



Planning Commission Meeting Minutes

A meeting of the Okanogan County Regional Planning Commission was held on Monday, August 27, 2012 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 Tim Woolsey, Commission Member Marlene Rawley, and Commission Member Tamara Porter.

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

APPLICANTS OR THEIR REPRESENTATIVES: Jim Hammond

OTHERS IN ATTENDANCE: Vicki Welsh

Chair Roberts called the meeting to order at 7:02 pm.

Approval of August 27, 2012 Agenda

Vice Chair Dart moved to approve the August 27, 2012 Planning Commission Meeting Agenda. Commission Member Rawley seconded the motion. Motion passed.

Approval of July 23., 2012 Meeting Minutes

Vice Chair Dart moved to approve the July 23, 2012 Planning Commission Meeting Minutes as amended. Commission Member Porter seconded the motion. Motion passed.

Public Hearing Item #1

- **Lakeside Trail Cottages LP 2012-1**

Chair Roberts requested the summary report on the **Lakeside Trail Cottages LP 2012-1.** Senior Planner Ben Rough requested the Staff Report be placed into the record. Senior Planner Rough summarized:

- Veranda Beach is a 868 acre tourist-residential planned development.
- Veranda Beach includes a mixture of residential and commercial development, numerous private residences, a village center with retail and dining options, a marina, and other recreational elements.

- Veranda Beach Partnership submitted the Lakeside Trail Cottages subdivision application in order to create 7 lots within the Veranda Beach Planned Development. These lots will be developed for residential purposes with the option of using the homes as nightly rentals (transient tourist accommodations).
- Water and sewer utilities are provided by the City of Oroville.
- Irrigation is provided by Oroville-Tonasket Irrigation District.
- An internal one-way access road will be constructed granting each lot access to Village Way (Veranda Beach's primary access road).
- This property consists of two existing lots, one existing residential lot (proposed Lot 195) and a portion of the Veranda Beach open space (common area).
- The proposed subdivision is located on the terrace bench between the Village Center and Eastlake Road.
- Veranda Beach PD is located approximately 3 miles north of the City of Oroville, west of Eastlake Road.

Senior Planner Rough discussed the Veranda Beach Development Agreement, its current status and its relationship to the Lakeside Trail Cottages Long Plat application. He stated the Development Agreement is in draft form. He noted the agreement is being brought to the Board of County Commissioners (BOCC) for final approval in September. He said the Lakeside Trail Cottages Long Plat does not have to have the Development Agreement approval as it is consistent with the content of the Development Agreement being brought to the BOCC for final approval.

He said the applicant's representative is present to answer any questions.

Addressing the question of the Washington State Department of Transportation (WSDOT), Senior Planner Rough noted WSDOT is not concerned with this project but wants to be sure the Pro Rata Share Agreement mentioned in the Development Agreement will be enforced. He explained in 2010 Veranda Beach applied for a modification that included an expansion and WSDOT required that Veranda Beach would contribute to the improvement at the intersection in Oroville at Hwy 97.

Addressing the question regarding the lots being created out of a portion of the designated open space, Senior Planner Rough said this is not a concern since the reduction leaves well over the required minimum of 75% open space. He noted each lot would be responsible for a sewer connection fee due at the time of a Site Analysis application. He said before plat final approval, infrastructure should be in place.

Chair Roberts requested the applicant come forward to address questions from the Commission Members.

Jim Hammond, Managing Partner for Veranda Beach residing in Kelowna, BC, said the lots would be on Village Way. He said the water and sewer drawings were just completed and construction of the infrastructure will be commencing. He noted there are a number of homes pre-sold waiting for the approval of the long plat. He confirmed connection fees will be paid at the time of application.

Chair Roberts asked if there were any other questions from the Board. There being none, Chair Roberts opened the meeting to public testimony. There being no public testimony, he closed the meeting to public testimony.

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

Commission Member Rawley moved to recommend approval of the **Lakeside Trail Cottages LP 2012-1** to the Board of County Commissioners subject to the attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Vice Chair Dart seconded the motion. Motion passed.

Public Hearing Item #2

- **Comprehensive Plan – Update**

Director of Planning Perry Huston updated the Planning Commission Members as follows:

- The legal review is in hand.
- A copy of the review will be sent to the Planning Commission Members.
- The legal review focused on the resource designation and questioned the criteria used for the decision made.
- It was recommended to create a scenario, weighting the criteria, and have the information reviewed by the Board of County Commissioners (BOCC) and then present the information to the Planning Commission for review and public hearing.
- The anticipated review date may be as early as October.
- A public hearing may not be until November to give the Planning Commission time to review the revisions.
- One public hearing is required in front of the Planning Commission due to the extent of the changes made throughout the Comprehensive Plan document.

Addressing the question on the legal review and any glaring problems, Director Huston noted the weakness in the document is the criteria, the designation and determination of the resource designation. He said the path followed was not defensible. He said Staff would go back to the language as directed by the State. He gave the example of the Methow. The Planning Commission had been advised to keep the area designate as is with no resource designation and leave Methow alone. In other areas of the County, the record does not explain why irrigated areas are not designated.

There was discussion regarding the proper course of action to take to correct the document so it will fit the legal parameters of the resource designation. Director Huston said part of the problem was the ownership question where the public lands were included in the resource designation. He pointed out there was no justification for that decision according to the legal review.

The Planning Commission Members requested receiving the legal review as soon as possible.

Public Hearing Item #3

- **Deliberations on the Okanogan County Critical Area Ordinance – Continuance**

Natural Resource Planner II Angela Hubbard began the discussion by reviewing the Critical Areas Ordinance, maps, and draft resolution. She explained the major change to the document as requested at the last Planning Commission meeting was in the habitat section.

She reviewed the following changes:

- Page 29-30 - Level I and II both have the same options as directed by the Commission Members
- Page 64 – Planner II Hubbard explained Section 14.12.610, the process, and the resources to be used.
- Page 31 – To clarify the difference between the buffers designated in the Shoreline Master Program (SMP) (75 feet) and the Critical Areas Ordinance (CAO) (25 feet), it was explained the SMP direction is to operate from “no net loss” and preserve functionality of the shoreline (not necessarily on a specific parcel.) and the landowner can exchange protection. The CAO states the landowner must protect the critical area (not enhance it) and the landowner cannot make an exchange. The CAO is parcel specific. It was further explained that because the location is in a shoreline environment does not mean it is necessarily a critical area.
- Page 17 – Line 1058 – delete “and recommendations”
- Page 62 – Line 2456 – Item 4. It was noted this should be tied back to the Voluntary Stewardship Program (VSP) since agriculture is not to be addressed at this time. Director Huston said Staff will review the Draft CAO to make sure references to agriculture would all be tied back to the VSP.

There was discussion on aquifer recharge areas and critical aquifer recharge areas. It was noted there are no critical aquifer recharge area identified in the County, but if one is identified, the CAO has the tools to regulate it.

Director Huston asked the Planning Commission to carefully review the Draft Resolution and note any additions or corrections to the Findings of Fact and Conclusions of Law. Any changes/recommendations should be transmitted to Staff prior to the next meeting.

Vice Chair Dart made the motion to continue deliberations on the Critical Areas Ordinance which will not be open to public comment at the next regularly scheduled meeting on September 24, 2012 at 7:00 pm in the Commissioners Hearing Room. Commission Member Rawley seconded the motion. Motion passed.

Old Business

Director Huston updated the Planning Commission on the status of the SMP stating it has been transmitted to the Department of Ecology (DOE) for review. DOE will hold a public hearing and adopt the SMP by the WAC after they have accepted the County's document.

New Business

None

Commission Member Rawley moved to adjourn the meeting. Commission Member Porter seconded the motion. Motion passed.

Chair Roberts adjourned the meeting at 8.55 p.m.

Summary of Motions

Vice Chair Dart moved to approve the August 27, 2012 Planning Commission Meeting Agenda. Commission Member Rawley seconded the motion. Motion passed.

Vice Chair Dart moved to approve the July 23, 2011 Planning Commission Meeting Minutes as amended. Commission Member Porter seconded the motion. Motion passed.

Commission Member Rawley moved to recommend approval of the Lakeside Trail Cottages LP 2012-1 to the Board of County Commissioners subject to the attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Vice Chair Dart seconded the motion. Motion passed.

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Prepared by Sharon McKenzie
Administrative Secretary