



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

October 16, 2020

TO: Planning Commission

FROM: Jim Brown, Director

SUBJECT: **PACKET—OCTOBER 28, 2020 REGULAR MEETING**

This packet of materials contains:

Exhibits (4):

A: PC Agenda for October 28, 2020 meeting:

- *2020 Comprehensive Plan Amendments workshop*

B: *Revised* Draft Minutes from the September 23, 2020 meeting

C: Draft Minutes from the October 15, 2020 meeting

D: 2020 Comprehensive Plan Amendment staff report:

- Includes (8) attachments to that report

Exhibit A



Chelan County Planning Commission

Chair: Ryan Kelso

Vice Chair: Carl Blum

Commissioners District 1: Vicki Malloy, Ryan Kelso, Will Wiggs

Commissioners District 2: Jim Newberry, Ed Martinez, Joel Walinski

Commissioners District 3: Carl Blum, Pat Hammersmith, Vacant

Meeting Agenda

Wednesday, October 28, 2020 at 6:00 P.M.

Chelan County Community Development

In response to the [Governor's Proclamation 20-28](#), the Planning Commission will hold all of their Regular and Special Meetings via Zoom Video Conference until further notice. Click the link below to join the meeting, beginning at 6:00 pm on October 15, 2020.

Join Zoom Meeting

<https://us02web.zoom.us/j/89032588148?pwd=UEYrVU43UzFIN3I5VkhNNTd0K3RjQT09>

Meeting ID: 890 3258 8148

Passcode: 714196

Call Meeting to Order

I. Administrative

- A. Review/Approval of Minutes from September 23, 2020
- B. Review/Approval of Minutes from October 15, 2020

II. Public Comment Period

Comment for any matters not identified on the agenda (limit 2 minutes per person)

III. Old Business

IV. New Business

2020 Comprehensive Plan Amendments workshop

V. Discussion, at the Chair's discretion

VI. Adjournment *Meeting will go no longer than 8:00 PM.*

Any person may join this meeting via Zoom Video conference, of which the link is provided on the Chelan County Website. A Copy of the Agenda may be reviewed online <https://www.co.chelan.wa.us/community-development/pages/planning-commission> or requesting it by email at CD.Director@co.chelan.wa.us

Chelan County has been recording Planning Commission meetings which will continue to be accessible on the Community Development Planning Commission web page shortly after the meeting takes place. If you need special accommodations to view the meetings while they take

place, please contact us immediately at 509-667-6225 to set up a place for you to do so on the County Campus. Keep in mind you would be required to wear personal protective equipment and maintain social distancing guidelines at all times.

Materials available on the Community Development website

Next Regular Meeting: November 18, 2020 at 6:00 pm via Zoom

** All Planning Commission meetings and hearings are open to the public.*

Exhibit B



CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Planning Commission
Chelan County Community Development VIA ZOOM

Date: September 23, 2020

Called to Order: 7:05 PM
316 Washington St., Suite 301
Wenatchee, WA 98801

CALL TO ORDER

Meeting was called to order at 7:05 pm.

COMMISSIONER PRESENT/ABSENT

Ryan Kelso	Present	Carl Blum	Present
Vicki Malloy	Present	Jim Newberry	Present
Pat Hammersmith	Present	Ed Martinez	Present
James Wiggs	Present	Joel Walinski	Present

STAFF PRESENT

Jim Brown, Director
Catherine Lorbeer, Assistant Director
Wendy Lane, Permit Clerk

PUBLIC PRESENT

ZOOM MEETING – 46 PARTICIPANTS INCLUDING STAFF AND PC MEMBERS

Chairman Ryan Kelso asked the Planning Commission members if all had read the minutes from the July 22, 2020, meeting.

MOTION:

Motion made by Commissioner Jim Newberry, second by Commissioner Carl Blum, to approve the minutes from the July 22, 2020, meeting.

Chairman Ryan Kelso asked the Planning Commission members if all had read the minutes from the September 9, 2020, meeting.

MOTION:

Motion made by Commissioner Joel Walinski, second by Commissioner Vicki Malloy, to approve the minutes from the September 9, 2020, meeting.

Vote – Unanimous

OLD BUSINESS:

Public Hearing for the Code Development of Short-term Vacation Rentals

Director Jim Brown gave a Power Point presentation to set the tone and pace for the deliberation on Short-term Rental Code. The following topics were presented -

- Reviewed the Process (date line)
- Process now Continues
- Schedule
- Public Comment and Info
- Technology Used
- Code Outline
- Proposed STR Regulation Process
- Existing Units
- Task Force
- Examples
- Discussion / Directions

Director Jim Brown then paused for questions from the Planning Commission. He also asked Lisa Grueter for her input with regard to answering questions. There was a period of discussion among the group with regard to STRs allowed in certain zones, district charts and zoning intent statements.

Director Jim Brown proceeded through the text, answering questions along the way.

There was discussion in the group concerning the percentages of STRs that should be allowed in communities verses countywide. Considering changing the language from countywide to zone wide.

Director Jim Brown continued with his presentation. There was a discussion among the group on sunsets and how they were addressed in the different tiers. What should be allowed and what should be augmented.

Next, came a walk thru of the Chelan County Draft Short-term Rental Code. He went over the District Use Chart - Tiers 1, 2 and 3 with what would be allowed and what the requirements would be.

Discussion returned again to sunseting; was it needed or should it be removed from the Draft Code.

MOTION:

Motion made by Commissioner Carl Blum, second by Commissioner Jim Newberry, to remove sunseting for Tier 2 in the District Use Chart on line 90. There was discussion within the group.

Vote – Commissioners in favor were Blum and Newberry; those who opposed were Malloy, Wiggs, Walinski, Martinez, Hammersmith. Motion denied.

Continued discussion on sunseting - what should be allowed and/or removed.

Commissioner Joel Walinski floated the idea of studying different impacts depending on different solutions. He wanted to know if Lisa Grueter could compile information explaining different case scenarios with county data. She used the Tier 2 & 3 STRs by Zoning District chart to explain how the information could be digested.

Commissioner Vicki Malloy brought up what the Comprehensive Plan says about housing, to allow for perspective. She brought up the impacts some of the new stuff is having on the residents. She wants to work on normalizing the STR limits to 5%. There was discussion among the Commissioners on how to arrive at that goal.

In winding down the meeting, Chairman Ryan Kelso asked the Planning Commissioners for input for a request for additional information to assist the Commission in the making decision process. The Commissioners made requests to Community Development and Lisa Grueter for various information on what other cities have done, areas in the county that generate heavy complaints, and where owners live who actually operate local STRs.

Chairman Ryan Kelso tabled the deliberation of Short-term Rental Draft Code.

NEW BUSINESS:

Meeting Start Time for Winter Months

Chairman Ryan Kelso asked the Commissioners if they wanted to change the start time to 6:00 pm as it has been done on the past for the winter months.

MOTION:

Motion made by Commissioner Carl Blum, seconded by Commissioner Joel Walinski, to change the Planning Commission Meeting start time to 6:00 pm.

Vote – unanimous

Director Jim Brown brought forth to the Commissioners the possibility of presenting the Critical Area Ordinance, in conjunction with Christina Wollman from PERTEET, in a way that would satisfy the Planning Commission that enough staff work has been done to bring a product that was explainable for the changes. He is proposing that they do a Technical Committee that would consist of staff from Community Development, Natural Resources, and possibly a volunteer from the Planning Commission to try to drill down and make a better product that is more refined so there is a clearer ask for the Planning Commissioners. It would put the Critical Area Ordinance off of the table for a few months. This would allow time for Comp Plan Amendments that need to be brought forward by Assistant Director Catherine Lorbeer in the near future.

Commissioner Ryan Kelso asked for a time line to continue the Short-term Draft Code.

MOTION:

Motion made by Commissioner Carl Blum, seconded by Commissioner James Wiggs, to establish a Special Meeting to be scheduled Thursday, October 15, 2020, at 6:00 pm.

Vote - unanimous

Assistant Director Catherine Lorbeer updated the timeline for a future Comp Plan Amendment Workshop to be held during the October 28, 2020 Planning Commission Meeting. The public meeting would then be held during the November meeting with possible deliberation during the December meeting.

ADJOURNMENT

MOTION:

Motion made by Commissioner Vicki Malloy, seconded by Commissioner Ed Martinez, to adjourn the meeting.

Vote – unanimous

Meeting Adjourned at 9:10 pm.

Next Planning Commission Meeting is a Special Meeting to be held on October 15, 2020, at 6:00 pm, – a Zoom meeting.

*At the October 15, 2020 Special Planning Commission Meeting, Commissioner Ed Martinez wanted these minutes revised to place clearly, on the record, the following –

- Removing the sunset clause came up for a vote and it was denied (currently present).
- Areas affected by sunset zoning will revert to a 5% limit once 5% is achieved per zone (not present).

All Planning Commission meetings and hearings are open to the public.

Exhibit C



CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Planning Commission
Chelan County Community Development VIA ZOOM

Date: October 15, 2020

Called to Order: 6:02 PM
316 Washington St., Suite 301
Wenatchee, WA 98801

CALL TO ORDER

Meeting was called to order at 6:02 pm.

COMMISSIONER PRESENT/ABSENT

Ryan Kelso	Present	Carl Blum	Present
Vicki Malloy	Present	Jim Newberry	Absent
Pat Hammersmith	Present	Ed Martinez	Present
James Wiggs	Present	Joel Walinski	Present

STAFF PRESENT

Jim Brown, Director
Catherine Lorbeer, Assistant Director
Wendy Lane, Permit Clerk

PUBLIC PRESENT

ZOOM MEETING – 42 PARTICIPANTS INCLUDING STAFF AND PC MEMBERS

Chairman Ryan Kelso asked the Planning Commission members if all had read the minutes from the September 23, 2020, meeting.

Commissioner Ed Martinez issued a point of clarification. He wanted certain events to be clearly represented in the minutes. Director Jim Brown stated that the minutes would be revised to reflect the request Mr. Martinez brought forward. Chairman Ryan Kelso tabled the minutes until they can be reviewed again at the October 28, 2020 Planning Commission meeting.

PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

No Comments

OLD BUSINESS:

Deliberation and Possible Decision for Short-term Rentals

Director Jim Brown offered direction on how to go forward and complete the deliberation and possible decision within the current time frame with regard to Short-term Rentals.

Chairman Ryan Kelso started a conversation concerning the impact of property rights and what should be looked at when making decisions such as those involving Short-term Rentals. Director Jim Brown stated that such considerations, at that level, would be reviewed by prosecuting attorney's office and they would be directly engaged in the matter. Commissioner Ed Martinez also discussed when legal council should be consulted. Director Jim Brown reminded the Commissioners that they were only passing a draft code and not actually code itself, in its final form. He also stated that there was a second level of review for those types of situations to make sure the County complies with property rights.

There was a discussion among the Commissioners about public impact and what was the goal of the Planning Commission on the matter. Lisa Grueter injected information on the range of effects of Short-term Rentals in communities. Director Jim Brown identified the line as 141 in the draft code document.

The conversation steered to the percentages of Short-term Rentals that should be allowed in a zone or in a zip code. It was believed that making huge changes in the draft code, at this point, was unfair to staff and to the citizens of the county, so it was agreed upon to put code in place that could then be reviewed, down the line, to refine it. Enforcement was also taken into consideration, to have in place, in order to figure out what the real problems were concerning Short-term Rentals.

Commissioner Carl Blum wanted to address line 152 and tier 1. He wanted to refine tier 1 and change the distance from 200 feet to 50 feet. Chairman Ryan Kelso asked how the distances were measured. There was discussion on the matter, including how to clarify the actual distance. It was suggested that the measurements be parcel to parcel instead of residence to residence. Wanted owner occupied to be designated as on the same parcel, distance should not be the consideration.

MOTION:

Motion made by Commissioner Carl Blum, second by Commissioner Vicki Malloy, that the Short-term Rental should be located within the same parcel as the owner's primary residence.

Vote – unanimous. Motion carried.

Commissioner Carl Blum then moved to line 222. He wanted to define the effective date to be 2020. There was discussion on when during the year 2020 the actually date would be.

MOTION:

Motion made by Commissioner Carl Blum, second by Commissioner Ed Martinez, to change the effective date in line 222 to December 31, 2020.

Vote – unanimous. Motion carried.

Commissioner Ed Martinez brought up lines 170-177, and more directly, line 172, to change the word from countrywide to zip code. Lisa Grueter addressed the differences in the two possibilities.

MOTION:

Motion made by Commissioner Ed Martinez, second by Commissioner Vicki Malloy, to change the word, in line 172 from countywide to zip code.

Vote – unanimous. Motion carried.

Commissioner Carl Blum asked Lisa Grueter for clarification on line 223 and nonconforming units. Lisa Grueter gave examples on how these situations would come into play.

The discussion continued to line 235 and multiple rentals located on the same parcel. Does the current draft code allow for such circumstances and does it require them to be permitted separately or together.

Commissioner Carl Blum tied in line 335 to add language that each individual unit should require its own permit. Director Jim Brown offered a solution in requiring a review of all Short-term Rentals on the same parcel when one is added. It should be subject to reapplication to ensure that the additional units have not placed the parcel into a different category.

MOTON:

Motion made by Commissioner Carl Blum, seconded by Commissioner Vicki Malloy, to change the language on line 335 and 336 to read “All dwelling units on a single parcel shall be reviewed concurrently in the same application.”

Vote – unanimous

Commissioner Ed Martinez brought everyone’s attention to line 392. He is concerned about the sale of Short-term Rental properties. He would like wording adding that the new owner would need to apply to become a Short-term Rental. Lisa Grueter explained different pathways that could be taken based on the percentages of STRs in the area. Director Jim Brown suggests making a reference to another area in the code that would reference back to the percentage issue, then the new owner could reapply if the conditions applied or not apply because the option has been restricted.

MOTON:

Motion made by Commissioner Carl Blum, seconded by Commissioner Ed Martinez, to change the language starting on line 394 to read “A Short-term Rental permit shall not transfer, new owners may apply for a Short-term Rental permit pursuant to the provisions of this code. A transfer occurs where the property is sold to a person or when officers of corporations are changed to removed former officers and add new officers. All permits shall include the following provision: “This permit shall automatically expire upon sale or transfer of the property.”

Vote – unanimous. Motion carried.

Commissioner Carl Blum brings forth line 241 and states that he would like to tighten up this section on the number of bedrooms cannot exceed those on the building permit and the septic system approved. Discussion ensued about onsite systems and what was allowed.

MOTON:

Motion made by Commissioner Carl Blum, seconded by Commissioner Joel Walinski, to change the language in starting at line 249 to read “The number of bedrooms shall not exceed the number approved in relation to the on-site sewage system approved by the Chelan Douglas Health District.”

Vote – unanimous. Motion carried.

Commissioner Car Blum then directed attention to line 371, now line 374, due to adjustments, to say, “Each permitted short-term vacation rental on a permitted on-site sewage system must have the system inspected and certified each year. This will be completed by a licensed and trained inspector on forms developed by the Director and be completed each year between May to September inclusive.” The goal is to remove the Health District from the process and to make sure that the septic systems on the waterfront are working the way they are intended to.

Discussion ensued on whether or not this was fair to the short-term rental owners. Director Jim Brown offers a requirement, to be submitted with the application, proof that the septic system has been pumped and inspected within the last three months. There was discussion on whether or not this was excessive for a yearly process. Change the requirement to inspected rather than pumped.

MOTION:

Motion made by Commissioner Carl Blum, seconded by Commissioner Joel Walinski, to change line 374 to read, “Each applicant for a short-term rental shall provide documentation indicating the onsite sewage system has been properly serviced or inspected in the prior year by a qualified person. The applicant shall also ensure that there is a verifiable legal source of water that meets applicable standards.”

Vote – unanimous. Motion carried.

Next was a discussion on zoning on the District Use Chart. Lisa Grueter gave a brief presentation. She covered areas in the Power Point display where the Planning Commissioners had already resolved areas of disagreement. Sunsetting was discussed among the group. It was factored in how other communities were handling the rights of the property owners. A reversal was proposed with regard to sunsetting. More discussion ensued and specifics were brought up concerning different zoning categories.

MOTION:

Motion made by Commissioner Vicki Malloy, seconded by Commissioner Carl Blum, to remove the sunsetting provision on RW on the District Use Chart, line 90. Discussion ensued.

Vote – Commissioners Malloy, Blum, Wiggs, Walinski, and Kelso – For

Vote – Commissioners Martinez and Hammersmith – Against

Motion carried.

MOTION:

Motion made by Commissioner Ed Martinez, seconded by Commissioner Carl Blum, to accept this code as written and changed and move it forward to the Chelan County Commissioners.

Vote – unanimous. Motion carried.

Commissioner Carl Blum asked how permits were going to be handled per the moratorium through the end of the year. Director Jim Brown answered his questions on how the application would be handles.

NEW BUSINESS:

Technical Review Group for Critical Area Ordinances

Director proposed a nine-member Technical Review Group to assist with Critical Area Ordinances. He was asking for a volunteer from the Planning Commission to assist with the group. Commissioner Vicky Malloy offered to be a part of the group. Director Jim Brown explained what would be asked of the group and the option to withdraw if it became too much of an obligation.

Upcoming Meetings and Possible Date Adjustments for Holidays

Chairman Ryan Kelso put forth possibilities to adjust meeting dates for the months of November and December 2020.

MOTON:

Motion made by Commissioner Carl Blum, seconded by Commissioner Joel Walinski, to change the Planning Commission Meeting in November, 2020 from the 25th to the 18th and in December, 2020, from the 23rd to the 16th.

Vote – unanimous. Motion carried

Discussion, at the Chair's discretion

None

ADJOURNMENT

MOTON:

Motion made by Commissioner Vicki Malloy, seconded by Commissioner Carl Blum, to adjourn the meeting.

Vote – unanimous

Meeting Adjourned at 8:12 pm.

Next Planning Commission Meeting to be held on October 28, 2020, at 6:00 pm, – a Zoom meeting.

All Planning Commission meetings and hearings are open to the public.

Exhibit D



CHELAN COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

2020 Comprehensive Plan Map and Text Amendments Workshop Staff Report

TO: Chelan County Planning Commission
FROM: Chelan County Community Development
WORKSHOP DATE: October 28, 2020
FILE NUMBERS: CPA 20-001; CPA 20-003; CPA 20-004; CPA 20-005; CPA 20-007; and CPA 20-008

A. OVERVIEW

Chelan County has received four requests for Comprehensive Plan map amendments and has initiated two requests for Comprehensive Plan text amendments. This workshop will provide the Planning Commission with a brief summary of each proposal. No action is requested at this time.

Along with the Plan's narrative, the Comprehensive Plan map represents the long-term vision for future land uses and development, consistent with the Comprehensive Plan Goals and Policies.

At an upcoming public hearing, the Planning Commission will be asked to review, consider, and make a recommendation to the Board of Chelan County Commissions to approve or deny adoption of the proposed County Comprehensive Plan map and text amendments.

B. REVIEW CRITERIA

Proposed map amendments must meet the following evaluation criteria from Chelan County Code (CCC) Section 14.14.060(1):

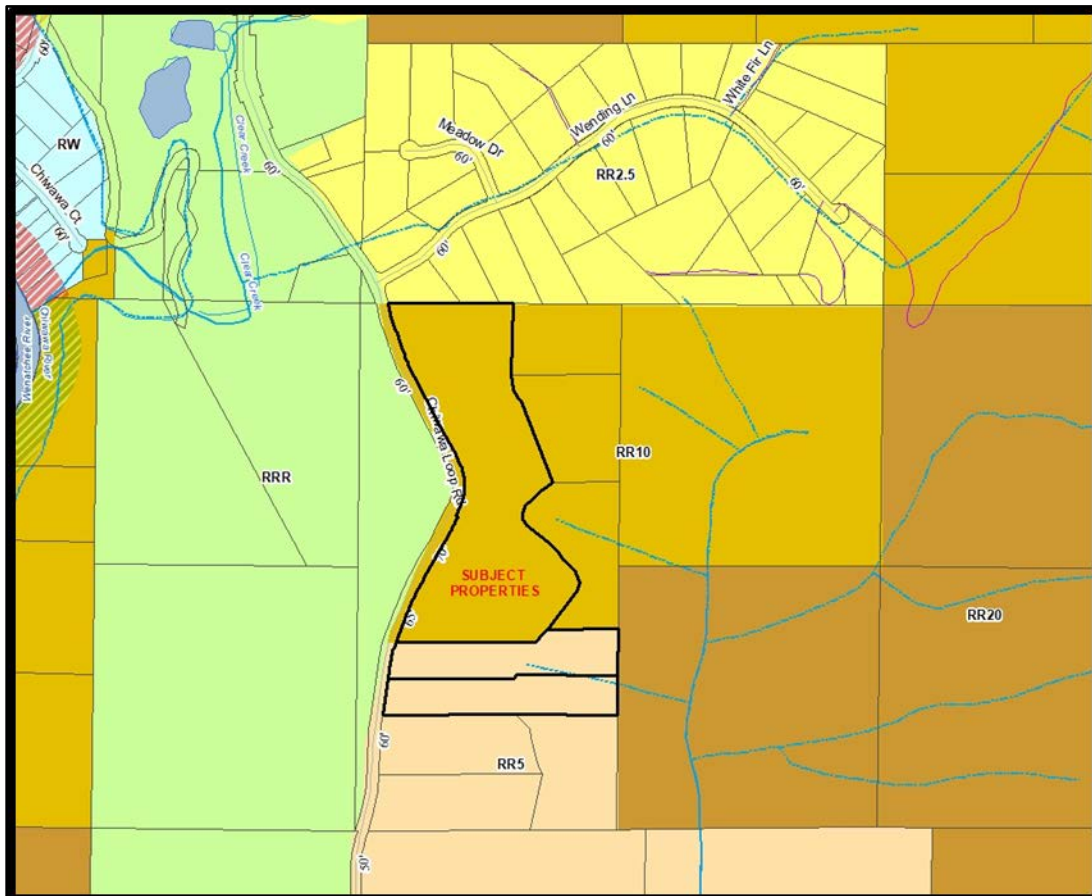
- A. The proposal is consistent with the goals of the Growth Management Act (Chapter 36.70A RCW), and any applicable county-wide planning policies.
- B. The amendment is consistent with or supports the Chelan County comprehensive plan goals and policies.
- C. The amendment complies with Comprehensive Plan land use designation/siting criteria.
- D. The amendment is supported by and consistent with the capital facility element and the transportation element. Amendments that would alter existing provisions of the capital facilities or transportation elements shall demonstrate why existing provisions should not continue to be in effect or why existing provisions should be amended.
- E. The amendment does not adversely affect the surrounding land uses.
- F. The amendment does not adversely affect lands designated as resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated.
- G. The amendment does not adversely affect the supply of land for various purposes which is available to accommodate projected growth over the twenty-year planning period covered by the comprehensive plan.
- H. The proposed amendment serves the interests of both the applicant and the general public including public health, safety, and welfare.

Proposed text amendments must meet the following evaluation criteria from CCC Section 14.14.047:

- (1) The proposal is necessary to address a public land use issue or problem; and
- (2) The proposed amendment is consistent with the requirements of the Washington State Growth Management Act (Chapter 36.70A RCW as amended) and any applicable county-wide planning policies; and
- (3) The text amendment complies with or supports the comprehensive plan's goals and policies, or how amendment of the plan's goals or policies is supported by changing conditions or state or federal mandates; and
- (4) The amendment does not adversely affect lands designated as resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated; and
- (5) The proposed amendment would serve the interests of not only the applicant, but the public as a whole, including health, safety or welfare.

C. PROJECT DESCRIPTION – CPA 20-001 – MOONBEAM, LLC

Proposal: An application for a Comprehensive Plan map amendment was submitted by Ryan Walker (agent) on behalf of Moonbeam, LLC (owner) to change the land use designation for the subject properties (38.87 acres) from Rural Residential/Resource 10 (RR 10) and Rural Residential/Resource 5 (RR5) to Rural Recreational/Residential (RRR). The subject property is located at NNA Chiwawa Loop Road, Leavenworth, WA 98826 and further identified by Assessor Parcel Nos.: 27-18-32-300-050, 27-18-32-330-050 and 27-18-32-330-060. See Attachment 1.

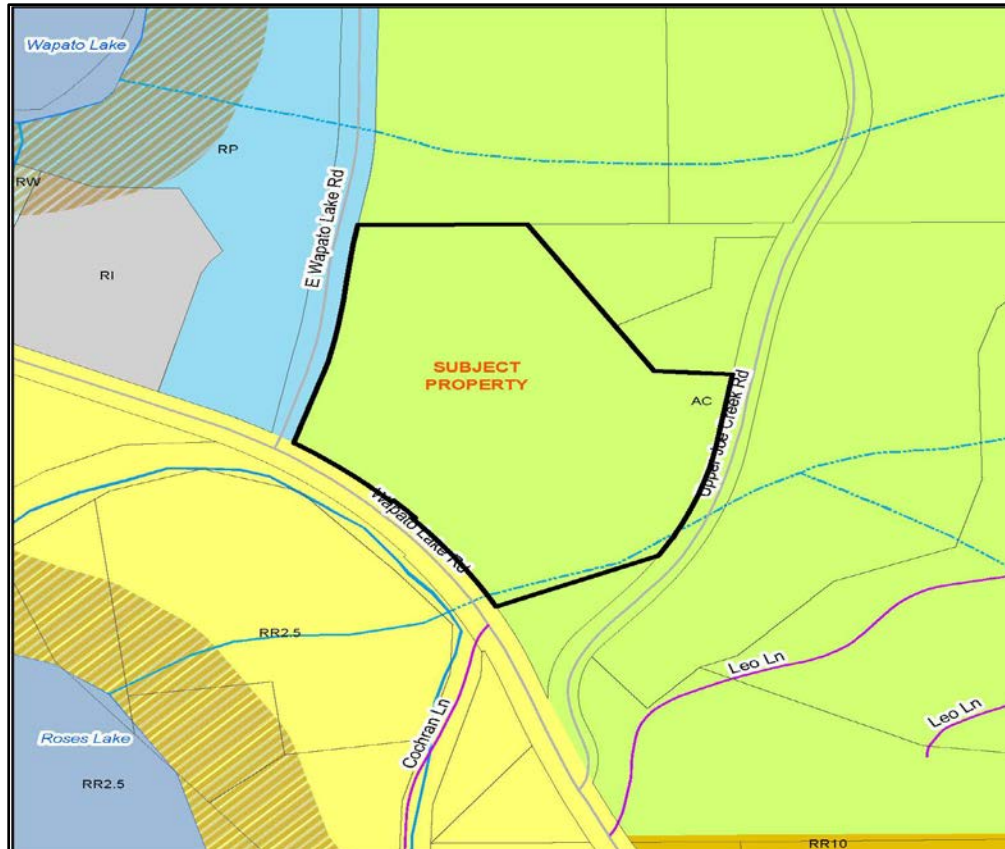


General Information:

- Density: The current RR10 land use designation allows a density of one (1) dwelling unit per ten (10) acres and the RR5 designation allows a density of one (1) dwelling unit per five (5) acres. Under the proposed RRR designation, density may be less than one (1) dwelling unit per acre, when consistent with Health District standards; however, in no case may it be less than one (1) dwelling unit per 12,000 sf. The existing RR10 and RR5 land use designations would generate 3 lots and 2 lots, respectively, where the proposed RRR designation would increase the development potential to 140 lots.
- Site Information: The site is undeveloped and is composed of three parcels that are currently designated Rural Residential/Resource 10 (RR10) and Rural Residential/Resource 5 (RR5). Physical characteristics include steep slopes lands along with evergreen and deciduous trees.
- Access: Access is from Chiwawa Loop Road, a county right of way.
- Surrounding: The areas surrounding the subject properties are in residential and recreational use. The properties to the north are zoned Rural Residential/Resource 2.5 (RR2.5). Properties to the east are zoned Rural Residential/Resource 10 (RR10) and Rural Residential/Resource 20 (RR20). Properties to the south are zoned Rural Residential/Resource 5 (RR5). Properties to the west across Chiwawa Loop Road are zoned Rural Recreation/Residential (RRR) and include the Thousand Trails RV campground development. The other surrounding properties are sparsely developed with relatively large parcels.
- Proposed Land Use Designation: The applicant is requesting to change the 38.87 acres to the Rural Recreational/Residential (RRR) land use designation, which is considered a Type 1 LAMIRD. Limited Areas of More Intense Rural Development (LAMIRDs) are designated to identify more intense areas of existing development, and to minimize and contain those existing developed areas within the rural lands. LAMIRDs are rural; they are contained and compact, and, with minor exceptions, were built before July 1, 1990.

D. PROJECT DESCRIPTION – CPA 20-003 – PERRY

Proposal: An application for a Comprehensive Plan map amendment was submitted by Dan Beardslee (agent) on behalf of Milium Perry (owner) to change the land use designation for the subject property (8.16 acres) from Commercial Agriculture (AC) to Rural Residential 2.5 (RR2.5). The subject property is located at 155 Upper Joe Creek Rd, Manson, WA 98831 and further identified by Assessor Parcel No.: 28-21-23-440-075. See Attachment 2

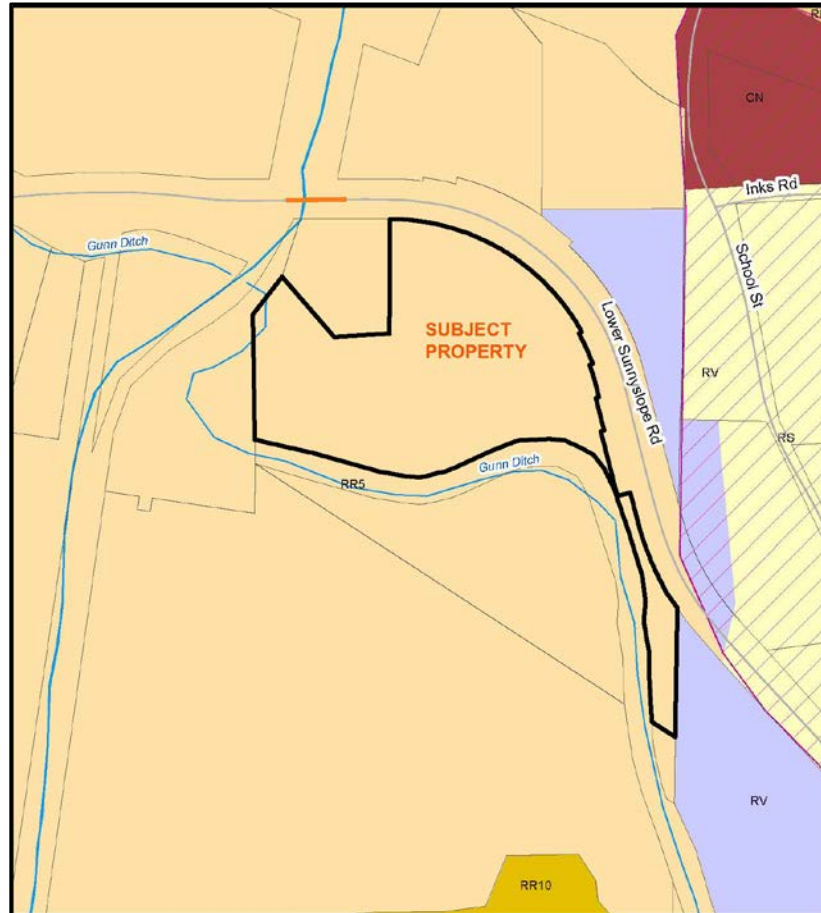


General Information:

- **Density:** The current AC land use designation allows a density of one (1) dwelling unit per ten (10) acres. Under the proposed RR2.5 designation, the density would be one (1) dwelling unit per 2.5 acres. The existing AC land use designation would allow 1 lot; the proposed RR2.5 designation would increase the development potential to 3 lots.
- **Site Information:** The site is currently used for a winery, vineyard and single-family residence, and is comprised of one parcel that is currently designated Commercial Agriculture (AC). Physical characteristics include increasing grades, landscape plants, deciduous brush and trees, in an area shown to have erosive soils, and possible lead/arsenic from historic orchard use.
- **Access:** Access is from Wapato Lake Road and Upper Joe Creek Road, county rights of way.
- **Surrounding:** The areas surrounding the subject properties are in agricultural, public facility and residential. The properties to the north are zoned Commercial Agricultural (AC). Properties to the east are zoned Commercial Agricultural (AC). Properties to the south are zoned Commercial Agricultural (AC). Properties to the south and west across Wapato Lake Road are zoned Rural Residential/Resource 2.5 (RR2.5). Roses Lake lies farther to the southwest.
- **Proposed Land Use Designation:** The applicant is requesting to change the 8.16 acres to the Rural Residential/Resource 2.5 (RR2.5), which would extend the land use across the existing boundary of Wapato Lake Road. RR2.5 can be found in areas that provide buffering between existing rural developments and areas of higher or lower density. The proposed change would result in a loss of Commercial Agricultural (AC) lands that are considered to have long term commercial significance.

E. PROJECT DESCRIPTION – CPA 20-004 – SMITH

Proposal: An application for a Comprehensive Plan Map Amendment was submitted by Brent and Rachel Smith (owners) to change the land use designation for the subject property (3.42 acres) from Rural Residential/Resource 5 (RR5) to Rural Village (RV). The subject property is located at 511 Lower Sunnyslope Rd, Wenatchee, WA 98801 and further identified by Assessor Parcel No.: 23-20-20-440-100. See Attachment 3.



General Information:

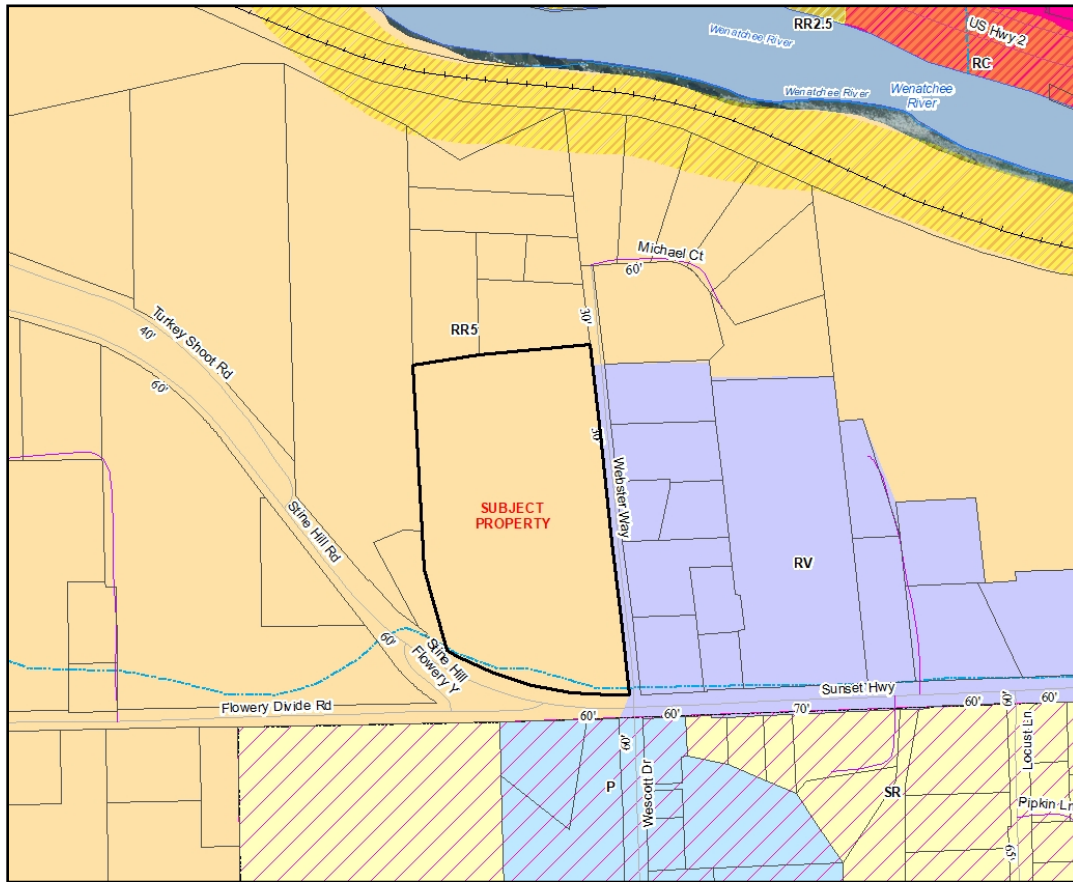
- **Density:** Currently, the minimum lot size is 5 acres for the RR5 zoning district. Under the proposed RV designation and when consistent with Health District standards, the density may be one (1) dwelling unit per 12,000 sf for single family. The proposed amendment would potentially allow for an increased density of the RR5 parcel from 1 lot to a possible 12 lots in the RV zoning district.
- **Site Information:** The site is composed of one parcel that is currently in Rural Residential/Resource 5 (RR5). The property is currently used for single-family residence and was formerly orchard that has been cleared. The subject area includes Class II mule deer habitat. Physical characteristics include flat ground, slopes upward to the east property line and roadway, and in an area shown to have erosive soils. Gunn Ditch runs near the southern property line and an irrigation canal is situated to the east of the subject property.
- **Access:** Access is from Lower Sunnyslope Road, a county right of way.
- **Surrounding:** The areas surrounding the subject property are in agricultural and residential use. The properties to the north are zoned Rural Residential/Resource 5 (RR5) and slope significantly

upward toward Highway 2. To the east, the properties are zoned Rural Residential/Resource 5 (RR5). Properties to the south are zoned Rural Residential/Resource 5 (RR5). South of Lower Sunnyslope Road and to the southwest of the subject property is zoned Rural Village (RV). Properties to the west across Lower Sunnyslope Road are zoned Rural Village (RV) in Chelan County and Residential Single Family (RS) in the Wenatchee Urban Growth Area (UGA). Property situated northwest toward Highway 2 is zoned Neighborhood Commercial (CN) in the Wenatchee Urban Growth Area (UGA).

- **Proposed Land Use Designation:** The applicant is requesting to change the 3.42 acres to the Rural Village (RV) designation, which would extend the land use eastward from its existing boundary. RV is considered a Type 1 LAMIRD. Limited Areas of More Intense Rural Development (LAMIRDs) are designated to identify more intense areas of existing development, and to minimize and contain those existing developed areas within the rural lands. LAMIRDs are rural; they are contained and compact, and, with minor exceptions, were built before July 1, 1990.

F. PROJECT DESCRIPTION – CPA 20-005 – JOYA

Proposal: An application for a Comprehensive Plan Map Amendment was submitted by Rudy Joya (owners) to change the land use designation for the subject property (10 acres) from Rural Residential/Resource 5 (RR5) to Rural Village (RV). The subject property is located at 5900 Webster Way., Cashmere, WA 98815 and further identified by Assessor's Parcel No.: 24-19-31-940-005. See Attachment 4.



General Information:

- Density: Currently, the minimum lot size is 5 acres for the RR5 zoning district. The proposed amendment would potentially allow for an increased density of the RR5 parcel from 2 lots to a possible 36 lots in the RV zoning district.
- Site Information: The site is composed of one parcel that is currently in Rural Residential/Resource 5 (RR5) and is located in an Airport Overlay. The site is currently used for a single-family residence, accessory structures, and pasture. Physical characteristics include flat ground, in an area shown to have erosive soils, possible ground contamination from historic orchard use, and a ditch running parallel with the south property line.
- Access: Access is from Webster Way, a county right of way
- Surrounding: The areas surrounding the subject properties are in agricultural and residential use. The properties to the north are zoned Rural Residential/Resource 5 (RR5). Properties to the east are zoned Rural Residential/Resource 5 (RR5). Properties to the south are zoned Suburban Residential (SR) and Public (P) in the Cashmere Urban Growth Area (UGA). Properties to the west across Webster Way are zoned Rural Village (RV).
- Proposed Land Use Designation: The applicant is requesting to change the 10 acres to the Rural Village (RV) designation, which would extend the land use across the existing boundary of Webster Way. RV is considered a Type 1 LAMIRD. Limited Areas of More Intense Rural Development (LAMIRDs) are designated to identify more intense areas of existing development, and to minimize and contain those existing developed areas within the rural lands. LAMIRDs are rural; they are contained and compact, and, with minor exceptions, were built before July 1, 1990.

G. PROJECT DESCRIPTION – CPA 20-007 – SMALL SCALE RECREATIONAL TOURIST TEXT AMENDMENT

Proposal: Chelan County has initiated a Comprehensive Plan text amendment to consider changes to Chapter 3 and 4 related to the allowances of small-scale recreational tourist activities in certain locations. Due to geographic limitations, it is common for rural areas to have isolated commercial or tourist activities. These areas provide residents and tourists with necessary services, reduce travel demands on limited roadways, and provide local areas with employment opportunities. This proposed text amendment will allow the public to evaluate the Comprehensive Plan for consistency as to how to support new small-scale recreation or tourist uses.

The County land use designations are be grouped as Rural, LAMIRD, Resource and Urban Growth Area. Chapter 3 is the Rural Element of the Comprehensive Plan and addresses the siting criteria for Rural and LAMIRD designations that are implemented through the zoning map. Chapter 4 is the Resource Element and addresses siting criteria for Resource designations.

In each chapter, uses appropriate to each land use designation are listed. In particular, such uses may include intensification of existing small scale recreational or tourist uses that rely on a rural location or setting, but that do not include new residential component. However, some of the siting criteria contains the language “or new development” of small scale recreational or tourist uses.

The table below indicates how the language is currently adopted and is also shown in Attachment 5. Attachment 6 provides background information.

Land Use Designation	Current Language in Chapter 3, Rural Element	Page No.
RR20	intensification of existing small scale recreational or tourist uses that rely on a rural location or setting, but that do not include a new residential component;	7
RR10, RR5, RR2.5, RP	intensification of existing development or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component;	8, 9, 10
Type 1 LAMIRD	... are described as rural development consisting of existing and potential infill of commercial, industrial, residential, or mixed use, whether characterized as shoreline developments, villages, hamlets, rural activity centers, or crossroads developments.	11
Type 2 LAMIRD	...are an intensification of development on lots containing, or new development of , small- scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses that rely on a rural location and setting.	12
RRR (Type 1 LAMIRD)	intensification of existing development or new development of small scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component;	14
RV (Type 1 LAMIRD)	intensification of existing small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component;	15
RC (Type 1, 2 and 3 LAMIRD)	...; tourist or recreational uses;	16
Land Use Designation	Current Language in Chapter 4, Resource Element	Page No.
AC	intensification of existing small scale recreational or tourist uses that rely upon a rural setting but that do not include a new residential component;	2
FC	intensification of existing development or the development of new small scale recreational or tourist uses that rely upon a rural setting but that do not include new residential development;	13

The Comprehensive Plan is implemented through the zoning districts and in part, the regulation of recreation and tourist uses is specified in the CCC Section 11.04.020 District use chart. The use chart identifies *Recreation/Tourist Uses* as requiring a conditional use permit (CUP) in all zoning districts excepting RI and MC where such uses are prohibited. As shown above, however, guidance in the Comprehensive Plan only allows “intensification of existing development” in certain areas, so approval of **new** small-scale *Recreation/Tourist Uses* through a CUP would not be allowed, because it would not be found as consistent with the Comprehensive Plan. A similar issue could be identified for *Recreational Vehicle Park/Campground, Minor*, which are not allowed in the RV and AC zoning districts but may be permitted in the RRR and FC zoning districts with approval of a CUP. *Recreational Vehicle Park/Campground, Major* are prohibited in RV, RRR, AC and FC zoning districts.

The uses noted in the District Use Chart are informational only. It is important to emphasize that the Comprehensive Plan is the tool that informs decisions and drives implementation of the Zoning Code, not vice versa. Depending on how the proposed CPA text amendment is resolved, changes to the zoning code may be appropriate. Any changes to the Zoning Code must be consistent with the Comprehensive Plan.

H. PROJECT DESCRIPTION – CPA 20-008 – ECONOMIC DEVELOPMENT TEXT AMENDMENT

Proposal: Chelan County has initiated a Comprehensive Plan text amendment to consider additions to the Economic Development Element. The proposed text amendment includes a list of projects eligible to receive rural county tax funds, because state law requires such projects to be listed as an item in the officially adopted county comprehensive plan.

Please refer to Attachment 7 and 8 for the proposed text additions and background.

I. ATTACHMENTS

1. CPA 20-001 Moon Beam Ranch, LLC Application Materials.
2. CPA 20-003 Perry Application Materials.
3. CPA 20-004 Smith Application Materials.
4. CPA 20-005 Joya Application Materials.
5. Draft Chapter 3 and 4 Comprehensive Plan with notes.
6. CPA 20-007 SSRT Text Amend Background.
7. Draft Chapter 8 Comprehensive Plan-Economic Development Element.
8. CPA20-008 Application Materials.



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CHELAN COUNTY

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

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CHELAN COUNTY
COMMUNITY DEVELOPMENT

GENERAL LAND USE APPLICATION FORM

Parcel Number (APN): 271832300050; 271832330050; 271832330060 Lot Size: 28.87; 5.14; 4.86 (Acres)
Parcel Address: Unassigned Chiwawa Loop Road City/Zip Code: Leavenworth, 98826
Property Owner(s): Moonbeam LLC; William Burgess Zoning: RW
Mailing Address: PO Box 269
City/State/Zip Code: Leavenworth, WA 98826
Phone: 509-670-6665 E-mail: _____

Applicant/Agent (if different than owner): Ryan Walker
Company and Mailing Address: Grette Associates, LLC 151 South Worthen Street, Suite 101
City/State/Zip: Wenatchee, WA 98801 Phone: 509-663-6300
E-mail: ryanw@gretteassociates.com

For multiple owners, applicants, or agents, provide additional sheets.



This General Land Use Application Form shall be completed unless specified below. Additional information and supplemental forms may be required. Please review all applicable statutes and regulations pertaining to the proposed development and provide information, documents, studies, and reports (such as a Traffic Impact Study or environmental forms) demonstrating compliance with all statutory and regulatory requirements and other applicable criteria.

Application For: (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Administrative Modification | <input type="checkbox"/> Open Space: Public Benefit Rating System |
| <input type="checkbox"/> Administrative Determination | <input type="checkbox"/> Major Subdivision |
| <input type="checkbox"/> Administrative Interpretation | <input type="checkbox"/> Master Planned Development |
| <input type="checkbox"/> Binding Site Plan | <input type="checkbox"/> Planned Development |
| <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment | <input type="checkbox"/> Plat Alteration or Vacation |
| <input checked="" type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Short Plat |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance (zoning or critical areas) |
| <input type="checkbox"/> Forest Practice/Conversion | <input type="checkbox"/> Zoning Text Amendment/ Map Amendment |
| | <input type="checkbox"/> Other: _____ |

APPLICABILITY SECTION

The following have their own individual application. Do not use this form for:

- Boundary Line Adjustments. Please use corresponding Boundary Line Adjustment Application Form.
- Certificate of Exemptions. Please use corresponding Certificates of Exemption Application Form.
- Shoreline Permits. Provide the JARPA form along with the corresponding Supplemental Form, as necessary.
- Building and Fire Permits.
- Pre-Applications.

The following attachments are required for a complete application:

- Copy of Deed or Proof of Ownership
- Supplemental Forms, if applicable
- Completed Aquifer Recharge Section, Marijuana Disclosure Section and Site Plan Checklist
- All information, documents, studies and reports demonstrating compliance with all statutory and regulatory criteria and requirements and the Chelan County Comprehensive Plan
- The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15.

GENERAL INFORMATION

Please provide a narrative of the proposed project including, but not limited to, all proposed activities, uses and development (attach additional sheets if needed):

Rezone 38.87 acres from RR 10 and RR 5 to RRR.

Narrative attached

Please complete the following:

1. Any related files (such as Pre-Applications): _____

2. Is the subject property located within an Urban Growth Area (UGA)? No Yes

If "yes", which UGA? _____

3. Please describe adjacent land uses in all directions around the subject property:

North: Residential zoned RR 2.5

South: Residential zoned RR 5

East: Residential zoned RR 10

West: Commercial zoned RRR

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4. What is the current use of the property? Recreational and Residential

5. Sanitation Disposal: N/A Septic Permit Sewer District: _____

6. Water Source: N/A Single Private Well Shared Private Well Group B

Public Water Supplier: _____

7. Irrigation Water:

N/A Yes (Private) Yes (Public) Irrigation District/Purveyor: _____

8. Fire District: Number 7 School District: Cascade

9. Power Service: Chelan PUD

10. Are there critical areas or critical area buffers on the property?

Airport Overlay: N/A

Aquifer Recharge Area (see attached)

Floodplain / Floodway N/A

Geologically Hazardous Areas (11.86.020) on the site or within the specified distance of the site:

Alluvial Fan (250') Known Historic Hazardous Area (250') Slopes > 40% (250')

Erosive soils (on-site) Landslide Snow Avalanche (500')

Habitat/Riparian Area, protected species/area: N/A

Streams / Waterbodies: N/A Shoreline Environment Designation: N/A

Drainage or Seasonal Stream: N/A Wetland, if so what category: N/A

Cultural or Archeological: N/A

11. Will landfill be required? No Yes, approximate _____ (cubic yards)

12. Will excavation be required? No Yes, approximate _____ (cubic yards)

13. Has site preparation been started on the site? If so, to what extent?

No.

14. Are there plans for future additions, expansions, or further activity related to or connected with the proposal?

Don't know

15. Provide a development schedule with the approximated dates of commencing and completing construction or proposed activity:

Don't Know

16. Are there any other applications pending for governmental approvals for this or other proposal affecting the property covered by this proposal? No Yes, please list:

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AQUIFER RECHARGE AREA DISCLOSURE SECTIONCHELAN COUNTY
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Exempt from this section only are Single Family Residences and their associated development per CCC 11.82.060. An applicant seeking to develop property which requires a development permit, shall submit with the permit application this certified statement, which lists each of the evaluation criteria and shall indicate whether the criteria "applies" or "does not apply" to the site or development. "Unknown" or similar responses will not be accepted.

If the development meets criteria A, B, C, or D or if the site or development meets any two of the remaining criteria, the Department will direct the applicant to determine the vulnerability rating for the development pursuant to Section 11.82.050 Aquifer Recharge Areas. If the development has a high or medium vulnerability rating, the development shall be subject to the performance standards of Section 11.82.060.

If an applicant's statement asserts that the criteria do not apply to the development, the Department will accept the statement and proceed with the permitting process. If any statement is incorrect, the applicant will be advised in writing to either; (a) provide an amended statement adding the evaluation criteria as being applicable and determine the vulnerability rating of the development pursuant to Section 11.82.050, or (b) present sufficient countering information clearly establishing that the basis for the Department's concern is incorrect. If the applicant selects to proceed under (b), upon receipt of the applicant's information, the Department shall review the information and obtain whatever additional assistance may be required to resolve the issue. The final determination as to whether a determination of vulnerability is required shall be made by the Administrator.

EVALUATION CRITERIA

The applicant is required to determine the vulnerability rating for **any development permit**, not otherwise exempted, if the site or development meets criteria A, B, C, or D or meets two or more of the remaining criteria below:

Please write the word(s) "**Applies**" or "**Does Not Apply**" on the lines before each of the following statements:

- Does Not Apply **A.** Within a wellhead protection area designated under WAC 246-290; ***Wellhead Protection Area:** The surface and subsurface area surrounding a well or well field for a distance of 100 feet, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.
- Does Not Apply **B.** Within an aquifer recharge area mapped and identified by a qualified ground water scientist;
- Does Not Apply **C.** The site will be utilized for hazardous substance, (as now or hereafter defined in RCW 70.105D.020(7)), processing storage or handling in applications or quantities larger than is typical of household use;
- Does Not Apply **D.** The site will be utilized for hazardous waste treatment and storage as set forth in RCW 70.105 Hazardous Waste Management, as now or hereafter amended;
- Does Not Apply **E.** The site contains highly permeable soils, which include soil types 1a, 1b and 2a under WAC 246-272-11001, Table II; ****Highly Permeable Soils:** Include soil types 1A, 1B and 2A from Table II, Soil Textural Classification, WAC 246-272-11001. 1A: Very gravely coarse sands or coarser, all extremely gravely soils. 1B: Very gravely medium sand, very gravely fine sand, very gravely very fine sand, very gravely loamy sands. 2A: Coarse sands (also includes ASTM C-33 sand).
- Does not Apply **F.** Within a sole source aquifer recharge area designated pursuant to the Federal Safe Drinking Water Act (**None currently designated in Chelan County**);

- Does not apply **G.** Within an area established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48 and 90.54 RCW, and Chapters 173-100 and 173-200 WAC (None currently designated in Chelan County);
- Does Not Apply **H.** The development involves a proposed major or short subdivision and includes present or future plans to construct three or more dwelling units where the dwelling units will not be connected to a public sewer system and any of the lots are less than 1 net acre in size;
- Does Not Apply **I.** The proposed commercial and industrial site is not on a public sewer system and the main structure exceeds 4,000 square feet;
- Does Not Apply **J.** The proposed use is as a commercial feedlot;
- Does not Apply **K.** The development is within 200 feet of the ordinary high water mark of a perennial river, stream, lake or pond.

Depending upon soil depths from the surface, the following soil series within Chelan County are considered to be highly permeable soils:

- Ardenvoir: ArF, 27-43 inches (depth from surface), very gravelly sandy loam*
- Anatone: AkD, 5-14 inches (depth from surface), very gravelly silt loam*
- Beverly: Be, 17-24 inches (depth from surface), very gravelly sandy loam; Bf, 17-24 inches (depth from surface), very gravelly sandy loam; Bg, 0-10 inches (depth from surface), very gravelly loamy fine sand; Bg, 17-24 inches (depth from surface), very gravelly sandy loam*
- Brief: BrA, BrB, BrC, Brd, 26-60 inches (depth from surface), very gravelly sandy loam*
- BsD, 26-60 inches (depth from surface), very gravelly sandy loam*
- Chelan: CgB, CgC, CgD, CgE, 35-60 inches (depth from surface), very gravelly sandy loam; ChC, ChE, 35-60 inches (depth from surface), very gravelly sandy loam; CkD, CkE, 35-60 inches (depth from surface), very gravelly sandy loam; CIA, CIB, CIC, CID, CIE, 35-60 inches (depth from surface), very gravelly sandy loam*
- Jumpe: JmD, 10-60 inches (depth from surface), very stony silt loam; JnF, 0-60 inches (depth from surface), very stony silt loam*
- Loneridge: LoD, LoF, 0-10 inches (depth from surface), very stony loam; 10-16 inches (depth from surface), very gravelly clay loam*
- Malaga: MaA, MaC, 15-19 inches (depth from surface), very gravelly sandy loam*
- Peshastin: PhB, PhC, 18-60 inches (depth from surface), very cobbly sandy loam; PID, PIE, 18-60 inches (depth from surface), very cobbly loam*
- Pogue: PsE, 0-17 inches (depth from surface), very stony fine sandy loam*
- Stemilt: StD, StE, 17-60 inches (depth from surface), very cobbly silty clay loam*
- Supplee: SuA, SuB, SuC, SuD, SuE, 0-6 inches (depth from surface), Very fine sandy loam; 18-31 inches (depth from surface), very gravelly sandy loam*
- Thow: TgD, 10-60 inches (depth from surface), very gravelly sandy loam; ThE 10-60 inches (depth from surface), very gravelly sandy loam*
- Tronsen: TrD, TrE, 8-60 inches (depth from surface), very gravelly clay loam*

CANNABIS DISCLOSURE SECTION

SUB-SECTION I: Circle

I AFFIRM there **IS NOT** or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "IS NOT" above, proceed to Sub-Section III of this form.

If you circled "IS" above, proceed to Sub-Section II of this form.

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SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

- _____ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.
- _____ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.
- _____ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.
- _____ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

SUB-SECTION III: Please select one of the following:

- I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.
- I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

SITE PLAN CHECKLIST SECTION

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.

- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

ACKNOWLEDGEMENT SECTION

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

By submitting this application, I acknowledge and certify the following:

Initials

(Owner and, if applicable, Applicant)

- WEB 1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.
- WEB 2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.
- WEB 3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.
- WEB 4. Additional permit applications and approvals may be necessary to conduct specific activities.
- WEB 5. Application fees are non-refundable, except when approve by the Board.
- WEB 6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.

h WEB

7. Chelan County is hereby given consent to enter the property(ies) listed above.

h WEB

8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.

h WEB

9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.

h WEB

10. I certify that this application has been made with the consent of the lawful property owner(s).

h WEB

11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.

h WEB

12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: William Bueger Place: _____ Date: _____

Print Name: WILLIAM BUEGER

Owner/Applicant/Agent Signature: Ryan Walker Place: Wenatchee Date: 2/4/2020

Print Name: Ryan Walker, Grette Associates LLC

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____

Print Name: _____

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SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

N/A

2. Name of applicant:

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Reviewed by Emily Morgan, Project Planner

Moonbeam Ranch LLC; William Burgess

3. Address and phone number of applicant and contact person:

	Agent
PO Box 269	Ryan Walker
Leavenworth, WA 98826	151 South Worthen Street, Suite 101
509-670-6665	Wenatchee, WA 98801

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4. Date checklist prepared:

January 2020

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5. Agency requesting checklist:

Chelan County

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6. Proposed timing or schedule (including phasing, if applicable):

Timing and schedule would be consistent the guidelines established in Chelan County Code Title 14—
Development procedures.

7. Do you have any plans for future additions, expansion, or further activity related to or
connected with this proposal? If yes, explain.

Don't know.

8. List any environmental information you know about that has been prepared, or will be
prepared, directly related to this proposal.

None Known.

9. Do you know whether applications are pending for governmental approvals of other
proposals directly affecting the property covered by your proposal? If yes, explain.

No.

10. List any government approvals or permits that will be needed for your proposal, if known.

Comprehensive Plan Text Amendment (Chelan County)

Zone Change (Chelan County)

11. Give brief, complete description of your proposal, including the proposed uses and the size
of the project and site. There are several questions later in this checklist that ask you to
describe certain aspects of your proposal. You do not need to repeat those answers on this
page. (Lead agencies may modify this form to include additional specific information on project
description.)

This project would entail changing the Comprehensive Plan and zoning designation from Rural Residential/Resource 10 and Rural Residential/Resource 5 to Rural Recreational Residential on 38.87 acres of land.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The property is located on Chiwawa Loop Road north of Plain, within the SW ¼ of Section 32, T 27N, R 18E.W.M. Parcel nos. 271832300050, 271832330050 and 271832330060.

B. Environmental Elements [\[HELP\]](#)

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1. **Earth** [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

60%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Nard silt loam (NaE), 25-45 percent slopes. There are no agricultural soils of long-term significance.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No surface indications. The property is mapped as potentially having erosive soils.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No filling or grading is proposed.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No clearing or construction is proposed.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

There would be no new impervious surfaces as a result of this proposal.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

None proposed.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

There would be no new emissions to the air.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None proposed.

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3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None proposed.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground Water: [\[help\]](#)

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None proposed.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

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N/A

2) Could waste materials enter ground or surface waters? If so, generally describe.

No.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed.

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None proposed.

c. List threatened and endangered species known to be on or near the site.

None known.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None proposed.

e. List all noxious weeds and invasive species known to be on or near the site.

None Known.

5. **Animals** [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

None known.

mule deer habitat

c. Is the site part of a migration route? If so, explain.

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No.

d. Proposed measures to preserve or enhance wildlife, if any:

None proposed.

e. List any invasive animal species known to be on or near the site.

None known.

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6. **Energy and Natural Resources** [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

7. **Environmental Health** [\[help\]](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

1) Describe any known or possible contamination at the site from present or past uses.

None known.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None Known.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

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N/A

4) Describe special emergency services that might be required.

None.

5) Proposed measures to reduce or control environmental health hazards, if any:

None proposed.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Chiwawa Loop Road and commercial recreation facility (Thousand Trails) on adjacent property.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A.

3) Proposed measures to reduce or control noise impacts, if any:

None proposed.

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Current use is open space. Adjacent properties are in commercial recreational use and residential use.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

future development may require Forest Practice application w/ WA Dept. of Natural Resources

No. The property is growing forest trees but is not designated commercial forest of long term significance.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

c. Describe any structures on the site.

None.

d. Will any structures be demolished? If so, what?

No.

e. What is the current zoning classification of the site?

RR 10 and RR 5.

f. What is the current comprehensive plan designation of the site?

RR 10 and RR 5.

g. If applicable, what is the current shoreline master program designation of the site?

N/A.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

The property is mapped as potentially having erosive soils.

i. Approximately how many people would reside or work in the completed project?

N/A

j. Approximately how many people would the completed project displace?

N/A.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Application for a Comprehensive plan amendment and zone change.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None.

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

c. Proposed measures to reduce or control housing impacts, if any:

None.

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10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A.

b. What views in the immediate vicinity would be altered or obstructed?

No.

b. Proposed measures to reduce or control aesthetic impacts, if any:

N/A.

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A.

c. What existing off-site sources of light or glare may affect your proposal?

Adjacent commercial recreational use.

d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

The adjacent property to the west includes designated recreation including camping, clubhouse, swimming pool, mini golf, frisbee golf, basketball court, volleyball court and playground. Informal recreational opportunities in the immediate vicinity include fishing, hiking, camping, snowmobiling and hunting.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None.

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13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

No.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The tribes and DAHP will be notified during the county public notice period.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed.

14. Transportation [\[help\]](#)

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The site is accessed from Chiwawa Loop Road.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

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e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

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No.

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f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

h. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None proposed.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee William Barnes

Position and Agency/Organization _____

Date Submitted: 2/4/2020

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would not be likely to increase emissions to air or production of noise. Although the rezoning of the property may lead to its development which could impact air and noise emissions, the current zoning of the property would likewise permit its development thus there would be no increases resulting from the proposal.

The proposal would not include any discharges to water or toxic or hazardous substances of any kind. Because discharges to water and toxic or hazardous substances are not part of the proposal it and/or its effects would not cause an increase in discharge to water or production, storage or release of toxic or hazardous substances.

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Proposed measures to avoid or reduce such increases are:

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Since no increases are anticipated, no measures to avoid or reduce them are proposed.

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2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal does not include any components that would be likely to affect plants, animal, fish or marine life. Since the proposal is simply to change the comprehensive plan and zoning designation, there would be no impact to the above mentioned resources.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposal would be in compliance with all local, state and federal regulations regarding the above mentioned resources. Compliance with all applicable regulations would satisfactorily protect and conserve them.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would not use any energy or natural resources thus it would not deplete them.

Proposed measures to protect or conserve energy and natural resources are:

Since there would be no impacts to energy or natural resources, no measures to protect or conserve them are proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal would not be likely to use or affect environmentally sensitive areas or areas designated for governmental protection because none are present on the property.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Since there would be no impact to such resources, no measures to protect them are proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would be likely to affect land use by changing the zoning designation. Such a change would not be incompatible with existing plans since the property is adjacent to existing property with the same or similar zoning designations. The proposal would not affect shoreline use since it is not adjacent to a shoreline.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Since there would be no negative impact to shoreline and/or land use, no measures are proposed to avoid or reduce them.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would not be likely to increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Since there would be no increased demands on transportation or public services and utilities, no measures are proposed to reduce such demands.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal would not conflict with local, state or federal laws regarding the protection of the environment.

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- 1. A detailed statement of what is proposed to be changed and why. Identify the specific Comprehensive Plan Land Use Designation map number and Zoning map number that would be amended.**

This proposal is to change the zoning and comprehensive plan designation of approximately 38.87 acres from to Rural Recreational/Residential (RRR) and change approximately 10 acres from Rural Residential/Resource 5 (RR5) to RRR. The property is located on Chiwawa Loop Road north of Plain, within the SW ¼ of Section 32, T 27N, R 18E.W.M.

The official Chelan County Zoning and Comprehensive Plan map is no. 29. The property is currently zoned RR10 and RR5 and adjoins RR 2.5 property to the north and RRR property to the west.

The zoning and comprehensive plan designations are proposed to be changed to provide more residential property to the Plain and Lake Wenatchee area at affordable prices.

- 2. Explain how the proposed amendment is consistent with the goals of the Washington State Growth Management Act (RCW 36.70A.020 as amended) and any applicable County Wide Planning Policies.**

RCW 36.70A specifies 13 Planning Goals for the State of Washington. When reviewing compatibility with these stated goals, it is important to acknowledge the unique circumstances in Chelan County. Eighty-eight percent (88%) of Chelan County is in public ownership, either state or federal. That leaves twelve percent (12%) of the County in private ownership. Of the property remaining in private ownership, approximately 10% is reserved for roads and utilities. An additional reduction is taken for those areas in private ownership, but encumbered by protected critical areas, such as steep slopes, wetlands, riparian areas, flood plain, and shoreline. This leaves a very small overall percentage of Chelan County available for residential use, while the demand for housing remains high. This lack of inventory is driving the price of residential property which negatively affects affordability of housing for those who live and work in Chelan County.

RCW 36.70A.020(1) encourages urban growth. The properties are not located in an urban growth area but are located adjacent to LAMIRD zoning within a logical outer boundary and Chelan County is considering creating an Urban Growth Area in the vicinity around the town of Plain.

RCW 36.70A.020(2) aims to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. The subject properties for this zone change and comp plan amendment request would not be converted to sprawling, low density development but rather a well planned efficient use of available land. The best use for this land is allowing the density to increase in the developable areas while preserving the open space and critical areas

RCW 36.70A.020 (3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

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The proposal is consistent with the GMA's goals regarding transportation. The Property is located directly adjacent to Chiwawa Loop Road, a developed and coordinated transportation route, and the proposal would not result in heavy traffic through residential neighborhoods or otherwise result in traffic congestion or impacts on inadequate streets or roads. Chelan County recently completed a project to widen and improve Chiwawa Loop Road along the frontage of the property.

RCW 36.70A.020(4) encourages the promotion of a variety of residential densities and housing types. Given the fact that only 12% of Chelan County is in private ownership, residential development will continue, whether it be as a standard subdivision encouraging inefficient use of land with large lots, or the use of innovative development through clusters and planned developments, encouraging more manageable lots sizes and open space preservation.

RCW 36.70A.020 (5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The proposal is compatible with and serves to encourage economic development by supporting new businesses and growth in the Plan and Lake Wenatchee areas by providing necessary development and housing options.

The proposal is also consistent with the following county-wide planning policies:

Policy 4: The proposal is consistent with the policies for county-wide transportation facilities and strategies, through an integrated transportation system and is within the current capacity. The Property is located directly adjacent to Chiwawa Loop Road, a developed and coordinated transportation route, and the proposal would not result in heavy traffic through residential neighborhoods or otherwise result in traffic congestion or impacts on inadequate streets or roads.

Policy 5: The proposal is consistent with the county-wide policies for housing by directly addressing land available for housing options, encouraging the productive development of the Property for housing, and permitting new housing in an area that already is adjacent to RRR zoning

Policy 7: The proposal is consistent with the county-wide policies for economic development and employment. Specifically, one of the factors is "[t]he availability of housing to support economic growth." The proposal would encourage the development of the Property as additional housing that would support economic growth in the Plain and Lake Wenatchee areas and directly respond to a need for more housing in the area.

3. A statement of how the proposed map amendment complies with or supports the Chelan County Comprehensive Plan's goals and policies.

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Land Use Element; Residential Development

Goal LU 1: Residential designations shall provide for an adequate supply of land to accommodate the housing needs and strategies outlined by the comprehensive plan. Implementation regulations shall provide for a variety of residential opportunities to serve a full range of income levels.

Goal Rationale: An adequate supply of housing available to all income levels is necessary to meet the housing needs of the County.

Policy LU 1.1: Promote improved neighborhood character and compatibility through unified design and site requirements for both site built homes and manufactured and modular housing.

Rationale: The placement of should take into consideration compatibility with the character of existing and future residential areas.

Increasing the density of residential lots in this area would promote a future division of land that be developed with a unified design and allow lots sizes that could accommodate manufactured housing that would be affordable for the area workforce.

Policy LU 1.2: Protect residential neighborhoods from impacts associated with incompatible land uses through application of development standards and permit conditioning.

Rationale: Incompatible land uses located in close proximity to residential neighborhoods may create adverse impacts which could lead to a reduction of the high quality of life for the County residents.

The proposed RRR zoning is the same as the adjacent property to the west and will allow for residential development which is compatible with the existing residential uses in the area.

Policy LU 1.3: Develop innovative regulatory strategies that create developer incentives to provide affordable housing to low and moderate income households.

Rationale: This can be accomplished through the use of innovative techniques including but not limited to: density bonuses, performance zoning, zero lot line development, and cluster subdivisions. Incentives may help facilitate the construction of low and moderate income housing.

The proposed RRR zoning will allow lot sizes that are in accordance with the Chelan-Douglas Health District standards for water and sewer disposal. This density allows the creation of more residential inventory which serves to reduce land prices based on supply and demand.

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Policy LU 1.5: Encourage infill of vacant and underdeveloped land in existing residential areas within urban growth areas and rural communities, such as LAMIRDs.

Rationale: Many parcels of land are available within existing residential developments that can accommodate further development. Infill within these areas will allow public facilities and services to be provided in a more efficient manner.

The proposed rezone is adjacent to the existing Forest Glen subdivision which has lots that are about 1.25 acres in size which is similar to the likely future use of subject properties. They are across Chiwawa Loop Road from property that is already zoned RRR. The subject property can accommodate further development that is consistent with adjacent land uses and lot sizes.

Rural Element

GOAL RE 6: Designate limited areas of more intensive rural development (LAMIRDs) for infill, development or redevelopment of existing commercial, industrial, residential or mixed-use areas.

Policy RE 6.1: Development in LAMIRDs, except for industrial areas or industrial sites within mixed use areas, should be principally designed to serve the existing and projected rural population.

Rationale: Requirements of the Growth Management Act allowing more intense development in rural areas include a provision that these areas serve primarily the existing and projected rural population, generally to ensure rural sprawl does not occur where inappropriate.

Use of the subject properties for residential development will serve the projected population by providing residential opportunities for permanent residents that reside and work in the area. Concentrating future development adjacent to existing LAMIRD zoning prevent future low density sprawl in inappropriate areas.

Rural Recreational/Residential Siting Criteria

Housing Element

Goal 1: encourage the availability of affordable housing to all economic segments of the population of the county, promote a variety of residential densities, and housing types, and encourage the appropriate preservation of existing housing stock. Rationale: affordable housing opportunities should be accessible to all residents.

Policy 2: Provide an adequate supply of appropriately zoned land in the County to accommodate a variety of future housing needs.

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Rationale: An adequate supply of appropriately zoned land will ensure that the GMA plan does not artificially create inflation in housing prices by restricting competition in the land market.

The approval of this application will lead to increasing the supply of appropriately zoned land that will ensure that inflation in housing prices is not artificially created.

- 4. A detailed statement on how the land use designation amendment complies with the Chelan County Comprehensive Plan land use designation/siting criteria.**

Locational Guidelines:

1. **Geographical and Geological Characteristics:** Developments are closely associated with natural amenities found within Chelan County. The area may have moderate soil limitations and may have other limited physical constraints to development.

2. **Natural Resources:** This designation shall not be applied on resource lands of long term commercial significance.

3. **Public Services:** Necessary public facilities and public services to serve the development, redevelopment or infill of these areas may be provided. Rural governmental services are typically available, planned and/or funded for.

4. **Existing land uses:** Seasonal and year-round residences, tourist and recreational activities and other rural development may be present. Predominant parcel sizes are 1 acre or smaller.

The subject property is closely associated with natural amenities found in Chelan County due to its proximity to Lake Wenatchee, Wenatchee and Chiwawa Rivers and USFS property. It is not designated as a resource land of long term significance. Rural governmental services are available and planned for. Existing land uses in the area include seasonal and year-round residences, tourist and recreational activities and other rural development. There are many lots in the area that are less than 1 acre; specifically in the RW zoning district in Chiwawa River Pines

- 5. A detailed statement of how the amendment is consistent with and supported by the Capital Facilities Element and the Transportation Element of the Comprehensive Plan, of if not, what changes to these elements would be required and why they should be made.**

Both the Capital Facilities and Transportation elements of the Comprehensive plan speak more to goals and objectives for agencies of jurisdiction when development is proposed. At the time any additional development is proposed, application(s) will have to be in compliance with the concurrency requirements of GMA and the Chelan County comp plan goals and objectives for all elements of the comp plan.

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Chelan County Code 14.14.045

6. **For land use map designation amendments, identify the land uses surrounding the affected property, and describe how the proposed change would affect the surrounding land uses. Explain why the proposed amendment is more appropriate than the existing land use designation.**

Adjacent land uses consist of 300 acres zoned RRR used for commercial recreation including rental cottages, cabins, tiny houses, lodge and campground. The neighboring property offers a clubhouse, convenience store, swimming pool, mini golf, laundry facilities, basketball court, volleyball court, playground, ballroom/banquet hall, library and other commercial amenities. Other adjacent properties are rural residential properties with single family residences. The proposed change would add to the rural residential character of the area by increasing the number of available residential lots. The densities would be similar to other properties in the area zoned RW, which has the same density standards as the proposed RRR.

The proposed amendment is more appropriate than the existing designation because other properties in the area are zoned for a similar density and/or are currently a similar size to densities allowed in the RRR zone. Additionally, there is a logical boundary that can be identified by the topography of the subject property that will allow clustering of development on the flatter property near Chiwawa Loop Road.

7. **Will the proposed map amendment affect lands designated as resource lands of long term commercial significance and/or critical areas? If so, how will the proposed amendment impact these areas?**

The proposed text amendment would not affect lands designated as resource lands of long term commercial significance and/or critical areas. The subject property is not adjacent to Commercial Forest; Any critical areas that may be present on the subject property would be adequately protected by conditions of approval contained in any future land use approvals. All required protections to critical areas such as setbacks from streams and the submission of geotechnical reports would be complied with as necessary in order maintain a high level of environmental quality in Chelan County.

8. **Explain how the proposed amendment would affect the supply of land that is available for various purposes to accommodate projected growth over the twenty-year planning period covered by the Comprehensive Plan.**

The proposed amendment would make a certain amount of land available for higher density development to accommodate future growth in the rural, unincorporated areas of Chelan County. Moderately priced rural properties are very desirable and the demand is high for residential building lots. The price of land is increasing rapidly because the demand is high and the supply is extremely low.

9. **Explain how the proposed change would serve the interests of not only the applicant, but also the public as a whole, including health, safety or welfare.**

The increased number of lots available for residential development will impact the stability of the housing market, which at present is unattainable for many lifelong upper

Chelan County Code 14.14.045

valley residents. The value of the property will also increase the residential property taxes for Chelan County, which in turn, will increase the funding for governmental services.

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m LLC

on for your map.

Legend

Moonbeam

Thousand Tra



800 ft

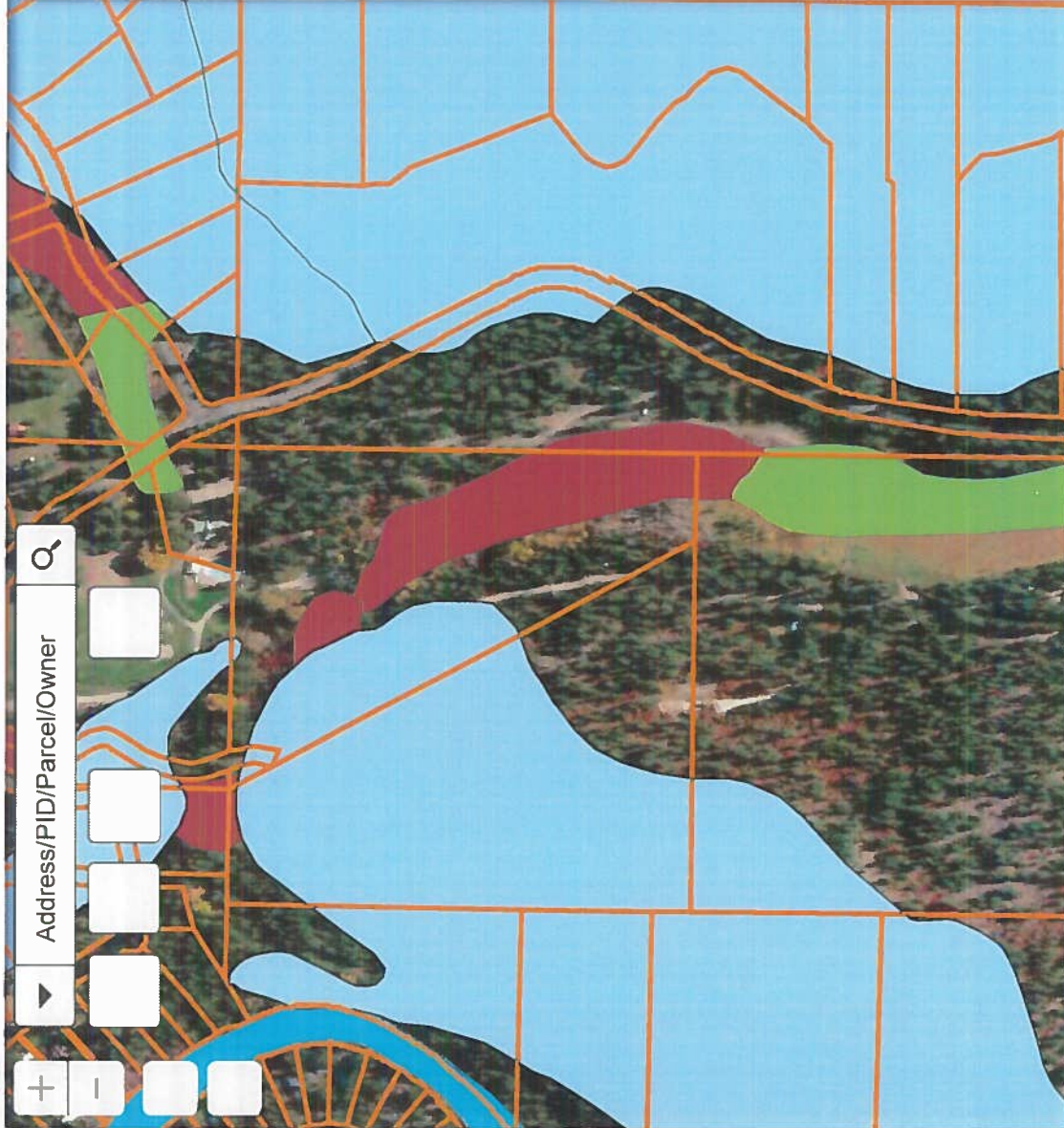
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Address/PID/Parcel/Owner

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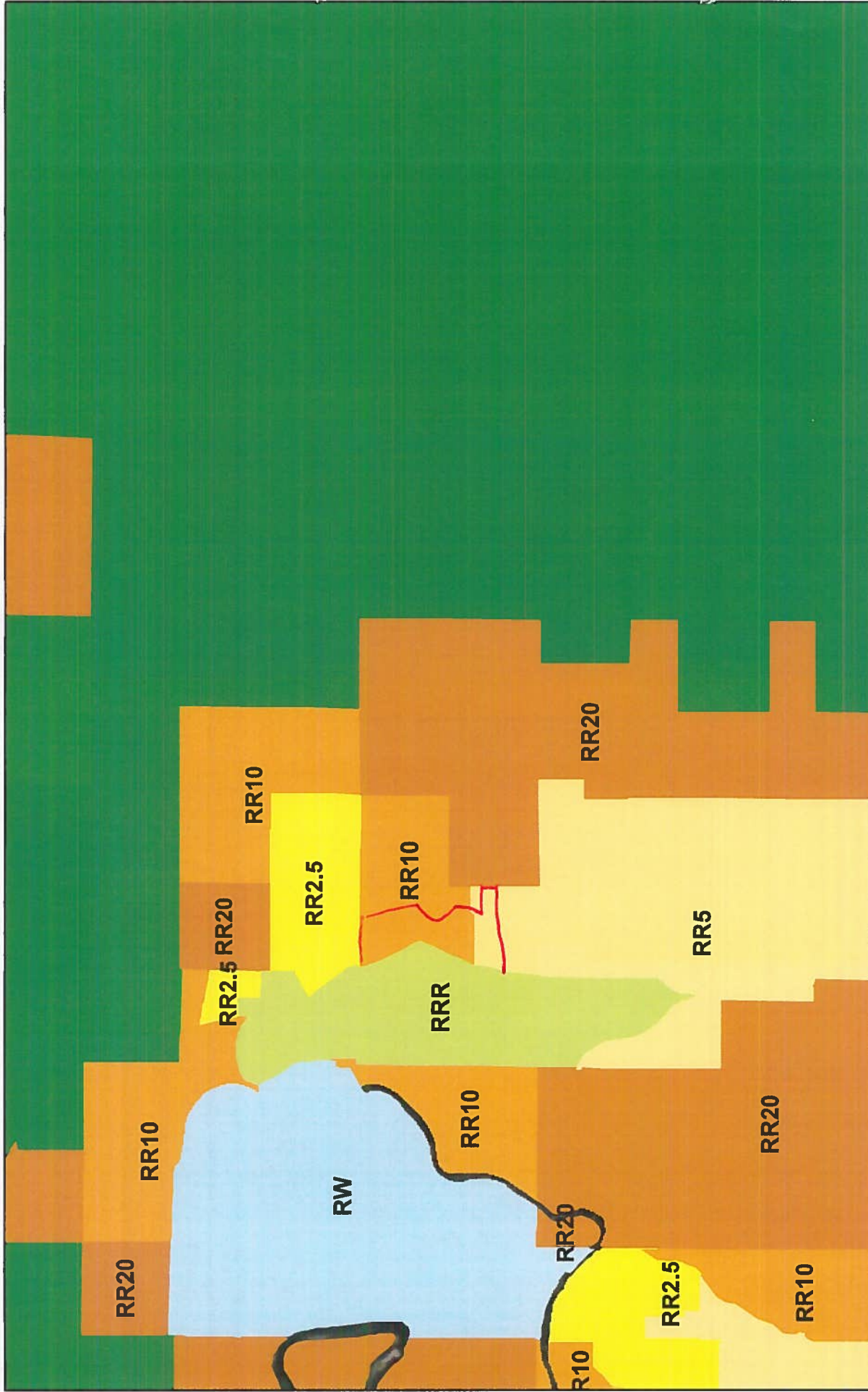
COMMUNITY DEVELOPMENT

Layer List

- 2019 Sales
- 2018 Sales
- 2017 Sales
- Roads
- Parcels
- City Limits
- Streams
- Urban Growth Areas
- Snow Load Criteria
- Zoning
- Erosion
- Landslides
- FEMA Floodzones
- USFW National Wetlands
- Chelan County Boundary
- parcel_labels



Moonbeam Ranch



January 28, 2020

Zoning

- RURAL RESIDENTIAL/RESOURCE 2.5
- COMMERCIAL FOREST LANDS
- RURAL RESIDENTIAL/RESOURCE 10
- RURAL RESIDENTIAL/RESOURCE 20
- RURAL RESIDENTIAL/RESOURCE 5

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Web AppBuilder for ArcGIS
 Brad Scott - Community Development | USDA FSA, DigitalGlobe, GeoEye, CNES/Airbus DS |



Chelan County GIS

Map navigation controls including zoom in (+), zoom out (-), and a search bar with the text "Address/PID/Parcel/Owner" and a magnifying glass icon.

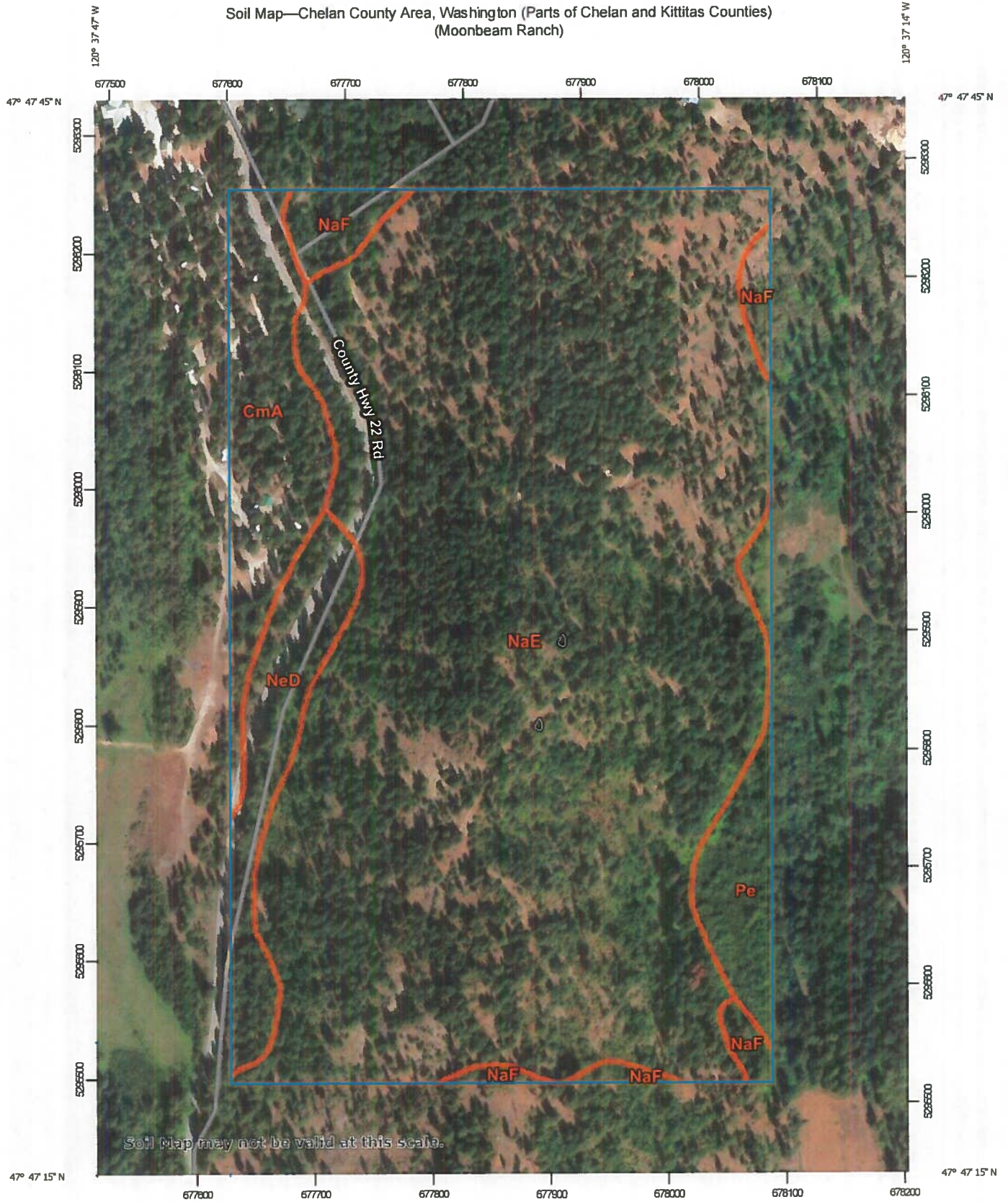


USDA FSA, DigitalGlobe, GeoEye, C

600ft

-120.630 47.794 Degrees

Soil Map—Chelan County Area, Washington (Parts of Chelan and Kittitas Counties)
(Moonbeam Ranch)



Soil Map may not be valid at this scale.

120° 37' 47" W



Map Scale: 1:4,440 if printed on A portrait (8.5" x 11") sheet.

0 50 100 200 300 Meters

0 200 400 800 1200 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 10N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

1/20/2020
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)	Spoil Area
Area of Interest (AOI)	Stony Spot
Soils	Very Stony Spot
Soil Map Unit Polygons	Wet Spot
Soil Map Unit Lines	Other
Soil Map Unit Points	Special Line Features
Special Point Features	Water Features
Blowout	Streams and Canals
Borrow Pit	Transportation
Clay Spot	Rails
Closed Depression	Interstate Highways
Gravel Pit	US Routes
Gravelly Spot	Major Roads
Landfill	Local Roads
Lava Flow	Background
Marsh or swamp	Aerial Photography
Mine or Quarry	
Miscellaneous Water	
Perennial Water	
Rock Outcrop	
Saline Spot	
Sandy Spot	
Severely Eroded Spot	
Sinkhole	
Slide or Slip	
Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Chelan County Area, Washington (Parts of Chelan and Kittitas Counties)
Survey Area Data: Version 15, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 3, 2014—Sep 21, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CmA	Chiwawa gravelly fine sandy loam, 0 to 3 percent slopes	6.4	7.4%
NaE	Nard silt loam, 25 to 45 percent slopes	69.2	80.1%
NaF	Nard silt loam, 45 to 65 percent slopes	2.8	3.2%
NeD	Nevine stony sandy loam, 0 to 25 percent slopes	4.7	5.4%
Pe	Peoh silt loam	3.3	3.8%
Totals for Area of Interest		86.4	100.0%

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Chelan County Assessor

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39587 MOON BEAM RANCH LLC for Year 2018 - 2019

CHELAN COUNTY
COMMUNITY DEVELOPMENT

Property

Account

Property ID: 39587 Abbreviated Legal Description: T 27N R 18EWM
 S 32 W2W2SW
 28.8700 ACRES

Geographic ID: 271832300050

Type: Real

Tax Area: 29 - 228 F9 H1

Open Space: N

Historic Property: N

Multi-Family Redevelopment: N

Township: 27N

Range: 18EWM

Location

Address: UNASSIGNED
 LAKE WENATCHEE, WA 98826

Neighborhood: ExemptGroupCodesCyc3,DFL,DOR,MultiUnit,SFRemod,Hist Map ID: XMPTCODES3

Neighborhood CD: XMPTCODES3

Owner

Name: MOON BEAM RANCH LLC
 Mailing Address: PO BOX 269
 LEAVENWORTH, WA 98826

Owner ID: 81926
 % Ownership: %

Exemptions:

Taxes and Assessment Details

Property Tax Information as of 01/10/2020

Amount Due if Paid on: 

NOTE: if you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2019	28116	\$29.94	\$0.00	\$0.00	\$0.00	\$29.94	\$0.00
▶ Statement Details							
2018	28176	\$30.99	\$0.00	\$0.00	\$0.00	\$30.99	\$0.00

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CHELAN COUNTY

COMMUNITY DEVELOPMENT

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

Website version: 9.0.50.1004

Database last updated on: 1/10/2020 3:19 AM

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39593 BURGESS WILLIAM T & BURGESS WILLIAM E for Year 2018 - 2019

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Property

CHELAN COUNTY
COMMUNITY DEVELOPMENT

Account

Property ID: 39593 Abbreviated Legal Description: T 27N R 18EWM
 S 32 LOT B BLA
 1428 SWSW
 5.1400 ACRES

Geographic ID: 271832330050 Agent Code:

Type: Real

Tax Area: 29 - 228 F9 H1 Land Use Code 88

Open Space: N DFL Y

Historic Property: N Remodel Property: N

Multi-Family Redevelopment: N

Township: 27N Section: 32

Range: 18EWM Legal Acres: 5.1400

Location

Address: UNASSIGNED Mapsco:

LAKE WENATCHEE, WA 98826

Neighborhood: ExemptGroupCodesCyc3,DFL,DOR,MultiUnit,SFRemod,Hist Map ID:

Neighborhood CD: XMPTCODES3 XMPTCODES3

Owner

Name: BURGESS WILLIAM T & BURGESS WILLIAM E Owner ID: 89400

Mailing Address: PO BOX 269 % Ownership: %
 LEAVENWORTH, WA 98826 Exemptions:

Taxes and Assessment Details

Property Tax Information as of 01/10/2020

Amount Due if Paid on: 

NOTE: if you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2019	28122	\$22.86	\$0.00	\$0.00	\$0.00	\$22.86	\$0.00
▶ Statement Details							
2018	28182	\$23.07	\$0.00	\$0.00	\$0.00	\$23.07	\$0.00

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Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

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39594 BURGESS BURGESS HARRIS LLC for Year 2018 - 2019

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COMMUNITY DEVELOPMENT

Property

Account

Property ID: 39594

Abbreviated Legal Description: T 27N R 18EWM
S 32 LOT A BLA
1428 SWSW
4.8600 ACRES

Geographic ID: 271832330060

Type: Real

Tax Area: 29 - 228 F9 H1

Open Space: N

Historic Property: N

Multi-Family Redevelopment: N

Township: 27N

Range: 18EWM

Agent Code:

Land Use Code 88

DFL Y

Remodel Property: N

Section: 32

Legal Acres: 4.8600

Location

Address:

UNASSIGNED
LAKE WENATCHEE, WA 98826

Mapsc0:

Neighborhood:

ExemptGroupCodesCyc3,DFL,DOR,MultiUnit,SFRemod,Hist

Neighborhood CD:

XMPTCODES3

Map ID:

XMPTCODES3

Owner

Name:

BURGESS BURGESS HARRIS LLC

Owner ID: 81927

Mailing Address:

22745 BROWN RD
LEAVENWORTH, WA 98826

% Ownership: %

Exemptions:

Taxes and Assessment Details

Property Tax Information as of 01/10/2020

Amount Due if Paid on: 

NOTE: if you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

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COMMUNITY DEVELOPMENT

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2019	28123	\$22.74	\$0.00	\$0.00	\$0.00	\$22.74	\$0.00
▶ Statement Details							
2018	28183	\$22.94	\$0.00	\$0.00	\$0.00	\$22.94	\$0.00

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

Website version: 9.0.50.1004

Database last updated on: 1/10/2020 3:19 AM

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**LIMITED LIABILITY COMPANY AGREEMENT
OF
MOON BEAM RANCH, LLC**

THIS LIMITED LIABILITY COMPANY AGREEMENT is made and entered into by and between WILLIAM T. BURGESS, WILLIAM E. BURGESS, BRADLEY I. BURGESS, and JEFFERY W. BURGESS.

ARTICLE I

DEFINITIONS

The following terms used in this Agreement shall have the following meanings (unless otherwise expressly provided herein):

“Act” means the Washington Limited Liability Company Act, Ch. 25.15 RCW, as amended from time to time.

“Book Depreciation” means, with respect to any Company asset, the depreciation computed for financial accounting purposes using the Book Value of the asset and either (a) the same method and class life used by the parties for computing Tax Depreciation, or (b) any other method or class life elected by the Company for financial accounting purposes.

“Book Gain” or **“Book Loss”** means the amount of gain or loss realized by the Company for financial accounting purposes on the disposition of a Company asset, which shall equal the positive or negative difference between the amount realized by the Company as a result of the disposition, or the fair market value of the asset when distributed to a Member, and the Book Value of the asset at the time of disposition.

“Book Item” means, with respect to any Company asset, Book Depreciation, amortization, Book Gain, or Book Loss, or other similar item computed in accordance with the method used by the Company for financial accounting purposes.

“Book Value” means, with respect to any Company asset at a particular date (a) the Initial Book Value of the asset, increased by (b) the cost of any improvements or additions to the asset, and reduced by (c) the accumulated Book Depreciation with respect to the asset as of such date.

“Capital Account” means the capital account determined and maintained for each Unit Holder pursuant to Section 7.3.

“Capital Contribution” means any contribution to the capital of the Company in cash or property by a Member whenever made.

“Tax Gain” or “Tax Loss” means the amount of gain or loss recognized for federal income tax purposes on the disposition of a Company asset.

“Tax Item” means with respect to any Company asset, Tax Depreciation, amortization, Tax Gain, or Tax Loss, or other similar item as computed for federal income tax purposes.

“Unit Holder” means a Person who is a Member or who holds an Economic Interest but is not a Member.

ARTICLE II

FORMATION OF COMPANY

2.1 **Formation.** The Company was formed on the 1st day of July, 2009, when the Certificate of Formation was executed on and filed with the office of the Washington Secretary of State in accordance with and pursuant to the Act.

2.2 **Name.** The name of the Company is “MOON BEAM RANCH, LLC.”

2.3 **Principal Place of Business.** The principal place of business of the Company shall be 22745 Brown Road, Leavenworth, Washington 98826. The Company may locate its places of business at any other place or places as the Members may from time to time deem advisable.

2.4 **Registered Office and Registered Agent.** The Company’s initial registered agent and the address of its initial registered office in the state of Washington are as follows:

<u>Name</u>	<u>Address</u>
Jeffers, Danielson, Sonn & Aylward, P.S. By Todd M. Kiesz	2600 Chester Kimm Road / P.O. Box 1688 Wenatchee, WA 98807-1688

The registered office and registered agent may be changed by the Members from time to time by filing an amendment to the Certificate of Formation or any other documents permitted or required by the Washington Secretary of State.

2.5 **Term.** The term of the Company shall be perpetual, unless the Company is earlier dissolved in accordance with either Article XII or the Act.

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ARTICLE III

BUSINESS OF COMPANY

The business of the Company shall be:

- (a) to carry on any lawful business or activity which may be conducted by a limited liability company organized under the Act; and
- (b) to exercise all other powers necessary to or reasonably connected with the Company's business which may be legally exercised by limited liability companies under the Act; and

ARTICLE IV

MANAGEMENT OF THE COMPANY

4.1 **Management by Members.** The power to manage, operate, and control the Company is vested in the Members. All Members shall be entitled to vote on any matter submitted to a vote of the Members. The Members may delegate certain actions or authority to individual Members, or to agents or employees of, or consultants to, the Company.

4.2 **Compensation.** The Members may in their discretion, from time to time, elect to compensate any individual Member who performed services on behalf of the Company. In such event, the Members shall determine whether the compensated Member was acting as a Member, whether the payments are guaranteed payments pursuant to Section 707(c) of the Code, or represent a part of such Member's allocated share of Company profits pursuant to Section 702(a) of the Code and Article VIII of this Agreement.

4.3 **Limits on Members' Authority.** No Member shall be authorized to enter into any agreement, engage in any transaction, or otherwise bind, obligate, or incur liability on behalf of the Company, except to the extent that such Member is so authorized to engage in such action by all of the other Members.

4.4 **Duty of Loyalty.** Each Member shall be entitled to enter into transactions that may be considered competitive with, or a business opportunity that may be considered beneficial to, the Company, it being expressly understood that some of the Members may enter into transactions that are similar to the transactions into which the Company may enter and the Company and each Member waives any right or claim to participate therein.

Notwithstanding the foregoing, each Member shall account to the Company for, and hold as trustee for it, any property, profit, or benefit derived by such Member without the consent of all the other Members, in the formation, conduct, and winding up of the Company's business, or from any use or appropriation of any Company assets, including information developed exclusively for the Company and opportunities expressly offered to the Company. In addition, each Member shall discharge its duties as a Member pursuant to this Agreement and the Act in good faith, with the care an ordinarily prudent Person in like

position would exercise in similar circumstances, and in a manner that such Member reasonably believes to be in the best interests of the Company.

4.5 **Officers.** The Members shall appoint WILLIAM E. BURGESS as the President and WILLIAM E. BURGESS as Secretary of the Company to act on behalf of the Company for the following purposes:

4.5.1 **President.** The President shall be the chief executive officer of the Company and, subject to the control of the Members, shall have general supervision, direction, and control of the business and affairs of the Company. He shall preside at all meetings of the Members. He shall execute deeds, bonds, mortgages, and other instruments on behalf of the Company, except where required or permitted by law to be signed and executed otherwise and except where the signing and execution thereof shall be expressly delegated by the Members to some other agent of the Company. He shall have the general powers and duties of management usually vested in the office of the chief executive officer of a corporation, and shall have such other powers and duties as may be prescribed by the Members or this Agreement.

4.5.2 **Secretary.** The Secretary shall have such powers and perform such duties as may be prescribed from time to time by the President, the Members, or this Agreement. In addition, the Secretary shall keep, or cause to be kept, a book of minutes at the registered office, or such other place as the Members may direct, of all meetings of the Members, with the time and place of holding, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present, the number of units present or represented at Members' meetings and the proceedings thereof. The Secretary shall give, or cause to be given, notice of all the meetings of the Members required by this Agreement to be given, and shall have such other powers and perform such other duties as may be prescribed by the Members of this Agreement. The Secretary shall also keep and maintain, or cause to be kept and maintained, adequate and correct accounts of the properties and business transactions of the Company, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, and units. The books of account shall be open at all reasonable times to inspection by any Member. The Secretary shall deposit all monies and other valuables in the name and to the credit of the Company with such depositories as may be designated by the Members. The Secretary shall disburse the funds of the Company, shall render to the President and any Member, whenever requested, an account of all his transactions as Secretary and of the financial condition of the Company, and shall have such other powers and perform such other duties as may be prescribed by the Members or this Agreement.

ARTICLE V

RIGHTS AND OBLIGATIONS OF MEMBERS

5.1 **General.** The names and addresses of the Members are listed on Schedule 1, which may be amended from time to time.

5.2 **Limitation on Liability; Indemnification.** No Member shall be liable, responsible or accountable in damages or otherwise to the Company or the Members

14.10 **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument.

ARTICLE XV

INDEPENDENT ACTIVITIES OF MEMBERS

Any Member may engage in or possess an interest in other business ventures of every nature and description, independently or with others, including but not limited to, the ownership, financing, management, employment by, lending to or otherwise participating in businesses which are similar to the business of the Company, and neither the Company nor any of the Members shall have any right by virtue of this Agreement in and to such independent ventures or to the income or profits therefrom.

DATED this 23rd day of December, 2009.

William T. Burgess
WILLIAM T. BURGESS

William E. Burgess
WILLIAM E. BURGESS

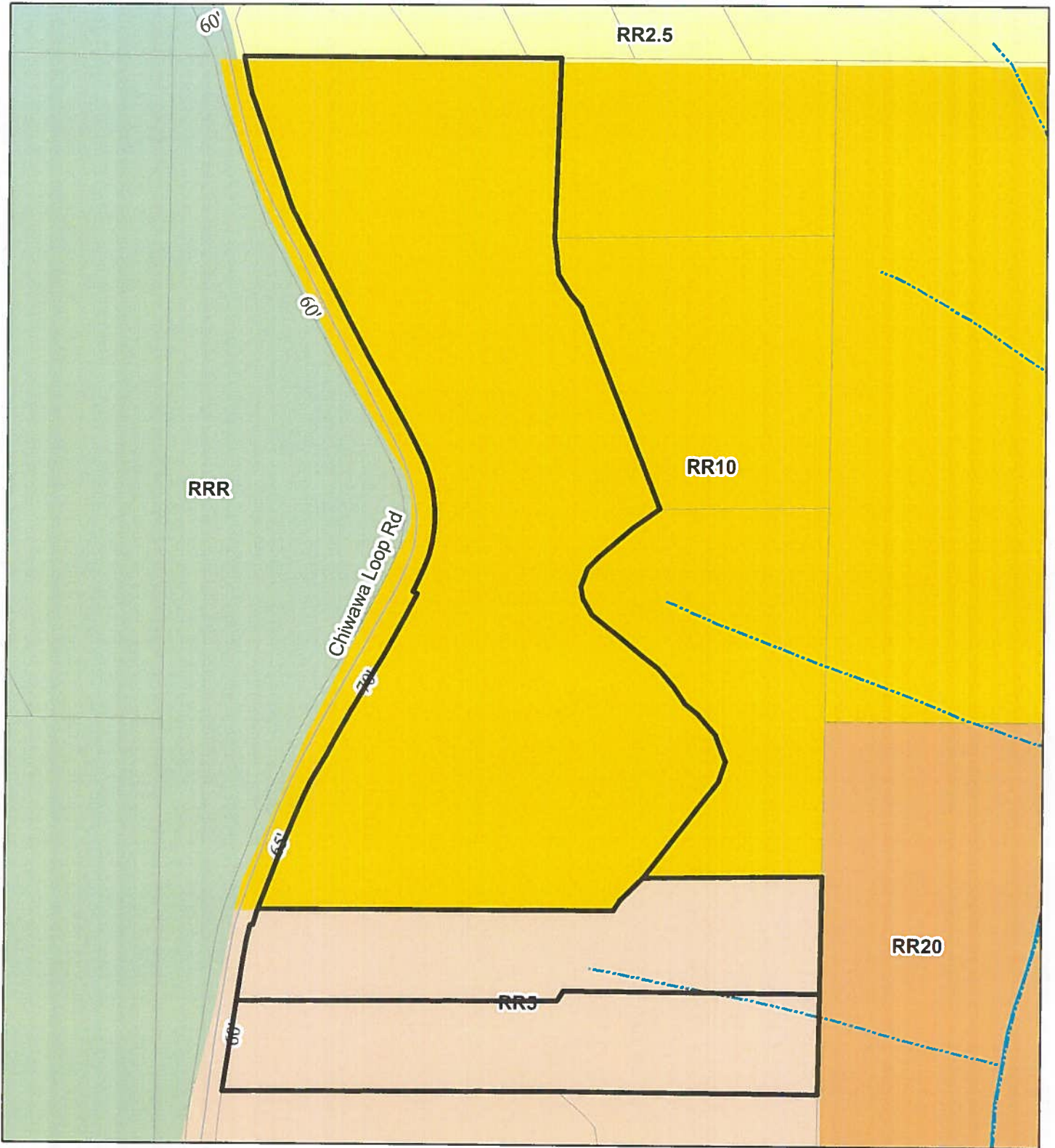
Brad J. Burgess
BRADLEY I. BURGESS

Jeffrey W. Burgess
JEFFREY W. BURGESS

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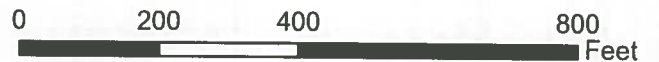


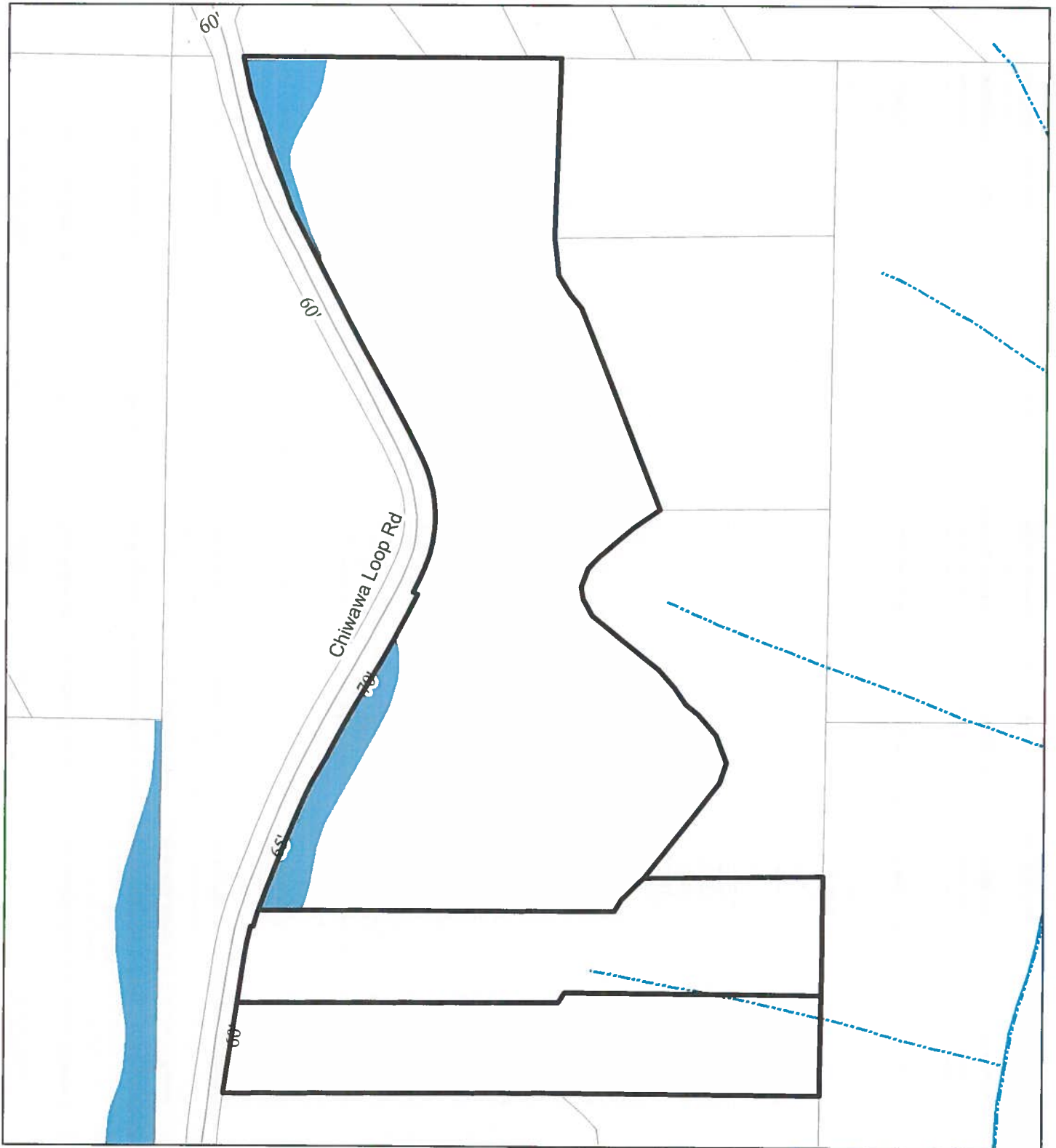
CPA 2020-001

3/9/2020

271832300050, 271832330050,
and 271832330060

The County makes no warranty, expressed or implied, concerning the data's content, accuracy, currency or completeness, or concerning the results to be obtained from queries or use of the data. All data is expressly provided "AS IS" and "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose, and no representation as to the quality of any data. The Requester shall have no remedy at law or equity against the county in case the data provided is inaccurate, incomplete or otherwise defective in any way.





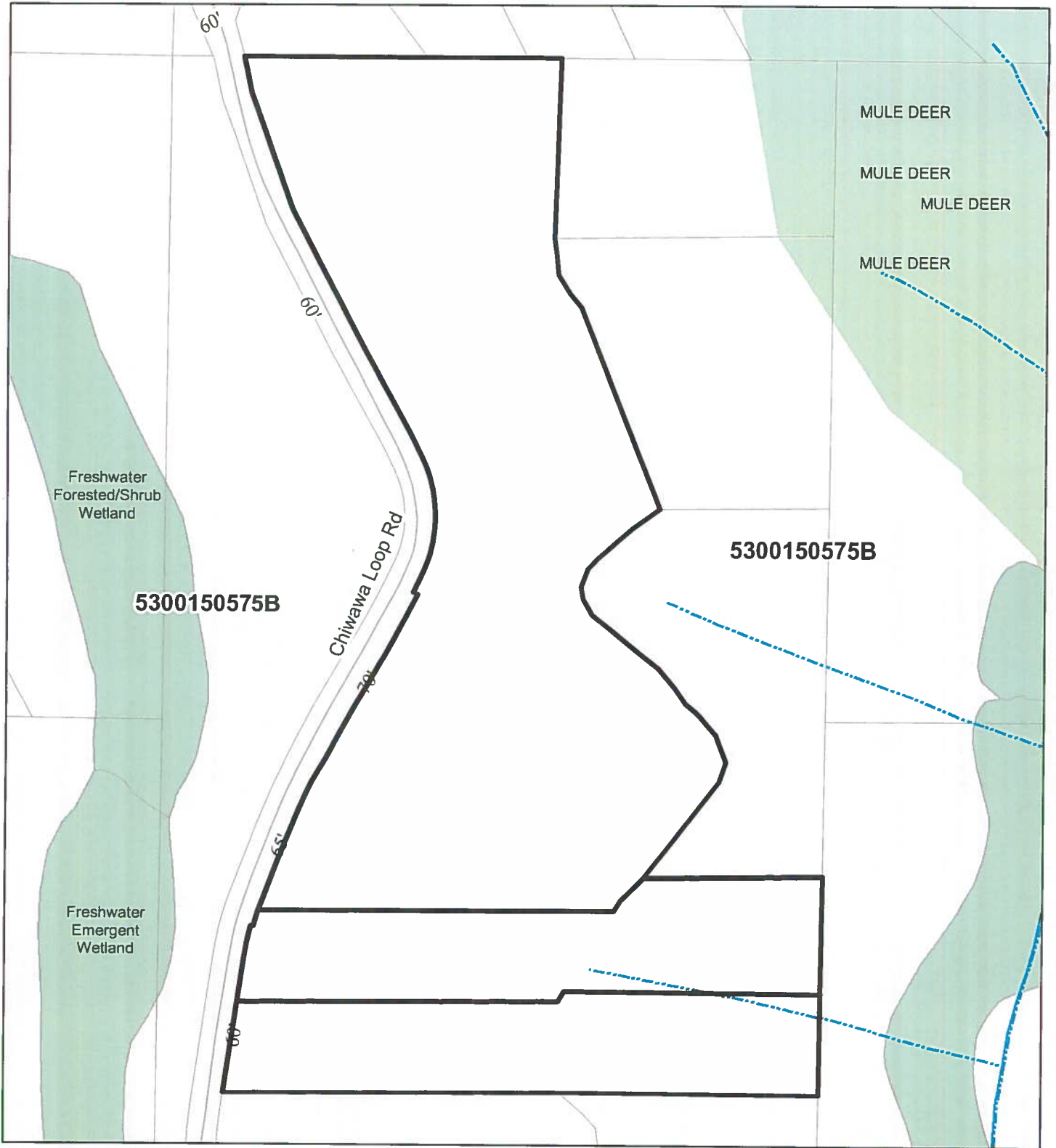
**CPA 2020-001
Mineral Overlay**

3/9/2020

271832300050, 271832330050,
and 271832330060

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CPA 2020-001

3/9/2020

271832300050, 271832330050,
and 271832330060

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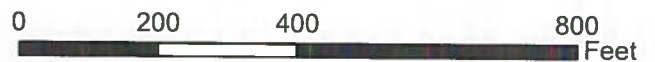


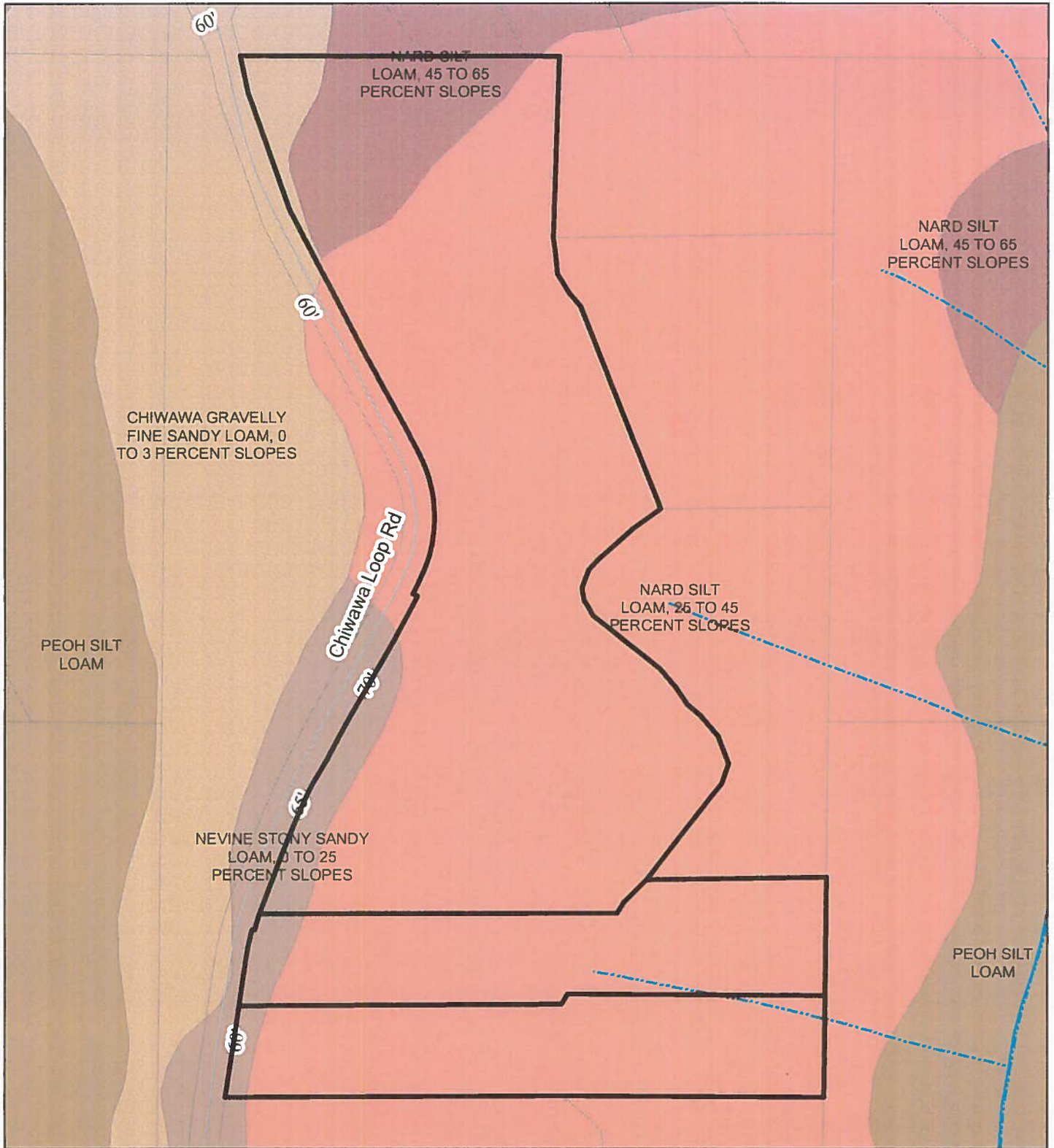
CPA 2020-001

3/9/2020

271832300050, 271832330050,
and 271832330060

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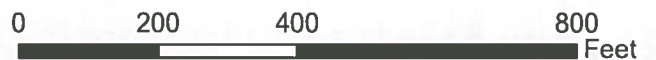


CPA 2020-001

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and 271832330060

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

GENERAL LAND USE APPLICATION FORM

Parcel Number (APN): 282123440075 Lot Size: 8.16 (Acres)
 Parcel Address: ~~Wapato Lake Rd., Lower Joe Creek Rd.~~ **155 Upper Joe Creek Rd.** City/ZIP Code: Manson
 Property Owner(s): Milum Perry Zoning: AC
 Mailing Address: c/o Dan Beardslee, agent for applicant -- 325 32nd St. NW
 City/State/Zip Code: East Wenatchee, WA 98802
 Phone: 509.670.4318 E-mail: dan.beardslee@gmail.com

Applicant/Agent (if different than owner): Perry Milum, principal owner
 Company and Mailing Address: c/o Dan Beardslee, 325 32nd St. NW
 City/State/Zip: East Wenatchee, WA 98802 Phone: 509.670.4318
 E-mail: dan.beardslee@gmail.com
 For multiple owners, applicants, or agents, provide additional sheets.

.....
 This General Land Use Application Form shall be completed unless specified below. Additional information and supplemental forms may be required. Please review all applicable statutes and regulations pertaining to the proposed development and provide information, documents, studies, and reports (such as a Traffic Impact Study or environmental forms) demonstrating compliance with all statutory and regulatory requirements and other applicable criteria.

Application For: (Check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Administrative Modification | <input type="checkbox"/> Open Space: Public Benefit Rating System |
| <input type="checkbox"/> Administrative Determination | <input type="checkbox"/> Major Subdivision |
| <input type="checkbox"/> Administrative Interpretation | <input type="checkbox"/> Master Planned Development |
| <input type="checkbox"/> Binding Site Plan | <input type="checkbox"/> Planned Development |
| <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment | <input type="checkbox"/> Plat Alteration or Vacation |
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Short Plat |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance (zoning or critical areas) |
| <input type="checkbox"/> Forest Practice/Conversion | <input checked="" type="checkbox"/> Zoning Text Amendment/ Map Amendment |
| | <input type="checkbox"/> Other: _____ |

APPLICABILITY SECTION

The following have their own individual application. Do not use this form for:

- Boundary Line Adjustments. Please use corresponding Boundary Line Adjustment Application Form.
- Certificate of Exemptions. Please use corresponding Certificates of Exemption Application Form.
- Shoreline Permits. Provide the JARPA form along with the corresponding Supplemental Form, as necessary.
- Building and Fire Permits.
- Pre-Applications.

The following attachments are required for a complete application:

- Copy of Deed or Proof of Ownership
- Supplemental Forms, if applicable
- Completed Aquifer Recharge Section, Marijuana Disclosure Section and Site Plan Checklist
- All information, documents, studies and reports demonstrating compliance with all statutory and regulatory criteria and requirements and the Chelan County Comprehensive Plan
- The applicant is required to review and submit documentation showing compliance with all Chelan County Code including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15.

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 Page 1 of 7

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GENERAL INFORMATION

Please provide a narrative of the proposed project including, but not limited to, all proposed activities, uses and development (attach additional sheets if needed):

See attached narrative

Narrative attached

Please complete the following:

1. Any related files (such as Pre-Applications): Short Plat 20-003 - 2 lot short Plat
2. Is the subject property located within an Urban Growth Area (UGA)? No Yes
If "yes", which UGA? _____
3. Please describe adjacent land uses in all directions around the subject property:
North: Single family homes
South: Orchard and rural residential
East: Rural Residential
West: LCRD Maintenance facilities
4. What is the current use of the property? Winery, vineyard, and single family residence
5. Sanitation Disposal: N/A Septic Permit Sewer District: _____
6. Water Source: N/A Single Private Well Shared Private Well Group B
 Public Water Supplier: LCRD
7. Irrigation Water:
 N/A Yes (Private) Yes (Public) Irrigation District/Purveyor: LCRD
8. Fire District: 5 School District: Manson
9. Power Service: Chelan PUD
10. Are there critical areas or critical area buffers on the property?
 Airport Overlay: _____
 Aquifer Recharge Area (see attached)
 Floodplain / Floodway _____
Geologically Hazardous Areas (11.86.020) on the site or within the specified distance of the site:
 Alluvial Fan (250') Known Historic Hazardous Area (250') Slopes > 40% (250')
 Erosive soils (on-site) Landslide Snow Avalanche (500')
 Habitat/Riparian Area, protected species/area: _____
 Streams / Waterbodies: _____ Shoreline Environment Designation: _____
 Drainage or Seasonal Stream: _____ Wetland, if so what category: _____
 Cultural or Archeological: _____
11. Will landfill be required? No Yes, approximate _____ (cubic yards)
12. Will excavation be required? No Yes, approximate _____ (cubic yards)
13. Has site preparation been started on the site? If so, to what extent?
No site development is proposed
14. Are there plans for future additions, expansions, or further activity related to or connected with the proposal?

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15. Provide a development schedule with the approximated dates of commencing and completing construction or proposed activity:

No development is proposed at this time

16. Are there any other applications pending for governmental approvals for this or other proposal affecting the property covered by this proposal? No Yes, please list:

Short Plat 20-003

AQUIFER RECHARGE AREA DISCLOSURE SECTION

Exempt from this section only are Single Family Residences and their associated development per CCC 11.82.060. An applicant seeking to develop property which requires a development permit, shall submit with the permit application this certified statement, which lists each of the evaluation criteria and shall indicate whether the criteria "applies" or "does not apply" to the site or development. "Unknown" or similar responses will not be accepted.

If the development meets criteria A, B, C, or D or if the site or development meets any two of the remaining criteria, the Department will direct the applicant to determine the vulnerability rating for the development pursuant to Section 11.82.050 Aquifer Recharge Areas. If the development has a high or medium vulnerability rating, the development shall be subject to the performance standards of Section 11.82.060.

If an applicant's statement asserts that the criteria do not apply to the development, the Department will accept the statement and proceed with the permitting process. If any statement is incorrect, the applicant will be advised in writing to either; (a) provide an amended statement adding the evaluation criteria as being applicable and determine the vulnerability rating of the development pursuant to Section 11.82.050, or (b) present sufficient countering information clearly establishing that the basis for the Department's concern is incorrect. If the applicant selects to proceed under (b), upon receipt of the applicant's information, the Department shall review the information and obtain whatever additional assistance may be required to resolve the issue. The final determination as to whether a determination of vulnerability is required shall be made by the Administrator.

EVALUATION CRITERIA

The applicant is required to determine the vulnerability rating for any development permit, not otherwise exempted, if the site or development meets criteria A, B, C, or D or meets two or more of the remaining criteria below:

Please write the word(s) "Applies or "Does Not Apply" on the lines before each of the following statements:

DNA A. Within a wellhead protection area designated under WAC 246-290; *Wellhead Protection Area: The surface and subsurface area surrounding a well or well field for a distance of 100 feet, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.

DNA B. Within an aquifer recharge area mapped and identified by a qualified ground water scientist;

DNA C. The site will be utilized for hazardous substance, (as now or hereafter defined in RCW 70.105D.020(7)), processing storage or handling in applications or quantities larger than is typical of household use;

DNA D. The site will be utilized for hazardous waste treatment and storage as set forth in RCW 70.105 Hazardous Waste Management, as now or hereafter amended;

APPLIES E. The site contains highly permeable soils, which include soil types 1a, 1b and 2a under WAC 246-272-11001, Table II; **Highly Permeable Soils: Include soil types 1A, 1B and 2A from Table II, Soil Textural Classification, WAC 246-272-11001. 1A: Very gravely coarse sands or coarser, all extremely gravely soils. 1B: Very gravely medium sand, very gravely fine sand, very gravely very fine sand, very gravely loamy sands. 2A: Coarse sands (also includes ASTM C-33 sand).

Does not Apply F. Within a sole source aquifer recharge area designated pursuant to the Federal Safe Drinking Water Act (None currently designated in Chelan County);

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- Does not apply G. Within an area established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48 and 90.54 RCW, and Chapters 173-100 and 173-200 WAC (None currently designated in Chelan County);
- DNA H. The development involves a proposed major or short subdivision and includes present or future plans to construct three or more dwelling units where the dwelling units will not be connected to a public sewer system and any of the lots are less than 1 net acre in size;
- DNA I. The proposed commercial and industrial site is not on a public sewer system and the main structure exceeds 4,000 square feet;
- DNA J. The proposed use is as a commercial feedlot;
- DNA K. The development is within 200 feet of the ordinary high water mark of a perennial river, stream, lake or pond.

Depending upon soil depths from the surface, the following soil series within Chelan County are considered to be highly permeable soils:

- Ardenvoir: ArF, 27-43 inches (depth from surface), very gravelly sandy loam
- Anatone: AkD, 5-14 inches (depth from surface), very gravelly silt loam
- Beverly: Be, 17-24 inches (depth from surface), very gravelly sandy loam; Bg, 0-10 inches (depth from surface), very gravelly loamy fine sand; Bg, 17-24 inches (depth from surface), very gravelly sandy loam
- Brief: BrA, BrB, BrC, Brd, 26-60 inches (depth from surface), very gravelly sandy loam
- BsD, 26-60 inches (depth from surface), very gravelly sandy loam
- Chelan: CgB, CgC, CgD, CgE, 35-60 inches (depth from surface), very gravelly sandy loam; ChC, ChE, 35-60 inches (depth from surface), very gravelly sandy loam; CkD, CkE, 35-60 inches (depth from surface), very gravelly sandy loam; ClA, ClB, ClC, ClD, ClE, 35-60 inches (depth from surface), very gravelly sandy loam
- Jump: JmD, 10-60 inches (depth from surface), very stony silt loam; JnF, 0-60 inches (depth from surface), very stony silt loam
- Loneridge: LoD, LoF, 0-10 inches (depth from surface), very stony loam; 10-16 inches (depth from surface), very gravelly clay loam
- Malaga: MaA, MaC, 15-19 inches (depth from surface), very gravelly sandy loam
- Peshastin: PhB, PhC, 18-60 inches (depth from surface), very cobbly sandy loam; PID, PIE, 18-60 inches (depth from surface), very cobbly loam
- Pogue: PsE, 0-17 inches (depth from surface), very stony fine sandy loam
- Stemilt: StD, StE, 17-60 inches (depth from surface), very cobbly silty clay loam
- Supplee: SuA, SuB, SuC, SuD, SuE, 0-6 inches (depth from surface), Very fine sandy loam; 18-31 inches (depth from surface), very gravelly sandy loam
- Thow: TgD, 10-60 inches (depth from surface), very gravelly sandy loam; The 10-60 inches (depth from surface), very gravelly sandy loam
- Tronsen: TrD, TrE, 8-60 inches (depth from surface), very gravelly clay loam

CANNABIS DISCLOSURE SECTION

SUB-SECTION I: Circle

I AFFIRM there IS NOT or IS (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "IS NOT" above, proceed to Sub-Section III of this form.
If you circled "IS" above, proceed to Sub-Section II of this form.

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SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

- _____ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.
- _____ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.
- _____ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.
- _____ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

SUB-SECTION III: Please select one of the following:

- I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.
- I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

SITE PLAN CHECKLIST SECTION

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.

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- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

ACKNOWLEDGEMENT SECTION

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

By submitting this application, I acknowledge and certify the following:

Initials

(Owner and, if applicable, Applicant)

- DEB 1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.
- DEB 2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.
- DEB 3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.
- DEB 4. Additional permit applications and approvals may be necessary to conduct specific activities.
- DEB 5. Application fees are non-refundable, except when approve by the Board.
- DEB 6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.

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File(s) No. CRA
20-003

- DEB 7. Chelan County is hereby given consent to enter the property(ies) listed above.
- DEB 8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.
- DEB 9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.
- DEB 10. I certify that this application has been made with the consent of the lawful property owner(s).
- DEB 11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.
- DEB 12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: [Signature] Place: EAST WENATCHEE Date: 2/24/2020

Print Name: Rory Milum

Owner/Applicant/Agent Signature: [Signature] Place: EAST WENATCHEE Date: 2/24/2020

Print Name: Dan Berndtlee

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____

Print Name: _____

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NARRATIVE

REZONE REQUEST

PORTIONS OF SECTION 23, T. 28 N., R. 21 E.W.M.

CHELAN COUNTY

Legal Description

Lots 1 through 4, of Short Plat N. 2538, recorded in Vol. 12 of Short Plats, Page 56, records of Chelan County, Washington.

Summary of Parcel Numbers and Acreages

282123440075	8.16
--------------	------

Rezone request

Current zone: AC

Requested zone: RR 2.5

Conformance with CCC 14.13.040

While this application is for a rezone (comp plan change) and not strictly a development regulation amendment, CCC 11.96.010, suggests that the application should contain this analysis:

1. *Is the amendment necessary to resolve a public land use issue or problem?*

The parcel contained in this zone is less than 10 acres, the minimum lot area under the AC zoning. This creates a situation where the existing lot is non-conforming and thus must comply with the non-conformance rules found in CCC 11.97 which provides that "no use of any structure or premises shall hereafter be commenced or expanded which is nonconforming..."

This amendment will relieve that burden on the property owner at least to the extent the uses found in the RR 2.5 zone are more in line with the existing uses on the property.

2. *Is the amendment consistent with the goals of the Growth Management Act, Chapter 36.70A RCW?*

This amendment is consistent with siting criteria suggested by GMA, inasmuch as the property does not fit the designation criteria for lands of long-term commercial agriculture, which is the key component of the AC zone. The properties already contain a residence and a winery, and thus is developed in such a way as to effectively make these lands unimportant in the context of long-term commercial agricultural significance.

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3. *Does the amendment comply with or support comprehensive plan goals and policies and/or county-wide planning policies?*

The existing AC zoning is entirely inconsistent with the goals and policies relate to “Agricultural Resource Lands” found on page 3 of 18 – resource element, except to the extent that it calls for “Periodic re-examination of Commercial Agricultural designations.”

Clearly the property included in this application should be re-examined. Probably the designation as AC was improperly applied since the short plat that includes this property was approved and recorded prior to adoption of the comprehensive plan and mapping, since it does no meet the 10-acre threshold.

The designation criteria for RR 2.5 are found starting at page 9 of 17, of the Rural Element of the Comprehensive Plan. The key locational guideline is no. 5: *“Existing Land Uses. Single family residences, agricultural uses, cottage industries and small businesses, and other rural development may be present. Predominant parcel sizes are currently 2.5 acres or greater in size but typically less than 5 acres.”*

This siting criterion is as close as can be found in the comp plan, without creating a spot zone issue, by zoning the property RV, which is the only rural zone compatible with the smallest lots. The property to the South is already zoned RR 2.5, so this amendment would be a natural continuation of that designation.

4. *The proposed amendment does not adversely affect lands designated as resource lands of long-term commercial significance or critical areas in ways that cannot be mitigated.*

As discussed above, the lands as already does not qualify as lands of long-term commercial significance due to the size and character of the neighborhood.

5. *The amendment is based on sound land use planning practices and would further the general public health, safety and welfare.*

It is good practice to recognize the existing development patterns, which in this case are more in line with RR 2.5 than AC. In terms of general welfare, it is never good planning practice to create non-conformance issues, which the AC zoning does, and thus affect future sales and management of the properties.

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Emily Morgan

From: Dan Beardslee <dan.beardslee@gmail.com>
Sent: Thursday, September 3, 2020 12:53 PM
To: Emily Morgan
Subject: Fwd: Milum Perry comp plan amendment / rezone

External Email Warning! This email originated from outside of Chelan County.

Dan Beardslee, PLS

----- Forwarded message -----

From: Dan Beardslee <dan.beardslee@gmail.com>
Date: Thu, May 7, 2020 at 4:38 PM
Subject: Re: Milum Perry comp plan amendment / rezone
To: RJ Lott <RJ.Lott@co.chelan.wa.us>
Cc: Milum Perry <milump@hotmail.com>

RJ

I sent this narrative with the signed SEPA checklist.

With respect to compliance with CCC 14.14.050(C), please consider the following:

- (v) This amendment should have no measurable effect on any capital facilities of Chelan County, since nothing is being proposed in terms of improvements nor any increase in the burden on County infrastructure. No levels of service will be compromised.**
- (vi) There are a variety of land-uses surrounding the property ranging from tree fruit production to rural residential. This proposal would have no effect on any existing land uses and is a much better fit in terms of zoning than the current AC zone, since the properties meet none of the designation criteria for AC zoning. The nearest and best fit is RR 2.5.**
- (vii) The rezone will have no impact on resource lands.**
- (viii) The effect of this rezone will be no impact (at least not measurably) on the supply of land for various purposes. The properties are already developed.**
- (ix) This proposal will make the existing land-uses more consistent with the comprehensive plan, especially in terms of satisfying the designation criteria of that plan.**

Please let me know that you receive this response just to make sure we don't miss any important timeline. Let me know, also, if I have missed anything.

I will modify the application and send it.

Dan Beardslee, PLS

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SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:
2. Name of applicant: **Milum Perry (Dan Beardslee, Agent – primary contact)**
3. Address and phone number of applicant and contact person:

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CHELAN COUNTY
COMMUNITY DEVELOPMENT

Reviewed by Emily Morgan, Project Planner

**325 32nd St. NW
East Wenatchee, WA 98802
509.670.4318**

4. Date checklist prepared: **February 17, 2020 – Revised June 2, 2020**
5. Agency requesting checklist: **Chelan County Community Development**
6. Proposed timing or schedule (including phasing, if applicable): **Complete upon approval**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **Environmental checklist for SP 2020-03**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Chelan County SP 2020-03

10. List any government approvals or permits that will be needed for your proposal, if known.

Comp plan amendment and rezone

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Rezone properties currently zoned AC to RR 2.5

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Wapato Lake Rd. – see exhibit map

B. Environmental Elements

1. **Earth**
 - a. General description of the site: **Existing house, winery, and vineyard**

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(circle one): Flat, rolling, hilly, steep slopes, mountainous, other **gently sloping**

b. What is the steepest slope on the site (approximate percent slope)? **15%**

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Generally sandy/gravelly soils

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

*located in
geo hazard for
known erosive soils*

*— geological site assessment
on record w/ county*

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No grading or filling is proposed

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No clearing or construction is proposed

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

About 5% — existing structures & driveways

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No activities are proposed that would result in erosion.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

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c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None proposed

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No.

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2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Existing approved on site septic systems will discharge household sewage.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

No new source of runoff is proposed.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed.

4. Plants

a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation – vineyard and landscape plants

b. What kind and amount of vegetation will be removed or altered?

None.

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c. List threatened and endangered species known to be on or near the site.

None known

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No new landscaping is proposed.

e. List all noxious weeds and invasive species known to be on or near the site.

None known

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

- birds: **hawk, heron, eagle, songbirds**, other:
- mammals: **deer, bear, elk, beaver**, other:
- fish: **bass, salmon, trout, herring, shellfish**, other _____

b. List any threatened and endangered species known to be on or near the site.

None known

c. Is the site part of a migration route? If so, explain.

No

d. Proposed measures to preserve or enhance wildlife, if any:

None proposed

e. List any invasive animal species known to be on or near the site.

None known

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

No activities are proposed that will increase energy or resource needs.

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- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

No

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

No specific measures are proposed.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses.

None known.

Possible lead/arsenic from historic orchard use

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None

- 4) Describe special emergency services that might be required.

None

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None proposed.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None.

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2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None.

3) Proposed measures to reduce or control noise impacts, if any:

None proposed.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site has an existing winery, vineyard, and single family home. No uses are proposed to be changed.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Yes. A portion of the property is a working vineyard. Nothing is being converted.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

c. Describe any structures on the site. **Winery and single family home.**

d. Will any structures be demolished? If so, what?

None.

e. What is the current zoning classification of the site?

AC-10

Commercial Agricultural Lands (AC)

f. What is the current comprehensive plan designation of the site?

AC-10

Commercial Agricultural Lands (AC)

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g. If applicable, what is the current shoreline master program designation of the site?

Not applicable

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes – see geo-haz report submitted with SP 2020-03.

i. Approximately how many people would reside or work in the completed project?

Around 6

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any:

No specific measures are proposed.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposal is consistent with adopted land-use plans.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Not applicable.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No new units are proposed.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

c. Proposed measures to reduce or control housing impacts, if any:

None proposed

10. Aesthetics

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- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

No new structures are proposed.

- b. What views in the immediate vicinity would be altered or obstructed?

None.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

No specific measures are proposed.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

No new sources will be developed.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

- c. What existing off-site sources of light or glare may affect your proposal?

None

- d. Proposed measures to reduce or control light and glare impacts, if any:

No specific measures are proposed.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

There are no designated recreation facilities in the immediate area. Informal activities include cycling, boating, fishing, and similar activities.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed.

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13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

No

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None known.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

See plans submitted. Primary access is from East Wapato Lake and Upper Joe Creek Rds.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None and None

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

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No.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

No new traffic will be generated.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

- h. Proposed measures to reduce or control transportation impacts, if any:

None proposed.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, **water**, **refuse service**, **telephone**, sanitary sewer, **septic system**,
other _____

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Domestic Water – Lake Chelan Reclamation District
Electricity – Chelan PUD
Fiber – Chelan PUD

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C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: [Handwritten Signature]
Name of signee: PAT BENTLEY
Position and Agency/Organization: Agent for applicant
Date Submitted: 6/12/2010

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No

Proposed measures to avoid or reduce such increases are: None proposed

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No effect

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed

3. How would the proposal be likely to deplete energy or natural resources?

Not at all

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Proposed measures to protect or conserve energy and natural resources are:

None proposed

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No effect.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No

Proposed measures to reduce or respond to such demand(s) are:

None proposed

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No effect, no conflict

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REZONE EXHIBIT MAP



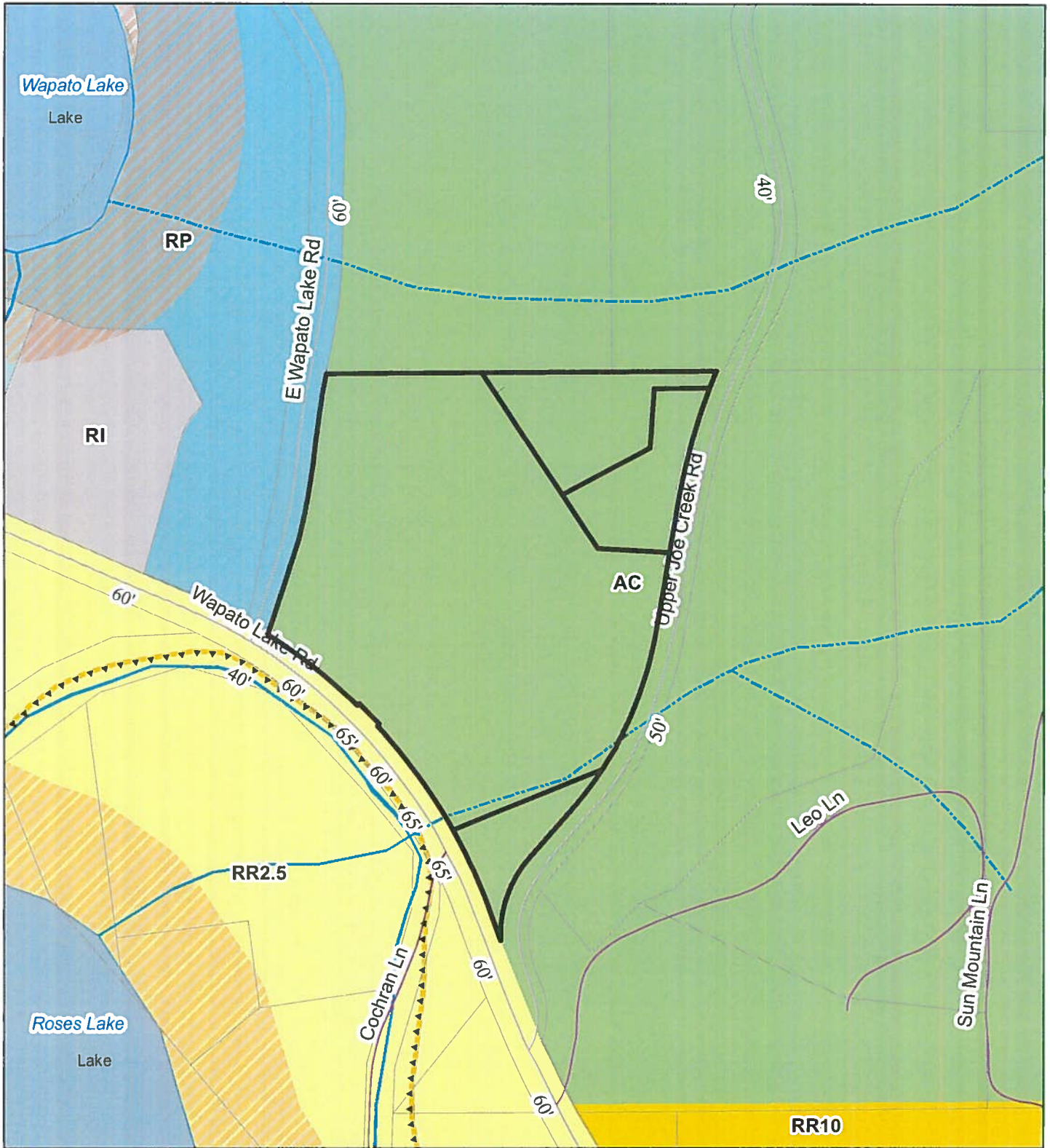
1" = 100'

Revised.

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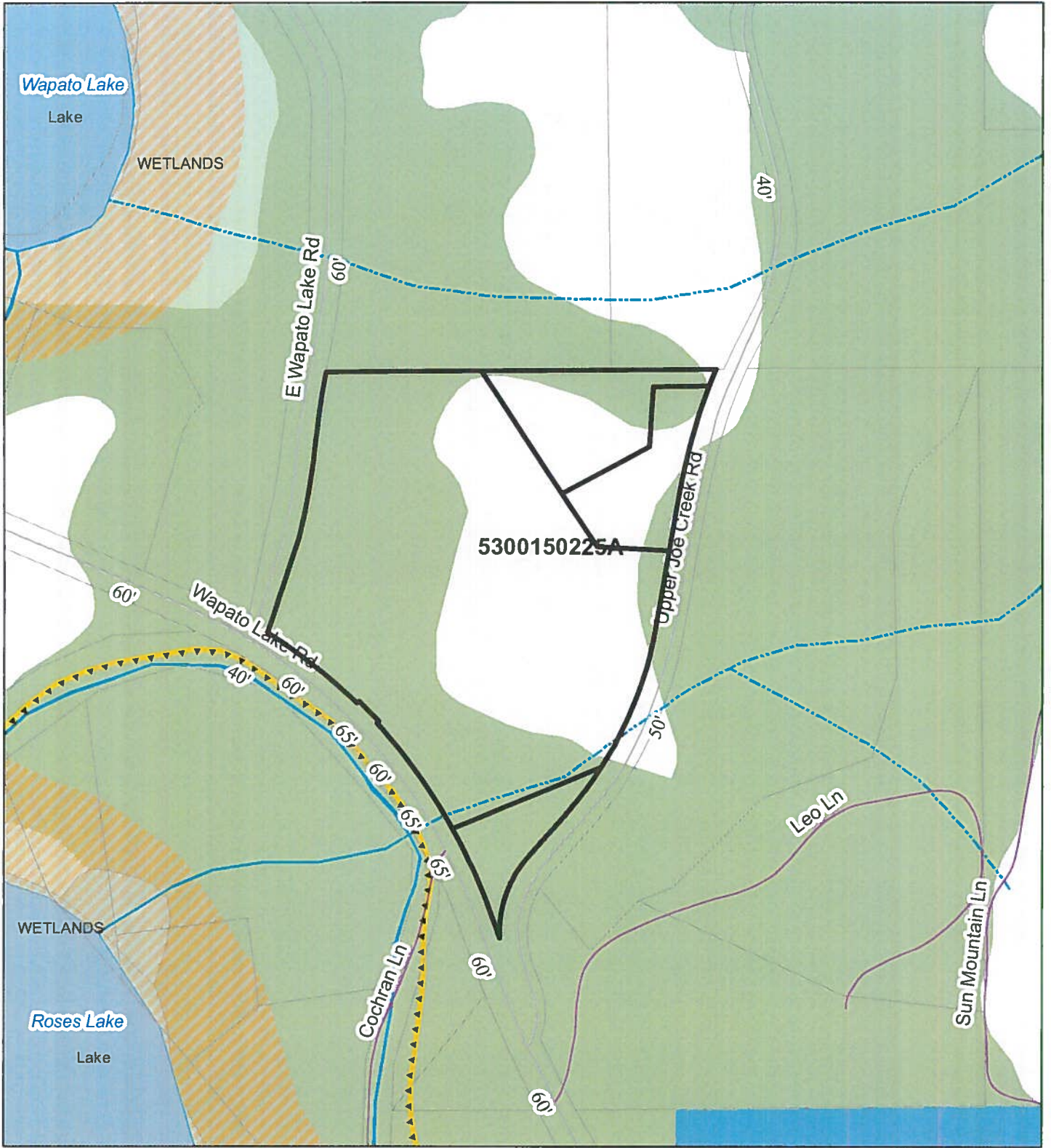
CPA 2020-003

3/6/2020

28213440080, 282123440075,
282124330300, 282123440070

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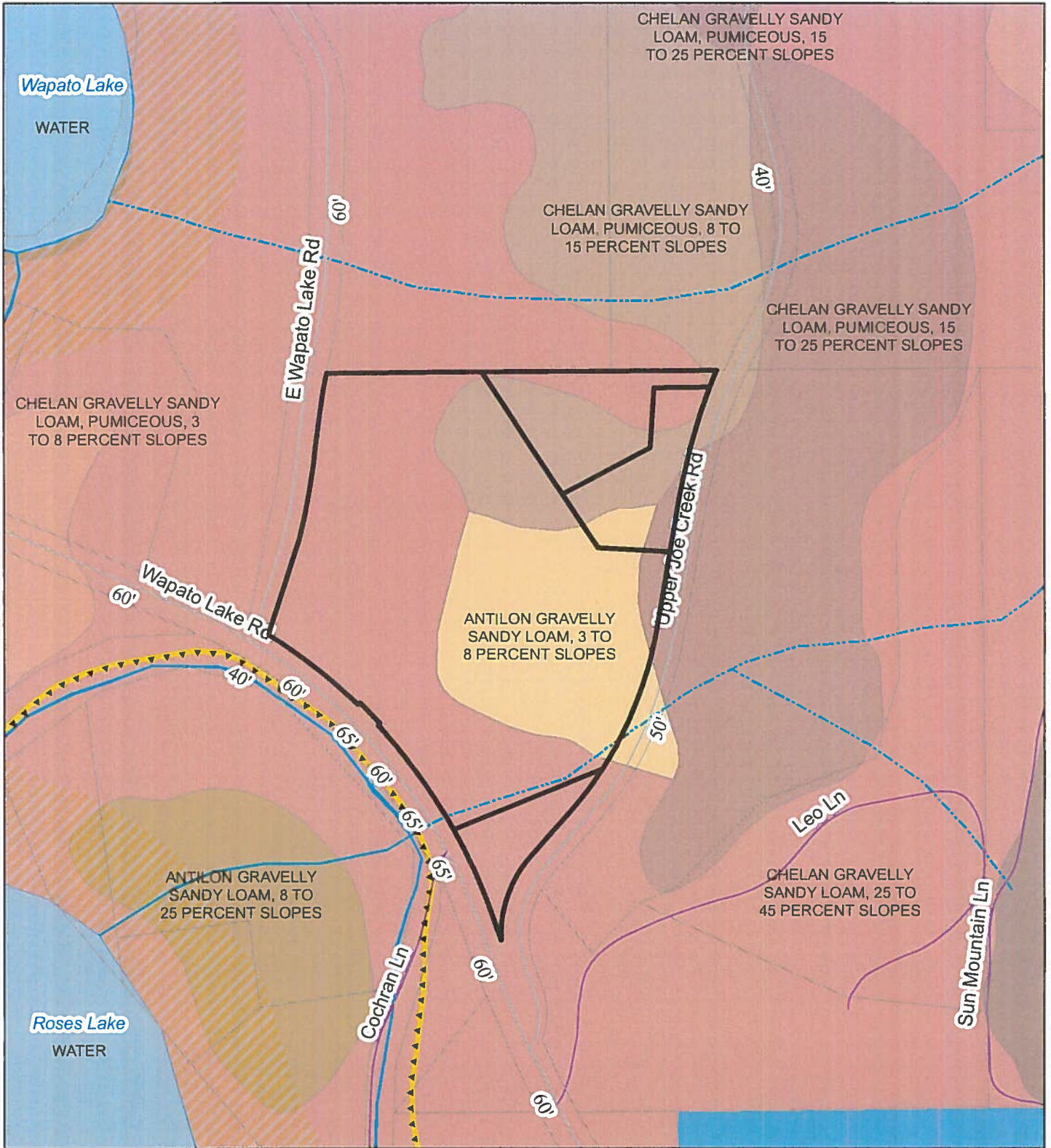
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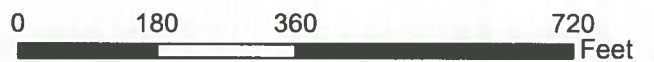


CPA 2020-003

3/6/2020

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

GENERAL LAND USE APPLICATION FORM

Parcel Number (APN): 232020440100 Lot Size: 3.42 (Acres)
Parcel Address: 515 Lower Sunnyslope City/Zip Code: Wenatchee 98801
Property Owner(s): Brent and Rachel Smith Zoning: RR5
Mailing Address: 515 Lower Sunnyslope
City/State/Zip Code: Wenatchee WA 98801
Phone: 509 393 1985 E-mail: bb_smith85@yahoo.com

Applicant/Agent (if different than owner):
Company and Mailing Address:
City/State/Zip: Phone:
E-mail:

For multiple owners, applicants, or agents, provide additional sheets.

This General Land Use Application Form shall be completed unless specified below. Additional information and supplemental forms may be required. Please review all applicable statutes and regulations pertaining to the proposed development and provide information, documents, studies, and reports (such as a Traffic Impact Study or environmental forms) demonstrating compliance with all statutory and regulatory requirements and other applicable criteria.

Application For: (Check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Administrative Modification | <input type="checkbox"/> Open Space: Public Benefit Rating System |
| <input type="checkbox"/> Administrative Determination | <input type="checkbox"/> Major Subdivision |
| <input type="checkbox"/> Administrative Interpretation | <input type="checkbox"/> Master Planned Development |
| <input type="checkbox"/> Binding Site Plan | <input type="checkbox"/> Planned Development |
| <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment | <input type="checkbox"/> Plat Alteration or Vacation |
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Short Plat |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance (zoning or critical areas) |
| <input type="checkbox"/> Forest Practice/Conversion | <input checked="" type="checkbox"/> Zoning Text Amendment/ Map Amendment |
| | <input type="checkbox"/> Other: _____ |

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APPLICABILITY SECTION

The following have their own individual application. Do not use this form for:

- Boundary Line Adjustments. Please use corresponding Boundary Line Adjustment Application Form.
- Certificate of Exemptions. Please use corresponding Certificates of Exemption Application Form.
- Shoreline Permits. Provide the JARPA form along with the corresponding Supplemental Form, as necessary.
- Building and Fire Permits.
- Pre-Applications.

The following attachments are required for a complete application:

- Copy of Deed or Proof of Ownership
- Supplemental Forms, if applicable
- Completed Aquifer Recharge Section, Marijuana Disclosure Section and Site Plan Checklist
- All information, documents, studies and reports demonstrating compliance with all statutory and regulatory criteria and requirements and the Chelan County Comprehensive Plan
- The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15.

GENERAL INFORMATION

Please provide a narrative of the proposed project including, but not limited to, all proposed activities, uses and development (attach additional sheets if needed):

~~Would like to rezone the property from RR5 to RV and then have a portion of the property split to allow 4 additional lots approximately 1/2 acre in size~~

Narrative attached

Please complete the following:

1. Any related files (such as Pre-Applications): _____
2. Is the subject property located within an Urban Growth Area (UGA)? No Yes
If "yes", which UGA? _____
3. Please describe adjacent land uses in all directions around the subject property:
North: RR5
South: RR5
East: RV
West: RR5
4. What is the current use of the property? Residential
5. Sanitation Disposal: N/A Septic Permit Sewer District: _____
6. Water Source: N/A Single Private Well Shared Private Well Group B
 Public Water Supplier: _____
7. Irrigation Water:
 N/A Yes (Private) Yes (Public) Irrigation District/Purveyor: Pioneer water users
8. Fire District: 11 School District: Wenatchee 155
9. Power Service: PUD
10. Are there critical areas or critical area buffers on the property?
 Airport Overlay: none
 Aquifer Recharge Area (see attached)
 Floodplain / Floodway none
Geologically Hazardous Areas (11.86.020) on the site or within the specified distance of the site:
 Alluvial Fan (250') Known Historic Hazardous Area (250') Slopes > 40% (250')
 Erosive soils (on-site) Landslide Snow Avalanche (500')
 Habitat/Riparian Area, protected species/area: none
 Streams / Waterbodies: none Shoreline Environment Designation: none
 Drainage or Seasonal Stream: none Wetland, if so what category: none
 Cultural or Archeological: none
11. Will landfill be required? No Yes, approximate _____ (cubic yards)
12. Will excavation be required? No Yes, approximate _____ (cubic yards)
13. Has site preparation been started on the site? If so, to what extent?
None
14. Are there plans for future additions, expansions, or further activity related to or connected with the proposal?

2 Proposed house with approval of new lot developments

15. Provide a development schedule with the approximated dates of commencing and completing construction or proposed activity:

1yr after approval - 1 structure built and habitable

16. Are there any other applications pending for governmental approvals for this or other proposal affecting the property covered by this proposal? No Yes, please list:

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COMMUNITY DEVELOPMENT

AQUIFER RECHARGE AREA DISCLOSURE SECTION

Exempt from this section only are Single Family Residences and their associated development per CCC 11.82.060. An applicant seeking to develop property which requires a development permit, shall submit with the permit application this certified statement, which lists each of the evaluation criteria and shall indicate whether the criteria "applies" or "does not apply" to the site or development. "Unknown" or similar responses will not be accepted.

If the development meets criteria A, B, C, or D or if the site or development meets any two of the remaining criteria, the Department will direct the applicant to determine the vulnerability rating for the development pursuant to Section 11.82.050 Aquifer Recharge Areas. If the development has a high or medium vulnerability rating, the development shall be subject to the performance standards of Section 11.82.060.

If an applicant's statement asserts that the criteria do not apply to the development, the Department will accept the statement and proceed with the permitting process. If any statement is incorrect, the applicant will be advised in writing to either; (a) provide an amended statement adding the evaluation criteria as being applicable and determine the vulnerability rating of the development pursuant to Section 11.82.050, or (b) present sufficient countering information clearly establishing that the basis for the Department's concern is incorrect. If the applicant selects to proceed under (b), upon receipt of the applicant's information, the Department shall review the information and obtain whatever additional assistance may be required to resolve the issue. The final determination as to whether a determination of vulnerability is required shall be made by the Administrator.

EVALUATION CRITERIA

The applicant is required to determine the vulnerability rating for **any development permit**, not otherwise exempted, if the site or development meets criteria A, B, C, or D or meets two or more of the remaining criteria below:

Please write the word(s) "**Applies**" or "**Does Not Apply**" on the lines before each of the following statements:

- DNA **A.** Within a wellhead protection area designated under WAC 246-290; *Wellhead Protection Area: The surface and subsurface area surrounding a well or well field for a distance of 100 feet, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.
- DNA **B.** Within an aquifer recharge area mapped and identified by a qualified ground water scientist;
- DNA **C.** The site will be utilized for hazardous substance, (as now or hereafter defined in RCW 70.105D.020(7)), processing storage or handling in applications or quantities larger than is typical of household use;
- DNA **D.** The site will be utilized for hazardous waste treatment and storage as set forth in RCW 70.105 Hazardous Waste Management, as now or hereafter amended;
- DNA **E.** The site contains highly permeable soils, which include soil types 1a, 1b and 2a under WAC 246-272-11001, Table II; **Highly Permeable Soils: Include soil types 1A, 1B and 2A from Table II, Soil Textural Classification, WAC 246-272-11001. 1A: Very gravely coarse sands or coarser, all extremely gravely soils. 1B: Very gravely medium sand, very gravely fine sand, very gravely very fine sand, very gravely loamy sands. 2A: Coarse sands (also includes ASTM C-33 sand).
- Does not Apply **F.** Within a sole source aquifer recharge area designated pursuant to the Federal Safe Drinking Water Act (**None currently designated in Chelan County**);

- Does not apply **G.** Within an area established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48 and 90.54 RCW, and Chapters 173-100 and 173-200 WAC **(None currently designated in Chelan County);**
- DNA **H.** The development involves a proposed major or short subdivision and includes present or future plans to construct three or more dwelling units where the dwelling units will not be connected to a public sewer system and any of the lots are less than 1 net acre in size;
- DNA **I.** The proposed commercial and industrial site is not on a public sewer system and the main structure exceeds 4,000 square feet;
- DNA **J.** The proposed use is as a commercial feedlot;
- DNA **K.** The development is within 200 feet of the ordinary high water mark of a perennial river, stream, lake or pond.

Depending upon soil depths from the surface, the following soil series within Chelan County are considered to be highly permeable soils:

- Ardenvoir: ArF, 27-43 inches (depth from surface), very gravelly sandy loam*
- Anatone: AkD, 5-14 inches (depth from surface), very gravelly silt loam*
- Beverly: Be, 17-24 inches (depth from surface), very gravelly sandy loam; Bf, 17-24 inches (depth from surface), very gravelly sandy loam; Bg, 0-10 inches (depth from surface), very gravelly loamy fine sand; Bg, 17-24 inches (depth from surface), very gravelly sandy loam*
- Brief: BrA, BrB, BrC, Brd, 26-60 inches (depth from surface), very gravelly sandy loam*
- BsD, 26-60 inches (depth from surface), very gravelly sandy loam*
- Chelan: CgB, CgC, CgD, CgE, 35-60 inches (depth from surface), very gravelly sandy loam; ChC, ChE, 35-60 inches (depth from surface), very gravelly sandy loam; CkD, CkE, 35-60 inches (depth from surface), very gravelly sandy loam; ClA, ClB, ClC, ClD, ClE, 35-60 inches (depth from surface), very gravelly sandy loam*
- Jumpe: JmD, 10-60 inches (depth from surface), very stony silt loam; JnF, 0-60 inches (depth from surface), very stony silt loam*
- Loneridge: LoD, LoF, 0-10 inches (depth from surface), very stony loam; 10-16 inches (depth from surface), very gravelly clay loam*
- Malaga: MaA, MaC, 15-19 inches (depth from surface), very gravelly sandy loam*
- Peshastin: PhB, PhC, 18-60 inches (depth from surface), very cobbly sandy loam; PID, PIE, 18-60 inches (depth from surface), very cobbly loam*
- Pogue: PsE, 0-17 inches (depth from surface), very stony fine sandy loam*
- Stemilt: StD, StE, 17-60 inches (depth from surface), very cobbly silty clay loam*
- Supplee: SuA, SuB, SuC, SuD, SuE, 0-6 inches (depth from surface), Very fine sandy loam; 18-31 inches (depth from surface), very gravelly sandy loam*
- Thow: TgD, 10-60 inches (depth from surface), very gravelly sandy loam; ThE 10-60 inches (depth from surface), very gravelly sandy loam*
- Tronsen: TrD, TrE, 8-60 inches (depth from surface), very gravelly clay loam*

CANNABIS DISCLOSURE SECTION

SUB-SECTION I: Circle

I AFFIRM there **IS NOT** or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled **"IS NOT"** above, proceed to Sub-Section III of this form.

If you circled **"IS"** above, proceed to Sub-Section II of this form.

SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

RSB

I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.

RSB

I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.

RSB

I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.

RSB

I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

SUB-SECTION III: Please select one of the following:

- I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.
- I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

SITE PLAN CHECKLIST SECTION

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc. (both above ground and underground, as well as setback from property lines).
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.

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- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

ACKNOWLEDGEMENT SECTION

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

By submitting this application, I acknowledge and certify the following:

Initials

(Owner and, if applicable, Applicant)

WLB _____

1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.

RLE _____

2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.

RLE _____

3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.

WLB _____

4. Additional permit applications and approvals may be necessary to conduct specific activities.

RLE _____

5. Application fees are non-refundable, except when approved by the Board.

RLE _____

6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.

- AB _____ 7. Chelan County is hereby given consent to enter the property(ies) listed above.
- AB _____ 8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.
- AB _____ 9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.
- AB _____ 10. I certify that this application has been made with the consent of the lawful property owner(s).
- AB _____ 11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.
- AB _____ 12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: Brent Smith Rachel Smith Place: _____ Date: 2/26/20
 Print Name: Brent Smith Rachel Smith

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____
 Print Name: _____

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____
 Print Name: _____

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 CHELAN COUNTY
 COMMUNITY DEVELOPMENT

Updated Narrative for File number CPA 20-004

515 Lower Sunnyslope is a 3.42 acre county homestead parcel located just outside the city of Wenatchee in the Lower Sunnyslope area, governed by the RR5 zoning requirements. The property is located in a transitional area right alongside the Wenatchee UGA; having more wide spread county living to the west and closer more suburban like housing to the east of the property.

It is proposed to have the property zoning changed from RR5 to RV zoning, to enable the addition of 3 new parcels to the existing property area. The proposed changes would allow for approximately 2 acres of the current property to be broken into to (4) approximate ½ acre parcels to be utilized for residential living. The property currently houses 1 mobile home on the property that would be considered an established homestead with the property division. It is anticipated to build the 1st dwelling within 1 year after proposal acceptance, the second new dwelling within 4 years after acceptance and the 3rd new dwelling within 7 years after acceptance.

This proposal would require changes to Chelan County Land Use Designation map number 65, located in Appendix A of the Comprehensive Plan Report for Chelan County.

The proposed property borders the urban growth area for the city of Wenatchee and is also adjacent to a group of RV zoned parcels located adjacently to the south and east. The proposed property's relative location makes it a prime spot for the allowance of additional housing consistent with the long term goals and plans of the county to accommodate future housing growth and affordable living. The property currently is zoned as RR5, but the property fails to meet the defining characteristics associated to this property type of having 1 dwelling unit per 5 acres. In fact all properties surrounding the proposed property are smaller than this 5 acre requirement; currently there are 4 existing homes within a 300ft radius of the current proposed property homestead. The proposed property would meet all the requirements of the Rural Village designation and would be most conforming to this zoning designation over the RR5 designation. The changes would allow for expansion of the RV zoning cluster within the area and would provide more consistency between land uses in comparison to the surrounding properties, since all surrounding properties are smaller than the 5 acre designations and vary in and are not utilized for agricultural purposes. This proposed change would have no impact on the surrounding properties in regards to commercial or critical areas since there are none in this area.

The proposed changes would be consistent with the county's goals to provide affordable and diversified housing. Utilizing the existing property allows each unit to share capital investment costs between the properties and shared or common expenses for utilities, i.e. shared well, shared roadway. This proposal would provide a unique opportunity to have an intermediate style of living between suburban housing and country lifestyle. The properties would be governed by the RV zoning restrictions but would have more flexibility for lifestyles other than urban city living.

Section 20 of Title 11 of the Chelan County code identifies the standards required for properties within the Rural Village Zone designation. The following highlights are summaries of the written requirements:

- Minimum lot size : single family=12,000 sqft; duplex=15,000sqft and consistent with health district requirements
- Minimum lot width 70ft front line, 80ft corner line
- Maximum building height 35ft
- Maximum lot coverage = not more than 35% lot area
- Minimum setbacks: front yard=25ft; rear yard 20ft , side yard 5ft

- Off street parking: 2 spaces per single family dwelling; 1 space per 5 beds and 1 space per staff person for adult homes

The proposal for 515 Lower Sunnyslope would meet all of these standards and would exceed many of the requirements while providing new housing for members of the community. These proposed dwellings would be built consistent with the Health District's safety requirements and conform to local Fire codes.

This proposal is also consistent with the County capital facility element and transportation elements of the Chelan County Comprehensive Plan. The property has good useable access from the existing Lower Sunnyslope Rd through a shared existing private driveway. Lower Sunnyslope road is a well maintained and established roadway capable of much higher trafficking then currently experiencing. The impact of the 3 additional dwellings would have little to no impact of the roads current and future loadings. Each proposed property is large enough to accommodate it's own onsite sewage and a well has been positioned and located on the property to accommodate the water supply needs for the proposed dwellings. Electrical power is available within the area and services all of the surrounding households. All of these factors are in compliance with the Chelan-Douglas county health district standards, helping to provide a safe, healthy living area.

In summary this proposal is a request to change the zoning classification for 515 Lower Sunnyslope from RR5 to Rural Village. The new zoning classification would fit the surrounding area land use type and enable for a safe, healthy living area within the county allowing for a unique opportunity to live close to town but still have a rural like setting. This request is being submitted at a time where the demand for housing is at its highest and although this constitutes a small contribution to the growth of the county it is still a positive contribution and benefit to the community and its members.

Sincerely

Brent Smith

FEB 26 2020

SEPA ENVIRONMENTAL CHECKLIST

CHELAN COUNTY
COMMUNITY DEVELOPMENT

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

2. Name of applicant: [\[help\]](#)

Brent & Rachel Smith

3. Address and phone number of applicant and contact person: [\[help\]](#)

515 Lower Sunny Slope, Wenatchee WA 98801 509.393.1785

Reviewed by Emily Morgan, Project Planner

4. Date checklist prepared: [help] 2/16/20
5. Agency requesting checklist: [help] Chelan County Community Development
6. Proposed timing or schedule (including phasing, if applicable): [help]
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help] No
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help] NONE
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help] N/A
10. List any government approvals or permits that will be needed for your proposal, if known. [help] Zone change approval & building permit

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [help] Rezoning parcel from RES to RV. Then propose to split for 4 additional lots approximately 1/2 acre in size for new lots with intent to build out later time

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [help] 515 Lower Sunnyslope, Wenatchee WA 98801
APN #

B. Environmental Elements [help]

1. **Earth** [help]
- a. General description of the site: [help] Flat gravel with gentle slope
(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____
- b. What is the steepest slope on the site (approximate percent slope)? [help] 30% slope approx 10' tall
ON East property line (Lower Sunnyslope Rd bank edge)
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [help]

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [help] **NO located in known geo. hazard area for erosive soils**
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [help] **N/A**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [help] **No, its flat**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [help] **Almost NONE**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [help] **NONE**

2. Air [help]

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [help] **NONE**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [help] **NONE**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [help] **NONE**

3. Water [help]

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [help] **NONE**
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [help] **N/A**
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [help] **N/A**
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [help] **N/A**

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [help] No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [help]

N/A

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [help]

Yes, private well will be used for 2 ~~homes~~ future homes (well intake 15gpm)
water would be discharged into onsite septic tanks

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [help]

Domestic Sewage from (2) proposed households

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [help]

No run off

2) Could waste materials enter ground or surface waters? If so, generally describe. [help]

N/A

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [help] NO

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [help] NONE

4. **Plants** [help]

a. Check the types of vegetation found on the site: [help]

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered? [help]

Very little just grass for proposed home sites

c. List threatened and endangered species known to be on or near the site. [help]

NONE

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [help]

NONE

e. List all noxious weeds and invasive species known to be on or near the site. [help]

NONE

5. **Animals** [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [help]

NONE

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. [help]

NONE mule deer habitat

c. Is the site part of a migration route? If so, explain. [help]

NO

d. Proposed measures to preserve or enhance wildlife, if any: [help]

NONE

e. List any invasive animal species known to be on or near the site. [help]

NONE

6. Energy and Natural Resources [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [help] Electric energy for 2 houses

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [help] N/A

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [help] House insulation

7. Environmental Health [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [help] No

1) Describe any known or possible contamination at the site from present or past uses. [help] NONE

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [help] NONE

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [help] NONE

4) Describe special emergency services that might be required. [help] NONE

5) Proposed measures to reduce or control environmental health hazards, if any: [help] NONE

b. Noise [help]

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [help] NONE residential area

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [help] Daytime house construction

3) Proposed measures to reduce or control noise impacts, if any: [help]

NONE

8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [help] Current use = residential. Surrounding areas are also residential

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [help] NO

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [help]

NO

c. Describe any structures on the site. [help]

NONE

d. Will any structures be demolished? If so, what? [help]

NO

e. What is the current zoning classification of the site? [help]

RR5

f. What is the current comprehensive plan designation of the site? [help]

RR5

g. If applicable, what is the current shoreline master program designation of the site? [help]

N/A

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [help]

NO

geo hazard
class II habitat

i. Approximately how many people would reside or work in the completed project? [help]

2 households

j. Approximately how many people would the completed project displace? [\[help\]](#)

NONE

k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

NONE

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

NONE

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

NONE

9. **Housing** [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

2 middle income houses

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

NONE

c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

NONE

10. **Aesthetics** [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

Tallest structure = 2 story house
exterior building material = residential siding

b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

NONE

b. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

NONE

11. **Light and Glare** [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

NONE

b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

NO

c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

NONE

d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

NONE

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

NONE

b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

NONE

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

NONE

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. [\[help\]](#)

NO

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

NO

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

NONE

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

NONE

14. Transportation [\[help\]](#)

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

Shared property driveways would have access from current driveway from Lower Sunnyslope Rd

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

NO, most current public transit approximately 1.4 miles

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

away at old station
2 garage parking with each household, no parking eliminated

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

NO

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

NO

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

2-8 trips per day; estimated at 1-2 vehicles per household

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

NO

h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

NONE

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

NO

b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

NONE

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site: [\[help\]](#)

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [help] PUD electricity & telephone & internet

C. Signature [help]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Brend Smith Kimball Smith 2/24/20
Name of signee Brend Smith
Position and Agency/Organization _____
Date Submitted: 2/26/20

D. Supplemental sheet for nonproject actions [help]

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
NONE; well water & septic, residential households

Proposed measures to avoid or reduce such increases are:
NONE

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
land has minimal vegetation + NO animals

Proposed measures to protect or conserve plants, animals, fish, or marine life are:
NONE

3. How would the proposal be likely to deplete energy or natural resources?
Use of electricity in residential homes

Proposed measures to protect or conserve energy and natural resources are:
energy efficient materials, design, & build

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

increase from 2 residential homes

Proposed measures to reduce or respond to such demand(s) are:

NONE

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

N/A

CPA 20.004

AFTER RECORDING MAIL TO:

Brent A Smith
515 Lower Sunnyslope Road
Wenatchee, WA 98801

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CHELAN COUNTY
COMMUNITY DEVELOPMENT

173411

REAL ESTATE EXCISE TAX
PAID \$ 5345.00
Chelan County Treasurer
David E. Collins, CPA

By J. Day 3-7-17
Deputy

Statutory Warranty Deed

Dated: March 7, 2017

Grantors: Bruce E Smith and Sharon Smith
Grantee: Brent A Smith and Rachel G Smith

Abbreviated Legal:
Township 23N Range 20EWM Section 20 SESE Acres 3.42

Assessor's Tax Parcel number: 23 20 20 440 100

The Grantors Bruce E Smith and Sharon Smith, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Brent A Smith and Rachel G Smith husband and wife the following real estate situated in the County of Chelan, State of Washington

SEE ATTACHED EXHIBIT "A"

Subject to: This conveyance is subject to covenants, conditions, restrictions and easements, if any affecting title, which may appear in the public record, including those shown on any recorded plat or survey

24' wide

Public

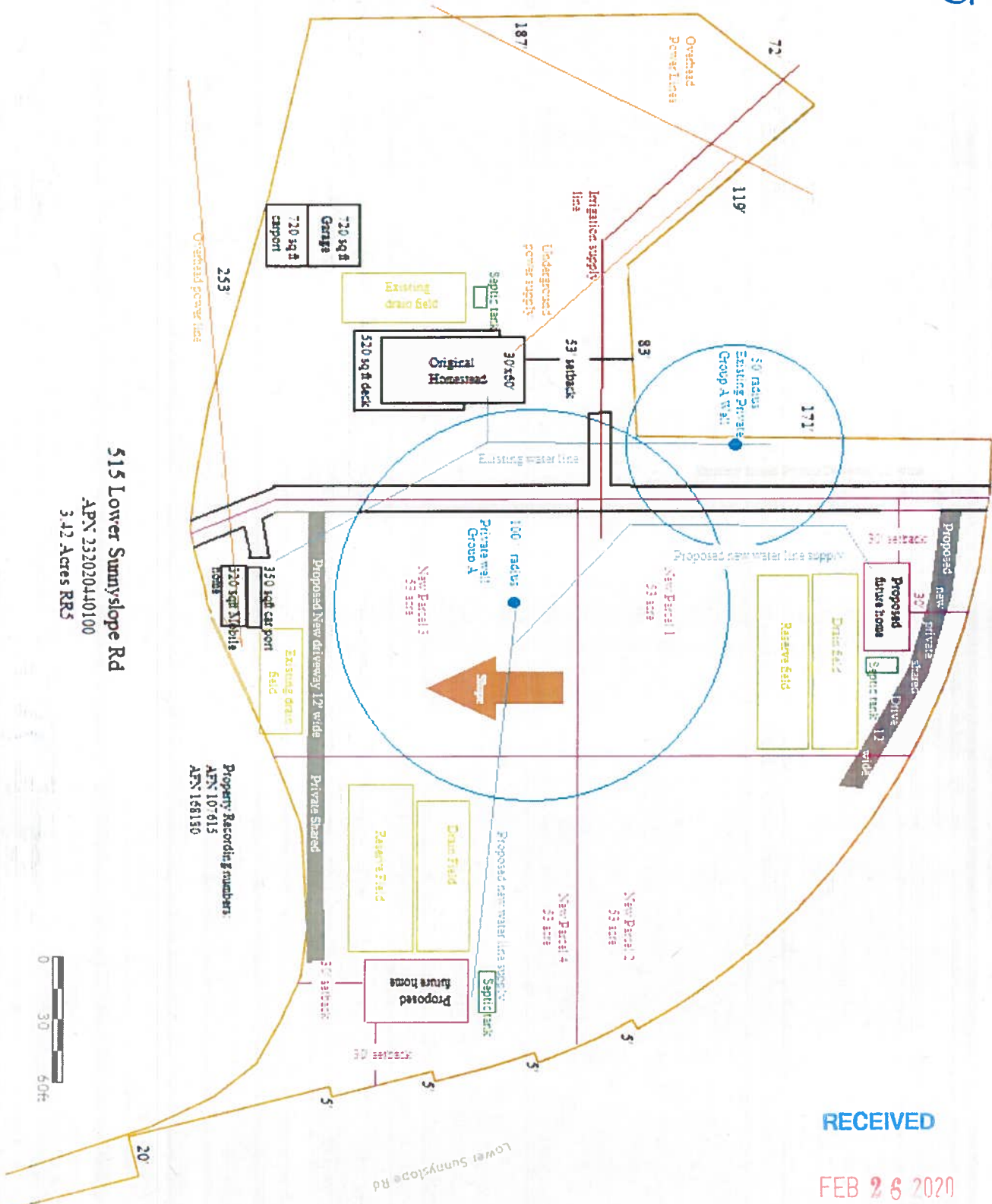
Lower Sunnyslope Rd



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CHELAN COUNTY
COMMUNITY DEVELOPMENT



515 Lower Sunnyslope Rd

APN 232020440100
3.42 Acres RR5

Property Recording numbers:
APN 107615
APN 168150

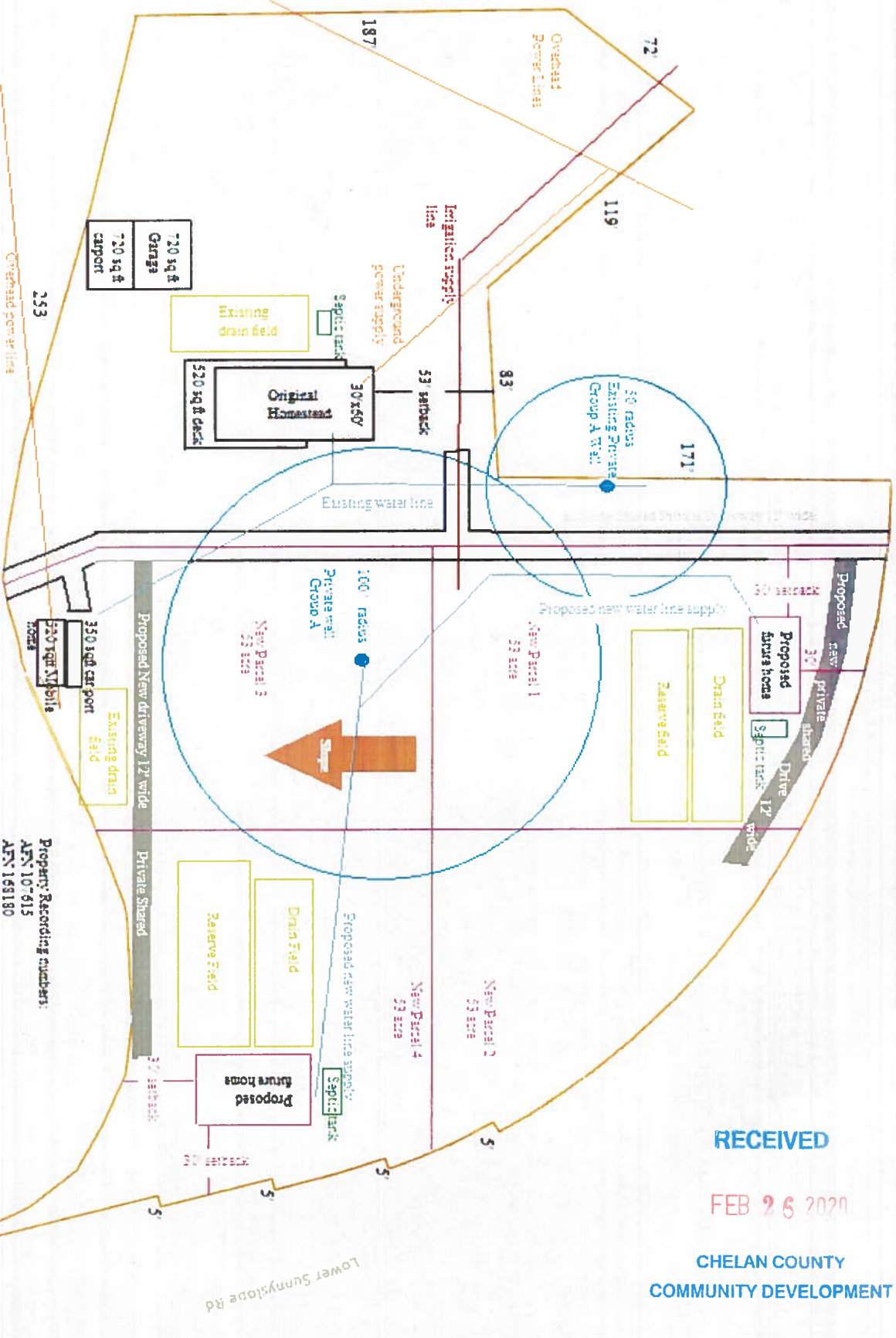


24' wide

Public

Lower Sunnyslope Rd

North



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515 Lower Sunnyslope Rd

APN 232020440100
3.42 Acres RR5

Property Recording numbers:
APN 107615
APN 169180





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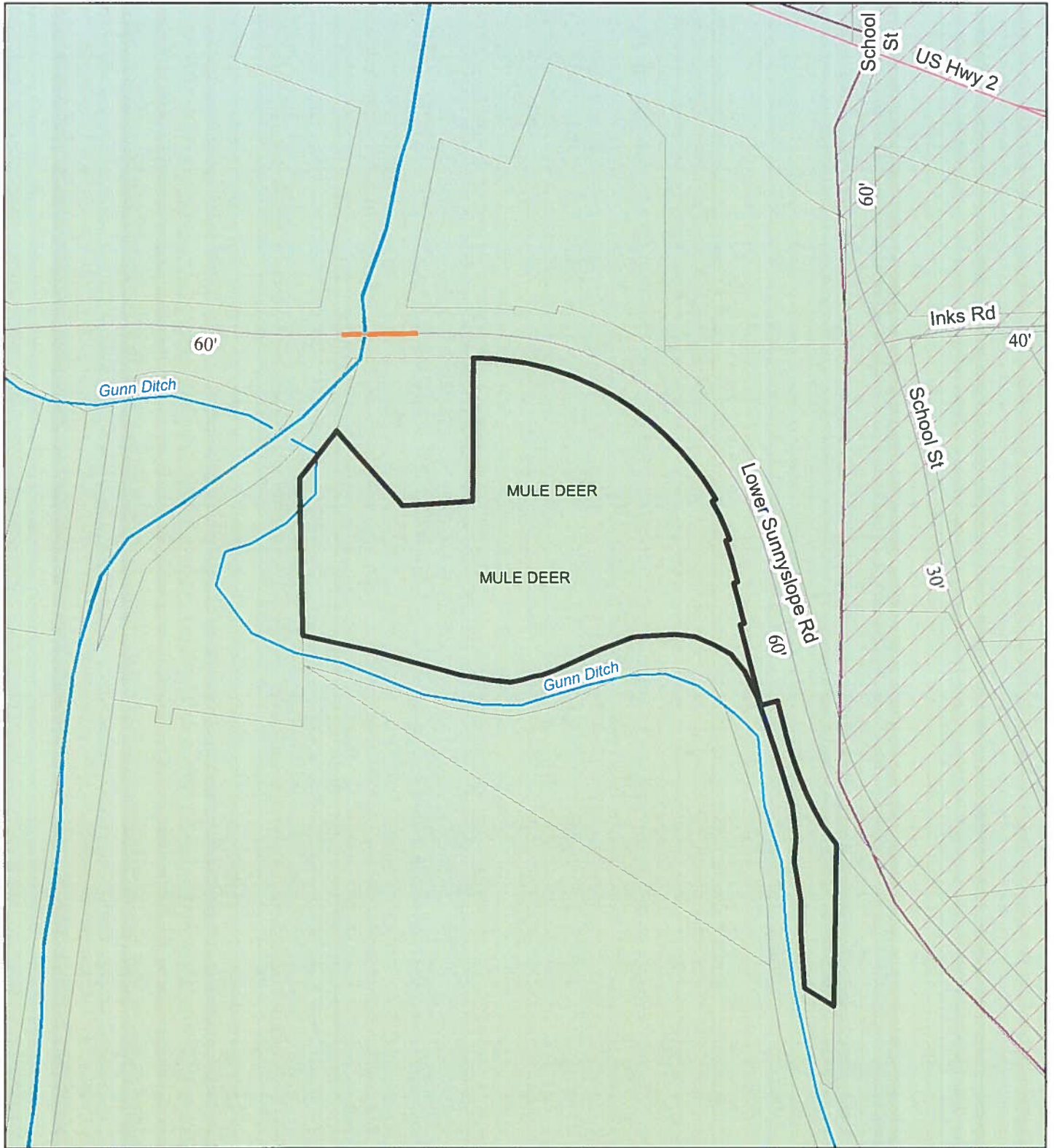
CPA 2020-004

3/6/2020

232020440100

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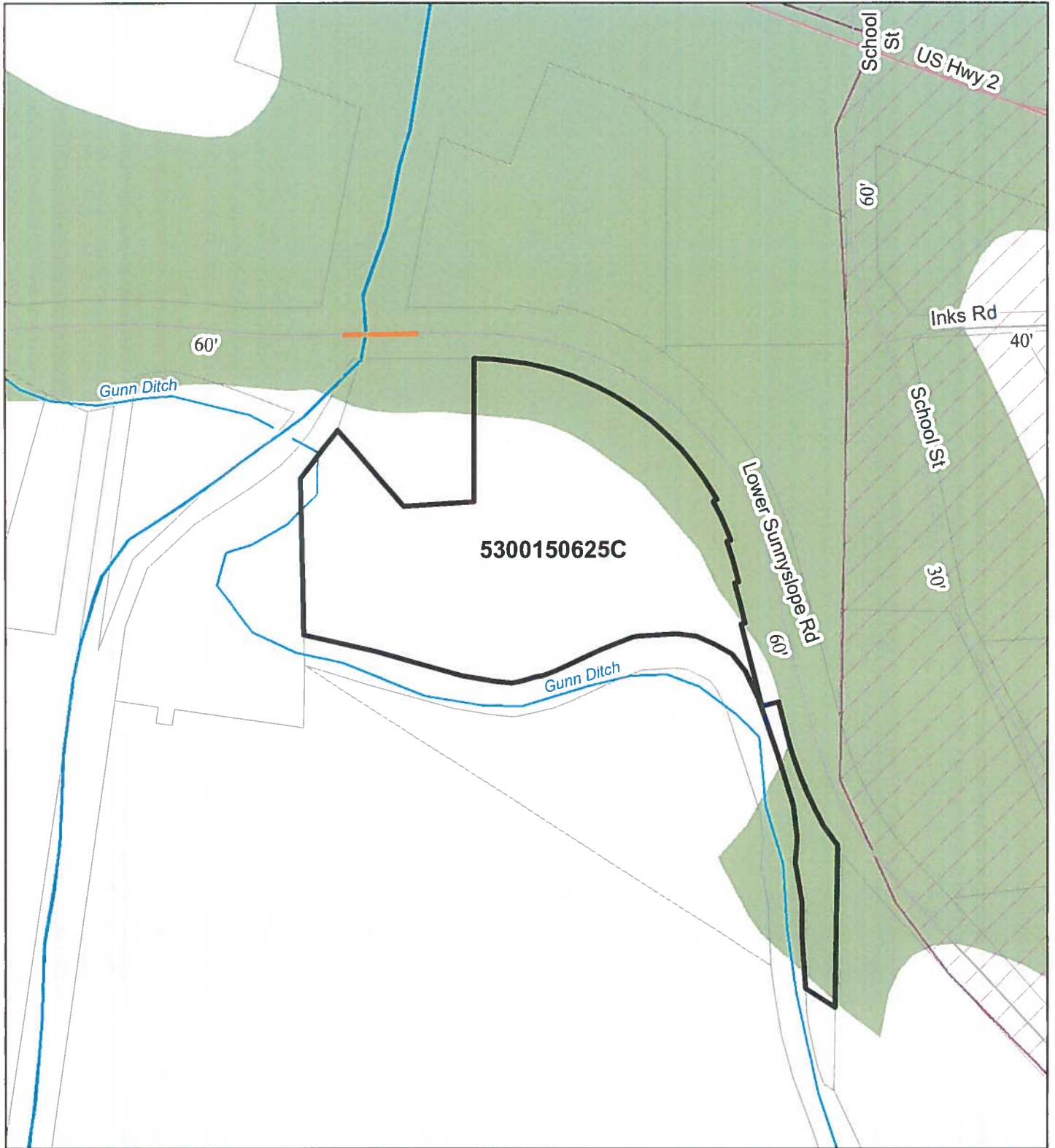
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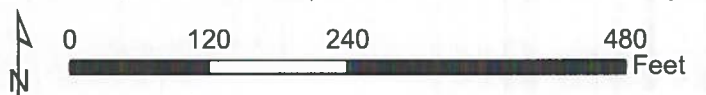


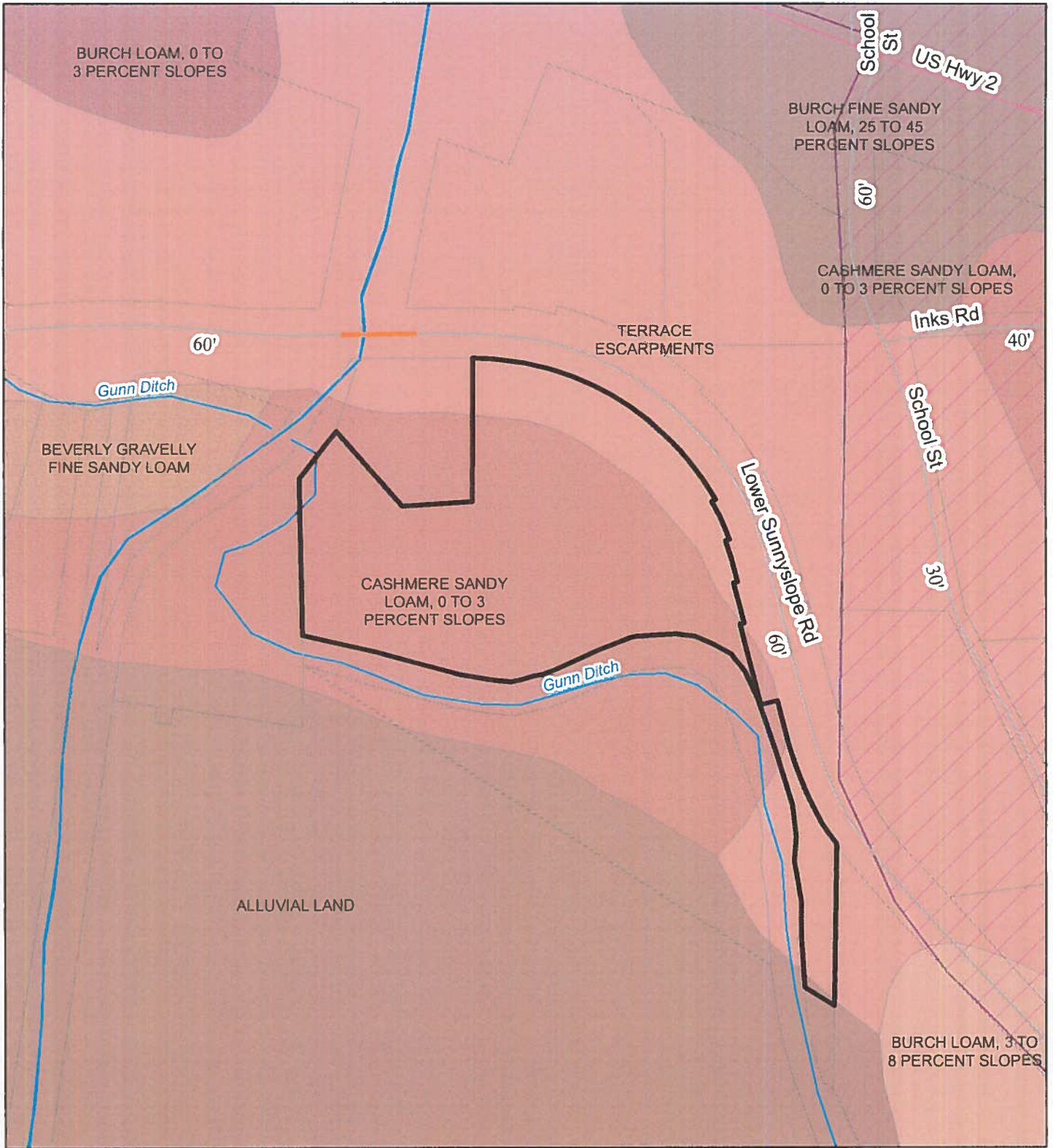
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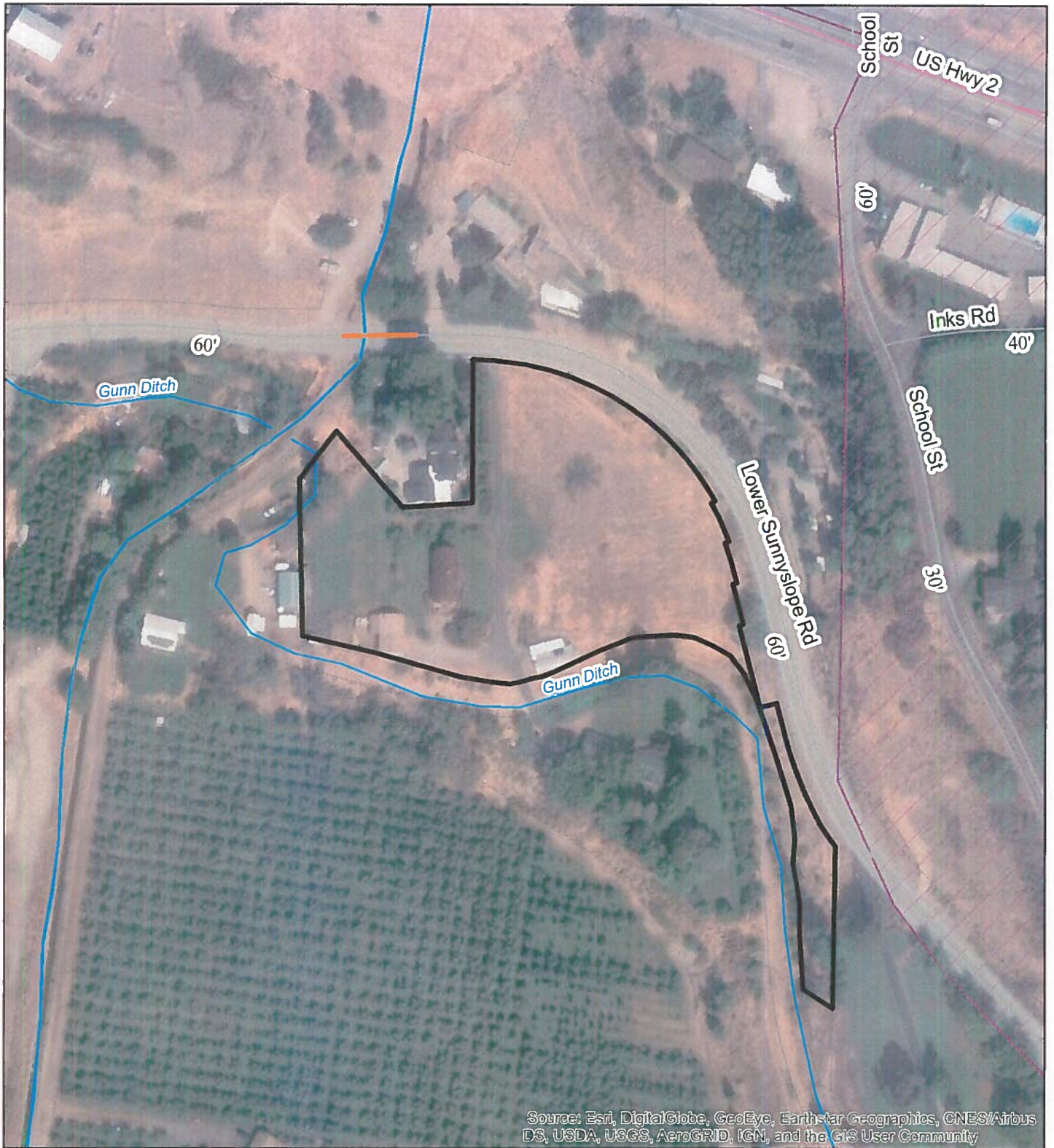
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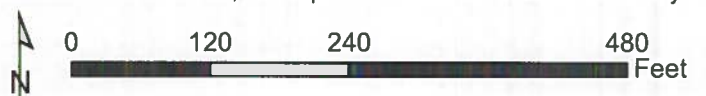


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3/6/2020

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

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GENERAL LAND USE APPLICATION FORM

Parcel Number (APN): 2 4193 19400 6 Lot Size: 10 (Acres)
Parcel Address: 5900 Webster Way City/Zip Code: Cashmere, WA 98815
Property Owner(s): Rudy Joya Zoning: RR5
Mailing Address: 5900 Webster Way Cashmere, WA 98815
City/State/Zip Code: Cashmere, WA 98815
Phone: 509-860-2602 E-mail: rudyajoya@gmail.com

Applicant/Agent (if different than owner): _____
Company and Mailing Address: _____
City/State/Zip: _____ Phone: _____
E-mail: _____

For multiple owners, applicants, or agents, provide additional sheets.

.....

This General Land Use Application Form shall be completed unless specified below. Additional information and supplemental forms may be required. Please review all applicable statutes and regulations pertaining to the proposed development and provide information, documents, studies, and reports (such as a Traffic Impact Study or environmental forms) demonstrating compliance with all statutory and regulatory requirements and other applicable criteria.

Application For: (Check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Administrative Modification | <input type="checkbox"/> Open Space: Public Benefit Rating System |
| <input type="checkbox"/> Administrative Determination | <input type="checkbox"/> Major Subdivision |
| <input type="checkbox"/> Administrative Interpretation | <input type="checkbox"/> Master Planned Development |
| <input type="checkbox"/> Binding Site Plan | <input type="checkbox"/> Planned Development |
| <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment | <input type="checkbox"/> Plat Alteration or Vacation |
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Short Plat |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance (zoning or critical areas) |
| <input type="checkbox"/> Forest Practice/Conversion | <input checked="" type="checkbox"/> Zoning Text Amendment/ Map Amendment |
| | <input type="checkbox"/> Other: _____ |

APPLICABILITY SECTION

The following have their own individual application. Do not use this form for:

- Boundary Line Adjustments. Please use corresponding Boundary Line Adjustment Application Form.
- Certificate of Exemptions. Please use corresponding Certificates of Exemption Application Form.
- Shoreline Permits. Provide the JARPA form along with the corresponding Supplemental Form, as necessary.
- Building and Fire Permits.
- Pre-Applications.

The following attachments are required for a complete application:

- Copy of Deed or Proof of Ownership
- Supplemental Forms, if applicable
- Completed Aquifer Recharge Section, Marijuana Disclosure Section and Site Plan Checklist
- All information, documents, studies and reports demonstrating compliance with all statutory and regulatory criteria and requirements and the Chelan County Comprehensive Plan
- The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15.

GENERAL INFORMATION

Please provide a narrative of the proposed project including, but not limited to, all proposed activities, uses and development (attach additional sheets if needed):

The purpose of this request is to rezone a single 10-acres parcel from RR5 to RV. The property is adjacent to existing property zoned RV (Attachment 1). Rezoning from RR5 to RV is consistent with zoning in the immediate area. This action would require a zoning map amendment.

Narrative attached

Please complete the following:

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1. Any related files (such as Pre-Applications): NA

2. Is the subject property located within an Urban Growth Area (UGA)? No Yes
If "yes", which UGA? _____

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COMMUNITY DEVELOPMENT

3. Please describe adjacent land uses in all directions around the subject property:

North: RR5

South: RV

East: RR5

West: Public

4. What is the current use of the property? Vacant Lot

5. Sanitation Disposal: N/A Septic Permit Sewer District: _____

6. Water Source: N/A Single Private Well Shared Private Well Group B
 Public Water Supplier: _____

7. Irrigation Water:
 N/A Yes (Private) Yes (Public) Irrigation District/Purveyor: _____

8. Fire District: Cashmere Fired Department School District: Cashmere

9. Power Service: Chelan PUD

10. Are there critical areas or critical area buffers on the property?

Airport Overlay: _____

Aquifer Recharge Area (see attached)

Floodplain / Floodway _____

Geologically Hazardous Areas (11.86.020) on the site or within the specified distance of the site:

Alluvial Fan (250') Known Historic Hazardous Area (250') Slopes > 40% (250')

Erosive soils (on-site) Landslide Snow Avalanche (500')

Habitat/Riparian Area, protected species/area: _____

Streams / Waterbodies: _____ Shoreline Environment Designation: _____

Drainage or Seasonal Stream: _____ Wetland, if so what category: _____

Cultural or Archeological: _____

11. Will landfill be required? No Yes, approximate _____ (cubic yards)

12. Will excavation be required? No Yes, approximate _____ (cubic yards)

13. Has site preparation been started on the site? If so, to what extent?
No

14. Are there plans for future additions, expansions, or further activity related to or connected with the proposal?

N/A

15. Provide a development schedule with the approximated dates of commencing and completing construction or proposed activity:

Subsequent subdivision development may occur if rezoned from RR5 to RV and after preliminary plat approval.

16. Are there any other applications pending for governmental approvals for this or other proposal affecting the property covered by this proposal? No Yes, please list:

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AQUIFER RECHARGE AREA DISCLOSURE SECTION

Exempt from this section only are Single Family Residences and their associated development per CCC 11.82.060. An applicant seeking to develop property which requires a development permit, shall submit with the permit application this certified statement, which lists each of the evaluation criteria and shall indicate whether the criteria "applies" or "does not apply" to the site or development. "Unknown" or similar responses will not be accepted.

If the development meets criteria A, B, C, or D or if the site or development meets any two of the remaining criteria, the Department will direct the applicant to determine the vulnerability rating for the development pursuant to Section 11.82.050 Aquifer Recharge Areas. If the development has a high or medium vulnerability rating, the development shall be subject to the performance standards of Section 11.82.060.

If an applicant's statement asserts that the criteria do not apply to the development, the Department will accept the statement and proceed with the permitting process. If any statement is incorrect, the applicant will be advised in writing to either; (a) provide an amended statement adding the evaluation criteria as being applicable and determine the vulnerability rating of the development pursuant to Section 11.82.050, or (b) present sufficient countering information clearly establishing that the basis for the Department's concern is incorrect. If the applicant selects to proceed under (b), upon receipt of the applicant's information, the Department shall review the information and obtain whatever additional assistance may be required to resolve the issue. The final determination as to whether a determination of vulnerability is required shall be made by the Administrator.

EVALUATION CRITERIA

The applicant is required to determine the vulnerability rating for **any development permit**, not otherwise exempted, if the site or development meets criteria A, B, C, or D or meets two or more of the remaining criteria below:

Please write the word(s) "**Applies**" or "**Does Not Apply**" on the lines before each of the following statements:

- Does Not Apply **A.** Within a wellhead protection area designated under WAC 246-290; ***Wellhead Protection Area:** The surface and subsurface area surrounding a well or well field for a distance of 100 feet, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.
- Does Not Apply **B.** Within an aquifer recharge area mapped and identified by a qualified ground water scientist;
- Does Not Apply **C.** The site will be utilized for hazardous substance, (as now or hereafter defined in RCW 70.105D.020(7)), processing storage or handling in applications or quantities larger than is typical of household use;
- Does Not Apply **D.** The site will be utilized for hazardous waste treatment and storage as set forth in RCW 70.105 Hazardous Waste Management, as now or hereafter amended;
- Does Not Apply **E.** The site contains highly permeable soils, which include soil types 1a, 1b and 2a under WAC 246-272-11001, Table II; ****Highly Permeable Soils:** Include soil types 1A, 1B and 2A from Table II, Soil Textural Classification, WAC 246-272-11001. 1A: Very gravely coarse sands or coarser, all extremely gravely soils. 1B: Very gravely medium sand, very gravely fine sand, very gravely very fine sand, very gravely loamy sands. 2A: Coarse sands (also includes ASTM C-33 sand).
- Does not Apply **F.** Within a sole source aquifer recharge area designated pursuant to the Federal Safe Drinking Water Act (**None currently designated in Chelan County**);

- Does not apply **G.** Within an area established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48 and 90.54 RCW, and Chapters 173-100 and 173-200 WAC (**None currently designated in Chelan County**);
- Applies **H.** The development involves a proposed major or short subdivision and includes present or future plans to construct three or more dwelling units where the dwelling units will not be connected to a public sewer system and any of the lots are less than 1 net acre in size;
- Does Not Apply **I.** The proposed commercial and industrial site is not on a public sewer system and the main structure exceeds 4,000 square feet;
- Does Not Apply **J.** The proposed use is as a commercial feedlot;
- Does Not Apply **K.** The development is within 200 feet of the ordinary high water mark of a perennial river, stream, lake or pond.

Depending upon soil depths from the surface, the following soil series within Chelan County are considered to be highly permeable soils:

- Ardenvoir: ArF, 27-43 inches (depth from surface), very gravelly sandy loam*
- Anatone: AkD, 5-14 inches (depth from surface), very gravelly silt loam*
- Beverly: Be, 17-24 inches (depth from surface), very gravelly sandy loam; Bf, 17-24 inches (depth from surface), very gravelly sandy loam; Bg, 0-10 inches (depth from surface), very gravelly loamy fine sand; Bg, 17-24 inches (depth from surface), very gravelly sandy loam*
- Brief: BrA, BrB, BrC, Brd, 26-60 inches (depth from surface), very gravelly sandy loam*
- BsD, 26-60 inches (depth from surface), very gravelly sandy loam*
- Chelan: CgB, CgC, CgD, CgE, 35-60 inches (depth from surface), very gravelly sandy loam; ChC, ChE, 35-60 inches (depth from surface), very gravelly sandy loam; CkD, CkE, 35-60 inches (depth from surface), very gravelly sandy loam; CIA, CIB, CIC, CID, CIE, 35-60 inches (depth from surface), very gravelly sandy loam*
- Jumpe: JmD, 10-60 inches (depth from surface), very stony silt loam; JnF, 0-60 inches (depth from surface), very stony silt loam*
- Loneridge: LoD, LoF, 0-10 inches (depth from surface), very stony loam; 10-16 inches (depth from surface), very gravelly clay loam*
- Malaga: MaA, MaC, 15-19 inches (depth from surface), very gravelly sandy loam*
- Peshastin: PhB, PhC, 18-60 inches (depth from surface), very cobbly sandy loam; PID, PIE, 18-60 inches (depth from surface), very cobbly loam*
- Pogue: PsE, 0-17 inches (depth from surface), very stony fine sandy loam*
- Stemilt: StD, StE, 17-60 inches (depth from surface), very cobbly silty clay loam*
- Suplee: SuA, SuB, SuC, SuD, SuE, 0-6 inches (depth from surface), Very fine sandy loam; 18-31 inches (depth from surface), very gravelly sandy loam*
- Thow: TgD, 10-60 inches (depth from surface), very gravelly sandy loam; ThE 10-60 inches (depth from surface), very gravelly sandy loam*
- Tronsen: TrD, TrE, 8-60 inches (depth from surface), very gravelly clay loam*

CANNABIS DISCLOSURE SECTION

SUB-SECTION I: Circle

I AFFIRM there IS NOT or IS (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "IS NOT" above, proceed to Sub-Section III of this form.
If you circled "IS" above, proceed to Sub-Section II of this form.

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COMMUNITY DEVELOPMENT

SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

- _____ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.
- _____ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.
- _____ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.
- _____ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

SUB-SECTION III: Please select one of the following:

- I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.
- I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

SITE PLAN CHECKLIST SECTION

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.

- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

ACKNOWLEDGEMENT SECTION

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

By submitting this application, I acknowledge and certify the following:

Initials

(Owner and, if applicable, Applicant)

- R _____ 1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.
- B _____ 2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.
- A _____ 3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.
- R _____ 4. Additional permit applications and approvals may be necessary to conduct specific activities.
- R _____ 5. Application fees are non-refundable, except when approve by the Board.
- R _____ 6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.

- _____ 7. Chelan County is hereby given consent to enter the property(ies) listed above.
- _____ 8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.
- _____ 9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.
- _____ 10. I certify that this application has been made with the consent of the lawful property owner(s).
- _____ 11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.
- _____ 12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: _____ Place: CASHMERE WA Date: 2/27/2020

Print Name: RUDY JOYA

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____

Print Name: _____

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____

Print Name: _____

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Chelan County Code 14.14.050**Application for comprehensive plan map or urban growth area amendments****Submitted by: Rudy Joya, February 17, 2020**

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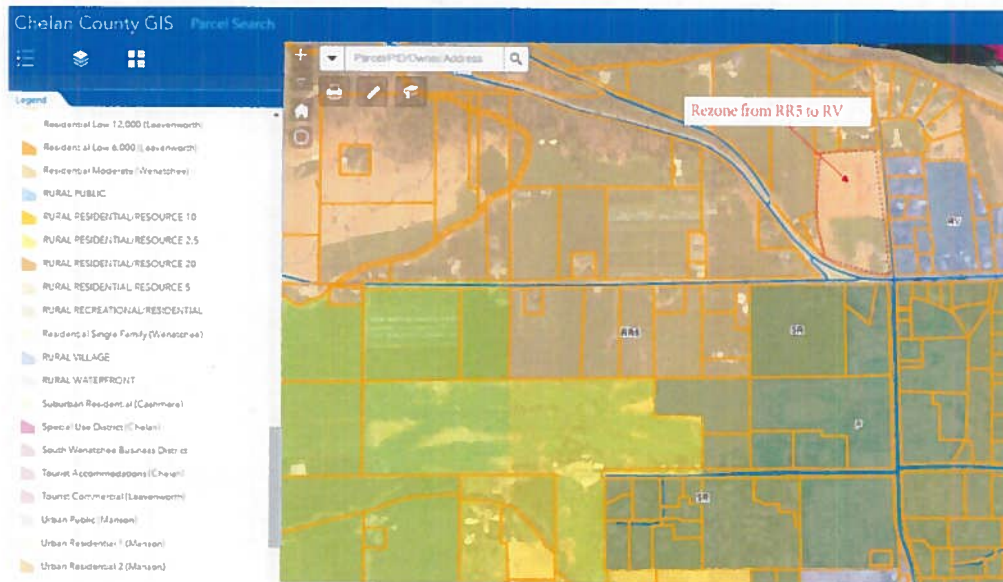
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(A) Name: Rudy Joya
Address: 5900 Webster Way, Cashmere, WA 98815
Phone Number: 1-509-860-2602
Owner: Rudy Joya

(B) Parcel/site information as outlined in the application: 241931940005**(C) Comprehensive Plan amendment information as outlined in the application**

- (i) **Statement:** This proposal is to rezone a single 10 acre-parcel of land within Chelan County from RR5 to RV. There is RV zoned lands adjacent to this property. A rezone would provide future development flexibility by allowing for smaller building lots and the potential for duplex units; RR5 only supports two single family residential dwelling units (see map below).



- (ii) **Comprehensive Plan Consistency** - The amendment complies with the comprehensive goals and policies to “grow” while maintaining the rural character of the City of Cashmere; this request proposes a change from RR5 to RV to accommodate development flexibility with smaller building lots and/or duplex units.
- (iii) The adjacent land is zoned RV; this request is to extend the RV zoning and once approved would be compliant with the Comprehensive Plan land use designation for this area.
- (iv) The rezone request does not impact and/or apply to the capital facility or transportation element of the comprehensive plan. This is a non-project action.
- (v) Lands adjacent are zoned RR5, RV, and Public. This rezone would not affect lands designated as resource lands of long-term commercial significance and/or critical areas.

There are no critical areas or critical recharging aquifers in the area; fish and wildlife PHS database did not identify this area as priority habitat for a species. This is a non-project action that would not impact wildlife or their habitat; there are no water resources within the area – this proposal is consistent with GMA.

- (vi) This is a non-project action on private property. The proposed rezone request would not affect the supply of land that is available for other purposes; this area has been designated for residential development and would support projected growth by providing an additional dwelling unit.
- (vii) The rezone from RR5 to RV would provide additional development flexibility such as smaller lot sizes or construction of a duplex.
- (viii) This request is for a rezone not a request for UGA expansion and/or a UGA change.

(D) SEPA Checklist: Completed on February 16, 2020

(E) Fee: The fee will be paid when submitted

(F) Additional Information: Requesting RR5 be rezoned to RV, which requires a zoning map amendment to the Comprehensive Plan.

Chelan County Code 14.14.60

Amendment review criteria for comprehensive plan maps, urban growth area and county-adopted city plans.

(1) General Review Criteria

- (A) GMA Consistency and applicable county-wide planning policies:** Yes. This proposal for a rezone is consistent with providing residential growth while maintaining rural character.
- (B) Chelan County comprehensive goals and policies consistency.** Yes. The amendment complies with the comprehensive goals and policies to grow while maintaining the rural character of the City of Cashmere; this request proposes a change from RR5 to RV to allow for smaller lot sizes and/or a duplex to support growing housing demands.
- (C) Compliance with comprehensive plan land use designation/siting criteria.** Yes. The adjacent land is zoned RV; this request is to extend the RV zoning and once approved would be compliant with the Comprehensive Plan land use designation for this area.
- (D) Supported by the capital facility and transportation element:** NA. This is a non-project action.
- (E) Amendment does not adversely affect the surround land uses:** Correct. Adjacent lands are zoned RV.
- (F) Amendment does not adversely affect lands designated as resource land of long-term commercial significance or critical areas in ways that cannot be mitigated.** Correct. Lands adjacent are zoned RV. This rezone would not affect lands designated as resource lands of long-term commercial significance and/or critical areas. There are no critical areas or critical recharging aquifers in the area; fish and wildlife PHS database did not identify suitable for priority species. This is a non-project action that would not impact wildlife or their habitat; there are no water resources within the area – this proposal is consistent with GMA.

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(G) Amendment does not adversely affect the supply of land for various purposes which is available to accommodate projected growth over the twenty-year planning period covered by the comprehensive plan. Correct. This is a non-project action on private property. The proposed rezone request would not affect the supply of land that is available for other purposes; this area has been designated for residential development and would support projected growth by providing additional housing units by creating smaller building lots and allowing for duplex units.

(H) Amendment serves the interests of both the applicant and the general public including public health, safety, and welfare. Yes.

(2) Urban Growth Area Amendments – Does not Apply. The proposal is for a rezone.

(A) Contiguous to an existing urban growth boundary. NA

(B) Urban growth areas shall contain areas characterized by urban growth. NA

(C) Urban growth area shall be served by or planned to be served by urban growth governmental services. NA

(D) Urban growth areas shall be compatible with natural resources lands and the protection of designated critical areas. NA

(E) Expansion or an urban growth area should also:

(i) Insufficient land within the existing urban growth area? NA.

(ii) Overriding public interest? NA.

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SEPA ENVIRONMENTAL CHECKLISTCHELAN COUNTY
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Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)
 - Rezone a single 10-acre parcel of private property from RR5 to RV.
2. Name of applicant: [\[help\]](#)
 - Rudy Joya

Reviewed by Emily Morgan, Project Planner

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3. Address and phone number of applicant and contact person: [\[help\]](#)

- 5900 Webster Way
- Cashmere, WA 98815

4. Date checklist prepared: [\[help\]](#)

February 26, 2020

5. Agency requesting checklist: [\[help\]](#)

Chelan County Community Development Department

6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)

The Zoning Amendment would take place in 2020.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

- A zoning map amendment will need to be prepared by and approved by Chelan County.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

- None that are known.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

- Zoning Amendment - Concurrence from the Planning Commission to approve the amendment and pass a resolution.
- Public Hearing
- Department of Commerce Review and Acceptance

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

- To rezone RR5 to RV for future development flexibility and consistency with adjacent RV property.

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12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

- This proposal is to rezone a single 10 acre-parcel of land within Chelan County from RR5 to RV (Attachment 1).
- Parcel: 241931940005

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth [\[help\]](#)

a. General description of the site: [\[help\]](#)

(circle one): Flat

b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

- Approximately 0%-8%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)

- According to the U.S. Department of Agriculture, Natural Resources Conservation Service the following are soils generally located within the proposed rezone site: *Cashmont sandy loam, 0 to 3% slopes (63.7%) and Cashmont sand loam, 3 to 8 % slope (36.3%)*.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

- No. The area is identified for potential erosion concerns. *- geo hazard for erosive soils*

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

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- No.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan county Municipal Code and will be subject to additional compliance and/or approvals – which could include additional impervious surfaces after construction.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

- NA. This is a proposal to update zoning from RR5 to RV.

3. Water [\[help\]](#)

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)

- No.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described

waters? If yes, please describe and attach available plans. [\[help\]](#)

- NA.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.

- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)
 - No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.

- Future development will be in accordance with Chelan County Code and will be subject to additional compliance and/or approvals.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.

- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

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- NA

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

- NA

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)

- NA

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

- NA.

4. Plants [\[help\]](#)

a. Check the types of vegetation found on the site: [\[help\]](#)

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other (
- Water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

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- There are no known threatened or endangered species known to be on or near the site.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)
- NA
- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)
- Puncturevine
5. **Animals** [\[help\]](#)
- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)
- Birds: *Songbirds, crow, and hawks*
 - Mammals: *Mice*
- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)
- None known
 - The Washington State Department of Fish and Wildlife (WDFW) Priority Habitat and Species (PHS) interactive map was queried and results did not indicate the presence of any priority habitat and species in the project area.
 - There are no known federally listed threatened or endangered species near the project though the area northwest is a management buffer for NSO.
- c. Is the site part of a migration route? If so, explain. [\[help\]](#)
- None known.
- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)
- NA. This is a proposal to update zoning from RR5 to RV.
- e. List any invasive animal species known to be on or near the site. [\[help\]](#)
- None known.
6. **Energy and Natural Resources** [\[help\]](#)
- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)
- NA
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)
- No.

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- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

- NA

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.
- Future development will be in accordance with Chelan County Municipal Code and will be subject to additional compliance and/or approvals.

- 1) Describe any known or possible contamination at the site from present or past uses. [\[help\]](#)

- NA. *Potential ground contamination from historic orchard use*

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#)

- None are known.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)

- NA

- 4) Describe special emergency services that might be required. [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.

- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.

b. Noise [\[help\]](#)

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

- NA. This is a proposal to update zoning from RR5 to RV.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)

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- NA. This is a proposal to update zoning from RR5 to RV.

3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

- NA.

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

- RR5 (Attachment A).
- It is not expected the rezone will affect land currently zoned RR5 or RV.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

- No.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#)

- No.

c. Describe any structures on the site. [\[help\]](#)

- No.

d. Will any structures be demolished? If so, what? [\[help\]](#)

- No.

e. What is the current zoning classification of the site? [\[help\]](#)

- RR5

f. What is the current comprehensive plan designation of the site? [\[help\]](#)

- RR5

g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

- NA.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

[\[help\]](#)

- geo hazard

- Airport Overlay - located in horizontal surface zone

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- No.
- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)
- NA. This is a proposal to update zoning from RR5 to RV.
- j. Approximately how many people would the completed project displace? [\[help\]](#)
- NA.
- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)
- None.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)
- The proposed zone amendment would become incorporated as an element of the 2020 Comprehensive Plan Update.
- i. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

- NA

9. **Housing** [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

- NA.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

- NA.

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

- NA.

10. **Aesthetics** [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

- NA.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

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- NA.

b. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

- NA

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

- NA.

b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

- NA

c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

- None.

d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

- None.

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

- None.

b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

- No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

- None.

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. [\[help\]](#)

- A query of the WISSAARD database on the Department of Archaeology and Historic Preservation website did not reveal any registered historic properties (February 16, 2020).

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation?

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This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

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- No.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)
- None. This is a proposal to update zoning from RR5 to RV.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

- NA

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)
- The rezone area can be accessed from Sunset Highway and Webster Way.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)
- NA. This is a proposal to update zoning from RR5 to RV.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)
- NA.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)
- No.
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)
- NA.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)
- NA. This is a proposal to update zoning from RR5 to RV.

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g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

- No.

h. Proposed measures to reduce or control transportation impacts, if any:

- NA. This is a proposal to update zoning from RR5 to RV.

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

- No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

- None.

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site:

electrical, natural gas, refuse service, telephone, sanitary sewer, septic system, other

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed, if any

- Chelan County PUD provides electrical services to Chelan County, as well as fiber. This is a proposal to update zoning from RR5 to RV.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Date Submitted: _____

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D. supplemental sheet for nonproject actions [\[help\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

This proposal to rezone a single 10 acre-parcel of land within Chelan County from RR5 to RV not expected to increase any discharge to water, emissions to air or release of toxic or hazardous materials. This non-project action complies with all health and safety regulations.

Proposed measures to avoid or reduce such increases are:

No impacts are expected so no measures are proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

This non-project action will not have a direct impact on plants, animals, fish or marine life. Site-specific impacts for individual proposals will be addressed during permitting processes.

3. How would the proposal be likely to deplete energy or natural resources?

NA

Proposed measures to protect or conserve energy and natural resources are:

Measures needed to address or reduce impacts on energy or natural resources will be identified during site-specific project review and permitting processes.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed rezone will not have a direct impact on any environmentally sensitive areas or areas designated for government protection. Environmental impacts will be addressed as part of site-specific project review and will follow standard mitigation procedures, beginning with avoidance, then minimization of impacts to critical plants, animals and habitats. If there are unavoidable impacts to the environment then mitigation will be required.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

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NA

Proposed measures to avoid or reduce shoreline and land use impacts are:

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Individual proposals will be evaluated for compatibility with surrounding land uses as part of site-specific project review.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

This is a non-project action that is consistent with adjacent lands is not expected to increase demands for transportation services or utilities.

Proposed measures to reduce or respond to such demand(s) are:

If requested, measures needed to address or reduce impacts on transportation and public utilities will be identified during site-specific project review and permitting processes but are unlikely to occur.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed rezone will be reviewed and approved by Chelan County for consistency with the Chelan Comprehensive Plan and GMA.

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ATTACHMENT A
REZONING FROM RR5 to RV

CHELAN COUNTY
COMMUNITY DEVELOPMENT

CPA 20-005





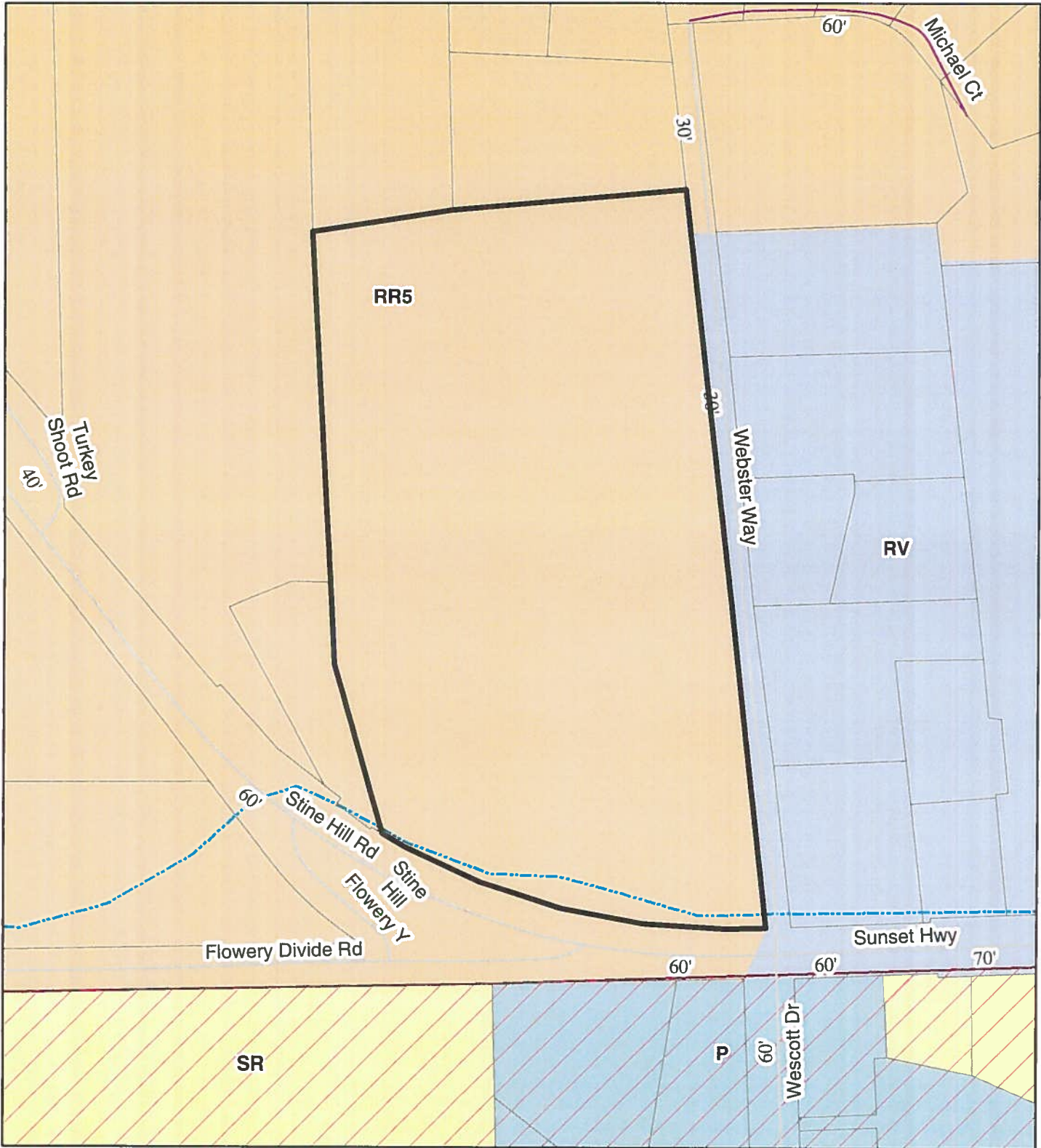
Aerial

2/27/2020

CPA 20-005

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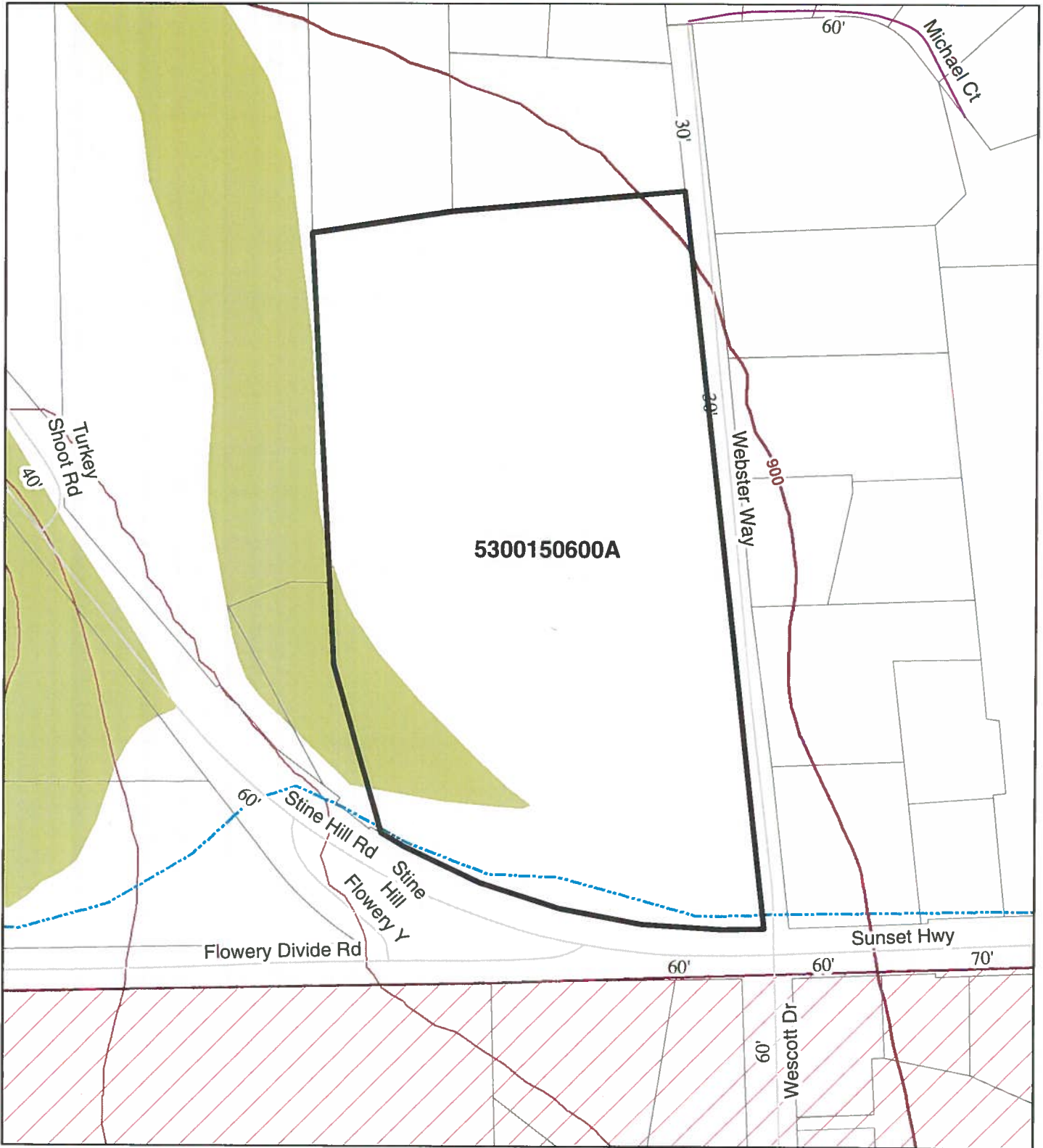
Zoning

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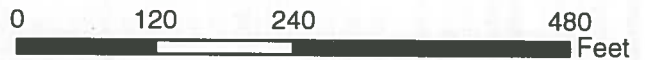


Critical Areas

2/27/2020

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Chapter 3 RURAL ELEMENT

I. Introduction

The Growth Management Act (GMA) requires a Rural Element in the County’s comprehensive plan. The Rural Element contains goals and policies to guide the development of rural land including the identification of the general types of uses to be permitted. Rural lands are all lands not designated for urban growth, or agriculture, forest or mineral resource lands.

The GMA recommends providing for a variety of residential densities at levels that are consistent with the preservation of rural character and the requirements of the Rural Element. The Rural Element provides guidance on appropriate land uses and densities for Chelan County’s rural areas. Rural governmental services should be provided at a level necessary to support and sustain the land use pattern planned for rural areas. Rural governmental services should not provide the level of service which promotes growth or sprawl in rural areas. The Growth Management Act provides the following definitions of rural development, rural character and rural governmental services:



- A. Rural development refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.
- B. Rural governmental services or rural services include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).
- C. Rural character refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:
 - 1. In which open space, the natural landscape, and vegetation predominate over the built environment;
 - 2. That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

3. That provide visual landscapes that are traditionally found in rural areas and communities;
4. That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
5. That generally do not require the extension of urban governmental services;and
6. That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.

II. Intent

It is the intent of this Rural Element to preserve the rural character and way of life in the rural area, and to protect private property rights while considering impacts to the environment of Chelan County.

As noted in the Land Use Element, the majority of land within the County is in Federal or State ownership, and is therefore considered unbuildable within the planning horizon of this plan.

As documented in the Parks and Recreation Element, the Federal and State lands provide the County with one of the largest rural and natural park lands, these include: Glacier Peak Wilderness, Lake Chelan Sawtooth Wilderness, Wenatchee National Forest, Alpine Lakes Wilderness, Henry M Jackson Wilderness, North Cascades National Park and Lake Chelan National Recreation Area. These very large wilderness and park areas are not expected to develop but rather enhance the character of the County as a recreation and natural resource to locals and visitors.

In addition to Chelan County's rural character being dominated by park lands, Chelan County has a history of agricultural uses - primarily orchards of various sizes, residential rural living; forest practices, rural industrial activities, mining and small town settlements. Over the last ten years, some areas have transitioned to vineyards, wineries, smaller-scale agricultural production and agricultural and recreational tourism.

Within the Land Use Element each region of the County has been defined by the unique characteristics and rural character, including innovative tools for development. The goals and policies in the Rural Element are to guide land use activities in and surrounding rural lands. Goals and policies have been developed for the preservation of the rural character by:

- Containing or otherwise controlling rural development;
- Assuring visual compatibility of rural development with the surrounding rural area;
- Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
- Protection of critical areas, surface water and ground water resources;and,
- Protecting against conflicts with the use of agricultural, forest, and mineral resource lands of long-term commercial significance, see Resource Element.

The County land use designations can be grouped as Rural, LAMIRD, Resource and Urban Growth Area. This Element addresses the siting criteria and Goals and Policies of the Rural and LAMIRD designations. Additionally, each designation is broadly defined with intended uses and densities under the siting criteria. Services for the rural lands are addressed in the Capital Facilities and Utilities Elements.

Rural designations include: Rural Residential/Resource 2.5, 5, 10 and 20

LAMIRD designations include: Rural Waterfront; Rural; Rural Village; Rural Recreational/Residential; Rural Commercial; and, Rural Industrial

III. Goals and Policies – Rural Designations

Goal RE 1: Maintain a balance between human uses and the natural environment in rural areas of the County.

Rationale: Residents who choose to live in the rural areas need to realize that their lifestyle has an impact on the natural environment and efforts need to be made to find and maintain a balance between human activity and the natural environment.

Policy RE 1.1: Rural development shall avoid and mitigate impacts to critical areas, which have value as wildlife habitat and open space.

Rationale: Wildlife habitat and open space are all land uses which are typically located in rural areas and are an important part of the reason why people choose to live in a rural setting. Therefore, development may occur when suitable mitigation is provided to address impacts to Critical Areas existing in rural lands.

Policy RE 1.2: Uses not specifically addressed or prohibited in the comprehensive plan are not automatically allowed and should be reviewed on their own merits for compatibility with existing goals and policies.

Rationale: Should there be a new land use or an innovative technique towards the management of growth, they can be reviewed during the annual review process to analyze their compatibility with existing goals and policies of the plan.

Policy RE 1.3: Establish a variety of rural land use designations that would accommodate a wide variety of rural uses and densities consistent with the County's rural character.

Rationale: The rural areas of Chelan County contain a variety of land uses and densities that comprise the rural character of the area. Continuing this pattern, will help to maintain and enhance this rural character.

Policy RE 1.4: Essential public facilities and/or services should be sited and developed in a manner that maintains the rural character of the area. Essential public facilities and/or services are appropriate for location in rural areas when suitable mitigation is provided.

Rationale: Essential public facilities and/or services should not compromise the goal of the Rural Lands.

Goal RE 2: Maintain natural environment features that support and enhance natural resource-based economic activities, wildlife habitats, traditional rural lifestyles, outdoor recreation, and open space.

Rationale: There is value in rural lands that have in the economic vitality, rural lifestyles, and healthy environments.

Policy RE 2.1: Review rural development applications to determine the potential for groundwater contamination.

Rationale: Preventing groundwater contamination is necessary to avoid exorbitant costs, hardships, and potential physical harm.

Policy RE 2.2: Rural development should not preclude use of rural lands for agriculture and timber production and should avoid or mitigate impacts on existing agriculture or timber operations.

Rationale: Productive agriculture and timber lands exist in the rural areas. Potential negative impacts to these lands from more intense land uses should be avoided through the application of appropriate mitigation measures and/or the use of innovative techniques.

Policy RE 2.3: Ensure that rural development (residential, commercial and industrial) near designated resource lands occurs in a manner that minimizes potential conflicts and reduces conversion of farm and forest land to non-resource uses. Develop mitigating measures to provide adequate protection against potential conflicts.

Rationale: The close proximity of rural lands to resource lands is unavoidable. The presence of these resource activities such as forests and agricultural production adds to the character of these rural lands. However, many activities which take place on these resource lands are not compatible with other activities, especially residential uses. Since the conservation of these resource lands may be jeopardized by development which is not sensitive to the activities that characterize a resource based land use; it is important to provide mitigating measures that will provide an adequate transition area between potentially conflicting land uses.

Policy RE 2.4: Encourage the preservation and protection of unique, rare and fragile natural features, scenic vistas, unstable bluffs, and culturally significant features.

Rationale: These features contribute to the character and attractiveness of the rural area. Their preservation enhances the openness and aesthetic quality of the area. The use of voluntary incentives including the Chelan County Public Benefit Rating System used in evaluating applications for current use taxation of property under the Open Space Program and clustering provisions will help to encourage the preservation and protection of these areas.

Policy RE 2.5: When open space areas are provided in a development, provisions shall be made to identify: who owns the open space, what uses or activities will be permitted on it, how the area will be maintained, and whether public access will be provided. This information shall be contained on the face of the plat.

Rationale: One of the drawbacks of providing open space is determining how it should be managed. It is important to establish this at the design stage so everyone is clear on their responsibilities. When the information is noted on the face of the plat, all subsequent property owners will be aware of the open space provisions.

Policy RE 2.6: To achieve a variety of rural densities and uses, allow for development clustering, density transfer, design guidelines, conservation easements, and other innovative techniques to accommodate growth consistent with rural character.

Rationale: The amount of privately owned developable land in the County is limited. Innovative techniques can provide for rural development while protecting the rural character of the County.

Policy RE 2.7: Protect local environmental and visual resources in hillside areas by encouraging development to locate on existing benches and terraces and by applying appropriate development standards and performance criteria.

Rationale: Hillside residential development offers a number of potential advantages, if properly established. If hillsides are to be both used and enjoyed by present and future residents of the area, development policies must include soundly based standards and performance criteria, yet have sufficient flexibility to fit varied environmental conditions.

Policy RE 2.8: Protect hillside areas from erosion by requiring development to adequately capture storm drainage and avoid duplication of road systems.

Rationale: Road cuts impact on the visual quality of hillsides and are a source of erosion and shall be minimized.

Goal RE 3: Develop at densities such that demands will not be created for urban levels of public services and facilities in rural areas.

Goal Rationale: Development in rural areas should not be at densities which require urban levels of service. Development at lower densities will also help protect the rural quality of life.

Policy RE 3.1: Provide government services in non-urban areas at a limited level appropriate to the rural setting, including police, fire, roads, and general utilities.

Rationale: Limited public facilities and services will be provided to persons living and working in rural areas. Urban levels of services should not extend beyond urban growth areas, except where provided for under the Growth Management Act.

Policy RE 3.2: Permit development of rural areas adjacent to urban growth areas at densities that will allow for orderly extension of urban utilities and services as urban growth areas expand in the future.

Rationale: Land that is immediately adjacent to an urban growth area is unique in that it has a greater potential to eventually develop at higher densities. Therefore, it is appropriate that these lands develop at an appropriate rural density so that when they do obtain the opportunity to develop in an UGA, they will permit the orderly extension of public utilities.

Policy RE 3.3: Promote orderly expansion of urban facilities and infrastructure by including rural areas adjacent to urban growth areas with capital facilities and transportation plans. These plans should try to anticipate, where appropriate, where future additional infrastructure and facilities will be sited.

Rationale: Anticipation of future siting needs for facilities and infrastructure will help ensure the orderly expansion of urban growth areas.

Policy RE 3.4: Promote use of innovative site designs that employ alternatives to conventional on-lot wastewater disposal systems.

Rationale: Innovative site designs can take advantage of alternative wastewater systems such as community drain-fields within open space areas which may be effective in reducing potential failures and contamination of water sources.

Policy RE 3.5: Where consistent with State and local requirements, encourage innovative site designs that utilize community water systems.

Rationale: Innovative site designs can provide an affordable option for rural residential development since many of the site improvement costs and restrictions associated with individual wells can be distributed equally between all the home sites.

Policy RE 3.6: Develop fire protection standards for all commercial, industrial and residential development in rural areas, including, but not limited to, use of fire retardant building materials, access to on-site water bodies (lake, ponds, cisterns, pools, etc), and firewise vegetation removal or fire breaks.

Rationale: Rural development depends upon adequate safety standards to protect life and property in rural areas.

Policy RE 3.7: Seek input from rural fire districts and the County Fire Marshal on design standards for adequate ingress and egress to new developments to address fire safety issues.

Rationale: To provide adequate escape routes for residents and emergency vehicles.

Policy RE 3.8: Appropriate rural densities and designations should be applied which maintain the rural character, accommodate rural population projections and can be provided with rural services within the constraints of the County Budget and Capital Facility Plan.

Rationale: In order to plan for and fund the proper size and extent of supporting public facilities, utilities and services, the density and extent of future development areas must be specified.

Policy RE 3.9: Allow the infill, development, and redevelopment of existing intensely developed rural areas where consistent with the goals and policies of the comprehensive plan, including recreational, residential, mixed-use, and shoreline developments.

Rationale: Rural recreational developments provide the opportunity for residential development, multiple uses of a recreational area, and innovative techniques to meet the needs and desires of the public to live and recreate in rural areas, with access or close proximity to natural amenities.

Policy RE 3.10: Necessary public facilities and public services may be provided for the development, infill, and redevelopment of existing intensely developed residential, mixed use, shoreline, commercial and industrial areas outside of urban growth areas. Provision of such services shall not be provided in a manner which permits low density sprawl outside of the boundary of the designation area.

Rationale: This policy recognizes the existence of intensely developed areas in rural lands and provides for the provision of necessary public facilities and services.

Goal RE 4: Encourage rural economic development consistent with the goals and policies of the Chelan County Comprehensive Plan and the Growth Management Act.

Rationale: The comprehensive plan provides for a range of rural economic activities including: rural agriculture, forestry, and mineral resource industries as well as a range of rural development opportunities consistent with the Growth Management Act.

Policy RE 4.1: Permit rural development of small scale recreational, tourist, and resort uses that rely on a rural location and setting, including commercial facilities to serve such uses, provided they do not include new residential development and are otherwise consistent with other goals and policies of this plan.

Rationale: These uses are appropriate in rural areas when it can be demonstrated that they are compatible with the goals and policies of the comprehensive plan. Public services and public facilities shall be limited to those necessary to serve the recreational or tourist use and shall be provided in a manner that does not permit low density sprawl.

Policy RE 4.2: Additional commercial centers or activities may be considered in existing rural activity centers, villages, hamlets, or crossroad developments in the rural area during the yearly amendment process for the comprehensive plan when consistent with RCW 36.70A.070(5) and the goals and policies of the comprehensive plan.

Rationale: Limited commercial development may be appropriate in some rural areas to meet the needs of residents and visitors.

Policy RE 4.5: Encourage new visitor facilities and services, consistent with the national mandate for recreation and visitors in the Lake Chelan National Recreation Area and in coordination with the General Management Plan for the Lake Chelan National Recreation Area.

Rationale: Growth of the state and all associated areas indicates increased visitor use for Stehekin. Tastefully constructed and environmentally sensitive installations to support the increased number of visitors are required and desired.

Policy RE 4.6: MPRs may be considered within rural areas when consistent with the provisions of the comprehensive plan and RCW 36.70A.360.

Rationale RCW 36.70A.040 requires all land use regulations to be consistent with and implement the adopted comprehensive plan.

Goal RE 5: Support RCW 17.10 purpose to limit economic loss and adverse effects to Washington’s agriculture, natural, and human resources due to the presence and spread of noxious weeds on all terrestrial and aquatic areas in the State.

Policy RE 5.1: Encourage public awareness and removal of noxious weeds through the Chelan County Noxious Weed Department and Control Board.

IV. Designations/Siting Criteria – Rural:

The following designations apply to the implementation of the Comprehensive Plan through the zoning map. The following purpose and locational guidelines provide a basic understanding of the zoning districts intent and how they relate to the Comprehensive Plan designations, see the Land Use Element.

A. RR20, RURAL RESIDENTIAL/RESOURCE: 1 DWELLING UNIT PER 20 ACRES

Purpose: To allow for low intensity rural development, agricultural and forestry uses which do not require the extension of services or infrastructure. These areas provide greater opportunities for protecting sensitive environmental areas and creating open space typical of a rural setting.

Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small scale recreational or tourist uses that rely on a rural location or setting, but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per twenty (20) acres.

Locational Guidelines:

1. Geographical and Geological Characteristics. These areas tend to be remote or have been historically rural in character. Soil characteristics, steep slopes or other physical constraints to development may be present. Large tracts of undeveloped, open space exist.
2. Natural Resources. The area may have agricultural or forest land practices of both small scale and/or commercial significance. The area may also be adjacent to designated resource lands.
3. Public Services. Uses do not require extension or provision of urban level services. In many cases public roads or infrastructure are not available to serve the area, and may not be available in the 20 year planning period.

Commented [CL1]: Currently does not include “or new development”

- Existing Land Uses. Dispersed single family residences, farms or forest management activities, and other low intensity rural development may be present. Predominant parcel sizes are 20 acres or greater.

B. RR10, RURAL RESIDENTIAL/RESOURCE: 1 DWELLING UNIT PER 10 ACRES

Purpose: To allow for rural development, forestry and agricultural uses consistent with the rural character and rural development provisions outlined in the goals and policies of the comprehensive plan. These areas can function as areas of transition between resource lands and areas of more intense rural or urban development. These areas also provide opportunities for protecting sensitive environmental areas and creating open space typical of a rural setting.

Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide for job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per ten (10) acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

- Geographical and Geological Characteristics. The area is predominantly rural in character. Soil characteristics, steep slopes or other physical constraints to development may be present. Significant areas of undeveloped open space may exist.
- Natural Resources. The area may have agricultural or forest land practices of both small scale and/or commercial significance. The area may also be adjacent to designated resource lands.
- Public Services. Uses do not require the extension or provision of urban level services. These areas are rural in character and may have access or limited access to rural governmental services and infrastructure. These areas may have the potential to be provided with rural governmental services within the 20 year planning period.
- Existing Land Uses. Dispersed single family residences, farms or forest management activities and other rural development may be present. Predominant parcel sizes are 10 acres or larger.

C. RRS5, RURAL RESIDENTIAL/RESOURCE: 1 DWELLING UNIT PER 5 ACRES

Purpose: Provides 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. RRS5 designations adjacent to urban growth areas are intended to encourage the preservation of rural areas until such time as they serve as urban growth

Commented [CL2]: Currently includes "or new development"

areas and urban services become available. RR5 designations can also act as buffers between designated resource lands and more intense rural or urban development.

Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per five (5) acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. Geographical and Geological Characteristics. The area is predominantly rural in character. Soil characteristics or other physical constraints to development may also be present. Some areas of undeveloped, open space may exist. The area may also be adjacent to designated urban growth areas.
2. Natural Resources. The area may have agricultural or forest land practices of both small scale and/or commercial significance. The area may also be adjacent to designated resource lands.
3. Public Services. Uses do not require extension or provision of urban level services. Rural governmental services are available or may be provided for within the 20 year planning period.
4. Existing Land Uses. Dispersed single family residences, farms or forestry uses, cottage industries and small businesses, and other rural development may be present. Predominant parcel sizes are 5 acres or larger.

D. RR2.5, RURAL RESIDENTIAL: 1 DWELLING UNIT PER 2.5 ACRES

Purpose: To maintain the range of rural development opportunities consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. These areas can provide buffering or transitions between existing rural developments and areas of higher or lower densities. This designation should not function as an urban reserve area, although these areas may someday be incorporated into an urban growth area.

Uses appropriate for these areas include: residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not

Commented [CL3]: Currently includes "or new development"

Commented [CL4]: Currently includes "or new development"

principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per 2.5 acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. Geographical and Geological Characteristics The area may have moderate soil limitations and may have other limited physical constraints to development. The area may be immediately adjacent to existing residential or rural developments. The area may be adjacent to urban growth areas.
2. Natural Resources. The area has limited resource management potential. The area may be adjacent to resource lands.
3. Public Services. Uses do not require extension or provision of urban levels of services. Rural governmental services and infrastructure are typically available, planned and or funded for.
4. Existing Land Uses. Single family residences, agricultural uses, cottage industries and small businesses, and other rural development may be present. Predominant parcel sizes are currently 2.5 acres or greater in size but typically less than 5 acres.

E. RURAL PUBLIC LANDS AND FACILITIES (RP):

Purpose: To provide open space, recreational opportunities, sites for necessary public facilities, utilities and services, and protection of critical areas. Encourage joint public/private ventures, where consistent with the rural development and rural character provisions, and goals and policies of this comprehensive plan.

Uses appropriate for these areas include: public facilities and services, open space and developed open space; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include new residential development; and intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses.

Locational Guidelines:

1. Geographical and Geological Characteristics: These lands are in public ownership and may contain critical areas. The County has no jurisdiction over federal lands.
2. Natural Resources: Public lands may contain resource lands.

Public Services: Services should be limited to the needs of the public agencies. Extension of public services can be considered for joint public/private ventures if consistent with the provisions of the comprehensive plan. Development in these areas shall not create a need for urban governmental services.

Commented [CL5]: Currently includes "or new development"

V. Limited Areas of More Intensive Rural Development (LAMIRD)

Introduction

Generally, the rural element is to provide for a variety of rural densities, uses and facilities and services, and to recognize that a variety of developments already exist in rural areas. This includes some development that is more compact than the surrounding rural lands, which are considered to be Limited Areas of More Intensive Rural Developments (LAMIRD). There are three distinct types of LAMIRDs that may be designated pursuant to RCW 36.70A.070(5)(d). Type 1 can either be commercial, industrial, residential, or mixed-use. Type 2 delineates existing commercial tourist or recreational commercial uses as well as allowing some new commercial tourist uses that rely on a rural location. The Type 3 LAMIRD identifies isolated small-scale businesses. Generally, limited areas of more intensive rural development include necessary public facilities and public services to serve that area.

Intent

LAMIRDs are designated to identify more intense areas of existing development, and to minimize and contain those existing developed areas within the rural lands. LAMIRDs are not intended by the Legislature to be mini-UGAs, suburbs or areas for significant future development. LAMIRDs are rural; they are contained and compact, and, with minor exceptions, were built before July 1, 1990. Though the LAMIRD will recognize existing development, it cannot promote sprawl or low-density growth in the rural area. In designating LAMIRDs, the County has established clear criteria to address each type of LAMIRD. Those criteria generally address the need to contain and control existing development, and the need to preserve the character of the community, its physical boundaries and prevent abnormally irregular boundaries. The criteria will also determine how public facilities and services will be provided in a manner that does not permit low density sprawl.

General LAMIRD Criteria

Lands designated as LAMIRDs will not extend beyond the logical outer boundary of the existing area or use. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but may also include limited undeveloped lands within the LAMIRD. Generally, future development may occur as infill or redevelopment, although new development can occur in some LAMIRD types. In establishing the logical outer boundary, the County will address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl. Upon the initiation or update of a community and/or sub-area plan in the rural areas of the County, future LAMIRDs will be evaluated and existing LAMIRD designations will be updated as necessary to be consistent with the Growth Management Act provisions in RCW 36.70A.070(5) for Limited Areas of More Intensive Rural Development (LAMIRDs).

Type 1 LAMIRD- commercial, industrial, residential, or mixed-use.

Type 1 LAMIRDs are described as rural development consisting of existing and potential infill of commercial, industrial, residential, or mixed use, whether characterized as shoreline developments, villages, hamlets, rural activity centers, or crossroads developments. These LAMIRDs must meet the general criteria listed above, and must be principally designed to serve the existing and projected rural population (with the exception of industrial LAMIRDs and/or industrial uses within a mixed use LAMIRD, which are not required to meet this standard). It is also important that these designations are consistent with the character of the existing uses, particularly in terms of building size, scale, use or

intensity. Changes in use from vacant land or some previous use may be allowed, provided the new use complies with these above requirements.

Type 2 LAMIRD- existing commercial tourist or recreational commercial uses as well as some new commercial tourist uses in a rural location.

Type 2 LAMIRDs are an intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses that rely on a rural location and setting. This type of LAMIRD designation is not required to only serve the existing and projected rural population, but it also may not include new residential development. Public services and public facilities are limited to those necessary to serve the recreation or tourist use and will be provided in a manner that does not permit low-density sprawl.

Commented [CL6]: Referenced in Type 2 LAMIRD

Type 3 LAMIRD- isolated non-residential, cottage industries and small-scale businesses.

Type 3 LAMIRDs are the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses. This type of LAMIRD is not principally designed to serve the existing and projected rural population and nonresidential uses, but does provide job opportunities for rural residents. The County may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the County through a process consistent with RCW 36.70A.030(14). The County may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the County. Public services and public facilities are limited to those necessary to serve the isolated nonresidential use and will be provided in a manner that does not permit low-density sprawl.

VI. Goals and Policies – LAMIRDS

Where applicable, existing policies identified within the Comprehensive Plan which are consistent with LAMIRD designations should be considered when addressing LAMIRD development.

GOAL RE 6: Designate limited areas of more intensive rural development (LAMIRDS) for infill, development or redevelopment of existing commercial, industrial, residential or mixed use areas.

Policy RE 6.1: Development in LAMIRDS, except for industrial areas or industrial sites within mixed-use areas, should be principally designed to serve the existing and projected rural population.

Rationale: Requirements of the Growth Management Act allowing more intense development in rural areas include a provision that these areas serve primarily the existing and projected rural population, generally to ensure rural sprawl does not occur whereinappropriate.

Policy RE 6.2: Apply development standards in LAMIRDS to ensure the design of development or redevelopment is consistent with the character of the existing areas and the proposed use conforms to the intent of this Comprehensive Plan.

Rationale: Requiring new and/or redevelopment within LAMIRD designations to be consistent with the provisions of this element ensure that the County remains consistent with the requirements of the Growth Management Act with respect to LAMIRD designations.

VII. Designations/Siting Criteria – LAMIRDS:

The following designations apply to the implementation of the Comprehensive Plan through the zoning map. Comprehensive Plan Land Use Designation for the Rural areas are identified and discussed in the Land Use Element. The following purpose and locational guidelines provide a basic understanding of the zoning districts intent and how they relate to the Comprehensive Plan designations, see the Land Use Element.

A. RURAL WATERFRONT (RW):

This designation is considered an implementation of a Type 1 LAMIRD as described above, consistent with the Growth Management Act.

Purpose: This designation will provide the opportunity for the development, redevelopment and infill of existing intensely developed shoreline areas for residential, and water related/water dependent recreational and tourist development consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. These areas provide a distinct water related lifestyle. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing intensely developed rural shorelines; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage a new pattern of sprawling low density or urban type development.

Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small scale water related/water dependent recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: May allow for less than 1 acre per dwelling unit, when consistent with the Health District standards. The provision of necessary public facilities and services shall not permit or encourage low density sprawl or urban type development outside of the designation boundary. Existing urban governmental services in some areas, may allow for higher densities than those with rural governmental services.

Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. **Geographical and Geological Characteristics:** Parcels are located on or near shorelines identified by the Chelan County Shoreline Master Program. The area may have moderate soil limitations and may have other limited physical constraints to development.
2. **Natural Resources:** This designation shall not be applied on resource lands of long term commercial significance.
3. **Public Services:** Necessary public facilities and public services to serve the development, redevelopment or infill of these areas may be provided. There may be some existing urban

governmental services. Rural governmental services are typically available, planned and or funded for.

4. Existing land uses: Seasonal and year-round residences, tourist and recreational activities and other rural development may be present. Predominant parcel sizes are 1 acre or smaller.

B. RURAL RECREATIONAL/RESIDENTIAL (RRR)

This designation is considered an implementation of a **Type 1 LAMIRD** as described above, consistent with the Growth Management Act.

Purpose: This designation will provide the opportunity for the development, redevelopment and infill of existing intensely developed rural recreational/residential areas for residential, recreational and tourist development consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. These areas provide a distinct rural lifestyle closely associated with the many natural amenities found within Chelan County. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing intensely developed rural recreational development; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage a new pattern of sprawling low density or urban type development.

Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: **intensification of existing development or new development of small scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component;** intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: May allow for less than 1 acre per dwelling unit, when consistent with Health District standards. The provision of necessary public facilities and services shall not permit or encourage low-density sprawl or urban type development outside of the designation boundary.

Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. Geographical and Geological Characteristics: Developments are closely associated with natural amenities found within Chelan County. The area may have moderate soil limitations and may have other limited physical constraints to development.
2. Natural Resources: This designation shall not be applied on resource lands of long term commercial significance.
3. Public Services: Necessary public facilities and public services to serve the development, redevelopment or infill of these areas may be provided. Rural governmental services are typically available, planned and/or funded for.
4. Existing land uses: Seasonal and year-round residences, tourist and recreational activities and other rural development may be present. Predominant parcel sizes are 1 acre or smaller.

Commented [CL7]: Currently includes "or new development".

C. RURAL VILLAGE (RV):

This designation is considered an implementation of a **Type 1 LAMIRD** as described above, consistent with the Growth Management Act.

Purpose: This designation recognizes the existence of intensely developed rural residential developments and communities, with densities less than 2.5 acres per dwelling unit, which typically will not have sewer service. This designation will provide the opportunity for the development, redevelopment and infill of existing intensely developed rural residential areas for residential and other rural development consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing intensely developed rural residential development; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage a new pattern of sprawling low density or urban type development.

Uses appropriate for these areas include: developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: **intensification of existing small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component;** intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Commented [CL8]: Currently does not include "or new development"

Density: May allow for less than 2.5 acres per dwelling unit. The establishment of densities shall consider pre-existing development patterns, Health District standards, proximity to resource lands, existence of critical areas and the availability of necessary public facilities and services. The provision of necessary public facilities and services shall not permit or encourage low density sprawl or urban type development outside of the designation boundary.

Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. **Geographical and Geological Characteristics:** The area may have moderate soil limitations and may have other limited physical constraints to development. The area may be adjacent to a variety of rural development, and areas with varying residential densities. The area may be adjacent to urban growth areas.
2. **Natural Resources.** The area has low resource management potential. The area may be adjacent to resource lands.
3. **Public Services:** Sewer service is typically not available. Rural governmental services and infrastructure are typically available, planned and/or funded for. Necessary public facilities and public services to serve the development, redevelopment, or infill of these areas may be provided.
4. **Existing Land Uses.** Single family residences and other rural development may be present. Predominant parcel sizes are less than 2.5 acres.

E. RURAL COMMERCIAL (RC):

This designation is considered an implementation of a **Type 1 LAMIRD** as described above, consistent with the Growth Management Act where it is applied to existing mixed use areas. Additionally, this designation is considered an implementation of **Type 2 and Type 3 LAMIRDS** as described above, consistent with the Growth Management Act where the existing uses consist of only commercial activities, whether general retail or tourist recreational in nature.

Purpose: To provide for a range of commercial uses to meet the needs of local residents, and small scale tourist or recreational uses including commercial facilities to serve those recreational or tourist uses within the rural areas to meet the needs of local residents and visitors. This designation will provide the opportunity for the development, redevelopment and infill of commercial uses in existing rural commercial developments, mixed use areas or intensely developed residential areas consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing rural commercial developments, mixed use areas or intensely developed residential developments; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage new rural commercial development outside of these boundaries.

Uses appropriate for these areas include: commercial facilities and services; developed open space; above ground floor residential housing; agriculture; forestry; natural resource support facilities and services, **tourist or recreational uses**; home occupations; bed and breakfasts; and community facilities.

Locational Guidelines:

1. Geographical and Geological Characteristics: The area may have moderate soil limitations and may have other limited physical constraints to development. The area may be adjacent to a variety of rural development.
2. Natural Resources. These areas have low resource management potential. The area may be adjacent to resource lands.
3. Public Services: Rural governmental services and infrastructure are typically available, planned and/or funded for. Necessary public facilities and public services to serve the development, redevelopment or infill of these areas may be provided.
4. Existing Land Uses. Commercial, or higher intensity residential uses may be present, in addition to other rural development.

F. RURAL INDUSTRIAL (RI):

This designation is considered an implementation of a **Type 1 LAMIRD** as described above, consistent with the Growth Management Act.

Purpose: To recognize the need for rural industrial and resource based industrial activities within the rural areas. This designation will provide the opportunity for the development, redevelopment and infill of existing rural industrial developments or former industrial sites consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing rural industrial developments or former industrial sites; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage new industrial development outside of these boundaries.

Uses appropriate for these areas include: industrial facilities and services; intensification of development on lots containing isolated nonresidential uses; agriculture; forestry; caretaker residence for industrial facilities; and natural resource support facilities and services. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: mineral resource activities.

New industrial sites may be designated during yearly comprehensive plan amendments if consistent with criteria and requirements outlined in RCW 36.70A.365 and the goals and policies of this comprehensive plan. Such a new industrial area would be designated as an urban growth area and have the potential to receive urban services.

Locational Guidelines:

1. **Geographical and Geological Characteristics:** The area may have moderate soil limitations and may have other limited physical constraints to development. The area may be adjacent to a variety of rural development.
2. **Natural Resources.** Existing rural industrial sites have low resource management potential. The area may be adjacent to resource lands. Future industrial sites may be located in areas with agricultural or forestry uses if consistent with the criteria outlined in RCW36.70A.365.
3. **Public Services:** Rural governmental services and infrastructure are typically available, planned and/or funded for. Necessary public facilities and public services to serve the development, redevelopment, or infill of these areas may be provided. Some industrial sites may currently have sewer service. Industrial sites designated pursuant to RCW 36.70A.365, as urban growth areas, would have access to urban services.
4. **Existing Land Uses.** Industrial developments currently exist or the area may have been utilized in the past for an industrial use. Areas identified as having potential for infill for industrial uses may be currently utilized for a variety of rural development and resource activities. Future industrial sites designated pursuant to RCW 36.70A.365, may presently have a variety of rural development and resource activities.

Chapter 4 Resource Element

I. Introduction

This Resource Element provides a concise overview of the Agricultural, Forest and Mineral Resources and critical areas within Chelan County consistent with the Goals of the Growth Management Act, in accordance RCW 36.70A, WAC 365 and with the County-Wide Planning Policies. Furthermore, it has been integrated with all other planning elements to ensure consistency throughout the comprehensive plan.

The goals and policies contained in the Resource Element form the basis of the land use strategy to support long-term resources:

- Providing for a supply and distribution of land use types to accommodate the population and employment growth projected for the planning area;
- Reducing development pressures and patterns of sprawl within rural areas;
- Conserving agricultural, forest and mineral resource lands of long-term commercial significance; and
- Preserving and protecting critical areas and areas of rural character.

The State legislature found that it is in the public interest to identify and provide long-term conservation of those productive natural resource lands that are critical to and can be managed economically and practically for long-term commercial production of food, fiber, and minerals. Successful achievement of the natural resource industries' goal set forth in RCW 36.70A.020

requires the conservation of a land base sufficient in size and quality to maintain and enhance those industries and the development and use of land use techniques that discourage uses

II. Overview of Chelan County

Chelan County is divided by mountains and rolling hills which form several valley and basins areas where agricultural and mineral resources compete with growing rural and urban land uses. It is not uncommon for development and resource lands to be intermixed or in close proximity to each other.

This Element summarizes the current resource lands, provides guidance for locating and protecting resources and specific goals and policies for managing these resources to “assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals.”¹

Overall, two key issues, land ownership and access, currently restrict the County for accessing the vast potential for resources. First, as discussed in the Land Use Element, most of Chelan County is in federal or state ownership. Ownership has less of an impact on Forest/Timber resource management than on Agriculture and Mineral Resources.

¹ RCW 36.70A.060

Secondly, as discussed in the Transportation Element, the road network provides major trucking routes which support related resources industries. Hauling routes are limited, in part, due to topography. For the three types of resources reviewed in this Element, mineral, agriculture and forestry, the current primary economic exports are agriculture and forestry products.

III. Chelan County Agricultural Lands

Chelan County contains agricultural lands that are important to the economy of the area. It must be recognized that in order to continue to exist, orchards must remain profitable. In an attempt to encourage existing and future agricultural development as a viable land use and a significant economic activity within the County, agricultural lands of long term commercial significance have been designated according to the U.S. Soil Conservation Service's classification for prime and unique farmland soils, and criteria outlined in WAC 365-190-050. These areas have been identified on the land use map designated as Commercial Agricultural Lands (AC). The Growth Management Act defines "long term commercial significance" to include the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

Typically the most successful agricultural land conservation programs in the United States have been ones that combine incentive and regulatory techniques chosen according to the needs and conditions of a community. The opportunity for differential tax assessment for orchardists in Chelan County, helps to provide landowners an incentive to remain in an agricultural use. Buffers, parcel size, and a clustering development option provide regulatory techniques to retain agricultural land. This combination of conservation techniques provides property owners the flexibility for some non-farm development, helps reduce conflict between non-farm development and agricultural operations, and preserves farmable orchard parcels in support of retaining a viable orchard industry.

Chelan County participates in the Voluntary Stewardship Program (VSP) program. The VSP is an optional, incentive-based approach to protecting critical areas while promoting agriculture. The VSP is allowed under the Growth Management Act (RCW 36.70A.700-760) as an alternative to traditional approaches to critical areas protection, such as "no touch" buffers. Chelan County is one of 28 counties that has "opted in" to VSP.

Land Use Designation/Siting Criteria: Commercial Agricultural Lands

Purpose: To assure the long-term conservation of commercial agricultural lands; to protect and preserve the farmers ability to farm; encourage existing and future agricultural land uses as a viable land use and a significant economic activity within the community; and, to protect agricultural land of long term commercial significance not already characterized by urban development from encroachment and incompatible uses.

Uses appropriate for these areas include: agriculture; open space; residential; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small scale recreational or tourist uses that rely upon a rural setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per 10 acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan

Commented [CL9]: Currently does not include "or new development"

may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. Geographic and Geological Characteristics: The area contains farmland soils classified as prime or unique by the Natural Resource Conservation Service. Soil characteristics, moderate slopes or other physical constraints to development may be present. The area should not be adjacent to intensive urban or incompatible rural development. The predominant land use in the area is agriculture.
2. Natural Resources: The area should contain or have the potential to contain agricultural or agriculture support activities. The area should meet the criteria under WAC 365-190-050, as agricultural lands of long term commercial significance.
3. Public Services: Uses should not require extension or provision of urban level services. These areas may have access to rural governmental services and infrastructure or have the potential to be provided with rural governmental services within the 20 year planning period. Urban services should not be present.
4. Existing Land Uses: The prevailing land use pattern consists of agricultural operations and agricultural support facilities and services. Dispersed single family residences and low intensity rural uses may be present. The predominant parcel size is typically 5 acres or larger.

Agricultural Resource Lands: Goals & Policies

While developing goals and policies and designating agricultural resource lands, many issues and concerns were identified during the public participation process and addressed during the development of the goals and policies for the agricultural section of the Land Use Element including: Agriculture vs. residential development

- o Who is responsible for mitigation measures (developer of incompatible use)
- o Where should development occur
- o Recognize as a significant economic activity
- o Agricultural uses vs. compatible and incompatible uses
- o Availability of irrigation water
- o Protecting farmers options
- o Periodic re-examination of the Commercial Agriculture designations

Areas not designated as agricultural resource lands of long term commercial significance that do not meet the designation criteria can still play an important part in the local agricultural industry. Rural designations and buffers between orchards and non-farm development may be beneficial in retaining much of the rural area's current orchards. Future expansion of long term agriculture into rural undeveloped areas is a possibility, but will heavily depend upon the availability of water, water rights, and market conditions.

GOAL AL 1: Support the viability of agriculture and encourage the continued use of rural and resource lands for agriculturally related land uses.

Goal Rationale: The County benefits from a commercially significant and viable agricultural industry.

Policy AL 1.1: Encourage air quality standards and policies that accommodate necessary agricultural practices.

Rationale: Burning is essential to orchard renewal.

Policy AL 1.2: The farmer shall have the right to farm, consistent with appropriate local, state and federal requirements.

Rationale: Agriculture plays a significant role in the welfare of the County and its residents, and should be supported.

Policy AL 1.3: Encourage the maintenance of agricultural lands in current use property tax classification consistent with RCW 84.34, the Open Space Taxation Act.

Rationale: Open space taxation allows property owners to be assessed at current use rather than highest and best use. This provides an incentive for the property owner to continue to use land for resource production.

Policy AL 1.4: Conserve agricultural lands for productive economic use by identifying and designating agricultural resource lands whose principal and preferred land use is commercial agricultural resource management.

Rationale: Activities in designated agricultural resource lands should be discouraged that would limit or eliminate the ability to continue agricultural operations.

Policy AL 1.5: Agricultural resource lands should be classified and designated based on the criteria and procedures established in WAC 365-190-040, and 050, with special consideration given to long-term viability commercially significant agricultural land.

Rationale: Agricultural Resource lands should be identified based on the best available information at the time of the designation.

Policy AL 1.6: Support public and private programs and efforts to ensure the viability of the agricultural industry.

Rationale: Strong agricultural markets and a supportive regulatory environment are two of the necessary components of a healthy agricultural industry. Attempts to secure these will be beneficial to the general welfare of the County.

Policy AL 1.7: In rural and resource lands, permit facilities and services that support Chelan County's natural resource industries, provided such facilities are compatible with surrounding uses and potential impacts can be mitigated.

Rationale: The agricultural industry in Chelan County is a significant economic activity. Necessary support services and facilities should be accommodated.

Policy AL 1.8: Protect the economic viability of the agricultural industry by supporting construction of agricultural worker housing near orchard areas. Where permitted by state agencies, consider the reduction of site development and fire protection standards for temporary housing units for migrant workers.

Rationale: This will assist the agricultural industry to remain economically viable, reduces transportation needs, and provides adequate housing for agricultural workers.

Policy AL 1.9: Develop regulations promoting agriculture-related accessory uses on existing farms to supplement farm income, improve farming efficiency, and provide employment for farm family members.

Rationale: Regulatory opportunities for limited enterprises such as direct marketing of unprocessed and value added agricultural products and agriculturally related small scale tourist

operations can help supplement the agricultural industry and maintain the primary use of agriculture.

Goal AL 2: Conserve agricultural lands of long-term significance by controlling encroachment of incompatible uses.

Goal Rationale: Limiting the encroachment of incompatible uses will help to insure that agricultural lands remain viable.

Policy AL 2.1: All plats, short plats, binding site plans, development permits and building permits issued for development activities on or within five hundred feet of lands designated as agricultural resource lands, shall contain a notice that the subject property is within or near designated agricultural resource lands. The notice shall further state that a variety of commercial activities may occur on these designated lands that are not compatible with the development.

Rationale: Such notification will help property owners and purchasers to make educated decisions.

Policy AL 2.2: Encourage clustering of residential development on lands adjacent to agricultural resource lands provide open space buffers between uses and address incompatibility issues.

Rationale: Clustering can provide for open space adjacent to the resource use and may help to minimize conflicts.

Policy AL 2.3: Require new non-farm development in rural areas, adjacent to an existing orchard operation, to provide appropriate buffers and/or mitigation measures to minimize potential conflicts.

Rationale: Orchard operations in rural lands account for a significant amount of the agriculture within Chelan County. It is important to protect the farmer's ability to continue to farm by minimizing potential conflicts.

Policy AL 2.4: Development on or adjacent to designated agricultural resource lands, including plats, short plats, and binding site plans, should avoid and minimize potential conflicts with agricultural operations through appropriate siting and mitigation measures, such as buffers, screening, dust control, and pest control.

Rationale: Buffers can reduce the potential for conflicts between agricultural operations and other land uses.

Policy AL 2.5: Designated agricultural resource lands should be protected from inappropriate infrastructure improvement assessments. Deferral programs or other measures should be considered that would protect the farmer's ability to continue farming.

Rationale: Additional taxes would impact the viability of agricultural operations. Infrastructure improvements or assessments inconsistent with the comprehensive plan should not be supported.

IV. Chelan County Mineral Lands²

Chelan County has a Mineral Resource Lands Overlay (MRLO) which identifies and protects lands that have the potential to contain mineral resource deposits of long-term commercial significance, to recognize the importance of preserving mineral lands to ensure the future supply and to ensure compatibility between mineral resource lands and surrounding land uses.

² Mineral Resource data contained within this Element reflects work completed by BERK Consulting, Inc with grant funds from the Department of Commerce, July 26, 2017.

Mineral resources in Chelan County are classified into two tiers of commercial importance. This MRLO focuses on Primary resources:

Primary: Sand, gravel, and rock/stone (either solid or crushed for use in aggregate). The Mineral Resource Lands Overlay (MRLO) is generally applied to areas of existing production and those rural lands with high potential for production. It should be noted that large areas of potential mineral production are under federal ownership and therefore not considered available or mapped but may be designated if the site meets the MRLO criteria.

Secondary: All other metallic, non-metallic, and petroleum mineral resources occurring in Chelan County. Historically, mining was a major component of the regional economy, including extraction of copper, zinc, silver and gold. The MRLO is not generally applied to areas where these resources occur, but property owners may apply for designation if the site meets the MRLO criteria.

Surface Mineral Extraction Sites

In 2017, the Washington State Department of Natural Resources (DNR) records documented eleven active surface mining sites in Chelan County. Three of these mines are rock/stone quarries, and the remaining eight are sand and gravel extraction sites. Morrill Asphalt and Paving, the recorded owner of two pits in Wenatchee, appears to be out of business, reducing the number of active permitted surface mining sites in the County to nine.

In addition to DNR-permitted surface mines, mineral extraction also occurs in Chelan County at smaller scales. Mines with surface disturbance of less than three acres or a depth of less than 30 feet may operate without a DNR surface mining permit, and DNR does not track these operations. The Chelan County Assessor documents an additional 12 locations with a current land use classification of "Mining Activities." Of these, one is owned by a land conservation organization, four are owned by the federal government and one appears to be a single-family residence.

Mining operations occur near agriculture, forestry, manufacturing/industrial, single-family residential, government service, and undeveloped land, by the County Assessor. Of the eleven active mines in the County, five³ are adjacent to or located on land classified as single-family residential. This is consistent with Exhibit 1 which identifies high-potential mineral sources lands within the Rural Residential/Resource zoning district, covering nearly 57,000 acres. Current and potential impacts to residential development may occur and should be reflected in mitigation measures.

Current Mining Operations

A review of DNR permits, in 2017, indicated that five of the 11 permits estimated a total lifetime deposit sizes between 1 million and 1.5 million cubic yards of material. Tunnel Hill Granite estimated their lifetime extraction volume at 3 million cubic yards, and R&P Rock estimated theirs at 6 million cubic yards. Three producers, Wenatchee Rock Products, Morrill Asphalt, and Chelan Concrete, had much smaller deposits at 660,000 cubic yards, 200,000 cubic yards, and 150,000 cubic yards, respectively. Public information on the acreage permitted for mining and permitted depth indicates that a volume of approximately 71,987 acre-feet (116,138,787 cubic yards) is permitted for mining in Chelan County; this is inclusive of overburden and any other waste material that must be excavated to access the mineral deposits themselves.

³ Two Rivers Quarry, the R&P Rock Blewett Pass Quarry, the Pipkin Construction Entiat Mine, the Wenatchee Rock Products Rock Pit, and the Chelan Sand and Gravel Howard Flats Mine

Demand

Past sales⁴ indicate that during most of the previous decade, sales associated with mining varied between \$300,000 and \$600,000, but sales dipped slightly in 2009 before rising again, likely due to effects of the recent recession. The average annual sales between 2006-2015 were approximately \$454,000.⁵

Making detailed predictions about future mineral product demand from this data would be difficult, but the information available provides an estimate of baseline mineral product production value in Chelan County and reinforces the idea that the mineral products market is potentially subject to periodic spikes in demand.

Mineral Resource Lands Overlay

Based on review of available mineral resources data, information gained from local businesses and agencies, the requirements of the Growth Management Act, and designation frameworks employed by other jurisdictions, the Mineral Resource Lands Overlay (MRLO), shown on Exhibit 1, covers the following areas:

- Properties housing active mining operations and adjacent parcels under unified ownership;
- Lands classified by NRCS as “good” sources of sand, gravel, or road fill material; and
- Lands classified by NRCS as “fair” sources of sand, gravel, or road fill material and which are located outside cities and urban growth areas.

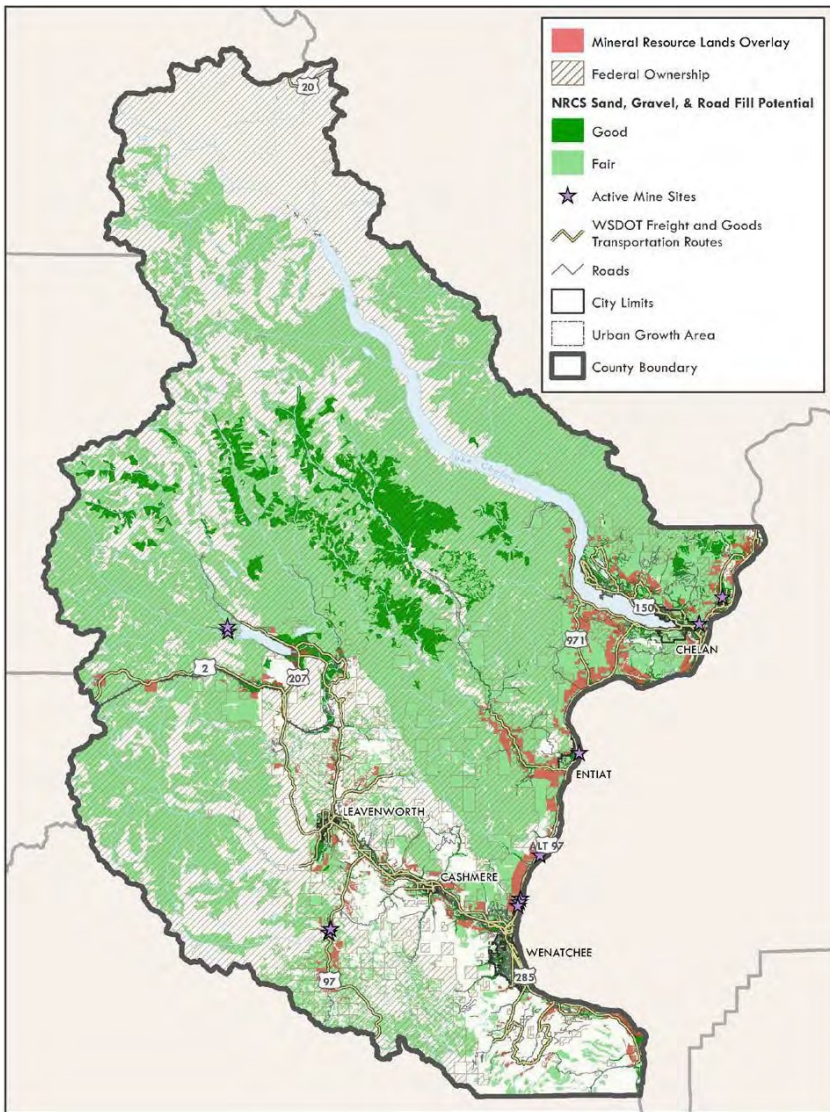
The following areas are excluded from the overlay:

- Properties currently developed for single-family residential or commercial uses.
Rationale: Mining on or near these lands poses a possibility of adverse impacts that must be mitigated.
- Properties zoned for commercial or residential uses at urban intensities.
- Land zoned for a minimum lot size smaller than 10 acres.
- Developed properties less than 20 acres in size.
Rationale: Large properties are better able to accommodate buffers from surrounding uses.
- Properties under Federal ownership.
- Lands designated as Natural by the Chelan County Shoreline Master Program.
Rationale: The SMP prohibits mining activities in these areas for the protection of valuable shoreline natural resources.
- Lands more than one mile from a designated WSDOT Freight and Goods Transportation route.
Rationale: WAC 365-190 requires consideration of the availability of roads and public infrastructure, as well as the distance from mineral deposits to market. Mining operations have the potential to generate significant truck traffic, which will require roads designated to handle high volumes of freight trips.

⁴ Taxable Retail Sales data from the Washington State Department of Revenue

⁵ Washington Department of Revenue, 2017

Exhibit 1. Draft Proposed Mineral Resource Lands Overlay



Land Use Designation/Siting Criteria: Commercial Mineral Lands

The following purpose and locational guidelines provide a basic understanding of the zoning districts intent and how they relate to the Comprehensive Plan designations.

Designation Guidelines:

1. Geographic and Geologic Characteristics: The designated property should be at least 20 acres in size, and the estimated deposit size should be sufficient to meet both of the following:
 - a. Depth of overburden should be no more than 25 feet, and
 - b. The ratio of the amount of resource to be extracted to the amount of overburden to be removed should be at least 3:1.
2. Natural Resources: The designated property does not contain environmentally critical areas, including wetlands, riparian areas, threatened or endangered species, geological hazards, and critical aquifer recharge areas, or adequate mitigation can be provided.
3. Transportation Infrastructure: Extraction and processing sites have adequate access to the regional transportation network:
 - a. Mineral Resource Lands should be located within one mile of a designated WSDOT Freight and Goods Transportation System route; and
 - b. Truck haul routes from the site should avoid areas of residential development or employ appropriate mitigation measures to avoid impacts to residences.
4. Existing Land Uses: Adjacent land uses are generally compatible with mineral extraction and processing activities – examples include mining, agriculture, commercial forestry, industrial development, and undeveloped land. Designation of land adjacent to large-lot residential (no more than 1 dwelling per 5 acres) is conditional on mitigation of impacts from any future mineral extraction or processing activities on nearby residences.

Mineral Resource Lands: Goals & Policies

Goal ML 1: Protect Chelan County's mineral resource lands of long-term commercial significance and allow for short-term mineral resource extraction opportunities in unincorporated areas, where appropriate.

Rationale: Conservation of these resources must be assured through measures designed to prevent incompatible development in or adjacent to designated mineral resource lands, and to mitigate impacts of mineral extraction activities on adjacent land uses.

Policy ML 1.1: Assure conservation of designated mineral resource lands through land use regulations that prevent incompatible development on or adjacent to mineral resource lands.

Rationale: Mineral resource extraction, such as sand and gravel, pits are typically incompatible with residential and other types of land uses due to noise, dust and heavy equipment traffic. Therefore, it is important to develop appropriate land use regulations that protect mineral resource lands as well as adjacent land uses.

Policy ML 1.2: Require the reclamation of land after the completion of gravel and mineral extraction.

Rationale: Effective reclamation of mining sites can insure future redevelopment of the site and prevent impacts from erosion and visual impacts.

Policy ML 1.3: Require mining and extraction operations to be sited and designed to avoid and mitigate conflicts with surrounding land uses. Screening, buffers, the provision of open space and other mitigation measures should be considered and required where necessary.

Rationale: The careful design and siting of mining operations can prevent or minimize impacts to surrounding land uses.

Policy ML 1.4: Require mining sites to be served by roadways, adequate to handle industrial traffic and not endanger public health and safety.

Rationale: Transportation system impacts and public health and safety issues must be addressed.

Policy ML 1.5: Encourage development locating adjacent to designated mineral resource lands to incorporate screening, buffers, open space, or other design features to prevent conflicts with existing or future mineral resource extraction activities.

Rationale: The minimization of potential conflicts helps to maintain the viability of mineral resource extraction operations.

Policy ML 1.6: Protect water quality and prevent sedimentation through use of settling ponds, retaining basins, ditches, diking and re-vegetation of slopes and other measures for mining and production operations.

Rationale: Water resources must be protected.

Policy ML 1.7: Surface mining should not lower the ground water table of surrounding properties in a manner that directly impacts their use.

Rationale: Lowering of the ground water table could have serious effects on domestic water supplies.

Policy ML 1.8: Clustering of residential development on adjacent non-resource lands is encouraged.

Rationale: Clustering will provide for open space adjacent to the resource use and will minimize conflicts.

Policy ML 1.9: Designated mineral resource lands not included in urban growth areas should be protected from infrastructure improvement assessments such as, but not limited to, local improvement districts and local utility districts with deferral programs or other measures.

Rationale: Additional taxes would pressure the property owner into converting resource land into other uses.

Policy ML 1.10: Support the maintenance and development of mineral resource extraction that is consistent with the comprehensive plan to provide necessary materials for the development of roads, structures and other projects.

Rationale: Materials provided by mineral extraction operations are vital to the community, and are a significant economic activity and supports broader economic development.

Policy ML 1.11: Protection of mineral resources under the MRLO shall occur in two tiers:

- Lands actively being mined for commercial production of sand, gravel, or rock/stone are designated as mineral resource lands of long-term commercial significance. Owners of these properties may request an amendment to remove the MRLO once mineral production has permanently ceased.

- For lands not currently in active mineral production, the MRLO shall act as an interim measure to protect mineral resources until the presence of a commercially viable mineral deposit can be verified through a geologic study. Property owners who wish to finalize designation of their property and undertake mining activities may submit a study by a qualified geologist indicating the presence of commercially significant, accessible mineral resources. Likewise, property owners may request removal of their property from the MRLO by submitting a study from a qualified geologist confirming the absence of such resources.

Rationale: Sand, gravel, and rock are the primary mineral products in Chelan County and are therefore given the highest protection. Mineral resources not currently under production can be evaluated and added to the overlay as more detailed information becomes available.

Policy ML 1.12: Inclusion of a property under the MRLO does not imply approval for a specific mineral extraction activity and does not substitute for any necessary local or state mining permit required.

Rationale: The MRLO is designed to protect and preserve mineral lands, but permitting is necessary to ensure mineral extraction is conducted consistent with applicable laws and regulations.

Policy ML 1.13: As part of the periodic comprehensive plan update process under the Growth Management Act, the County shall regularly review the criteria for economic viability of a mineral resource and update the criteria for designation as appropriate.

Rationale: Economic conditions, market trends, and demand for mineral products can change over time, and the MRLO designation criteria may need to be periodically revised to reflect current conditions. The regular GMA plan review cycle is an appropriate time to review this information.

Policy ML 1.14: All plats, short plats, development permits, and building permits issued on properties within 500 feet of lands designated as part of the MRLO shall include a notice to that effect. The notice shall disclose that development of the nearby MRLO lands may include uses and activities that are not compatible with residential development.

Rationale: This notice is required under the Growth Management Act (RCW 36.70a.060(1)(b)). Additionally, such notification will allow potential real estate purchasers to make educated decisions.

Policy ML 1.15: Mineral extraction and processing activities in the MRLO shall be required to implement best management practices (BMPs) to avoid, reduce, or mitigate environmental impacts associated with mining activities. Such BMPs shall be designed to protect the natural environment, adjacent land uses, and the long-term viability of mineral lands.

Rationale: Mineral resource extraction operations are intensive land uses that can involve large amounts of ground disturbance, noise, dust, and heavy equipment traffic. BMPs are necessary to prevent unnecessary impacts on sensitive natural resources and nearby development.

Policy ML 1.16: Once mining activities have commenced on a MRLO-designated property, development of said property under the rules of the underlying zoning may apply in conjunction with the restoration of the mining activities.

Rationale: Postponing development of any part of the site until after reclamation is complete ensures that the property is safe for use and that no incompatible land uses are introduced while mining operations are ongoing.

Policy ML 1.17: At the time of permitting, the County should coordinate with property owners and the Department of Natural Resources to identify post-reclamation uses for MRLO properties that are consistent with the County's comprehensive plan and zoning code, both for the mine site itself and for planned adjacent uses.

Rationale: Coordination on future use of the property will help ensure that County plans recognize post-mining conditions in these areas and reduce the potential for future development that is incompatible with surrounding uses.

V. Chelan County Forest/Timber Lands

Forestland is defined as "land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production...and has long-term commercial significance," RCW 36.70A.030.

Timber harvesting is a type of natural resource industry with a long history in Chelan County. The following outlines the declining trend of timber harvesting, as documented by the Department of Natural Resources.⁶ The following table denotes "thousand board feet" of harvested timber.

Year	1990	1995	2000	2005	2010	2015
Ownership						
Private Industrial	5,710	18,192	1,800	-	-	19,820
Private Large		7,486	636	9,482	1,866	-
Private Small	866	31,286	6,698	2,780	882	2,374
Private Unknown					186	719
Total Private	6,576	56,964	9,134	12,262	2,934	22,913
State	7,989	5,921	897	2,455	1,100	43
Federal	68,382	6,703	8,990	15,913	6,200	-
Other Public	13,035	9,708		588	-	9,091
Total Public	89,406	22,332	9,887	18,956	7,300	9,134
Total All:	95,982	79,296	19,021	31,218	10,234	32,047

Land Use Designation/Siting Criteria: Commercial Forest Lands

The growth management process requires identification of forest lands of long-term commercial significance as part of the growth management process. The identification of these lands is an attempt to conserve and encourage existing and future forest practice land uses as a viable, permanent land use and a significant economic activity within the County. Forest land also provides recreational opportunities, scenic value and wildlife habitat. In addition, the identification and land use regulations of the commercially significant forest lands will provide protection for forest lands from encroachment and incompatible land uses. The Growth Management Act defines "long term commercial significance" to include the growing capacity, productivity, and soil composition of the land for long-term commercial

⁶ Industry – companies and individuals operating wood, using plants; private large – non-industrial companies and individuals not operating wood-using plants but with statewide holdings totaling 1,000 or more acres; private small – non-industrial companies and individuals not operating wood-using plants and owning less than a total of 1,000 acres.

production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

The following purpose and locational guidelines provide a basic understanding of the zoning districts intent and how they relate to the Comprehensive Plan designations.

Purpose: To assure the long-term conservation of commercial forest lands; to preserve and encourage existing and future forest land uses as a viable, permanent land use and a significant economic activity within the community; and to protect forest lands of long term commercial significance not already characterized by urban development from encroachment of incompatible uses.

Uses appropriate for these areas include: forestry, open space; residential; and agriculture. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or the development of new small scale recreational or tourist uses that rely upon a rural setting but that do not include new residential development; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per 20 acres.

Locational Guidelines:

1. Geographic and Geological Characteristics: Soil characteristics, steep slopes or other physical constraints to development may be present. The area should not be adjacent to intensive urban or incompatible rural development. Large tracts of land oriented to forest resource management exist.
2. Natural Resources: The area should contain or have the potential to contain commercial forest resource management operations and commercial forest support facilities and services. The area should meet the criteria under WAC 365-190-060, as forest resource lands of long term commercial significance.
3. Public Services: Uses should not require extension or provision of urban level services. These areas may have access to rural governmental services and infrastructure or have the potential to be provided with rural governmental services within the 20 year planning period. Urban services should not be present.
4. Existing Land Uses: The prevailing land use pattern consists of commercial forest resource management operations and commercial forest support facilities and services. Dispersed single family residences and low intensity rural uses may be present. The predominant parcel size is typically 20 acres or larger. Recreational and small scale tourist commercial opportunities may be present.

Forest/Timber Resource Lands: Goals & Policies

Goal FL 1: Conserve forest lands of long term commercial significance. Encourage sustainable timber production in rural and resource lands as a viable, permanent land use and a significant economic activity within the community.

Goal Rationale: Timber production remains an important aspect of the County's economy.

Policy FL 1.1: Conserve forest lands for productive economic use by identifying and designating forest resource lands where the principle and preferred land use is commercial resource management.

Commented [CL10]: Currently includes "or the development of new"

Rationale: Timber production remains an important aspect of the County's economy and the productive capacity of area forests cannot be ignored. Activities in designated forest resource lands that would limit or eliminate the ability to continue commercial forest resource management should be discouraged.

Policy FL 1.2: Promote multiple uses of forest resource lands where such uses do not eliminate or limit commercial forest resource management.

Rationale: Forest resource lands provide unique opportunities and locations for land uses such as natural resource extraction and open space and recreation development.

Policy FL 1.3: Protect designated forest resource lands from inappropriate infrastructure improvement assessments through deferral programs or other measures that would protect the ability to continue long-term commercial forest resource management.

Rationale: Additional taxes would impact the viability of commercial forest resource management operations. Infrastructure improvements or assessments inconsistent with the comprehensive plan should not be supported.

Policy FL 1.4: Classify and designate forest resource lands based on the criteria and procedures established in WAC 365-190-040, and 060 with special consideration given to the determination of whether forest resource lands considered for designation are viable as long term commercial significant forest resource lands.

Rationale: Resource lands should be identified based on the best available information at the time of the designation.

Policy FL 1.5: Support maintenance of forest lands in timber and current use property tax classification consistent with RCW 84.28, 84.33, and 84.34.

Rationale: Open space taxation assists the property owner in maintaining property in commercial forest production.

Policy FL 1.6: Promote cooperative resource management between government agencies and private entities.

Rationale: This policy would provide for equal representation and efficient management regarding forest issues.

Policy FL 1.7: Use the permit review process to promote implementation of forest management practices that minimize the potential for catastrophic wildfires.

Rationale: The potential for catastrophic forest fires as in 1994 should be reduced.

Goal FL 2: Icicle River Valley: Where appropriate, encourage sustainable timber production in the Icicle Valley.

Goal Rationale: Timber production remains an important aspect of Chelan County's economy, and the productive capacity of forest in the Icicle Valley cannot be ignored. Consideration of visual management to maintain the scenic quality of the Icicle Valley should be encouraged, while at the same time providing for the growing, management, and harvesting of timber resources.

Policy FL 2.1: Promote timber production in the Icicle Valley, subject to appropriate conditions for protection of the area's scenic qualities and water resources.

Rationale: It is important to maintain the environmental and scenic qualities of the Icicle Valley.

Policy FL 2.2: Protect the visual character of the Icicle Valley by discouraging clear cutting, except where such cuts can be designed in the form of small, irregular patch cuts that take advantage of natural variations in the vegetation and topography.

Rationale: Such measures will help to mitigate the visual impact of clear cutting.

Policy FL 2.3: Minimize logging road construction; approval of new logging roads should be conditional on evaluation of visual and environmental impacts.

Rationale: Minimizing the construction of logging roads will help to preserve the environmental quality of the area.

VI. Chelan County Natural Systems/Critical Areas

The Growth Management Act states that counties should “protect critical area.” Critical areas include the following areas and ecosystems: (a) wetland; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

The County has completed the planning process for developing these goals and policies and corresponding regulations following an extensive citizen participation process.

Natural Systems: Critical Area Goals & Policies

GOAL CL 1: Identify and protect critical areas from adverse environmental impacts while providing for reasonable use of private property.

Goal Rationale: Preservation of critical areas will help protect the environment and maintain and enhance the quality of life. Implementation regulations should provide for reasonable use of private property.

Policy CL 1.1: Promote residential, commercial, and industrial development regulations that protect the availability of potable water by preventing contamination of ground water sources.

Rationale: The maintenance of a safe potable water supply is vital to the County.

Policy CL 1.2: Encourage restoration of contaminated ground water sources.

Rationale: The restoration of contaminated ground water helps to meet County needs for potable water and is beneficial to the environment.

Policy CL 1.3: Classify, designate and protect all critical areas, including frequently flooded areas, wetlands, fish and wildlife habitat conservation areas, aquifer recharge areas and geologically hazardous areas using best available science, pursuant to RCW 36.70A.172 and WAC 365-190.

Rationale: Critical areas add to the quality of life within a community, as well as performing important natural functions that assist with protecting private property from damage from natural disasters and events. Identifying critical areas and protection measures for those areas are important steps in ensuring that those functions and values are preserved for future generations' enjoyment and protection.

Policy CL 1.4: Regulate development in floodplains to protect property and mitigate the loss of floodplain storage capacity.

Rationale: The loss of floodwater storage results in a potentially greater level of destruction to downstream properties from the resultant higher flood elevations and water flow velocities.

Policy CL 1.5: Discourage development on unstable soils or steep slopes and in areas susceptible to landslide, flood, or avalanche.

Rationale: Discouraging development in natural hazard areas helps to protect the public health, safety and general welfare.

Policy CL 1.6: Adopt an excavation and grading ordinance to regulate excavation, grading and earthwork construction activities.

Rationale: Uncontrolled filling and grading can cause erosion and siltation of streams, rivers and ponds. These activities can also be detrimental to adjacent properties.

Policy CL 1.7: Support the purchase of critical areas by public or private organizations for purposes of preservation or conservation.

Rationale: This option allows interested private and public organizations to purchase lands they wish to put into a long term conservation or preservation programs.

Policy CL 1.8: Critical area regulations shall not preclude reasonable use of property or affect a taking in violation of the U.S. Constitution, the Constitution of the State of Washington, or substantive due process.

Rationale: Private property rights must be protected.

Policy CL 1.9: Allow for open space and recreational use of critical areas where such use does not negatively impact critical areas.

Rationale: Open space and recreational use of critical areas provides an opportunity for residents and visitors to enjoy the natural amenities of the County.

Policy CL 1.10: When reviewing development proposals, the County shall apply appropriate conditions to avoid or mitigate negative impacts to critical areas. Proposal review should also include evaluation of the cumulative impacts of development proposals in critical areas.

Rationale: It is important to take a comprehensive approach to development in a critical area since there is often a compounding effect resulting from changes to natural systems

Policy CL 1.11: Protect water quality and fish habitat by requiring dredging and filling activities to minimize introduction of suspended solids, leaching of contaminants, or habitat disturbance.

Rationale: Uncontrolled dredging and filling activities can negatively impact fish habitat and water quality.

Policy CL 1.12: Encourage the restoration and enhancement of critical areas.

Rationale: The enhancement and restoration of critical areas improves the functions and values they provide.

Policy CL 1.13: Encourage the use of innovative techniques to protect critical areas, such as purchase of development rights, transfer of development rights, clustering, conservation easements, land trusts, and the Public Benefit Rating System.

Rationale: Innovative techniques can benefit the public, land owner, and help to protect critical areas.

Policy CL 1.14: In designating and protecting critical areas, the County shall use best available science to develop policies and development regulations. The County should also give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

Rationale: Inclusion and consideration of best available science ensures that the best available information and protection measures are utilized.

Policy CL 1.15: Critical area regulations and designations shall be reviewed when adopting a comprehensive plan under RCW 36.70A.040 and implementing development regulations under RCW 36.70A.120 and may be altered to ensure consistency. In addition, subsequent studies and information will be reviewed when drafting development regulations.

Rationale: Consistency between the comprehensive plan and development regulations is required. Additional studies may constitute best available science.

Policy CL 1.16: The goals and policies of the Chelan County Shoreline Master Program, as amended, are considered an element of the comprehensive plan, and are included by reference as if fully set forth herein.

Rationale: The goals and policies of the Shoreline Management Act, as set forth in RCW 90.58.020, are considered one of the goals of the Growth Management Act. The Growth Management Act requires that shoreline master programs be integrated as an element of the comprehensive plan.

Policy CL 1.17: Support ongoing watershed planning efforts.

Rationale: Watershed planning is essential to address a variety of issues including endangered and threatened species listings and water quantity issues.

Natural Systems: Air Goals & Policies

GOAL NS 1: Protect and maintain air quality.

Goal Rationale: The protection of air quality is important for the public health, the local economy, the environment, and helps to maintain the high quality of life enjoyed by County residents and visitors alike.

Policy NSL 1.1: Support future and ongoing air quality monitoring programs.

Rationale: Monitoring of air quality helps to determine the impacts of growth and development to air quality. Should air quality problems arise, determining the sources of air quality degradation, and educational and regulatory tools to maintain or improve air quality would be necessary.

Policy NS 1.2: Promote industrial development that meets air quality standards and is compatible with adjacent property.

Rationale: Air pollution can cause health problems, obscure visibility, create unpleasant odors and damage animal and plant life.

Policy NS 1.3: Support public awareness of air quality, including wood stove standards and burning restrictions as adopted by the Department of Ecology.

Rationale: Federal and state agencies set air quality standards for outdoor air. The purpose of these standards is to prevent air pollution from reaching levels that hurt human health. When an area does not meet an air quality standard, the state must develop a plan to clean up the air.

Natural Systems: Icicle Valley Goals & Policies

Goal NS 2: ICICLE RIVER VALLEY: Encourage retention of the scenic character and environmental quality of the Icicle Valley.

Goal Rationale: The preservation of the scenic and environmental qualities of the Icicle Valley, ensures the retention of significant open space and recreational opportunities, and critical areas.

Critical Area Policy CL 2.1: Continue to utilize the Icicle Valley Design Review Overlay District or design guidelines to retain the scenic and environmental qualities of the Icicle Valley.

Rationale: The Icicle Valley Design Review Overlay District provides additional standards to ensure that development does not negatively impact the scenic and environmental qualities of the Icicle Valley.

Critical Area Policy CL 2.2: Residential development should occur at a very low density, and in a scattered, diffused pattern in the Icicle Valley Design Review Overlay District.

Rationale: Dispersed very low density development will help to limit negative visual and environmental impacts.

Critical Area Policy CL 2.3: Implement visual quality standards within the Icicle Valley Design Review Overlay District to protect scenic resources.

Rationale: These standards will allow for continued recreational use of the Icicle Valley and avoid or mitigate visual and environmental impacts.

Critical Area Policy CL 2.4: Private property within the Icicle Valley Design Review Overlay District should continue to be designated as an environmentally sensitive area under the provisions of the State Environmental Policy Act.

Rationale: This designation helps assure that environmental aspects are properly considered.

Critical Area Policy CL 2.5: Protect both wilderness values and reserved rights within the Alpine Lakes Wilderness so that clean and reliable water resources and water supply continue into the future.

Rationale: A variety of users, including wilderness recreationists and water suppliers (municipal, irrigation and fish hatchery) rely on the cold, clean and clear water resources of the Icicle Valley for people, farms and fish.



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
ADMINISTRATIVE MODIFICATION

To: Deanna Walter, Interim Community Development Director
From: RJ Lott, Planning Manager
Date: April 16, 2020
File Number: AI 2020-001
Request: Dwight J. Hume of Land Use Solutions and Entitlement is requesting an Administrative Interpretation of the Chelan County Comprehensive Plan as it relates to the use of small scale recreational and tourist uses.

FINDINGS OF FACT:

1. On March 19, 2020, Dwight J. Hume submitted a request for an Administrative Interpretation of Chelan County Comprehensive Plan and the District Use Chart as it relates to the use of small scale recreational and tourist uses.
 2. Pursuant to Chelan County Code Section 14.02.020, any person may request in writing an administrative interpretation of any development regulation. The county official charged with the responsibility of enforcing and interpreting the applicable regulation shall provide the requested interpretation in writing with supporting documentation within thirty calendar days of receipt of the request.
 3. The Chelan County Comprehensive Plan, Chapter 3, Part IV, RR20, Rural Residential/Resource: 1 Dwelling Unit Per 20 Acres, page 7 of 17, states: *Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small scale recreational or tourist uses that rely on a rural location or setting, but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.*
- 3.1 The Chelan County Comprehensive Plan, Chapter 3, Part VII, Designations/Siting Criteria – LAMRIDs, Section C, Rural Villages, page 15 of 17 states: *Such uses may include: intensification of existing small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing*

isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

- 3.2 The Chelan County Comprehensive Plan, Chapter 4, Part III, Land Use Designation/Siting Criteria: Commercial Agricultural Lands, page 2 of 18, states: *Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small scale recreational or tourist uses that rely upon a rural setting but that do not include A new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.*
- 3.3 The Chelan County Comprehensive Plan, Chapter 4, Part V, Forest/Timber Lands, page 3 of 18, states: *Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or the development of new small scale recreational or tourist uses that rely upon a rural setting but that do not include new residential development; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.*
4. Chelan County Code Section 11.04.020, District Use Chart, states that Recreation/Tourist Uses are allowed in the following zoning districts: RR20, RR10, RR5, RR2.5, RW, RRR, RV, RC, RP, AC, and FC via a Conditional Use Permit. There is no reference in the District Use Chart as to permitting no new Recreation/Tourist Uses in these zones.
5. Chelan County Code Section 11.93.040(9), Conditional Use Permit Criteria, states that: *The granting of the proposed conditional use permit is consistent and compatible with the intent, goals, objectives and policies of the comprehensive plan, and any implementing regulation.*
6. Chelan County Code Section 14.98.1795, Definitions, Small scale recreation and tourism is defined as: *"Small scale recreation and tourism" means a land use that relies on a setting to provide recreational or tourist use, including recreational center and commercial facilities to serve those uses, but that does not include new residential development. It includes activities and facilities such as, but not limited to, cultural/religious camps, retreat centers, campgrounds, RV parks, lodges and cabin rentals, camping units, outdoor equipment rentals, guide services, trails and trailhead facilities, and similar uses. Small scale recreational and tourist uses are of a size or intensity which has minimal impacts on the surrounding area and which makes minimal demands on the existing infrastructure and public service.*

RECEIVED

A1 20-001

File(s) No. _____

CPA 20-007



MAR 19 2018

CHELAN COUNTY

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

GENERAL LAND USE APPLICATION FORM

Parcel Number (APN): N/A Lot Size: N/A (Acres)
Parcel Address: N/A City/Zip Code: N/A
Property Owner(s): N/A Zoning: AC
Mailing Address: N/A
City/State/Zip Code: N/A
Phone: N/A E-mail: N/A

Applicant/Agent (if different than owner): Dwight J Hume
Company and Mailing Address: Land Use Solutions and Entitlement 9101 N Mt. View Lane
City/State/Zip: Spokane WA 99218 Phone: 509-435-3108
E-mail: dhume@spokane-landuse.com

For multiple owners, applicants, or agents, provide additional sheets.

This General Land Use Application Form shall be completed unless specified below. Additional information and supplemental forms may be required. Please review all applicable statutes and regulations pertaining to the proposed development and provide information, documents, studies, and reports (such as a Traffic Impact Study or environmental forms) demonstrating compliance with all statutory and regulatory requirements and other applicable criteria.

Application For: (Check all that apply)

- Administrative Modification
Administrative Determination
Administrative Interpretation
Binding Site Plan
Comprehensive Plan Map Amendment
Comprehensive Plan Text Amendment
Conditional Use Permit
Forest Practice/Conversion
Open Space: Public Benefit Rating System
Major Subdivision
Master Planned Development
Planned Development
Plat Alteration or Vacation
Short Plat
Variance (zoning or critical areas)
Zoning Text Amendment/ Map Amendment
Other:

APPLICABILITY SECTION

The following have their own individual application. Do not use this form for:

- 1. Boundary Line Adjustments. Please use corresponding Boundary Line Adjustment Application Form.
2. Certificate of Exemptions. Please use corresponding Certificates of Exemption Application Form.
3. Shoreline Permits. Provide the JARPA form along with the corresponding Supplemental Form, as necessary.
4. Building and Fire Permits.
5. Pre-Applications.

The following attachments are required for a complete application:

- 1. Copy of Deed or Proof of Ownership
2. Supplemental Forms, if applicable
3. Completed Aquifer Recharge Section, Marijuana Disclosure Section and Site Plan Checklist
4. All information, documents, studies and reports demonstrating compliance with all statutory and regulatory criteria and requirements and the Chelan County Comprehensive Plan
5. The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15.

SEPA exempt per WAC 197-11-800(19)(b)

GENERAL INFORMATION

Please provide a narrative of the proposed project including, but not limited to, all proposed activities, uses and development (attach additional sheets if needed):

Non-Project Administrative Determination Request

Narrative attached

Please complete the following:

1. Any related files (such as Pre-Applications): _____
2. Is the subject property located within an Urban Growth Area (UGA)? No Yes
If "yes", which UGA? _____
3. Please describe adjacent land uses in all directions around the subject property:
North: _____
South: _____
East: _____
West: _____
4. What is the current use of the property? _____
5. Sanitation Disposal: N/A Septic Permit Sewer District: _____
6. Water Source: N/A Single Private Well Shared Private Well Group B
 Public Water Supplier: _____
7. Irrigation Water:
 N/A Yes (Private) Yes (Public) Irrigation District/Purveyor: _____
8. Fire District: _____ School District: _____
9. Power Service: _____
10. Are there critical areas or critical area buffers on the property?
 Airport Overlay: _____
 Aquifer Recharge Area (see attached)
 Floodplain / Floodway _____
Geologically Hazardous Areas (11.86.020) on the site or within the specified distance of the site:
 Alluvial Fan (250') Known Historic Hazardous Area (250') Slopes > 40% (250')
 Erosive soils (on-site) Landslide Snow Avalanche (500')
 Habitat/Riparian Area, protected species/area: _____
 Streams / Waterbodies: _____ Shoreline Environment Designation: _____
 Drainage or Seasonal Stream: _____ Wetland, if so what category: _____
 Cultural or Archeological: _____
11. Will landfill be required? No Yes, approximate _____ (cubic yards)
12. Will excavation be required? No Yes, approximate _____ (cubic yards)
13. Has site preparation been started on the site? If so, to what extent?

14. Are there plans for future additions, expansions, or further activity related to or connected with the proposal?

15. Provide a development schedule with the approximated dates of commencing and completing construction or proposed activity:

N/A

16. Are there any other applications pending for governmental approvals for this or other proposal affecting the property covered by this proposal? No Yes, please list:

N/A

AQUIFER RECHARGE AREA DISCLOSURE SECTION

Exempt from this section only are Single Family Residences and their associated development per CCC 11.82.060. An applicant seeking to develop property which requires a development permit, shall submit with the permit application this certified statement, which lists each of the evaluation criteria and shall indicate whether the criteria "applies" or "does not apply" to the site or development. "Unknown" or similar responses will not be accepted.

If the development meets criteria A, B, C, or D or if the site or development meets any two of the remaining criteria, the Department will direct the applicant to determine the vulnerability rating for the development pursuant to Section 11.82.050 Aquifer Recharge Areas. If the development has a high or medium vulnerability rating, the development shall be subject to the performance standards of Section 11.82.060.

If an applicant's statement asserts that the criteria do not apply to the development, the Department will accept the statement and proceed with the permitting process. If any statement is incorrect, the applicant will be advised in writing to either; (a) provide an amended statement adding the evaluation criteria as being applicable and determine the vulnerability rating of the development pursuant to Section 11.82.050, or (b) present sufficient countering information clearly establishing that the basis for the Department's concern is incorrect. If the applicant selects to proceed under (b), upon receipt of the applicant's information, the Department shall review the information and obtain whatever additional assistance may be required to resolve the issue. The final determination as to whether a determination of vulnerability is required shall be made by the Administrator.

EVALUATION CRITERIA

The applicant is required to determine the vulnerability rating for **any development permit**, not otherwise exempted, if the site or development meets criteria A, B, C, or D or meets two or more of the remaining criteria below:

Please write the word(s) "**Applies**" or "**Does Not Apply**" on the lines before each of the following statements:

- DNA **A.** Within a wellhead protection area designated under WAC 246-290; *Wellhead Protection Area: The surface and subsurface area surrounding a well or well field for a distance of 100 feet, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.
- DNA **B.** Within an aquifer recharge area mapped and identified by a qualified ground water scientist;
- DNA **C.** The site will be utilized for hazardous substance, (as now or hereafter defined in RCW 70.105D.020(7)), processing storage or handling in applications or quantities larger than is typical of household use;
- DNA **D.** The site will be utilized for hazardous waste treatment and storage as set forth in RCW 70.105 Hazardous Waste Management, as now or hereafter amended;
- DNA **E.** The site contains highly permeable soils, which include soil types 1a, 1b and 2a under WAC 246-272-11001, Table II; **Highly Permeable Soils: Include soil types 1A, 1B and 2A from Table II, Soil Textural Classification, WAC 246-272-11001. 1A: Very gravely coarse sands or coarser, all extremely gravely soils. 1B: Very gravely medium sand, very gravely fine sand, very gravely very fine sand, very gravely loamy sands. 2A: Coarse sands (also includes ASTM C-33 sand).
- Does not Apply **F.** Within a sole source aquifer recharge area designated pursuant to the Federal Safe Drinking Water Act (**None currently designated in Chelan County**);

- Does not apply **G.** Within an area established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48 and 90.54 RCW, and Chapters 173-100 and 173-200 WAC **(None currently designated in Chelan County);**
- DNA **H.** The development involves a proposed major or short subdivision and includes present or future plans to construct three or more dwelling units where the dwelling units will not be connected to a public sewer system and any of the lots are less than 1 net acre in size;
- DNA **I.** The proposed commercial and industrial site is not on a public sewer system and the main structure exceeds 4,000 square feet;
- DNA **J.** The proposed use is as a commercial feedlot;
- DNA **K.** The development is within 200 feet of the ordinary high water mark of a perennial river, stream, lake or pond.

Depending upon soil depths from the surface, the following soil series within Chelan County are considered to be highly permeable soils:

- Ardenvoir: ArF, 27-43 inches (depth from surface), very gravelly sandy loam*
- Anatone: AkD, 5-14 inches (depth from surface), very gravelly silt loam*
- Beverly: Be, 17-24 inches (depth from surface), very gravelly sandy loam; Bf, 17-24 inches (depth from surface), very gravelly sandy loam; Bg, 0-10 inches (depth from surface), very gravelly loamy fine sand; Bg, 17-24 inches (depth from surface), very gravelly sandy loam*
- Brief: BrA, BrB, BrC, Brd, 26-60 inches (depth from surface), very gravelly sandy loam*
- BsD, 26-60 inches (depth from surface), very gravelly sandy loam*
- Chelan: CgB, CgC, CgD, CgE, 35-60 inches (depth from surface), very gravelly sandy loam; ChC, ChE, 35-60 inches (depth from surface), very gravelly sandy loam; CkD, CkE, 35-60 inches (depth from surface), very gravelly sandy loam; CIA, CIB, CIC, CID, CIE, 35-60 inches (depth from surface), very gravelly sandy loam*
- Jumpe: JmD, 10-60 inches (depth from surface), very stony silt loam; JnF, 0-60 inches (depth from surface), very stony silt loam*
- Loneridge: LoD, LoF, 0-10 inches (depth from surface), very stony loam; 10-16 inches (depth from surface), very gravelly clay loam*
- Malaga: MaA, MaC, 15-19 inches (depth from surface), very gravelly sandy loam*
- Peshastin: PhB, PhC, 18-60 inches (depth from surface), very cobbly sandy loam; PID, PIE, 18-60 inches (depth from surface), very cobbly loam*
- Pogue: PsE, 0-17 inches (depth from surface), very stony fine sandy loam*
- Stemilt: StD, StE, 17-60 inches (depth from surface), very cobbly silty clay loam*
- Supplee: SuA, SuB, SuC, SuD, SuE, 0-6 inches (depth from surface), Very fine sandy loam; 18-31 inches (depth from surface), very gravelly sandy loam*
- Thow: TgD, 10-60 inches (depth from surface), very gravelly sandy loam; The 10-60 inches (depth from surface), very gravelly sandy loam*
- Tronsen: TrD, TrE, 8-60 inches (depth from surface), very gravelly clay loam*

CANNABIS DISCLOSURE SECTION

SUB-SECTION I: Circle

I AFFIRM (there **IS NOT** or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for ~~cannabis~~ production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "IS NOT" above, proceed to Sub-Section III of this form.

If you circled "IS" above, proceed to Sub-Section II of this form.

SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

- ____ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.
- ____ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.
- ____ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.
- ____ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

SUB-SECTION III: Please select one of the following:

- I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.
- I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

SITE PLAN CHECKLIST SECTION

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.

- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

ACKNOWLEDGEMENT SECTION

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

By submitting this application, I acknowledge and certify the following:

Initials

(Owner and, if applicable, Applicant)

- ____ *[Signature]* 1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.
- ____ *[Signature]* 2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.
- ____ *[Signature]* 3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.
- ____ *[Signature]* 4. Additional permit applications and approvals may be necessary to conduct specific activities.
- ____ *[Signature]* 5. Application fees are non-refundable, except when approve by the Board.
- ____ *[Signature]* 6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.

- N/A 7. Chelan County is hereby given consent to enter the property(ies) listed above.
- N/A 8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.
- N/A 9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.
- N/A 10. I certify that this application has been made with the consent of the lawful property owner(s).
- N/A 11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.
- N/A 12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: _____ Place: _____ Date: _____

Print Name: _____

Owner/Applicant/Agent Signature: Dwight J Hume Place: 9101 N Mt View Lane Date: 3-18-20

Print Name: Dwight J Hume Spokane WA 99218

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____

Print Name: _____

71 20-001
RECEIVED
CPA 20-007

MAR 19 2020

CHELAN COUNTY

Land Use Solutions & Entitlement

Land Use Planning Services COMMUNITY DEVELOPMENT
9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

3-18-20

Deanna Walter, AICP
Interim Director
Chelan County
Dept. of Community Development
316 Washington St. Suite 301
Wenatchee WA 98801

Ref: Administrative Determination Request

Dear Ms Walter:

I have been reviewing the Chelan County Zone Code as it relates to Small Scale Recreation Tourist (SSRT) aka Recreation/Tourist (RT) within the Commercial Agricultural Lands (AC) zone and while the District Use Chart allows Recreation/Tourist Uses by CUP (11.04.020), the CUP criteria at 11.93.040 (9) requires that it be consistent and compatible with the intent, goals, objectives and policies of the comprehensive plan.

However, while the District Use Chart allows Recreation/Tourist uses by CUP within the AC and FC zones, there seems to be an error when addressing this use within Chapter 4 Resource Lands of the Chelan County Comprehensive Plan. That error is as follows:

- 1) Chapter 4 Resource Lands, Part III Chelan County Agricultural Lands at page 2 of 18 under Land Use Designations states: "Such uses may include... intensification of existing small scale recreational or tourist uses that rely upon a rural setting but that do not include a new residential component.."
- 2) Chapter 4 Resource Lands Part V Chelan County Forest/Timber Lands at page 13 of 18 under Land Use Designations states: "Such use may include... intensification of existing development or the development of new small scale recreational or tourist uses that rely upon a rural setting but that do not include new residential development...." (emphasis mine).

So, while the Use Chart allows Recreation/Tourist Use by CUP in both the AC and FC zones, it differs within the guidance and language of the Comprehensive Plan Text by saying you can only "intensify" an existing SSRT within the AC zone but, in contrast, can build a new SSRT

A1 20-001
CPA 20-007

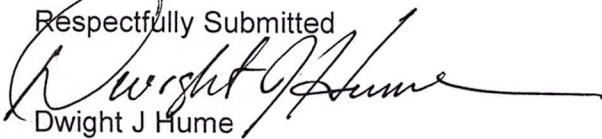
within the FC zone. Really? Intensify an existing SSRT but not build a new one? What is this protecting, if it doesn't matter within the FC zone?

The same contradiction occurs within the Rural Village and Rural Residential 20 zones where it is limited to existing use expansion. The one is within a LAMIRD and the other is the lowest density of the rural residential categories. Again, what is the purpose of limiting an SSRT to intensification within a LAMIRD and a Rural Village category? The same question is generated when the Rural Residential 20 cannot do what the RR-10, RR-5 and RR-2.5 can do.

If, in fact, the Zone Code intended to create this limitation, then why didn't the Use Matrix footnote those three zones and reference this peculiar limitation to intensification only? If limitations to existing SSRT's in those three zones was intended, then why didn't the Matrix leave them out and declare them legal non-conforming uses? The obvious answer is that there was no intent to limit SSRT's in these three zones, so why not have the option of expansion or new in all eleven zones?

I can only conclude that the text variation in these three categories is an editorial error and the Zone Code reflects the intent of the comprehensive plan to allow both intensification or new SSRT's within each of these eleven zones. I trust you will make the same determination.

Respectfully Submitted



Dwight J Hume

Enclosure: General Application with attachments
Application Fee

Copy: R J Lott Planning Manager

District Use Chart

A1 20-001
CPA 20-007

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
Accessory Dwelling Unit	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)				A(1)	A(1)	
Agricultural Structure	P	P	P	P	A	A	P	A	P	P	P	P	P
Accessory Use/Structure ¹	A	A	A	A	A	A	A	A	A	A	A	A	A
Electric Vehicle Charging Station	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)
Fences	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)
Isolated Cottage Industries		CUP	CUP	CUP						CUP			
Isolated Nonresidential Uses	CUP	CUP	CUP	CUP	CUP	CUP	CUP			CUP	CUP	CUP	
Isolated Small-Scale Businesses		CUP	CUP	CUP						CUP			
Recreation/Tourist Uses	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	CUP	CUP	
Planned Developments		P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)		
Sign, Agricultural Identification								P			P		
Signs	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)
Land Division	P	P	P	P	P	P	P	P	P	P	P	P	P
Cluster Subdivision	P(1)	P(1)	P(1)	P(1)							P(1)	P(1)	
Indoor Cannabis Production/Processing	CUP	CUP							CUP		CUP		
Outdoor Cannabis Production/Processing	CUP												
RESIDENTIAL USES													
Adult Family Home	P	P	P	P	P	P	P	A(1)					
Bed and Breakfast (3 or Fewer Rooms)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)				A(1)	A(1)	
Caretaker Dwelling Unit								A(1)	A(1)				
Detached Garages	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)			P(2)	P(2)	
Dock/Pier, Single or Joint Use	P	P	P	P	P	P					P	P	
Dock/Pier, Community for Residential Development	A	A	A	A	A	A	A	A	A	A	A	A	
Dock/Pier, Community for Commercial Development	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Duplex Dwellings							P						
Guest Inn—4 to 6 Rooms	CUP	CUP	CUP	CUP	CUP	CUP	CUP				CUP		
Home-Based Business	CUP	CUP	CUP	CUP	CUP	CUP	CUP				CUP	CUP	
Home Occupations	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)				A(1)	A(1)	
In-Home Daycare	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)			A(1)	A(1)	
Mobile/Manufactured Home Park			CUP	CUP	CUP	CUP	CUP						

Rationale: Growth of the state and all associated areas indicates increased visitor use for Stehekin. Tastefully constructed and environmentally sensitive installations to support the increased number of visitors are required and desired.

Policy RE 4.6: MPRs may be considered within rural areas when consistent with the provisions of the comprehensive plan and RCW 36.70A.360.

Rationale RCW 36.70A.040 requires all land use regulations to be consistent with and implement the adopted comprehensive plan.

Goal RE 5: Support RCW 17.10 purpose to limit economic loss and adverse effects to Washington's agriculture, natural, and human resources due to the presence and spread of noxious weeds on all terrestrial and aquatic areas in the State.

Policy RE 5.1: Encourage public awareness and removal of noxious weeds through the Chelan County Noxious Weed Department and Control Board.

IV. Designations/Siting Criteria - Rural:

The following designations apply to the implementation of the Comprehensive Plan through the zoning map. The following purpose and locational guidelines provide a basic understanding of the zoning districts intent and how they relate to the Comprehensive Plan designations, see the Land Use Element.

A. RR20, RURAL RESIDENTIAL/RESOURCE: 1 DWELLING UNIT PER 20 ACRES

Purpose: To allow for low intensity rural development, agricultural and forestry uses which do not require the extension of services or infrastructure. These areas provide greater opportunities for protecting sensitive environmental areas and creating open space typical of a rural setting.

Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small scale recreational or tourist uses that rely on a rural location or setting, but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per twenty (20) acres.

Locational Guidelines:

1. **Geographical and Geological Characteristics.** These areas tend to be remote or have been historically rural in character. Soil characteristics, steep slopes or other physical constraints to development may be present. Large tracts of undeveloped, open space exist.
2. **Natural Resources.** The area may have agricultural or forest land practices of both small scale and/or commercial significance. The area may also be adjacent to designated resource lands.
3. **Public Services.** Uses do not require extension or provision of urban level services. In many cases public roads or infrastructure are not available to serve the area, and may not be available in the 20 year planning period.

4. Existing Land Uses. Dispersed single family residences, farms or forest management activities, and other low intensity rural development may be present. Predominant parcel sizes are 20 acres or greater.

B. RR10, RURAL RESIDENTIAL/RESOURCE: 1 DWELLING UNIT PER 10ACRES

Purpose: To allow for rural development, forestry and agricultural uses consistent with the rural character and rural development provisions outlined in the goals and policies of the comprehensive plan. These areas can function as areas of transition between resource lands and areas of more intense rural or urban development. These areas also provide opportunities for protecting sensitive environmental areas and creating open space typical of a rural setting.

Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide for job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per ten (10) acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. Geographical and Geological Characteristics. The area is predominantly rural in character. Soil characteristics, steep slopes or other physical constraints to development may be present. Significant areas of undeveloped open space may exist.
2. Natural Resources. The area may have agricultural or forest land practices of both small scale and/or commercial significance. The area may also be adjacent to designated resource lands.
3. Public Services. Uses do not require the extension or provision of urban level services. These areas are rural in character and may have access or limited access to rural governmental services and infrastructure. These areas may have the potential to be provided with rural governmental services within the 20 year planning period.
4. Existing Land Uses. Dispersed single family residences, farms or forest management activities and other rural development may be present. Predominant parcel sizes are 10 acres or larger.

C. RR5, RURAL RESIDENTIAL/RESOURCE: 1 DWELLING UNIT PER 5 ACRES

Purpose: Provides 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 or urban development.

Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per five (5) acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. Geographical and Geological Characteristics. The area is predominantly rural in character. Soil characteristics or other physical constraints to development may also be present. Some areas of undeveloped, open space may exist. The area may also be adjacent to designated urban growth areas.
2. Natural Resources. The area may have agricultural or forest land practices of both small scale and/or commercial significance. The area may also be adjacent to designated resource lands.
3. Public Services. Uses do not require extension or provision of urban level services. Rural governmental services are available or may be provided for within the 20 year planning period.
4. Existing Land Uses. Dispersed single family residences, farms or forestry uses, cottage industries and small businesses, and other rural development may be present. Predominant parcel sizes are 5 acres or larger.

D. RR2.5, RURAL RESIDENTIAL: 1 DWELLING UNIT PER 2.5 ACRES

Purpose: To maintain the range of rural development opportunities consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. These areas can provide buffering or transitions between existing rural developments and areas of higher or lower densities. This designation should not function as an urban reserve area, although these areas may someday be incorporated into an urban growth area.

Uses appropriate for these areas include: residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not

principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per 2.5 acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. **Geographical and Geological Characteristics** The area may have moderate soil limitations and may have other limited physical constraints to development. The area may be immediately adjacent to existing residential or rural developments. The area may be adjacent to urban growth areas.
2. **Natural Resources.** The area has limited resource management potential. The area may be adjacent to resource lands.
3. **Public Services.** Uses do not require extension or provision of urban levels of services. Rural governmental services and infrastructure are typically available, planned and or funded for.
4. **Existing Land Uses.** Single family residences, agricultural uses, cottage industries and small businesses, and other rural development may be present. Predominant parcel sizes are currently 2.5 acres or greater in size but typically less than 5 acres.

E. RURAL PUBLIC LANDS AND FACILITIES (RP):

Purpose: To provide open space, recreational opportunities, sites for necessary public facilities, utilities and services, and protection of critical areas. Encourage joint public/private ventures, where consistent with the rural development and rural character provisions, and goals and policies of this comprehensive plan.

Uses appropriate for these areas include: public facilities and services, open space and developed open space; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include new residential development; and intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses.

Locational Guidelines:

1. **Geographical and Geological Characteristics:** These lands are in public ownership and may contain critical areas. The County has no jurisdiction over federal lands.
2. **Natural Resources:** Public lands may contain resource lands.

Public Services: Services should be limited to the needs of the public agencies. Extension of public services can be considered for joint public/private ventures if consistent with the provisions of the comprehensive plan. Development in these areas shall not create a need for urban governmental services.

VII. Designations/Siting Criteria – LAMIRDs:

The following designations apply to the implementation of the Comprehensive Plan through the zoning map. Comprehensive Plan Land Use Designation for the Rural areas are identified and discussed in the Land Use Element. The following purpose and locational guidelines provide a basic understanding of the zoning districts intent and how they relate to the Comprehensive Plan designations, see the Land Use Element.

A. RURAL WATERFRONT (RW):

This designation is considered an implementation of a Type 1 LAMIRD as described above, consistent with the Growth Management Act.

Purpose: This designation will provide the opportunity for the development, redevelopment and infill of existing intensely developed shoreline areas for residential, and water related/water dependent recreational and tourist development consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. These areas provide a distinct water related lifestyle. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing intensely developed rural shorelines; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage a new pattern of sprawling low density or urban type development.

Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small scale water related/water dependent recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: May allow for less than 1 acre per dwelling unit, when consistent with the Health District standards. The provision of necessary public facilities and services shall not permit or encourage low density sprawl or urban type development outside of the designation boundary. Existing urban governmental services in some areas, may allow for higher densities than those with rural governmental services.

Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. **Geographical and Geological Characteristics:** Parcels are located on or near shorelines identified by the Chelan County Shoreline Master Program. The area may have moderate soil limitations and may have other limited physical constraints to development.
2. **Natural Resources:** This designation shall not be applied on resource lands of long term commercial significance.
3. **Public Services:** Necessary public facilities and public services to serve the development, redevelopment or infill of these areas may be provided. There may be some existing urban

governmental services. Rural governmental services are typically available, planned and or funded for.

4. Existing land uses: Seasonal and year-round residences, tourist and recreational activities and other rural development may be present. Predominant parcel sizes are 1 acre or smaller.

B. RURAL RECREATIONAL/RESIDENTIAL (RRR)

This designation is considered an implementation of a Type 1 LAMIRD as described above, consistent with the Growth Management Act.

Purpose: This designation will provide the opportunity for the development, redevelopment and infill of existing intensely developed rural recreational/residential areas for residential, recreational and tourist development consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. These areas provide a distinct rural lifestyle closely associated with the many natural amenities found within Chelan County. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing intensely developed rural recreational development; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage a new pattern of sprawling low density or urban type development.

Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: May allow for less than 1 acre per dwelling unit, when consistent with Health District standards. The provision of necessary public facilities and services shall not permit or encourage low-density sprawl or urban type development outside of the designation boundary.

Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. Geographical and Geological Characteristics: Developments are closely associated with natural amenities found within Chelan County. The area may have moderate soil limitations and may have other limited physical constraints to development.
2. Natural Resources: This designation shall not be applied on resource lands of long term commercial significance.
3. Public Services: Necessary public facilities and public services to serve the development, redevelopment or infill of these areas may be provided. Rural governmental services are typically available, planned and/or funded for.
4. Existing land uses: Seasonal and year-round residences, tourist and recreational activities and other rural development may be present. Predominant parcel sizes are 1 acre or smaller.

C. RURAL VILLAGE (RV):

This designation is considered an implementation of a Type 1 LAMIRD as described above, consistent with the Growth Management Act.

Purpose: This designation recognizes the existence of intensely developed rural residential developments and communities, with densities less than 2.5 acres per dwelling unit, which typically will not have sewer service. This designation will provide the opportunity for the development, redevelopment and infill of existing intensely developed rural residential areas for residential and other rural development consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan. Potential impacts to the surrounding area, critical areas, and water quality shall be addressed. These areas must be clearly identifiable as existing intensely developed rural residential development; where a logical boundary can be delineated and set by the built environment. Such a boundary shall not permit or encourage a new pattern of sprawling low density or urban type development.

Uses appropriate for these areas include: developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing small scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: May allow for less than 2.5 acres per dwelling unit. The establishment of densities shall consider pre-existing development patterns, Health District standards, proximity to resource lands, existence of critical areas and the availability of necessary public facilities and services. The provision of necessary public facilities and services shall not permit or encourage low density sprawl or urban type development outside of the designation boundary.

Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan may be permitted. Topography, critical areas, other environmental constraints, and compliance with all other applicable development standards shall be considered in the provisions to allow for clustering.

Locational Guidelines:

1. **Geographical and Geological Characteristics:** The area may have moderate soil limitations and may have other limited physical constraints to development. The area may be adjacent to a variety of rural development, and areas with varying residential densities. The area may be adjacent to urban growth areas.
2. **Natural Resources.** The area has low resource management potential. The area may be adjacent to resource lands.
3. **Public Services:** Sewer service is typically not available. Rural governmental services and infrastructure are typically available, planned and/or funded for. Necessary public facilities and public services to serve the development, redevelopment, or infill of these areas may be provided.
4. **Existing Land Uses.** Single family residences and other rural development may be present. Predominant parcel sizes are less than 2.5 acres.

Secondly, as discussed in the Transportation Element, the road network provides major trucking routes which support related resources industries. Hauling routes are limited, in part, due to topography. For the three types of resources reviewed in this Element, mineral, agriculture and forestry, the current primary economic exports are agriculture and forestry products.

III. Chelan County Agricultural Lands

Chelan County contains agricultural lands that are important to the economy of the area. It must be recognized that in order to continue to exist, orchards must remain profitable. In an attempt to encourage existing and future agricultural development as a viable land use and a significant economic activity within the County, agricultural lands of long term commercial significance have been designated according to the U.S. Soil Conservation Service's classification for prime and unique farmland soils, and criteria outlined in WAC 365-190-050. These areas have been identified on the land use map designated as Commercial Agricultural Lands (AC). The Growth Management Act defines "long term commercial significance" to include the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

Typically the most successful agricultural land conservation programs in the United States have been ones that combine incentive and regulatory techniques chosen according to the needs and conditions of a community. The opportunity for differential tax assessment for orchardists in Chelan County, helps to provide landowners an incentive to remain in an agricultural use. Buffers, parcel size, and a clustering development option provide regulatory techniques to retain agricultural land. This combination of conservation techniques provides property owners the flexibility for some non-farm development, helps reduce conflict between non-farm development and agricultural operations, and preserves farmable orchard parcels in support of retaining a viable orchard industry.

Chelan County participates in the Voluntary Stewardship Program (VSP) program. The VSP is an optional, incentive-based approach to protecting critical areas while promoting agriculture. The VSP is allowed under the Growth Management Act (RCW 36.70A.700-760) as an alternative to traditional approaches to critical areas protection, such as "no touch" buffers. Chelan County is one of 28 counties that has "opted in" to VSP.

Land Use Designation/Siting Criteria: Commercial Agricultural Lands

Purpose: To assure the long-term conservation of commercial agricultural lands; to protect and preserve the farmers ability to farm; encourage existing and future agricultural land uses as a viable land use and a significant economic activity within the community; and, to protect agricultural land of long term commercial significance not already characterized by urban development from encroachment and incompatible uses.

Uses appropriate for these areas include: agriculture; open space; residential; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small scale recreational or tourist uses that rely upon a rural setting but that do not include A new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per 10 acres. Clustering consistent with the underlying densities and the rural character and rural development provisions of the goals and policies of the comprehensive plan

Policy ML 1.17: At the time of permitting, the County should coordinate with property owners and the Department of Natural Resources to identify post-reclamation uses for MRLO properties that are consistent with the County’s comprehensive plan and zoning code, both for the mine site itself and for planned adjacent uses.

Rationale: Coordination on future use of the property will help ensure that County plans recognize post-mining conditions in these areas and reduce the potential for future development that is incompatible with surrounding uses.

V. Chelan County Forest/Timber Lands

Forestland is defined as “land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production...and has long-term commercial significance,” RCW 36.70A.030.

Timber harvesting is a type of natural resource industry with a long history in Chelan County. The following outlines the declining trend of timber harvesting, as documented by the Department of Natural Resources.⁶ The following table denotes “thousand board feet” of harvested timber.

Year	1990	1995	2000	2005	2010	2015
Ownership						
Private Industrial	5,710	18,192	1,800	-	-	19,820
Private Large		7,486	636	9,482	1,866	-
Private Small	866	31,286	6,698	2,780	882	2,374
Private Unknown					186	719
Total Private	6,576	56,964	9,134	12,262	2,934	22,913
State	7,989	5,921	897	2,455	1,100	43
Federal	68,382	6,703	8,990	15,913	6,200	-
Other Public	13,035	9,708		588	-	9,091
Total Public	89,406	22,332	9,887	18,956	7,300	9,134
Total All:	95,982	79,296	19,021	31,218	10,234	32,047

Land Use Designation/Siting Criteria: Commercial Forest Lands

The growth management process requires identification of forest lands of long-term commercial significance as part of the growth management process. The identification of these lands is an attempt to conserve and encourage existing and future forest practice land uses as a viable, permanent land use and a significant economic activity within the County. Forest land also provides recreational opportunities, scenic value and wildlife habitat. In addition, the identification and land use regulations of the commercially significant forest lands will provide protection for forest lands from encroachment and incompatible land uses. The Growth Management Act defines "long term commercial significance" to include the growing capacity, productivity, and soil composition of the land for long-term commercial

⁶ Industry – companies and individuals operating wood, using plants; private large – non-industrial companies and individuals not operating wood-using plants but with statewide holdings totaling 1,000 or more acres; private small – non-industrial companies and individuals not operating wood-using plants and owning less than a total of 1,000 acres.

production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

The following purpose and locational guidelines provide a basic understanding of the zoning districts intent and how they relate to the Comprehensive Plan designations.

Purpose: To assure the long-term conservation of commercial forest lands; to preserve and encourage existing and future forest land uses as a viable, permanent land use and a significant economic activity within the community; and to protect forest lands of long term commercial significance not already characterized by urban development from encroachment of incompatible uses.

Uses appropriate for these areas include: forestry, open space; residential; and agriculture. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or the development of new small scale recreational or tourist uses that rely upon a rural setting but that do not include new residential development; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

Density: One (1) dwelling unit per 20 acres.

Locational Guidelines:

1. Geographic and Geological Characteristics: Soil characteristics, steep slopes or other physical constraints to development may be present. The area should not be adjacent to intensive urban or incompatible rural development. Large tracts of land oriented to forest resource management exist.
2. Natural Resources: The area should contain or have the potential to contain commercial forest resource management operations and commercial forest support facilities and services. The area should meet the criteria under WAC 365-190-060, as forest resource lands of long term commercial significance.
3. Public Services: Uses should not require extension or provision of urban level services. These areas may have access to rural governmental services and infrastructure or have the potential to be provided with rural governmental services within the 20 year planning period. Urban services should not be present.
4. Existing Land Uses: The prevailing land use pattern consists of commercial forest resource management operations and commercial forest support facilities and services. Dispersed single family residences and low intensity rural uses may be present. The predominant parcel size is typically 20 acres or larger. Recreational and small scale tourist commercial opportunities may be present.

Forest/Timber Resource Lands: Goals & Policies

Goal FL 1: Conserve forest lands of long term commercial significance. Encourage sustainable timber production in rural and resource lands as a viable, permanent land use and a significant economic activity within the community.

Goal Rationale: Timber production remains an important aspect of the County's economy.

Policy FL 1.1: Conserve forest lands for productive economic use by identifying and designating forest resource lands where the principle and preferred land use is commercial resource management.

Chapter 8 ECONOMIC DEVELOPMENT ELEMENT

I. Introduction

The Economic Element is an optional element in the Comprehensive Plan. The County recognizes the importance of economic development in maintaining the stability of the local economy and quality of life. Industries in Chelan County serve diverse markets and needs that include local, regional, state, national and international markets.

The purpose of the Economic Element is to set goals and establish policies that encourage and support effective economic development efforts and promote economic vitality for the future of Chelan County.

*Growth Management Act
 Economic Goal: Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

II. General Economic and Income Profile

Employment by Sector

Due to the close proximity of the regions two largest cities – Wenatchee (Chelan County) and East Wenatchee (Douglas County), both Chelan and Douglas Counties are interlinked for employment, housing and retail. The largest four employment sectors for Chelan County are agriculture (forestry, fishing), health services; local government and retail trade¹.

Table 7.1 Top Employment Sectors in 201

Sector	Number of jobs	Share of employment
1. Agriculture, forestry and fishing	9,962	24.1%
2. Health services	5,602	13.5%
3. Local government	4,766	11.5%
4. Retail trade	4,379	10.6%
5. Accommodation and food services	4,097	9.9%
Total covered employment	41,345	100%
All other industries	12,539	30.3%

Douglas County is similar with agriculture (forestry, fishing) at 28.6%, local government at 15.3%, retail trade at 12.0% and health services at 7.7%.²

Unemployment

Unemployment in the region is consistently higher than the state average. This is most likely due to the seasonal nature of the biggest employer, agriculture.

¹ Office of Financial Management

² Office of Financial Management

Table 7.2 Unemployment Percentages

	2005	2010	2015
Chelan County	5.7%	9.3%	5.9%
Douglas County	5.4%	9.7%	6.3%
Washington State	4.90%	6.40%	4.70%

Source: Chelan Douglas Trends

Income levels

As noted in the Housing Element, median household income measures all sources of income – wage/salary, investments, rents, pensions, transfer payments. The median household income is the value at which 50% of households in Chelan are below and 50% are above. Households are different from families, since they may contain unrelated people living together or single inhabitants in a dwelling. Household income in 2014 was estimated to be \$50,825 for Chelan County as compared to \$60,153 for Washington State³.

Average Annual Wage by Industry

The total covered payroll in 2014 in Chelan County was approximately \$1.48 billion. The average annual wage was \$35,912 or 65.3 percent of the state average of \$55,003.⁴

Table 7.3 Top Five Industries by Payroll in 2014

Chelan County Sector	Countywide Payroll	Percent of Payrolls
1. Health services	\$304,232,620	20.5%
2. Local government	\$234,376,378	15.8%
3. Agriculture, forestry and fishing	\$228,904,393	15.4%
4. Retail trade	\$115,390,841	7.8%
5. Wholesale trade	\$103,679,515	7.0%
Total covered payrolls	\$1,484,761,635	100%
All other industries	\$498,177,888	33.6%

Source: Employment Security Department

Although agriculture was clearly the top job provider in Chelan County in 2014, with 24.1 percent of total covered employment; private health services provided a \$304.2 million payroll, ranking this industry first out of 22 industries/categories in wages and accounting for 20.5 percent of all earned wage income countywide. More than one out of every five dollars earned in Chelan County, is earned in health services (i.e., at a doctor/dentist’s office, in a hospital, nursing home, vocational rehab facility, etc.).⁵

Cost of Living Index for Selected Cities

Data collected for each of the Cities within Chelan County indicates that Chelan County Cities are more expensive to live in than Washington State and the US average. The index measures relative price levels for consumer goods and services in those participating areas; it does not

³ Office of Financial Management

⁴ Employment Security Department Overview

⁵ Employment Security Department

measure inflation of price changes over time. A ‘cost of living index’ above 100 means that community is more expensive than the US average; below 100 means that community is less expensive than the US average.

Table 7.4: Cost of Living

Washington State	92
City of Cashmere	111.90
City of Chelan	115
City of Entiat	106.9
City of Leavenworth	124.10
City of Wenatchee	106.20

Source: bestplaces.net February 2017

III. Goals & Policies

Goal ED 1: Encourage efforts to diversify the existing economic base to focus on long-term sustainable economic development throughout the County.

Rationale: The diversification of the economic base through sustainable economic development can help provide expanded job opportunities as well as a healthy, stable and growing economy. Diversification will reduce negative impacts during shifts in industries.

Policy ED 1.1: Seek to attract businesses and industries that complement and build upon existing business and industry.

Rationale: Building upon relationships with existing business and industries can diversify the economic base and strengthen positions for existing businesses and industries.

Policy ED 1.2: Incentivize development that creates local re-investment funds and provides jobs in the local community.

Rationale: Diversification and expansion of the County’s economic base will expand job opportunities and bring additional resources for the growth and development of the County.

Policy ED 1.3: Maintain the County’s rural economic base by permitting limited development in rural areas of industrial and natural resource land uses that are not suitable for urban areas, provided critical areas and surrounding land uses are protected.

Rationale: Some industrial and natural resource based uses due to their nature are not appropriate to be located in urban growth areas but can be located within remote rural locations within the limits set by rural governmental services, and the protection of the rural character and critical areas. Said uses can play an important role in support of other industries and businesses in the County.

Goal ED 2: Encourage the retention and growth of recreational and tourist based industries consistent with the comprehensive plan.

Goal Rationale: Recreation and tourism play a significant role in the County’s economy. Opportunities exist to strengthen and build upon the many tourist and recreational amenities and the locational advantages the County has to offer.

Policy ED 2.1: Promote local tourism activities by developing brochures and media advertisements, and supporting local and self-contained events.

Rationale: Marketing of recreational and tourist amenities supports year-round tourism and the relocation of businesses to this area.

Goal ED 3: Accommodate and support efforts to diversify the agricultural economy.

Goal Rationale: Agriculture plays a significant role in the economic base of the County. Diversity of the agricultural economy strengthens the County's economic base.

Policy ED 3.1: Strengthen and diversify the agricultural economy by promoting value-added agricultural activities.

Rationale: The development of value-added agricultural activities can strengthen both the agricultural and tourism components of the County's economy.

GOAL ED 4: Local economic development efforts should promote the advantages of working and living in Chelan County, such as availability of work, job security and stability, access to recreational and cultural activities, educational opportunities, quality health care, and affordable housing.

Goal Rationale: Quality of life factors play a role in attracting and retaining employees and businesses.

Policy ED 4.1: Promote and maintain open space, recreation, and cultural and heritage resources that are attractive to both local residents and visitors.

Rationale: These amenities and activities are key to the high quality of life enjoyed by County residents and are important in the retention and recruitment of business and industries.

Policy ED 4.2: Encourage economic development efforts that invite broad community participation and address the needs, concerns, rights and resources of a diversity of cultural groups.

Policy ED 4.3: Foster a diverse private-sector job base that supports attractive wages and facilitates the retention and expansion of existing businesses.

Rationale: The aim is to retain college graduates from the area in addition to decreasing unemployment and under employment.

Policy ED 4.4: Support partnerships which expand vocational, post-secondary and higher education programs to promote a highly skilled, educated and a technically trained work force.

Rationale: A technically skilled local labor force will help attract and retain industries paying family wage jobs.

Policy ED 4.5: Support a full range of human and social services necessary to encourage a strong local economy.

Rationale: Adequate human and social services are necessary to meet community needs and contribute to a complete list of services that industries and businesses seek for their employees when locating in an area.

Policy ED 4.6: Ensure an adequate housing supply for all income levels in a variety of housing types.

Rationale: Adequate, affordable housing plays an important role in retaining and attracting business and industry.

Goal ED 5: Implement a regional and multi-jurisdictional approach to economic development.

Goal Rationale: A regional approach and a consolidation of efforts are key to the success of economic development for the County.

Policy ED 5.1: Coordinate with the Chelan County Port District in the evaluation and ranking of economic development projects.

Rationale: The Chelan County Port District is a resource to use in making economic development decisions for the economic diversification of the County's economy.

Policy ED 5.2: Promote economic development policies that discourage inter-jurisdictional competition for sales tax revenues.

Rationale: Competition within the region is an inefficient use of limited resources. Economic goals may have a higher chance of success through coordinated and consolidated efforts.

Policy ED 5.3: Pursue improvements to the region's air and land transportation systems to improve year-round accessibility.

Rationale: The region would benefit from improved transportation systems that provide greater accessibility to the region.

Policy ED 5.4: Coordinate with adjacent jurisdictions to create an environment that is supportive and attractive to the internet/information technology industries.

Rationale: Chelan County will benefit from regional collaboration for the attraction of high technology industries of both large or small scale.

Policy ED 5.5: Coordinate with the region's cities to develop a process for siting major industrial developments outside urban growth areas, pursuant to RCW 36.70A.365

Rationale: The potential for the siting of major industrial development consistent with RCW 36.70A.365 and the comprehensive plan should not be precluded.

Goal ED 6: Establish a regulatory climate favorable for economic development.

Goal Rationale: Many factors make up a positive economic climate. Economic development requires policies of positive and predictable support and encouragement for private investment.

Policy ED 6.1: Support the retention of redevelopment of existing industrial areas by economic development agencies.

Rationale: Industrial development and retention of existing industrial activities helps diversify the economy within the rural areas.

Policy ED 6.2: Support development of tourism and recreational uses on both public and private lands.

Rationale: Because of its extraordinary geography, the County has many areas with potential for recreational and tourism development. Identification of specific sites requires the assistance the County.

Policy ED 6.3: Streamline the permitting process and provide the public with excellent customer service.

Rationale: A streamlined permitting process with a customer service approach towards the public helps to provide a positive environment for economic development and a greater degree of certainty in the permitting process.

Policy ED 6.4: Evaluate economic development implications as part of land use planning, transportation planning, infrastructure planning, and environmental planning projects and in the determination of urban growth boundaries.

Rationale: Consideration of economic development in the process of planning for growth and development is necessary to build sustainable, healthy communities.

Policy ED 6.5: Support economic development by providing adequate levels of infrastructure and promoting technological advancements in public service and facility systems.

Rationale: This will enable the County to meet the demands of growth as these facilities and services are needed.

IV. Rural County Sales Tax

In 1999 the Washington State Legislature passed House Bill 2260 which amended RCW 82.14.370 thereby qualifying Chelan County to retain a certain percentage of the State of Washington's share of locally generated sales tax to fund economic development infrastructure projects in Chelan County.

In 2004 the Washington State Legislature amended RCW 82.14.370 to further clarify that the funds shall only be used to finance public facilities serving economic development purposes. Economic development purposes means projects which facilitate the creation or retention of businesses and jobs in the county.

To receive economic development sales tax funds the public facility must be listed as an item in the officially adopted county overall economic development plan, the economic development section of the county's comprehensive plan, or the comprehensive plan of a city or town located within the county. In order to comply with this provision, the projects eligible to receive economic development sales tax funds are listed below.

V. Projects Eligible to Receive Economic Development Sales Tax Funds

Projects of Regional Significance

- All transportation projects listed in the Chelan-Douglas Transportation Council's Regional Transportation Plan, Regional Transportation Improvement Program, Regional Bicycle Plan, Human Services Transportation Plan, Metro Freight & Truck Routes Plan, and North Wenatchee Transportation Master Plan.
- Public projects related to businesses recruited to Chelan County that need public infrastructure facilities constructed to facilitate job opportunities, private

sector capital investments, and new taxes.

- Installation of electric vehicle charging stations in Chelan County.
- Acquisition and rehabilitation of rail lines in Chelan County.
- Acquisition, construction, and improvement of recreation facilities and systems.
- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting in unincorporated Chelan County.
- Feasibility study, marketing analysis, wood supply study, construction, and utility improvements for a regional mill site.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- All projects listed in the most currently adopted Chelan Douglas Regional Port Authority Economic Development Plan.

Chelan County

Chelan County Campus Buildings

- Repair, remodeling, and replacement of existing County owned buildings.
- Acquisition of additional property to expand County Campus
- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas and power.

Parks and Recreation

- All projects listed in the Parks and Recreation element of this Chelan County Comprehensive Plan.
- All signage related to trails and trailheads.
- Feasibility study, marketing analysis, construction, and utility improvements for a Chelan County Whitewater Park.

Miscellaneous

- Projects listed in the capital facilities section of the county's comprehensive plan.
- Acquisition of land and/or buildings throughout Chelan County for economic development that will facilitate job creating opportunities, private sector capital investments, and new taxes.

City of Cashmere

- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail,

wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.

Priority sites:

○ Goodwin Road vicinity

○ Railroad Avenue property

○ East Cashmere property

- Acquisition of property for a business park.
- Acquisition, construction, and improvement of recreation facilities and systems.
- Construction of new buildings and structures or improvement of existing buildings and structures.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- All economic development related projects listed in the City's most currently adopted Comprehensive Plan.

City of Chelan

- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.

Priority sites:

○ Water extension to Lake Chelan Airport

- Acquisition of property for a business park.
- Acquisition, construction, and improvement of recreation facilities and systems.
- Construction of new buildings and structures or improvement of existing buildings and structures.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- Construction of Lake Chelan Research Institute.
- All economic development related projects listed in the City's most currently adopted Comprehensive Plan.

City of Entiat

- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.
- Acquisition of property for a business park.
- Acquisition, construction, and improvement of recreation facilities and systems.
- Construction of new buildings and structures or improvement of existing buildings and structures.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and

stage for a community market and cultural plaza.

- All economic development related projects listed in the City's most currently adopted Comprehensive Plan.

City of Leavenworth

- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.
- Acquisition of property for a business park.
- Acquisition, construction, and improvement of recreation facilities and systems.
- Construction of new buildings, structures and parking garages, or improvement of existing buildings, structures and parking garages.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- All economic development related projects listed in the City's most currently adopted Comprehensive Plan.

City of Wenatchee

- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.
- Acquisition of property for a business park.
- Acquisition, construction, and improvement of recreation facilities and systems.
- Construction of new buildings and structures or improvement of existing buildings and structures.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- All economic development related projects listed in the City's most currently adopted Comprehensive Plan.

Community of Malaga

- Acquisition of property for a business park.
- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.
- Construction of new buildings and structures or improvement of existing buildings and structures.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- Development of a Malaga Community Park and Malaga Riverfront Park.

Community of Manson

- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.
- Acquisition of property for a business park.
- Construction of new buildings and structures or improvement of existing buildings and structures.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- Construction of Lake Chelan Research Institute.

Community of Peshastin

- Utility improvements including new services, extensions, relocations and rehabilitation of water, sewer, roadway, fiber optics, gas, power, rail, wayfinding/signage, pedestrian safety, bike infrastructure, and street lighting.
- Acquisition of property for a business park.
- Construction of buildings, utilities, restroom facilities, kitchen, fencing, and stage for a community market and cultural plaza.
- Construction of new buildings and structures or improvement of existing buildings and structures.

Chelan Douglas Regional Port Authority

- All projects listed in the most currently adopted Chelan Douglas Regional Port Authority Economic Development Plan.

Chelan County PUD

- All economic development related projects listed in the Chelan County Public Utility District's most currently adopted Strategic Plan.



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

GENERAL LAND USE APPLICATION FORM

Parcel Number (APN): Chelan County **Lot Size:** NA (Acres)
Parcel Address: NA **City/Zip Code:** NA
Property Owner(s): NA **Zoning:** NA
Mailing Address: NA
City/State/Zip Code: NA
Phone: NA **E-mail:** NA

Applicant/Agent (if different than owner): Blake Baldwin, Economic Development Director
Company and Mailing Address: 400 Douglas Street #201
City/State/Zip: Wenatchee, WA 98801 **Phone:** 509-699-3111
E-mail: blake.baldwin@co.chelan.wa.us

For multiple owners, applicants, or agents, provide additional sheets.

This General Land Use Application Form shall be completed unless specified below. Additional information and supplemental forms may be required. Please review all applicable statutes and regulations pertaining to the proposed development and provide information, documents, studies, and reports (such as a Traffic Impact Study or environmental forms) demonstrating compliance with all statutory and regulatory requirements and other applicable criteria.

Application For: (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Administrative Modification | <input type="checkbox"/> Open Space: Public Benefit Rating System |
| <input type="checkbox"/> Administrative Determination | <input type="checkbox"/> Major Subdivision |
| <input type="checkbox"/> Administrative Interpretation | <input type="checkbox"/> Master Planned Development |
| <input type="checkbox"/> Binding Site Plan | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Comprehensive Plan Map Amendment | <input type="checkbox"/> Plat Alteration or Vacation |
| <input checked="" type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Short Plat |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance (zoning or critical areas) |
| <input type="checkbox"/> Forest Practice/Conversion | <input type="checkbox"/> Zoning Text Amendment/ Map Amendment |
| | <input type="checkbox"/> Other: _____ |

APPLICABILITY SECTION

The following have their own individual application. Do not use this form for:

- Boundary Line Adjustments. Please use corresponding Boundary Line Adjustment Application Form.
- Certificate of Exemptions. Please use corresponding Certificates of Exemption Application Form.
- Shoreline Permits. Provide the JARPA form along with the corresponding Supplemental Form, as necessary.
- Building and Fire Permits.
- Pre-Applications.

The following attachments are required for a complete application:

- Copy of Deed or Proof of Ownership
- Supplemental Forms, if applicable
- Completed Aquifer Recharge Section, Marijuana Disclosure Section and Site Plan Checklist
- All information, documents, studies and reports demonstrating compliance with all statutory and regulatory criteria and requirements and the Chelan County Comprehensive Plan
- The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15.

GENERAL INFORMATION

Please provide a narrative of the proposed project including, but not limited to, all proposed activities, uses and development (attach additional sheets if needed):

Narrative attached.

Narrative attached

Please complete the following:

1. Any related files (such as Pre-Applications): NA
2. Is the subject property located within an Urban Growth Area (UGA)? No Yes
If "yes", which UGA? NA
3. Please describe adjacent land uses in all directions around the subject property:
North: NA
South: NA
East: NA
West: NA
4. What is the current use of the property? NA
5. Sanitation Disposal: N/A Septic Permit Sewer District: _____
6. Water Source: N/A Single Private Well Shared Private Well Group B
 Public Water Supplier: _____
7. Irrigation Water:
 N/A Yes (Private) Yes (Public) Irrigation District/Purveyor: _____
8. Fire District: NA School District: NA
9. Power Service: NA
10. Are there critical areas or critical area buffers on the property?
 Airport Overlay: _____
 Aquifer Recharge Area (see attached)
 Floodplain / Floodway _____
Geologically Hazardous Areas (11.86.020) on the site or within the specified distance of the site:
 Alluvial Fan (250') Known Historic Hazardous Area (250') Slopes > 40% (250')
 Erosive soils (on-site) Landslide Snow Avalanche (500')
 Habitat/Riparian Area, protected species/area: _____
 Streams / Waterbodies: _____ Shoreline Environment Designation: _____
 Drainage or Seasonal Stream: _____ Wetland, if so what category: _____
 Cultural or Archeological: _____
11. Will landfill be required? No Yes, approximate _____ (cubic yards)
12. Will excavation be required? No Yes, approximate _____ (cubic yards)
13. Has site preparation been started on the site? If so, to what extent?
NA
14. Are there plans for future additions, expansions, or further activity related to or connected with the proposal?

15. Provide a development schedule with the approximated dates of commencing and completing construction or proposed activity:

NA

16. Are there any other applications pending for governmental approvals for this or other proposal affecting the property covered by this proposal? No Yes, please list:

AQUIFER RECHARGE AREA DISCLOSURE SECTION

Exempt from this section only are Single Family Residences and their associated development per CCC 11.82.060. An applicant seeking to develop property which requires a development permit, shall submit with the permit application this certified statement, which lists each of the evaluation criteria and shall indicate whether the criteria "applies" or "does not apply" to the site or development. "Unknown" or similar responses will not be accepted.

If the development meets criteria A, B, C, or D or if the site or development meets any two of the remaining criteria, the Department will direct the applicant to determine the vulnerability rating for the development pursuant to Section 11.82.050 Aquifer Recharge Areas. If the development has a high or medium vulnerability rating, the development shall be subject to the performance standards of Section 11.82.060.

If an applicant's statement asserts that the criteria do not apply to the development, the Department will accept the statement and proceed with the permitting process. If any statement is incorrect, the applicant will be advised in writing to either; (a) provide an amended statement adding the evaluation criteria as being applicable and determine the vulnerability rating of the development pursuant to Section 11.82.050, or (b) present sufficient countering information clearly establishing that the basis for the Department's concern is incorrect. If the applicant selects to proceed under (b), upon receipt of the applicant's information, the Department shall review the information and obtain whatever additional assistance may be required to resolve the issue. The final determination as to whether a determination of vulnerability is required shall be made by the Administrator.

EVALUATION CRITERIA

The applicant is required to determine the vulnerability rating for **any development permit**, not otherwise exempted, if the site or development meets criteria A, B, C, or D or meets two or more of the remaining criteria below:

Please write the word(s) "**Applies**" or "**Does Not Apply**" on the lines before each of the following statements:

Does Not Apply **A.** Within a wellhead protection area designated under WAC 246-290; ***Wellhead Protection Area:** The surface and subsurface area surrounding a well or well field for a distance of 100 feet, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.

Does Not Apply **B.** Within an aquifer recharge area mapped and identified by a qualified ground water scientist;

Does Not Apply **C.** The site will be utilized for hazardous substance, (as now or hereafter defined in RCW 70.105D.020(7)), processing storage or handling in applications or quantities larger than is typical of household use;

Does Not Apply **D.** The site will be utilized for hazardous waste treatment and storage as set forth in RCW 70.105 Hazardous Waste Management, as now or hereafter amended;

Does Not Apply **E.** The site contains highly permeable soils, which include soil types 1a, 1b and 2a under WAC 246-272-11001, Table II; ****Highly Permeable Soils:** Include soil types 1A, 1B and 2A from Table II, Soil Textural Classification, WAC 246-272-11001. 1A: Very gravely coarse sands or coarser, all extremely gravely soils. 1B: Very gravely medium sand, very gravely fine sand, very gravely very fine sand, very gravely loamy sands. 2A: Coarse sands (also includes ASTM C-33 sand).

Does not Apply **F.** Within a sole source aquifer recharge area designated pursuant to the Federal Safe Drinking Water Act (**None currently designated in Chelan County**);

- Does not apply G.** Within an area established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48 and 90.54 RCW, and Chapters 173-100 and 173-200 WAC (**None currently designated in Chelan County**);
- Does Not Apply H.** The development involves a proposed major or short subdivision and includes present or future plans to construct three or more dwelling units where the dwelling units will not be connected to a public sewer system and any of the lots are less than 1 net acre in size;
- Does Not Apply I.** The proposed commercial and industrial site is not on a public sewer system and the main structure exceeds 4,000 square feet;
- Does Not Apply J.** The proposed use is as a commercial feedlot;
- Does Not Apply K.** The development is within 200 feet of the ordinary high water mark of a perennial river, stream, lake or pond.

Depending upon soil depths from the surface, the following soil series within Chelan County are considered to be highly permeable soils:

- Ardenvoir: ArF, 27-43 inches (depth from surface), very gravelly sandy loam*
- Anatone: AkD, 5-14 inches (depth from surface), very gravelly silt loam*
- Beverly: Be, 17-24 inches (depth from surface), very gravelly sandy loam; Bf, 17-24 inches (depth from surface), very gravelly sandy loam; Bg, 0-10 inches (depth from surface), very gravelly loamy fine sand; Bg, 17-24 inches (depth from surface), very gravelly sandy loam*
- Brief: BrA, BrB, BrC, Brd, 26-60 inches (depth from surface), very gravelly sandy loam*
- BsD, 26-60 inches (depth from surface), very gravelly sandy loam*
- Chelan: CgB, CgC, CgD, CgE, 35-60 inches (depth from surface), very gravelly sandy loam; ChC, ChE, 35-60 inches (depth from surface), very gravelly sandy loam; CkD, CkE, 35-60 inches (depth from surface), very gravelly sandy loam; CIA, CIB, CIC, CID, CIE, 35-60 inches (depth from surface), very gravelly sandy loam*
- Jumpe: JmD, 10-60 inches (depth from surface), very stony silt loam; JnF, 0-60 inches (depth from surface), very stony silt loam*
- Loneridge: LoD, LoF, 0-10 inches (depth from surface), very stony loam; 10-16 inches (depth from surface), very gravelly clay loam*
- Malaga: MaA, MaC, 15-19 inches (depth from surface), very gravelly sandy loam*
- Peshastin: PhB, PhC, 18-60 inches (depth from surface), very cobbly sandy loam; PID, PIE, 18-60 inches (depth from surface), very cobbly loam*
- Pogue: PsE, 0-17 inches (depth from surface), very stony fine sandy loam*
- Stemilt: StD, StE, 17-60 inches (depth from surface), very cobbly silty clay loam*
- Supplee: SuA, SuB, SuC, SuD, SuE, 0-6 inches (depth from surface), Very fine sandy loam; 18-31 inches (depth from surface), very gravelly sandy loam*
- Thow: TgD, 10-60 inches (depth from surface), very gravelly sandy loam; ThE 10-60 inches (depth from surface), very gravelly sandy loam*
- Tronsen: TrD, TrE, 8-60 inches (depth from surface), very gravelly clay loam*

CANNABIS DISCLOSURE SECTION

SUB-SECTION I: Circle

I AFFIRM there **IS NOT** or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "**IS NOT**" above, proceed to Sub-Section III of this form.

If you circled "**IS**" above, proceed to Sub-Section II of this form.

SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

- _____ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.
- _____ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.
- _____ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.
- _____ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

SUB-SECTION III: Please select one of the following:

- I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.
- I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

SITE PLAN CHECKLIST SECTION

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.

- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-4220 for assistance in identifying PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and light line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

ACKNOWLEDGEMENT SECTION

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

By submitting this application, I acknowledge and certify the following:

Initials

(Owner and, if applicable, Applicant)

- BB _____ 1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.
- BB _____ 2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.
- BB _____ 3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.
- BB _____ 4. Additional permit applications and approvals may be necessary to conduct specific activities.
- BB _____ 5. Application fees are non-refundable, except when approve by the Board.
- BB _____ 6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.

- BB _____ 7. Chelan County is hereby given consent to enter the property(ies) listed above.
- BB _____ 8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.
- BB _____ 9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.
- BB _____ 10. I certify that this application has been made with the consent of the lawful property owner(s).
- BB _____ 11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.
- BB _____ 12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature:  Place: Wenatchee, WA Date: 10/1/2020
Print Name: Blake Baldwin

Owner/Applicant/Agent Signature:  Place: Wenatchee, WA Date: 10/1/2020
Print Name: Blake Baldwin

Owner/Applicant/Agent Signature: _____ Place: _____ Date: _____
Print Name: _____

Comprehensive Plan Text Amendment Narrative

This proposed Comprehensive Plan Text Amendment to the Economic Development Element is to add eligible projects for rural county tax funds.

In 1999 the Washington State Legislature passed House Bill 2260 which amended RCW 82.14.370 thereby qualifying Chelan County to retain a certain percentage of the State of Washington's share of locally generated sales tax to fund economic development infrastructure projects in Chelan County.

In 2004 the Washington State Legislature amended RCW 82.14.370 to further clarify that the funds shall only be used to finance public facilities serving economic development purposes. Economic development purposes means projects which facilitate the creation or retention of businesses and jobs in the county.

To receive economic development sales tax funds the public facility must be listed as an item in the officially adopted county overall economic development plan, the economic development section of the county's comprehensive plan, or the comprehensive plan of a city or town located within the county. In order to comply with this provision, Chelan County proposes a Comprehensive Plan Text Amendment to the Economic Development Element that includes a list of projects eligible to receive rural county tax funds.