



Planning Commission Meeting Minutes

A meeting of the Okanogan County Regional Planning Commission was held on Monday, July 22, 2013 at 7:00 pm. The meeting was held in the Commissioners' Hearing Room, 123 5th Ave N., Okanogan, WA.

PLANNING COMMISSION MEMBERS present included: Chair Albert Roberts, Vice Chair Phil Dart, Commission Member Mark Miller, Commission Member Tamara Porter, Commission Member Tim Woolsey, Commission Member Rawley, and Commission Member Dave Schulz.

OKANOGAN COUNTY STAFF MEMBERS present included: Director of Planning Perry Huston, Senior Planner Ben Rough, and Administrative Secretary Sharon McKenzie.

APPLICANTS OR THEIR REPRESENTATIVES: James Cullis, John Hayes, and Gill Webber

OTHERS IN ATTENDANCE: Chris Stern, Sirinda Krueger, Nick Lucas, Rob Seckinger, Solveio Toruir, Maggie Coon, Kari Bown, Darlene Hajny, Melanie Rowland, Marcy Stamper, Nancy Soriano, Cathy Stern, Isabelle Spohn, Steven Ortole, Jeff, Chandler, and Mille Pruett.

Chair Roberts called the meeting to order at 7:00 pm.

Approval of July 22, 2013 Agenda

Commission Member Schulz moved to approve the July 22, 2013 Planning Commission Meeting Agenda. Vice Chair Dart seconded the motion. Motion passed.

Approval of June 24, 2013 Meeting Minutes

Vice Chair Dart moved to approve the June 24, 2013 Planning Commission Meeting Minutes as amended. Commission Member Rawley seconded the motion. Motion passed.

Public Hearing Item #1

❖ Wolf Creek BC PD 2013-1

Chair Roberts requested the summary report on the **Wolf Creek BC PD 2013-1**.

Director Huston informed the Planning Commission the SEPA decision had been appealed and a hearing was set before the Board of County Commissioners (BOCC) on August 6th at 2:30 in the Commissions Hearing Room. Director Huston suggested the Commission open the hearing, hear

the Staff Report, and have the Proponent come forward and take verbal testimony, and continue the hearing to the next regularly scheduled meeting leaving verbal testimony open to those who had not commented at this meeting.

Senior Planner Rough offered the Staff Report into the record. He noted a new comment from Public Health had been received and their recommendation modified Condition 13. He suggested the Commission refrain from discussing any to the conditions in the Staff Report due to the appeal.

Senior Planner Rough presented the following information on the Wolf Creek BC Planned Development:

- The application was submitted by James Cullis.
- The Planned Development (PD) creates a subdivision with 5 residential building lots and retains the remainder of the property in open space.
- Permitted uses include single family homes and normal accessory structures.
- Homes could be permitted as nightly rentals.
- No other uses are proposed
- Building sites will be clustered in close proximity in order to disturb a relatively small portion of the property.
- Approximately 15% of the property is designated building sites and approximately 85% of the property is designated open space.
- An internal access road will be constructed and will provide access for ingress and egress to each lot.
- The access road connects directly to the Left Fork Wolf Creek Road which borders the boundary of the project.
- Potable domestic water supply will be provided to each lot/residence by a single well which has been designed and approved as a Group-B water system.
- Each residence will utilize individual septic systems.
- The property is approximately 27 acres and is located between Left Fork Wolf Creek Road and Wolf Creek, $\frac{3}{4}$ mile SW of Wolf Creek Road and 4.5 miles west of Winthrop, WA.
- While parcel 3521310033 is a portion of the greater 'Cullis' property, it is not included on the PD application and is not proposed to be incorporated as part of this PD.

Senior Planner Rough noted in order to have nightly rentals in this area of the Methow, they must be in a planned development.

He said the process for the application combines:

- a subdivision to create 5 lots,
- includes a rezone and
- approval of a development agreement to enforce zoning.

Senior Planner Rough said the review process brought up issues such the access road. He said Verlene Hughes from Okanogan County Public Works was here to address any questions.

Verlene Hughes from Okanogan County Public Works explained a traffic count had recently been completed on the Left Fork Wolf Creek Road showing a 71 vehicle per day average. She said a project this size did not warrant any additional study. She presented the accident history of the area noting there was only one reported accident. She said Public Works will require two points of

access and additional right of way which is for later growth. She said the road qualifies as a primitive road and is plowed in the winter by the County. She noted if the access road in the planned development exceeds 600ft in length, Public Works will have to look at an additional cul-de-sac or hammerhead for emergency vehicles.

Senior Planner Rough asked if there were any further questions of Staff.

There being no further questions of Staff, Chair Roberts requested the Proponent come forward to address questions from the Commission Members.

James Cullis residing in Palm Coast Florida said he has been working on this project for a couple of years. He said John Hayes is here to present the proposal. He said his attorney is here to address any legal questions. He said he and his attorney they are working on the neighbor's concerns and are close to a resolution.

Mr. Cullis said he bought the land believing it was 33 acres but found after the purchase, a survey revealed only 27. He said there is one small parcel which is segregated from the main parcel and he has no plans for it at this time. He noted the CC&Rs were written by his attorney.

John Hayes residing in Winthrop and consultant for Mr. Cullis presented the visuals of the development. He presented the history of the property and the land divisions which occurred over time.

Mr. Hayes noted Mr. Cullis made sure the new residences could not be seen from surrounding homes. He

- explained how the setbacks were calculated.
- presented information regarding similar approved planned developments and how they were within the 200 set back and still met approval.
- stated everything is out of the riparian area except the pump house.
- said they are working on addressing the concerns specified in the appeal but at this time, no formal agreement has been reached.

Addressing the question of the trail, he noted the trail expansion has been done.

Addressing the question of there being five or six residences, he explained there are two parcels noting one is a satellite parcel which is less than one acre. He said there will be five residences on the larger of the two. He said there are no plans for the satellite parcel.

Chair Roberts asked if there were any other questions from the Commission Members. There being none, Chair Roberts opened the meeting to public testimony.

Howard (Chris) Stern residing in Winthrop said he has property north of the project. He said his concerns are:

- Density and the impact on the narrow road.
- Fairly narrow valley and air quality – there should be only one wood burning devise allowed per PD.

He said his questions were not answered such as his concern with the width of the road. He said the Proponent asked to expand the road but the problem is downstream where the road is narrow and has no shoulder.

Mr. Stern said he is concerned that packet does not have complete and accurate information. He noted it was stated the utilities are on site or in the right of way. He said an easement will have to be secured as the power is on his property.

He noted the information on other PDs presented by Mr. Hayes should not mean this proposed PD receive a rubber stamp because the PDs are kind of the same.

Sirinda Krueger residing in Winthrop said she owns 43 acres west of the proposed PD noted:

- the location of the traffic count study showing 71 vehicle trips per day if for vehicles that go to another area.
- the Sun Mountain trail system is across creek
- You cannot divide the parcel into 5 acre parcels.

She said her additional issues are:

- The road is dirt, narrow, goes uphill, one lane, and has no guard rail.
- The traffic will double.
- The persons coming for nightly rentals are unfamiliar with the area.
- The project violates the shoreline master program:
- Subdivisions are not allowed in the Wolf Creek shorelines the PD is a subdivision.

Rob Seckinger residing in Winthrop has property below the proposed development stated:

- transportation is a huge issue
- the road needs to be improved.
- three days traffic count does not make a study.
- his concerns are with the nightly rental people and not being familiar with the road. He stated:
- there are not five buildable lots.
- he is not sure about the myths of the PD.
- he questions the comment on the bridge in the future.

Isabelle Spohn residing in Twisp said she agrees with the Methow Valley Citizens Council (MVCC) comments:

- The concern with the rural environment
- The Shoreline Master Program prohibits this type of development
- Concurring with the Department of Ecology (DOE) requiring monitoring of water usage
- Concurring with DOE's restriction for the amount of landscape requiring water.

Ms. Spohn said her own concern is with the roads and how narrow and unsafe they are.

Jeff Chandler residing in Winthrop stated he is a signatory on the appeal. He said he is hopeful to resolve the differences with Mr. Cullis. He said

- the road is the outstanding issue.
- all primitive roads are not created equal.

- there is no alternative for the safety and if someone goes off the road, there is no saving the person.
- as the neighborhood grows, there needs to be some means for safe travel.

Douglas G. Webber attorney, residing in Winthrop said to consider what the testimony has been as presented. He said the Valley has a club and they don't want to share. He said there is a certain degree of hypocrisy. He noted comments made such as "We know how to drive the road but people from out of the area do not". He stated the PD does not violate the Shorelines Master Program. He said Mr. Cullis is making very generous concessions. He said the residents need to come to the reality this area will change. He said they cannot say "You can't develop here because I got here first". Mr. Webber said density will increase. Mr. Webber said on the road issue, because you are a nightly renter does not mean you can't drive icy roads. He said to remember we are all tenants of the county.

Nick Lucas residing in Winthrop and living above the proposed PD, said the residents try to preserve the land up there. He noted Lot 5 of PD has a proposed residence. He said reading the shoreline regulation, no residence should be allowed.

There being no further public testimony, Chair Roberts closed the meeting to public testimony until the next regularly scheduled meeting on August 26.

Director Huston cautioned the Planning Commission Members not to engage in comments. He said they may direct questions regarding the proposed project to Staff. He said in the motion to continue, it should be made clear testimony will be accepted at the next hearing, both verbal and written

There being no further questions for Staff, Chair Roberts said he would entertain a motion.

Commission Member Rawley moved to continue **Wolf Creek BC PD 2013-1** to the next regularly scheduled meeting on August 26, 2013 at 7:30 PM in the Commissioners Hearing room at which time the Commission will accept testimony, verbal and written and where the product of the SEPA hearing will be disclosed. Vice Chair Dart seconded the motion. Motion passed.

Chair Roberts called a five minute recess at 8:17 pm.

Chair Robert reconvened the meeting at 8:23 pm.

Public Hearing Item #2

- ❖ **Deliberations on the Final Draft of the Amended Okanogan County Comprehensive Plan, Final Draft of the Comprehensive Plan Land Use Designation Map and the Draft Environmental Impact Statement – *Continuance***

Director Huston said the Planning Commission has received the written comments received up to 5:00 pm today.

He said Resolution 2013-1 is the center piece tonight which calls for the:

- Adoption of the Resolution;
- The Comprehensive Plan (Comp Plan);
- The Comprehensive Plan Maps; and
- The Methow Valley More Complete Planning Area

He noted the reason the draft is back before the Planning Commission is due to substantial changes made at the Board of County Commissioners (BOCC) level.

Director Huston said the original plan was more restrictive such as showing three rural designations, urban designations, agricultural designation, etc. He note the Planning Commission made the decision early on to have a new Comprehensive Plan prior to working on revisions to the Zoning Ordinance.

He pointed out the significant changes:

- One rural designation but you have criteria to inform the zone code.
- City expansion areas as proposed by the cities are where the cities can serve urban density. This will be taken into account in the zoning designation.
- Population – this section has been considered as mandated but does not have to identify where the population growth specifically will be.
- Resource land is designated on the Comp Plan Map and in the Comp Plan is discussion how the resource designation will work and under what criteria.
- Water – Comp Plan recognizes water and references back to the Shoreline Master Program and the Critical Areas Ordinance.
- Methow Valley More Completely Planned Area (MVMCPA) incorporated into the Comp Plan. The boundary is the same as the 1976 Methow Review District Plan and includes Sub-unit A

Director Huston said there is confusion regarding the 1976 and 2000 narrative which was to be brought forward to the new document. He noted these narratives are not in the current document and what is before the Commission is the document which revises those narratives.

Director Huston noted the Comp Plan dictates all information be reviewed in the development of the zone code.

It was suggested WRIA 48 and 49 be referenced in the Comp Plan.

Commission Member Schulz made the motion to add to Chapter One of the Comprehensive Plan “Coordination with Water Resource Planning - It is the intent in the implementation of this Comprehensive Plan to ensure coordination with on-going Water Resource Planning conducted for WRIA 48 and 49.” Commission Member Porter seconded the motion. Motion passed.

There was further discussion regarding the significant changes and the sources of information to decide changes. It was noted that if there is an error or something has to be changed regarding a designation on the Comp Plan Map, there is a section under the de-designation criteria which deals with this issue. It was also noted corrections can be done through the annual amendment review.

Director Huston stated the final Draft Environmental Impact Statement will be augmented with some additional mitigations regarding water.

There was discussion on the water calculations and how accurate they are.

Addressing the question regarding who is liable if water is over allocated for a development, Director Huston said:

- The Comp Plan lays out the water question and works it into subsequent processes
- Zone code requires a higher level of responsibility to insure water is adequate
- Project specific review is still higher level of review and here is where impairment claims may occur.

Director Huston asked for direction on the MVMCPA. The Commission Members requested the boundaries be changed to coincide with the boundary of School District 350.

Commission Member Woolsey made the motion to continue deliberations on the Final Draft of the Amended Okanogan County Comprehensive Plan, Final Draft of the Comprehensive Plan Land Use Designation Map, and the Draft Environmental Impact Statement, and Resolution 1-2013 with the amended Attachment C Finding of Fact and Amended Attachment D – Conclusions of Law to the next regularly scheduled meeting on August 26, 2013 at 7:00 pm in the Commissioners Hearing Room. There will be no verbal testimony. Written comments will be accepted. Commission Member Miller seconded the motion. Motion passed.

Old Business

There was none.

New Business

There was none

Vice Chair Dart Commission Member Woolsey moved to adjourn the meeting. Commission Member Woolsey seconded the motion. Motion passed.

Adjourn

Chair Roberts adjourned the meeting at 9:43 p.m.

SUMMARY OF MOTIONS

Commission Member Schulz moved to approve the July 22, 2013 Planning Commission Meeting Agenda. Vice Chair Dart seconded the motion. Motion passed.

Vice Chair Dart moved to approve the June 24, 2013 Planning Commission Meeting Minutes as amended. Commission Member Rawley seconded the motion. Motion passed.

Commission Member Rawley moved to continue Wolf Creek BC PD 2013-1 to the next regularly scheduled meeting on August 26, 2013 at 7:30 PM in commissioners hearing room at which time the Commission will accept testimony, verbal and written and where the product of SEPA hearing will be disclosed. Vice Chair Dart seconded the motion. Motion passed.

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Prepared by Sharon McKenzie
Administrative Secretary