

BEFORE THE OKANOGAN COUNTY HEARINGS EXAMINER

IN THE MATTER OF EASTLAKE SHORES)

LONG PLAT 2019-01)

PRELIMINARY PLAT APPROVAL)

FINDINGS OF FACT, CONCLUSIONS, AND DECISION

This matter, an application for a long plat (subdivision) was heard by the Okanogan County Hearing Examiner on July 11, 2019.

PROJECT SUMMARY

Tim Pecha on behalf of Jake Barker submitted an application for a subdivision. Eight residential lots will be created on approximately 8.44 acres. Lots range in size from approximately 0.62 acres to 2.28 acres. Water and sewer will be provided by the City of Oroville.

The property is located off Eastlake Road on parcels 4027030019, & 4027040009.

FINDINGS OF FACT

1. The applicant proposes a subdivision of approximately 8.44 acres into 8 lots.
2. The Comprehensive Plan designation of the property is "Rural".
3. The zoning designation of the property is "Suburban Residential".
4. This long plat application was initiated under, and subject to, all applicable provisions of Okanogan County code.
5. The subdivision process is authorized and outlined in RCW 58.17 "Plats-Subdivisions-Dedications" and Okanogan County Code, Title 16 "Subdivisions".
6. On April 15, 2019, an application for a Subdivision was submitted. The application was vested on May 1, 2019.
7. Notice of the application and SEPA threshold determination was mailed to commenting agencies and adjacent landowners on May 1, 2019.
8. Notice of the public hearing and final SEPA determination was mailed to commenting agencies, adjacent landowners and interested parties on June 4, 2019.
9. Notice of the application and SEPA threshold determination was published in the Gazette Tribune on May 2, 2019, and the Methow Valley News on May 1, 2019. Notice of public hearing and final SEPA determination was published in the Gazette Tribune on June 6, 2019 and the Methow Valley News on June 5, 2019.

10. The date of publication for the threshold (preliminary) SEPA Determination of Non-Significance is May 2, 2019. The comment period ended May 16, 2019.

11. The date of publication for the final SEPA Determination of Non-Significance is June 6, 2019. The appeal period ended June 21, 2019.

12. The Okanogan County Hearing Examiner conducted a public hearing on July 11, 2019. From this public hearing the Hearing Examiner will offer a recommendation to the Board of Okanogan County Commissioners.

13. The entire Planning and Community Development file is included as part of the official record.

14. At the hearing, staff, the applicant, and the public were given an opportunity to offer testimony.

15. The applicant testified that the conditions of approval suggested by staff were acceptable.

16. There was no public testimony either in favor of or opposed to the proposal.

CONCLUSIONS

1. As conditioned, the proposal is in compliance with the Okanogan County Subdivision regulations.

2. Applicable goals, policies, and provisions of the Okanogan County Comprehensive Plan were considered in analysis of this proposal.

3. As conditioned, the proposal is consistent with the Comprehensive Plan, and the surrounding area.

4. As conditioned, the proposal meets all current Okanogan County zoning ordinance regulations.

5. The conditions of approval are reasonably calculated to insure the subdivision is compatible with the Comprehensive Plan and Zoning for the subject area.

6. The conditions of approval are not unnecessarily onerous.

7. The conditions of approval will protect public health, safety, morals and general welfare.

8. The SEPA environmental determination has not been appealed and is final and incorporated in this decision as if fully set forth herein.

9. Comments from state, federal, and local agencies, and the commenting public were received, reviewed by staff and the Hearing Examiner, and considered in analysis of this proposal.
10. No public comments were received in opposition to the project.
11. At the hearing the County staff, the applicant and members of the public were given the opportunity to comment.
12. No public testimony was offered at the hearing.
13. All testimony was taken under oath.

DECISION

Based upon the information contained in the application materials, and additional information provided at the hearing, it is recommended that Long Plat 2019-01 be **APPROVED**, subject to the conditions noted below:

CONDITIONS OF APPROVAL

1. All requirements of RCW 58.17 (Plats-Subdivisions-Dedications) and Okanogan County Code Chapter 16 (Subdivisions) and Chapter 17 (Zoning) must be met prior to final approval.
2. All representations made by the applicant in the record shall be deemed conditions of approval and the project will be developed in substantial compliance with the application.
3. Prior to the submitting of the final mylar, the applicant will submit a paper or electronic copy of the final plat in order for the Planning Department to review it for compliance with the conditions of approval and all applicable platting regulations. Once reviewed as complete, the Planning Department will request that the surveyor prepare the final plat on 24"x36" stable base mylar, which must be signed and stamped by the surveyor.
4. All landowners of record must sign the final plat.
5. The plat name is "Eastlake Shores" and the project number is "Long Plat 20 19-1". These must be clearly shown on the final plat.
6. The final plat must include signature blocks for the following Okanogan County agencies: the Board of County Commissioners, Okanogan County Health District, Okanogan County Treasurer, Okanogan County Assessor, Okanogan County Engineer, Okanogan County Auditor (for filing purposes) and the Office of Planning and Development Administrator.
7. The final plat will include reference to all, if any, covenants, conditions, and restrictions which would be filed along with, or prior to, the final plat.

8. All property taxes as required by Chapter 58.08 RCW shall be paid prior to recording of the final plat.

9. A current title report or plat certificate must be submitted to the Office of Planning and Development and must be no more than 120 days old at time of final plat submittal.

10. Include the following disclaimer: "Okanogan County is not responsible for building or maintaining roads within this development".

11. All present and proposed easements and rights-of-way must be shown or referenced on the final plat.

12. The landowner(s) shall acknowledge that Okanogan County has a farm operations ordinance. The acknowledgement will be made in the form of a certificate, clearly stating the nature of applicable inconveniences and impacts. The County shall provide the landowner with the certificate. The certificate must be recorded with the Okanogan County Auditor along with, or prior to, each property conveyance. The final plat must reference this acknowledgement.

13. The following note shall be inscribed on the final plat:

"If any Native American grave sites or archaeological resources are discovered or excavated, the owner/developer/contractor shall stop work immediately and notify Okanogan County Planning, archeology specialists of the Colville Confederated Tribe, and the Washington State Department of Archaeology and Historic Preservation in conformance with RCW 27.53.020."

14. The following requirements of Okanogan County Public Works must be completed prior to final approval of this long plat:

a. The internal road for this plat is required to be a Category II road per Okanogan County Road and Street Guidelines for Development. This requires 16' of travel width, 1' shoulder on each side, and 1-foot ditches on each side bringing the total road measurement to 20 feet with 3" of ballast.

c. The Okanogan County Road and Street Standards and Guidelines for Development requires two access points, with exceptions under Table 7.2, Access Points, "Exceptions to this requirement may be made by the County Engineer in the event that topographical, project configuration, or other circumstances make imposition of this requirement impractical or difficult." A secondary access is not required for this project.

d. The Okanogan County Road and street Standards and Guidelines for Development Cul De Sac Geometry, Type 1 does not allow driveways to be located off the ends of the hammer head (in this case the east and west ends) as this area is to be used for snow storage. Access for lot 1 must be established so as to comply with this or additional snow

storage must be created elsewhere in the plat to allow lot it to access off of the ends of the hammer head.

15. All requirements of Okanogan Public Health, if any, must be completed prior to final approval of this long plat.

16. WA Department of Ecology states that the wetland delineation conducted on the property was conducted more than 5 years ago and is considered expired. A new delineation utilizing guidance from the approved federal wetland delineation manual and applicable regional guidance must be performed by a qualified professional before ground disturbing activities begin.

Dated this 12th day of July, 2019.

OKANOGAN COUNTY HEARING EXAMINER



DAN BEARDSLEE
