. On August 28, 2019, the Chelan Douglas Health District provided comment on the proposal.
17. On September 6, 2019, the Douglas County PUD provided comment on the proposal.
18. On September 11, 2019, the Douglas County Fire Marshal provided comment on the proposal.
19. On August 8, 2019, the Douglas County GIS department provided comment on the proposal.
20. On March 3, 2020, the Douglas County Land Services Department provided comment on the proposal.
21. On September 4, 2019, the Chelan County PUD provided comment on the proposal.
22. On March 31, 2020, the Douglas County Transportation and Stormwater Department provided comment on the proposal.
23. The application materials reviewed by Douglas County Transportation and Stormwater include the following:
 - Preliminary Engineering prepared by Torrence Engineering, received January 23, 2020.
 - Preliminary Drainage Report prepared by Torrence Engineering, received January 23, 2020.
 - Preliminary Plat prepared by Northwest Geodimensions, received August 9, 2019.
 - Soil Report prepared by Brian Dickey, received August 9, 2019.
24. On September 5, 2019, WSDOT made the following comments regarding the existing access for the adjacent property to the south (Parcel No. 24211830001):

“The access [...] is legal only for one farm to use and is a deeded approach. [...] However, should the Harmon’s want to subdivide, this access won’t be allowed for more than one farm so the only opportunity they would have is [...] to have interconnectivity with [...] access via Willwood Drive.”
25. Douglas County issued a request for additional information on September 5, 2019 which stated that the drawings would have to be revised to include access for Parcel No. 24211830001 from the proposed internal private road. A meeting was held between Tanya Davis (applicant), John Torrence (Engineer), and Douglas County staff to discuss WSDOT’s initial comments. It was stated that if access from WSDOT right of way to serve future development of Parcel No. 24211830001 is shown to be feasible that this requirement could be eliminated or reduced.
26. The applicant contacted WSDOT on February 6, 2020. WSDOT stated that future development of Parcel No. 24211830001 could be accommodated with access from WSDOT right of way if the access were built to WSDOT standards.
27. Douglas County requested that the applicant provide preliminary engineering which would illustrate feasibility of an access connection at this location. Torrence Engineering provided and exhibit illustrating what an approach from WSDOT right of way might look like. Douglas County reviewed the exhibit and noted that an access easement would be required on the southeast corner of the Parcel No. 24211830004 (applicant’s property).
28. Review of the exhibit by WSDOT is necessary but as of the writing of this report has not yet been performed. The suggested conditions of approval provide the flexibility for either solution.
29. The civil plans depict dedication of additional public right of way to accommodate and construct a cul-de-sac as required for dead-end County roads per DCC 12.52.040L. Additionally, the plans depict the proposed private road intended to

- serve the subdivision. The road appears to be designed to support the traffic generated by the proposed subdivision.
30. There appears to be a discrepancy in the parcel boundary shown on the preliminary plat map and the parcel boundary depicted within the Douglas County parcel layer. The Douglas County GIS department is working with the applicant's surveyor to resolve this issue.
 31. The soil report indicated that bedrock is shallow in this location. This restrictive layer limits the Best Management Practices available for stormwater mitigation on the subject property. A request for additional information was issued by the Douglas County Transportation and Stormwater department on September 5, 2019 regarding this issue. The applicant's engineer revised their report to propose the use of dispersion BMPs.
 32. Comments from reviewing agencies have been considered and addressed where appropriate.
 33. Douglas County issued a Determination of Non-Significance on March 26, 2020 pursuant to WAC 197-11-355 (Optional DNS).
 34. 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.
 35. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
 36. Purveyors who responded to the project have indicated that adequate utilities/services are or can serve this project.
 37. Engineering plans and technical reports must adhere to Douglas County Code Section 17.24.015.
 38. This proposal is governed by current Douglas County Regional Shoreline Master Program regulations including, but not limited to, shoreline setbacks, shoreline land use, etc. Should there be an amendment to the Douglas County shoreline master program in the future, a plat amendment will need to be obtained to modify any existing components of the final plat.
 39. 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 "Subdivision", 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 08/09/2019, 01/23/2020 and 01/31/2020 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 applicant shall adhere to the recommendations of the Cultural Resources Assessment for the Davis Plat Project, Douglas County, Washington dated November 18, 2019 (DAHP Project #: 2019-08-06565) including Attachment C - Inadvertent discovery plan
10. 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.
11. The developer shall install all infrastructure in accordance with the standards and specifications of the Chelan-Douglas Health District, Douglas County PUD, and Douglas County Fire District #2.
12. The developer shall prepare final plans for the development and installation of utilities for the approval of the respective purveyors prior to site development. Final "as-built" drawings shall be delivered to purveyors upon completion.
13. Written verification from the Chelan Douglas Health District that each lot may be served by domestic wells and onsite septic systems is required prior to final plat approval.
14. Prior to final plat approval, Douglas County PUD shall provide written verification that all District requirements have been satisfied.
 - a. Applicant must complete a Customer Service Request and provide a proposed electrical/utility plan for the project. A cost estimate will be provided based on the design. Estimate must be paid prior to final approval. Show access/utility easements and easements along roadways.
15. Lots greater than one (1) acre are EXEMPT from Fire Flow requirements PROVIDED all structures maintain no less than 50 feet of separation. Prior to final plat approval, written verification shall be provided from the Douglas County Fire Marshal that all requirements have been satisfied.
16. The applicant shall provide the Health District with 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)

17. A system user agreement for the well must be created if sharing the well between two new lots.
18. 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.
19. 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.
20. 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. _____."
21. 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 ½ acre unless a ground water withdrawal permit is obtained from the Department of Ecology (RCW 90.44.050)."
22. A soil/site evaluation for placement of onsite sewage systems is needed for each proposed lot. 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.
23. Any existing onsite sewer systems must be shown on the Blue Line plat drawing. The final plat shall show necessary easements, and reference any legal access documents recorded separately from the plat.
 24. The lot(s) with the existing septic system(s) must have a 100% reserve area. The Health District may request further information if this isn't identified on the soil/site evaluation for the proposed lot.
 25. Written approval from the Chelan Douglas Health District is required prior to final plat approval.
 26. 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.
 27. Transportation improvements are required to be completed to the public portion of Shorewood Drive. This includes right of way dedication to accommodate extension of the road and construction of a permanent 96' diameter cul-de-sac (min. 55' ROW radius).
 28. Per DCC 12.52.020(B)(1), this subdivision shall include provisions to provide access from the internal private road for Parcel No. 24211830001.
 - a. This condition can be eliminated if alternative access from WSDOT right of way is feasible. This will require coordination between the applicant's engineer/surveyor, WSDOT, and Douglas County. Any easements necessary to facilitate this alternative shall be included on the face of the plat.
 29. 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.
 30. 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.
 31. All existing and proposed easements shall be clearly delineated with the Auditor's File Number(s) noted as necessary on the final plat.
 32. The portion of the road that is to be private shall be clearly described as private on the face of the plat. A note is required on the face of the plat which states, "Douglas County will not maintain the private road."
 33. 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.
 34. 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.
 35. 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.

36. Per DCC Chapter 12.24, all new or revised accesses onto a County road (including temporary accesses) require an approved access permit.
37. 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.
38. 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.
39. 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).
40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. Written approval from the Douglas County Transportation and Stormwater Department is required prior to final plat approval.

47. Addresses will be assigned during the blue line review. This will include readdressing the existing house so that it is addressed off of Shore Drive.
48. The applicant shall relocate the existing driveway to the single family residence to adhere to the design shown in the civil drawings.
49. Applicant shall label the Chelan County PUD "G-Line" with a note which reads: "Chelan County PUD Rocky Reach Hydroelectric Project Boundary/ Flow Easement (See notes)
50. Applicant shall identify the riparian buffer on the face of the plat, per the Buffer Assessment prepared by Grette Associates, dated June 25, 2019.
51. Applicant shall adhere to the recommendations provided in the Riparian Buffer Assessment.
52. The following notes shall be shown on the final plat:
 - "Single use docks shall be prohibited and the number of joint use docks is limited to the configuration established on the face of the plat. A shoreline substantial development permit, in addition to all applicable Federal, State, and local permits are required prior to dock placement"
 - "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 _____"
 - Douglas County will not maintain the private road.
 - "Chelan County PUD has flood rights and other property restrictions below the contour elevation of 712 feet above sea USCGS datum as delineated on the District's Rocky Reach project boundary exhibit maps. The District's flowage easement is recorded under Douglas county AFN 126281"
53. Applicant shall provide easements for access to the joint use docks identified.
54. Applicant shall revise drawings to remove lots 101-106 and incorporate the acreage shown into lots 1-6.
55. Applicant shall revise the subdivision boundary to reflect the segregation of parcel 24211830006 from the parent parcel.
56. Future property owners shall provide, at the time of permit submittal for any joint use dock, a legally enforceable joint use agreement or other legal instrument addressing the following:
 - a. Provisions for maintenance and operation;
 - b. Easements or tracts for community access;
 - c. Provisions for joint use or community use for all benefiting parties.

Respectfully Submitted,



Tanner Ackley - Associate Planner

Attachments:

Agency Comments – Attachment A