



CHELAN COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801
TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

**IN THE MATTER OF
SHORT PLAT NO. SP 20-033
Darren Henke ETAL, OWNER**

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**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND DECISION**

THIS MATTER, an application submitted by Brian Hinthorne of Eagle Creek Consulting, LLC (agent) on behalf of Darren Henke, ETAL (owners) to subdivide a 20.0 acre lot located in the Rural Residential/Resource 5 (RR5) zoning district into four (4) residential lots. Proposed Lot 1 would be approximately 5.01 acres in size when measured to the center of Allen Road (pursuant to Chelan County Code section 12.02.070) with an existing single-family residence. Proposed Lot 2 would be approximately 5.01 acres in size, Lot 3 would be approximately 5.01 acres in size, and Lot 4 would be approximately 5.13 acres in size when measured to the centerline of the adjoining right-of-way (pursuant to Chelan County Code section 12.02.070). Primary access for proposed Lots 1 and 2 would be from Allen Road and primary access for proposed Lots 3 and 4 would be from S. Shugart Flats Road. Domestic water for proposed Lot 1 would continue to be provided by an existing private well. Domestic water for proposed Lot 2 would be provided by a new private well and domestic water for proposed Lots 3 and 4 would be provided by a new shared well. All four proposed lots would have on-site septic systems with drain fields. This proposed Short Plat was received and decided upon, pursuant to the Chelan County Subdivision Code Title 11, Title 12 and other applicable codes adopted by Chelan County.

DECISION

Based upon the following Findings of Fact and Conclusions of Law, Short Plat **SP 20-033** is hereby **CONDITIONALLY APPROVED**, subject to the conditions noted herein. Unless otherwise noted, the conditions of approval shall be accomplished by the applicant and/or authorized agent prior to recording the final short plat.

Catherine Lorbeer, Assistant Director
Department of Community Development

8/4/2021
Date

This administrative decision is final unless appealed within ten (10) working days to the Hearing Examiner as provided for in the provisions of Chelan County Code Chapter 14.12, Development Permit Procedures, and Administration, from the date this Administrative Decision was issued.

Standing to appeal is limited to the applicant or owner of the property on which the subdivision is proposed, or any property owner who deems himself/herself aggrieved by the Administrator's decision and who will suffer direct and substantial impacts from the proposed short subdivision. Said appeal shall require the applicable appeal fee as provided for in the Chelan County Department of Community Development Fee Schedule. The complete case file, Findings of Fact, Conclusions of Law, Decision, and Conditions of Approval are available for inspection at the office of the Chelan County Department of Community Development, Monday through Friday during the normal business hours at 316 Washington Street Suite 301, Wenatchee, WA 98801.

FINDINGS OF FACT

1. Pursuant to Section 14.04.020(3), unless otherwise directed in an applicable regulation, the Director is responsible for issuing administrative decisions and is vested with the authority to summarily approve, conditionally approve or disapprove proposed subdivisions.
2. On October 14, 2020, Brian Hinthorne of Eagle Creek Consulting, LLC (agent) requested on behalf of Darren Henke, ETAL (owners) a short plat of approximately 20.0 acres into four (4) residential lots; proposed Lot 1 would be approximately 5.01 acres in size when measured to the center of Allen Road (pursuant to Chelan County Code section 12.02.070)), proposed Lots 2 and 3 would be approximately 5.01 acres in size, and proposed Lot 4 would be approximately 5.13 acres in size when measured to the centerline of the adjoining right-of-way (pursuant to Chelan County Code section 12.02.070). Additional information was provided to Chelan County on April 9, 2021.
 - 2.1. Proposed Lot 1 contains an existing single-family residence, well, and septic system.
 - 2.2. Proposed Lots 2, 3, and 4 are undeveloped.
3. The subject property is located at 12211 Allen Road, Plain, WA 98826 and identified by Chelan County Assessor's Parcel Number 26-17-01-721-155.
4. The subject property is located within the Rural Residential/Resource 5 (RR5) zoning district and corresponding Comprehensive Land Use Designation.
5. The surrounding properties are zoned:
 - 5.1. North: Rural Residential/Resource 2.5 (RR2.5)
 - 5.2. East: Rural Residential/Resource 5 (RR5)
 - 5.3. South: Rural Residential/Resource 2.5 (RR2.5); S. Shugart Flats Road
 - 5.4. West: Rural Residential/Resource 2.5 (RR2.5); S. Shugart Flats Road
6. Proposed access to Lots 1 and 2 would be from Allen Road.
 - 6.1. Allen Road is a 60 ft. wide right-of-way and is classified as a Rural Local Access Road in the county road system. Allen Road is a 22 ft. wide paved roadway, which provides single lanes for traffic in each direction with no curb, gutter, or sidewalk.
7. Proposed access to Lots 3 and 4 would be from S. Shugart Flats Road.
 - 7.1. S. Shugart Flats Road is a 60 ft. wide right-of-way and is classified as a Rural Local Access Road in the county road system. S. Shugart Flats Road is a 24 ft. wide paved roadway, which provides single lanes for traffic in each direction with no curb, gutter, or sidewalk.
8. The site plan of record is date stamped April 9, 2021 (see Exhibit A).
9. The subject parcel is legally described as No. 2 Wenatchee Park Lot 17; 20.0 acres.
10. Pursuant to Chelan County Code Section 14.98.1090 definition of 'legal lot of record,' the subject parcel is a legal lot of record having been created through a previously recorded plat.
11. Statutory Warranty Deed, recorded June 8, 2020 under AFN: 2517096, identifies Darren and Kristin Henke along with Jay and Heidi Bryan as the legal owners of the subject property.
12. Pursuant to Chelan County Code Section 14.08.030, a Determination of Complete Application was issued on April 16, 2021, establishing that the application was complete for processing.
13. An Affidavit of Mailing was completed showing that notices were mailed to all property owners within 300 feet, excluding 60 feet of street right-of-way, of the project boundary on April 21, 2021.
14. An Affidavit of Posting was submitted by Jay Bryan (owner) showing that the subject property was posted April 17, 2021 through May 11, 2021.
15. Chelan County Comprehensive Plan, Chapter 3 page 8-9, states the purpose of the Rural Residential/Resource 5 (RR5) designation is to provide *"opportunities for small scale agricultural activities, and rural development consistent with the rural character and rural development provisions outlined in goals and policies of the comprehensive plan. These areas may provide opportunities for protecting sensitive environmental areas and open space typical of a rural setting. RR5 designations adjacent to urban growth*

areas are intended to encourage the preservation of rural areas until such time as they serve as urban growth areas and urban services become available. RR5 designations can also act as buffers between designated resource lands and more intense rural and urban development.

Uses appropriate for these areas include: open space; residential; agriculture; and forestry.”

16. Chelan County Code Section 11.12.020: Standards.

16.1. (1): Proposed Lots 1, 2, 3, and 4 satisfy the required minimum lot size of 5.0 acres. Proposed Lot 1 would be approximately 5.01 acres in size, measured from the centerline of Allen Road (pursuant to Chelan County Code section 12.02.070). Proposed Lots 2 and 3 would be approximately 5.01 acres in size and proposed Lot 4 would be approximately 5.13 acres in size, measured from the centerline of the adjoining right-of-way (pursuant to Chelan County Code section 12.02.070).

16.2. (2): Access for proposed Lots 1 and 2 would be from Allen Road. Access for proposed Lots 3 and 4 would be from S. Shugart Flats Road. The site plan of record, date stamped April 9, 2021, demonstrates the proposed lots exceed the 100-foot minimum lot width requirement at the front building line; therefore the 100-foot lot width at front building line is satisfied.

16.3. (3) and (4): Proposed Lots 2 and 3 allow for approximately 76,382 sq. ft. of lot coverage, and proposed Lot 4 allows for approximately 78,211 sq. ft. of lot coverage; the existing structures on Lot 1 do not exceed the maximum lot coverage based on the Assessor's records for existing building square footages.

Building height and lot coverage will be reviewed at the time of building permit submittal for new structure(s).

16.4. (5) and (6): Based on the site plan of record, the existing structures on Lot 1 meet the required setbacks.

Setbacks for new structure(s) on any of the proposed lots will be reviewed at the time of building permit.

17. The proposed lots are not on any shorelines of the state; therefore, the provisions of the current Shoreline Master Program do not apply.

18. Pursuant to the Washington State Department of Fish and Wildlife, Priority Habitat and Species Maps, there are protected mule deer habitat areas within the subject property; therefore, the provisions of Chelan County Code Chapter 11.78 Fish & Wildlife Overlay District, do apply.

18.1. Pursuant to the comment received from the Washington State Department of Fish and Wildlife on May 5, 2021 indicating that the proposed development is located in an identified Mule Deer Breeding Area and also contains Northern Spotted Owl habitat; therefore, a wildlife survey will be required unless waived by either the Washington State Department of Fish and Wildlife prior to future development to ensure new development is site to avoid and minimize impacts.

19. The proposed lots do not contain wetland environments; therefore, the provisions of the Chelan County Code Chapter 11.80 Wetland Areas Overlay Districts, do not apply.

20. The proposed lots do not contain flood areas on or adjacent to the property; therefore, the provisions of the Chelan County Code Chapter 11.84 Frequently Flooded Areas Overlay Districts, do not apply.

21. The proposed lots are not within an area identified by Chelan County as containing highly erodible soils; therefore, the provisions of the Chelan County Code Chapter 11.86, Geologically Hazardous Areas Overlay District, do not apply.

22. Chelan County Code Section 12.04.020: Suitability for Land Division

22.1. (1)(A) and (B): The subject property does not access from a primitive road identified in Chelan County Code Section 9.09.010 or a US Forest Service road; therefore, this provision would not apply.

22.2. (1)(C): The site plan of record, date stamped April 9, 2021, shows access to proposed Lots 1 and 2 would be from Allen Road and access to proposed Lots 3 and 4 would be from S. Shugart Flats Road.

22.3. (1)(D): As conditioned, the proposed Short Plat would meet the standards of Title 12: Land Divisions, Title 13: Environment, and Title 15: Development Standards.

22.4. (1)(E): No open space tract is proposed with this Short Plat. All proposed lots would utilize on-site sewage disposal systems. Proposed Lot 1 would have access to domestic water supplied by a an

existing private well. Proposed Lots 2, 3, and 4 would have domestic water supplied by new private and shared wells.

22.5. (1)(F): Pursuant to the Chelan County Geologically Hazardous Areas map data, the subject property does not contain potential geologically hazardous areas; therefore, the provisions of Chelan County Code Chapter 11.86 Geologically Hazardous Areas Overlay District, do not apply.

22.6. (1)(G): No comments were received from the Cascade School District or Chelan County Public Works regarding routes to schools.

22.7. (1)(H): Pursuant to WAC 197-11-800(6), the proposed development is exempt from State Environmental Policy Act (SEPA) review.

23. Pursuant to Chelan County Code Section 12.04.040, the following agencies received notice of the proposed Short Plat:

Agencies	Comment Rec'd	Agencies	Comment Rec'd
Chelan County Assessor	April 26, 2021	WA State Dept. of Ecology	May 3, 2021
Chelan County Fire Marshal	May 5, 2021	Chelan County Fire District #9	No Comment
Chelan County Building Official	April 27, 2021	Cascade School District	No Comment
Chelan-Douglas Health District	May 16, 2021	WA State Dept. of Archaeology and Historic Preservation	May 4, 2021
Chelan County Public Works	April 27, 2021	Yakama Nation Cultural Resources Program	April 28, 2021
Chelan County PUD	April 23, 2021	Confederated Tribes of the Colville Reservation	No Comment

23.1. A public comment was received from Tom Pettigrew (neighbor) on May 21, 2021 stating concerns regarding the access point of proposed Lot 2 and the use of a shared well between all four lots.

24. Chelan County Code Chapter 12.08.010: Land Division Names

24.1. The proposed name of the land division is related to the file number, SP 2020-033.

25. Chelan County Code Section 12.08.020: Lot Standards

25.1. (1): Pursuant to Finding of Fact 15, the proposed lots meet this provision.

Future development of the proposed lots will be required to comply with all applicable regulations of the Chelan County Code.

25.2. (2) and (3): Lots 1 and 2 would be accessed off of Allen Road. Lots 3 and 4 would be accessed off of S. Shugart Flats Road.

25.2.1. Comment letter from Chelan County Department of Public Works dated April 27, 2021 states that road improvements are not required to Allen Road or S. Shugart Flats Road.

25.3. (4): Pursuant to Finding of Fact 20.1, the proposed lots are suitable for residential development. Both of the proposed lots would have adequate water and sanitation available.

25.4. (5): The applicant submitted an Aquifer Recharge Area Disclosure Form, date stamped October 14, 2020. A Vulnerability Rating Report is not required. The proposed Short Plat does not meet criteria A, B, C, D or two or more of the remaining criteria on the Aquifer Recharge Area Disclosure Form.

25.5. (6): The proposed Short Plat does not result in barriers to development of adjacent lots.

26. Chelan County Code Section 12.08.030: Easements

26.1. Pursuant to RCW 58.17.255 and WAC 332-130-040, all easement locations are required to be shown on the final Short Plat. Separate instruments recorded with the Chelan County Auditor should be referenced on the final Short Plat.

26.1.1. The subject property is served by Chelan County PUD for electrical service and may require line extensions and associated easements.

26.1.2. Easements will be reviewed with Final Short Plat approval submittal.

27. Chelan County Code Section 12.08.040: Fire Protection Standards

27.1. The subject site is within the jurisdiction of Fire District 9.

27.2. The proposed short plat and all future building permits must conform to all applicable requirements of the International Fire Code and International Building Code administered by the Chelan County Fire Marshal.

28. Chelan County Section 12.08.050: Storm Drainage

28.1. Chelan County Public Works comment letter, dated April 27, 2021, states that a stormwater analysis will be required if the proposed Short Plat meets or exceeds the applicability requirements of Chelan County Code Section 13.16.010(2).

29. Chelan County Section 12.08.060: Watercourses

29.1. The subject property is not traversed by a watercourse, drainage easement, drainage way, wasteway, channel or stream; therefore, the provisions of this section would not apply.

30. Chelan County Section 12.08.070: Water and Sewer Standards

30.1. Any changes to existing water and septic facilities shall be designed and constructed in compliance with Chelan-Douglas Health District, the county's construction specifications, all applicable purveyors and all state and federal regulations.

30.2. Any new water and septic facilities shall be designed and constructed in compliance with Chelan-Douglas Health District, the county's construction specifications, all applicable purveyors and all state and federal regulations.

31. Chelan County Section 12.08.080: Road Standards

31.1. Title 15 requires the Addressing/Lot Access Plan to demonstrate how all lots and any existing driveway easements will be constructed and how they meet the county road approach standards.

31.2. Prior to final Short Plat review, the proposal shall be reviewed by Chelan County Department of Public Works for compliance with Title 15.

32. Chelan County Section 12.08.090: Monuments

32.1. Monuments shall be required prior to submittal of final short plat or as approved by Chelan County Public Works Department.

33. Chelan County Section 12.08.100: Flood Protection

33.1. Pursuant to Finding of Fact 19, there are no flood areas on or adjacent to the subject property, therefore the provisions do not apply.

34. Pursuant to Chelan County Resolution 2009-89, Chelan County has determined that the control of weeds is a special benefit to the lands within Chelan County.

35. Pursuant to RCW 27.53.020, full cooperation among the Department of Archaeology and Historic Preservation and other agencies is required to ensure information regarding the possible impact of construction activities on the state's archaeological resources is maintained.

35.1. Pursuant to the Comment received from the Department of Archaeology and Historic Preservation on May 4, 2021 indicating that the proposed development is located in an area of high probability of archaeological resources; therefore, a cultural resource survey will be required unless waived by the Washington State Department of Archaeology and Historic Preservation.

36. Pursuant to RCW 84.56.345, all taxes, delinquent taxes, and assessments that are required to be paid by the Chelan County Treasurer shall be paid prior to final Short Plat recording.

37. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

CONCLUSIONS OF LAW

1. The Director of Community Development is the Administrator of the Chelan County Code and has authority to render this Decision.
2. The proposed land division was processed consistent with Chelan County Code Section 14, Development Permit Procedures and Administration.
3. As conditioned, the proposal is consistent with Chelan County Code Section 11 Zoning, Section 12, Land Division, Section 13 Environment and Section 15 Development Standards.
4. As conditioned, the public use and interest will be served by the proposed short subdivision.
5. As conditioned, public facilities and services necessary to support the short subdivision will be adequate and available concurrently with the demand for such services.
6. As conditioned, this proposal is compatible with adjacent uses and will not harm or change the character of the surrounding area.
7. As conditioned, the subdivision will not lower the level of service standard for public facilities and services below locally adopted levels.
8. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.
9. Pursuant to RCW 84.56.345, all taxes, delinquent taxes, and assessments that are required by the Chelan County Treasurer are to be paid prior to final Short Plat recording.
10. The proposal is exempt from the requirements of the State Environmental Policy Act.

CONDITIONS OF APPROVAL

CHELAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

All conditions imposed herein shall be binding on the "Applicant." "Applicant" shall mean terms, which include the owner or owners of the property, heirs, assigns, and successors.

1. Pursuant to RCW 58.17, the project shall conform to all applicable local, state, and federal regulations, statutes, rulings, and requirements. The proposal shall be subject to approval that may be required under permits licenses or approvals by any other local, state, or federal jurisdictional agency.
2. Pursuant to Chelan County Code Section 12.24.040, the final short plat mylar shall be designed in substantial conformance with the preliminary site plan of record, date stamped April 9, 2021, on file with the Chelan County Department of Community Development, except as modified herein. No increase in density or number of lots shall occur without a re-submittal of the short plat or a major subdivision application.
3. Pursuant to RCW 27.53, if any Native American grave sites or archaeological resources are discovered or excavated, the owner/developer/contractor shall stop work immediately and notify Chelan County Department of Community Development and the Washington State Department of Archaeology and Historic Preservation in conformance with RCW 27.53.020.
4. Pursuant to Chelan County Code Section 12.02.010(1), the following notes shall be placed on the final short plat mylar:
 - 4.1. **"Chelan County is not responsible for notification or enforcement of covenants to deed restriction or reservations affecting use or title. Any permit issued does not acknowledge or recognize any covenants or deed restrictions or reservations that may burden or otherwise affect this property. Applicant /owner assume all risk and liability for any claims and liabilities for covenants or deed restrictions or reservations."**
 - 4.2. **"Agricultural activities occur throughout Chelan County and may or may not be compatible with residential development."**

5. Pursuant to comments received from the Washington State Department of Archaeology and Historic Preservation on May 4, 2021 the subject property is located within an area of high probability for containing cultural resources, and therefore a cultural resource survey is required.
 - 5.1. If notification is received from the Washington State Department of Archaeology and Historic Preservation or the Confederated Tribes of the Colville Reservation that the requested cultural resource survey is waived, the applicants must submit an Inadvertent Discovery Plan (Exhibit B) to Chelan County Community Development prior to commencing any development. A copy of the plan must be kept on site during ground disturbing activities.
6. Pursuant to the Revised Code of Washington, the applicant shall place the following notes on the final short plat:
 - 6.1. **“Noxious weed control is the responsibility of the individual lot owners, per RCW 17.10.140, as amended.”**
 - 6.2. **“If any Native American grave sites or archaeological resources are discovered or excavated, the owner/developer/contractor shall stop work immediately and notify Chelan County Department of Community Development and the Washington State Department of Archaeology and Historic Preservation in conformance with RCW 27.53.020.”**
 - 6.3. **“Pursuant to RCW 58.17.060, land in Short Subdivisions may not be further divided in any manner within a period of five (5) years without the filing of a Final Plat, except that when the Short Plat contains fewer than four (4) parcels, nothing in this Title shall prevent the owner who filed the Short Plat from filing of an alteration within the five (5) year period to create up to a total of four (4) lots within the original Short Subdivision boundaries.”**
7. Pursuant to Chelan County Code Chapter 11.78, the following note shall be placed on the final Short Plat:
 - 7.1. **“The subject site is located within known wildlife habitat areas and shall be subject to the provisions of the Chelan County Code Chapter 11.78 Fish and Wildlife Habitat Conversation Areas Overlay District, as amended.”**
8. Pursuant to Chelan County Code Title 12.24.015, all requests for final Short Plat approval must be submitted within five (5) years from the date of preliminary approval, unless an extension is granted.
9. Pursuant to RCW 84.56.345, all taxes, delinquent taxes, and assessments that are required by the Chelan County Treasurer are to be paid prior to final Short Plat recording.
10. Pursuant to RCW 58.17 and WAC 332-130-040, all easement locations are required to be shown on the final short plat.

CHELAN COUNTY FIRE MARSHAL

11. The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan County Fire Marshal’s agency comment response dated May 5, 2021:
 - 11.1. The Fire Marshal may modify Fire-flow requirements downward by applying fire protection credits for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical. Applicant is encouraged to contact this office to ascertain how fire protection credits options apply to their project. A note on the face of the final short plat shall state: **“Without the installation of a fire hydrant that has the capabilities of delivering the required fire flow and within the required distance to the lots in question, the applicant may choose one or any combination of the fire protection credits to satisfy 100% Fire Protection Credits needed.”**
 - 11.2. Class A roofing/noncombustible roof covering, as defined in the International Building Code, shall be used in all areas of Chelan County. A note on the face of the final mylar shall state that **“All buildings that require a building permit within this short plat shall have Class A roofing materials.”**
 - 11.3. New construction permitted after February 1, 2021 is subject to WAC 51-54A-8200 International Wildland-Urban Interface Code. These include possible defensible space (Firewise) requirements for the property landscape and possible construction requirements for new buildings. A note on the face of the final mylar shall state that **“All buildings that require a building permit within this short plat shall comply with the International Wildland-Urban Interface Code as adopted by the State of Washington and Chelan County.”**

CHELAN COUNTY PUBLIC WORKS DEPARTMENT

12. The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan County Public Works Department's memorandum dated April 27, 2021:
 - 12.1. Pursuant to CCC Section 15.30, no road improvements are required to S. Shugart Flats Road or Allen Road.
 - 12.2. Pursuant to CCC Section 11.88.070(3) and Chapter 4, Section 6.14 of the Chelan County Transportation Element, the applicant is required to dedicate additional right-of-way to complete the cul-de-sac radius (Standard Plan PW-12) on Allen Road.
 - 12.3. Pursuant to CCC Section 12.08.020, the applicant is required to demonstrate legal and perpetual access for the proposed lots on the short plat. This includes all exiting and proposed accesses to the County Road.
 - 12.4. Pursuant to CCC Section 15.30.310, the applicant is required to demonstrate or obtain a Chelan County Approach Permit for the existing access off Allen Road.
 - 12.5. Pursuant to CCC Section 15.30.220, if the applicant proposes access from a private easement, the applicant shall provide a Private Joint Access Maintenance and Upgrading Agreement appurtenant to all the proposed lots having a vested interest in the shared/common access easement. The Maintenance and Upgrading Agreement must be submitted with the Pre-Final (blue line) and recorded with the Final Short Plat.
 - 12.6. Pursuant to CCC Section 15.30.220, the applicant shall state on the face of the plat: **"Chelan County has no responsibility to build, improve, maintain, or otherwise service any private easements for this subdivision plat."**
 - 12.7. Pursuant to CCC Section 10.20, the applicant is required to submit a Lot Access/Addressing Plan with the Pre-Final (blue line). The Lot Access/Addressing Plan shall demonstrate how all lots and any existing driveway easements will be constructed and how they meet Chelan County road approach standards.
 - 12.8. Pursuant to CCC Chapter 10, the applicant shall state on the face of the plat: **"Addresses are assigned to each lot based on given driveway locations. Any and all modifications to the location of the driveway(s) shall result in a change to the address previously assigned to said lot(s)."**
 - 12.9. Pursuant to CCC Section 15.30.310, the applicant shall state on the face of the plat: **"All new driveways accessing County Roads shall require an access permit from Chelan County Public Works, prior to the issuance of a building permit."**
 - 12.10. Pursuant to CCC Section 15.30.885, the applicant shall not obstruct sight distance or impact County Clear Zone with a centralized mailbox or locate a centralized mailbox on a County right-of-way that will hinder the County Clear Zone or County Road Maintenance.
 - 12.11. A stormwater analysis is required if the build-out of the proposed short plat meets or exceeds the applicability requirements detailed in CCC Section 13.16.010(2). The applicant shall state on the face of the plat:
"Individual lot owners will need to contact the Chelan County Public Works Department, prior to the issuance of a building permit, to check on the potential need for a drainage plan approval."
 - 12.12. The applicant is required to identify all roads as public or private on the final short plat.
 - 12.13. The applicant is required to show the centerline, right-of-way, and full easement widths on the final short plat.
 - 12.14. The applicant is required to show all easements that benefit or burden the subject site on the final short plat.
 - 12.15. The applicant is required to submit Lot Closure Calculations with Pre-Final (blue line).
 - 12.16. Monumentation as described in CCC Section 15.30.825 is required to be placed on S. Shugart Flats Road and Allen Road if not already monumented.

CHELAN-DOUGLAS HEALTH DISTRICT

13. The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan-Douglas Health District's memorandum dated May 16, 2021:

13.1. Proposed Private (or two-party) Water Supplies:

- 13.1.1. A complete Private Water System Review application (for each well) including copies of the 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), and waterline easements (shared well).
- 13.1.2. A system user agreement for the well must be created if sharing the well between two new lots.
- 13.1.3. Any existing or proposed private wells must be shown on the plat drawing including at least a 50 ft. sanitary control radius around the well head. Each well point must have one (1) recorded protective covenant(s) with the owners of all properties covered by the 50 ft. sanitary control radius or two (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.
- 13.1.4. 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 ft. 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 ft. 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.
- 13.1.5. 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."

13.2. 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 Chelan County Auditory, No. _____."

13.3. 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 5,000 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).”

13.4. Proposed On-site Sewer Systems

13.4.1. Subject to specific application approval and issuance of permits by the Health Officer, the property is generally suitable for placement of individual on-site sewage disposal systems. Test holes have been examined on the subject property by Eagle Creek Consulting, LLC via a report dated December 22, 2020.

13.5. The dedicatory language on the final plat shall contain this statement:

“Site evaluations may be required at the time of application for individual septic system construction permits.”

CHELAN COUNTY PUD

The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan County Public Utility District No. 1's agency comment response dated April 23, 2021:

14. There is electrical service available at the subject property.
15. A primary line extension is required.
16. Chelan PUD will obtain any necessary easements that are not included in the final plat.
17. An engineering study may be required to determine whether updating of current utility lines, transformers, or substation is required.

WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE

The subject property and final plat shall conform to the comments and conditions of approval as found in the Washington State Department of Fish and Wildlife's agency comment response dated May 5, 2021:

18. The subject property is located within Mule Deer Breeding Area and also contains Northern Spotted Owl habitat, and therefore a survey is required prior to future development to ensure new development is sited to avoid and minimize impacts unless notification is received from the Washington State Department of Fish and Wildlife that the survey requirement has been waived.

EXHIBITS:

- A. Site Plan of Record, dated April 9, 2021
- B. Inadvertent Discoveries Plan

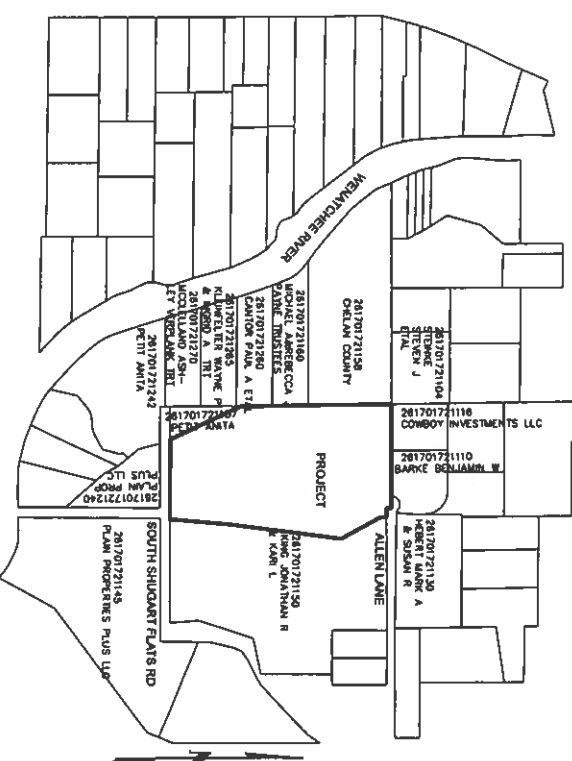
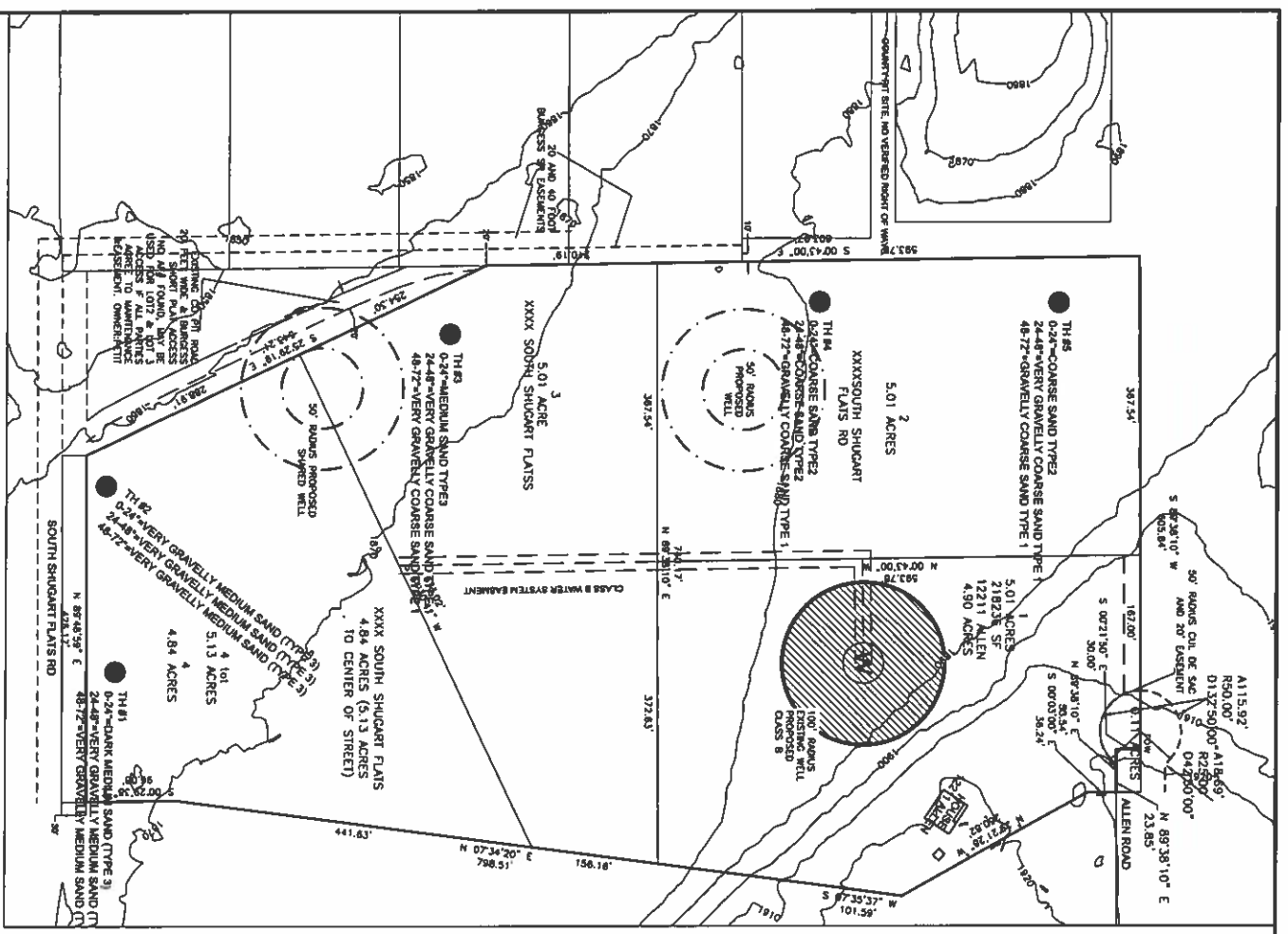
UNINCORPORATED CHELAN COUNTY, WA.
 SHORT PLAT APPLICATION 4 LOTS
S SHUGART FLATS SP

PARCEL: 261701721155
 EXISTING ZONING: RR5, WATER SOURCE: WELL: SHARED WELL
 NO. PLATTED LOTS: 4 SEWAGE SYSTEM: ON-SITE

PARCEL "B" OF THAT SURVEY RECORDED UNDER CHELAN COUNTY, WASHINGTON,
 AUDITOR'S FILE NO. 2410399.

TOGETHER WITH THE FOLLOWING PORTION OF SAID PARCEL "A":
 BEGINNING AT THE SOUTHWEST CORNER OF PARCEL "A" OF BOUNDARY LINE
 ADJUSTMENT 20154197 SURVEY AUDITOR'S FILE NO. 2410699 THE TRUE POINT OF
 BEGINNING, THENCE NORTH 01°18'44" WEST A DISTANCE OF 15.19 FEET TO A REBAR
 AND CAP, THENCE NORTH 00°29'38" WEST A DISTANCE OF 96.08 FEET, THENCE
 NORTH 07°34'23" EAST A DISTANCE OF 241.01 FEET TO A POINT THAT LIES SOUTH
 09°34'19" WEST A DISTANCE OF 57.49 FEET FROM A REBAR AND CAP, THENCE
 SOUTH 00°28'17" EAST A DISTANCE OF 350.07 FEET; THENCE SOUTH 89°47'39" WEST A
 DISTANCE OF 33.47 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS PARCEL "B" OF BOUNDARY LINE ADJUSTMENT NO. 20164031,
 RECORDED MARCH 16, 2016, UNDER AUDITOR'S FILE NO. 2433985.



VICINITY MAP

EAGLE CREEK CONSULTING LLC.
 P.O. BOX 503, (509) 548-4733
 LEAVENWORTH, WASHINGTON 98826

Eagle Creek
 Consulting

South Shugart Short Plat	SCALE	PROJECT NO.
Application	1"=100'	
	FILE NAME	SHEET NO.
	pre app	1 of 1

Chelan County Inadvertent Discovery Plan

In the event that any ground-disturbing activities or other project activities related to this development or in any future development uncover protected cultural material (e.g., bones, shell, antler, horn or stone tools), the following actions will be taken:

1. When an unanticipated discovery of protected **cultural material** (see definitions below) occurs, the property owner or contractor will completely secure the location and contact:
 - a) The property owner and project manager;
 - b) The Department of Archaeology and Historic Preservation (DAHP) (Dennis Wardlaw, 360-586-3085, 360-485-5014 cell);
 - c) And must consult with appropriate tribal contacts for finds of Native American origin:
 - a. Guy Mora, Tribal Historic Preservation Officer (THPO), Confederated Tribes of the Colville Reservation (509-634-2695);
2. If the discovery is **human remains**, the property owner or contractor will stop work in and adjacent to the discovery, completely secure the work area by moving the land-altering equipment to a reasonable distance, and will immediately contact:
 - a) The property owner and project manager;
 - b) The Chelan County Sheriff's Department (509-667-6851);
 - c) and the Chelan County Coroner, Wayne Harris (509-667-6431) to determine if the remains are forensic in nature;
 - d) If the remains are not forensic in nature the Department of Archaeology and Historic Preservation (DAHP) (Guy Tasa 360-586-3534, cell: 360-790-1633); will take the lead on determining the appropriate method of treatment for the remains and will consult with the affected tribes.

NOTE: If you discover bones but are unsure if they are human, contact Guy Tasa at the DAHP.

Cultural material that may be protected by law could include but not be limited to:

1. Buried layers of black soil with layers of shell, charcoal, and fish and mammal bones (Figure 1).
2. Buried cobbles that may indicate a hearth feature;
3. Non-natural sediment or stone deposits that may be related to activity areas of people;
4. Stone, bone, shell, horn, or antler tools that may include projectile points (arrowheads),
5. scrapers, cutting tools, wood working wedges or axes, and grinding stones (Figures 2 and 3);
6. Ground or pecked tools (Figure 4);
7. Perennially damp areas may have preservation conditions that allow for remnants of wood and other plant fibers; in these locations there may be remains including fragments of basketry, weaving, wood tools, or carved pieces;
8. Concentrations of historical period (> 50 years old) artifacts (Figures 5-7); and
9. Human remains.

Figure 1: Shell Middens. These middens can be often found on the shoreline and can extend into the intertidal zone in areas that have undergone sea level rise during the precontact period.



Figure 2: Examples of stone and bone tools.



Figure 3: Examples of archaeological stone flakes.



Figure 4: Examples of ground and pecked stone artifacts.



Figure 5. Historical period sites (more than 50 years in age) are also protect by archaeology laws. These can include concentrations of broken ceramics, bottles, bricks, and metal objects.



Figure 6. Example of an Excavation Pit Containing Shell Midden and Historic Debris



Figure 7. Example of a Buried Brick Foundation

