May 1, 2019, 9:00 pm

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Planning Manager – Kirsten Larsen, Planner – Emily Morgan, Planner – Jamie Strother, Assistant Planner – Scott Kugel, Permit Clerk - Wendy Lane,

Public/Agencies:

AGENDA:
I. CALL TO ORDER

Hearing Examiner Kottkamp called the Hearing to order. No objections were given to Mr. Kottkamp running today’s hearing. Instruction was given to attendees on how the hearing is conducted and how to participate, testify, and appeal a decision.

II. PUBLIC HEARINGS

CUP 2019-001: An application for a Conditional Use Permit has been requested by the Chelan County PUD for the installation of an approx. 250,000 gallon domestic water reservoir to support Rock Island Dam maintenance facilities, including fire protection; the existing reservoir is not large enough to meet fire flow requirements for future development. The proposed 32 ft. diameter x 55 ft. tall reservoir will have a drain and overfill pond as well as new 6 ft. security chain-link fencing; the fence will be placed to allow at least 15 ft. clearance around the new reservoir. Waterlines to service the proposed reservoir have previously been installed. The existing reservoir and waterline are to be decommissioned and abandoned upon completion of the proposed project. The property is located at 1476 Rock Island Dam Rd, Malaga, WA and is identified as Assessor’s Parcel number: 21-22-20-000-050. The parcel is zoned Rural Industrial (RI). The parcel is located within an identified potential Geologic Hazard area. Pursuant to WAC 197-11-800, this proposal is not SEPA exempt; a Determination of Non-Significance was issued by Chelan County PUD as lead agency on April 26, 2018. Planner: Emily Morgan

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planner Emily Morgan explained the application. Staff recommends approval with conditions.

Ryan Walker was sworn in, as an agent, to testify on behalf of the applicant.

With no public present, Mr. Kottkamp closed the public portion of the record on the matter.

AA 2019-001: An application for and Administrative Appeal was submitted to appeal the denial of Certificate of Exemption, CoE 2018-435. The Certificate of Exemption was submitted under the historic division criteria of CCC 12.14.050(6) to memorialize Lot 12 of the Plat of Dover, a plat approved in 1909 but never recorded. The Certificate of Exemption was denied by the Director of Community Development as the lot is not in compliance with Chelan County subdivision resolution and is not exempt from land division
requirements. The appeal was submitted on the basis that (1) the cited Attorney General Opinions, AGLO 1974 No. 7 and AGO 1996 No. 5 fails to account for AGO 1998 No.4, therefore resulting in an incomplete Department analysis and (2) that the determination that the lot is not a legal lot of record per CCC 14.98.1090 was erroneous. Project Location: NNA Stayman Flats Rd., Chelan, WA; and identified by Assessor’s Parcel No.: 26-22-09-240-105. **Planner: Emily Morgan**

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planner Emily Morgan explained the application. Staff recommends approval with conditions.

Michelle Green was sworn in, as an agent, to testify on behalf of the applicant.

With no public present, Mr. Kottkamp closed the public portion of the record on the matter.

**ZC 19-001:** A Zone Change application for approximately 3.53 acres from Rural Village (RV) to Rural Industrial (RI) on a portion of the subject property. The proposed zoning map amendment implements the changes adopted by Resolution 2019-31 to the Chelan County Comprehensive Plan. Project Location: 310 Main Street, Monitor; and identified by Assessor’s Parcel No.: 23-19-14-488-015. **Planner: Kirsten Larsen**

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planning Manager Kirsten Larsen explained the application. Staff recommends approval as conditioned.

Charles Steinburg was sworn in, as an agent, to testify on behalf of the applicant.

With no public present, Mr. Kottkamp closed the public portion of the record on the matter.

**ZC 19-002:** A Zone Change application for approximately 12.56 acres from Urban Residential 1 (UR1) to Urban Residential 3 (UR3) within the Manson Urban Growth Area. The proposed zoning map amendment implements the changes adopted by Resolution 2019-31 to the Chelan County Comprehensive Plan. Project Location: 408 Madeline Road, Manson; Assessor’s parcel numbers: 28-21-36-681-048 and 28-21-36-681-049. **Planner: Kirsten Larsen**

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planning Manager Kirsten Larsen explained the application. Staff recommends approval as conditioned.

Anne Hessburg was sworn in, as an agent, to testify on behalf of the applicant. She is in agreement with the staff-report and the conditions of approval.

**SDP 2018-450/SCUP 2018-451/SV 2018-452:** An application for a shoreline substantial development permit, shoreline conditional use permit, and shoreline variance was submitted by Grette Associates, LLC (agent) on behalf of BCS Ventures, LLC and Robert Rempel (owners) on December 20, 2018 and deemed complete on January 7, 2019; for installation of a new approximately 728 sq ft joint-use dock and two 125 sq ft boatlifts on the Columbia River. The dock will extend approximately 78 feet from OHWM to reach a water depth of 11 feet on its landward side. Included in the project is an access trail and mitigation planting plan, to include approximately 2,258 sq ft of native riparian vegetation. The subject properties are located at 523 and 557 Hidden Lane, Chelan, WA 98816, within the Rural Residential/Resource – 2.5 (RR2.5) zoning district and the
‘rural’ shoreline environment designation for the Columbia River, a shoreline of statewide significance; further identified by Assessor’s Parcel Numbers: 272302886140 & 272302886150. The application includes a JARPA and SEPA Checklist. Additional permits required include: a residential building permit, USACE Section 10 Permit and WDFW HPA. **Planner: Jamie Strother**

1:18:08 PM Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planner Jamie Strother explained the application. Staff recommends approval as conditioned.

1:20:34 PM Anne Hessburg was sworn in, as an agent, to testify on behalf of the applicant. She is in agreement with the staff-report and the conditions of approval.

1:21:00 PM Mr. Kottkamp asked about the need for a variance and Anne Hessburg answered to was to meet the water depth mark required by the USACE’s regulations.

1:22:13 PM With no public present, Mr. Kottkamp closed the public portion of the record on the matter.

**SDP 2018-448:** Application for a shoreline substantial development permit was submitted by Chelan County PUD on December 20, 2018, and deemed complete on January 17, 2019; for installation of flow meters on an existing withdrawal pipe at the Chiwawa hatchery facility. Flow meters will be installed on the well pipelines, inside a concrete vault to allow access. Power to the flow meters will be trenched from existing sources at the hatchery. Two approximately 10-foot ponderosa pine trees will be removed to accommodate the vault installation. Vault excavation will occur approximately 70 feet from the OHWM of the Chiwawa River and trenching for electrical will occur within 130 of the Chiwawa River. This project is needed to comply with Washington Department of Ecology’s requirements to meter certain water diversions, per WAC 173-173 and RCW 90.44.450. The project is located at 2640 Kinnikinnick Dr, Leavenworth, WA 98816, within the RR2.5 zoning district and the ‘rural’ shoreline environment designation for the Chiwawa River, a shoreline of statewide significance; further identified by Assessor’s Parcel No.: 26-17-01-721-015. The application includes a JARPA. The project is categorically exempt from SEPA, pursuant to WAC 197-11-800(2)(i). **Planner: Scott Kugel**

1:22:33 PM Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record.

1:23:17 PM Mr. Kottkamp reported that he had an email from Scott Kugel with regard to the absence of the applicant at the Hearing Examiner’s Meeting.

1:23:51 PM Assistant Planner Scott Kugel explained the application. Staff recommends approval as conditioned.

1:25:27 PM Mr. Kottkamp stated he also received an email sent, April 16, 2019, from Edrie Risdon explaining her absence from the meeting.

1:25:45 PM With no public present, Mr. Kottkamp closed the public portion of the record on the matter.
III. AJOURNMENT

1:25:58 PM Hearing Examiner Kottkamp adjourned the April 17, 2019, meeting.