RESOLUTION C.E. 91-131

RE: Zoning amendment to the A-R Rural Agricultural Zoning District, and an amendment to the Douglas County Comprehensive Plan adopted in 1964 to include a Planned Residential Development (PRD) overlay for the purpose of a master plan, and approval of Phase I of the PRD.

Whereas, the Board of Douglas County Commissioners held a duly advertised public meeting on October 14, 1991, to consider and review the above referenced amendment as presented by the Douglas County Regional Planning Commission, and;

Whereas, the Planning Commission held a duly advertised public hearing on September 18, 1991, to take public testimony and to publicly review the above referenced amendments, and;

Whereas, after hearing public testimony and reviewing the proposal to their satisfaction did unanimously recommend that the Board approve this amendment to the official zoning map and comprehensive plan map with the following attached conditions and findings of fact:

MASTER PLAN CONDITIONS

1. Approved fire hydrants and water mains capable of supplying required fire flow requirements are subject to the Uniform Fire Code, the Douglas County Fire Hydrant and Water Main Ordinance, and other applicable codes and requirements.

2. Prior to the approval of each phase adequate domestic/irrigation water shall be available on site and approved by the Chelan-Douglas Health District and pertinent agencies. A water rights permit is required by the Department of Ecology.

3. Each phase of the Master Plan shall comply with the minimum criteria as established in Chapter 18.67.080 "Design Standards", paragraph (A), "Setback and Side Yard Requirements"; (B) "Open Space Requirements"; (C) "Private Open Space"; (D) "Landscaping Required", subparagraphs 1, 2, 3, 4, 5, 6 and 7; (E) "Parking Requirements"; and, (F) "Building Height".

4. The developer has indicated that at the time each Development Phase is submitted to the Planning Commission that they would address the provisions for bonus densities as set forth in Chapter 18.67.080 (G). Therefore, bonus density requirements will be addressed and conditioned accordingly with each Development Phase.

5. Each phase and/or Development Plan must be in substantial
conformance with the approved Master Plan filed with the Planning Commission and requirements of the Chapter 18.67 and the conditions as stated above. A Development Plan may cover all or a portion of the property outlined in the Master Plan.

6. Off-site improvements may be necessary for each phase of development for roadways and public services such as fire, schools, etc. This shall be determined during each phase of development and prior to the final of each development plan. Improvements required shall be subject to the appropriate regulating agencies.

7. That all of the conditions addressed in the Environmental Review process be made part of these conditions.

PHASE I. DEVELOPMENT PLAN CONDITIONS

1. All privately owned common open space shall continue as such and shall only be used in accordance with the Development Plan. Appropriate land use restrictions shall be contained on the face of the plat and in all deeds to insure that the common open space is permanently preserved according to the Development Plan. Said deed restrictions shall run with the land and be for the benefit of present as well as future property owners, and shall contain a prohibition against partition of common open space.

2. A site plan indicating landscape features, transition perimeter on North property boundary and complementary structures shall be submitted to the Planning Commission prior to the filling of the final plat map for Phase I. Said, site plan shall be in substantial conformance with Chapter 18.67.080 "Design Standards", as indicated in condition #10 of the Master Plan and condition #7 of the Environmental conditions.

3. Lots adjacent to common areas, springs, wetlands, and the Greenbelt/Drainage area shall retain and enhance natural vegetation along it edge to minimize wildlife impacts. A list of appropriate natural plant species can be obtained from the Department of Wildlife.

4. A grading and construction plan is required by a licensed engineer and approved by the County Engineer prior to the issuance of a building, health department, and road construction permit. Said, plans should indicate amount of material excavated, slope stability, soil bearing capacity and erosion control.

5. All individual and community sewage disposal areas and
domestic/irrigation water sources are subject to Federal, State, and Local Health Department regulations, the Department of Ecology and other applicable agencies.

6. Water shall be made available to each lot, including home bibs, before construction of building commences. Also, during construction, disturbed areas shall be maintained in a manner (wet) to control dust from crossing property lines.

7. Roadway improvements adjacent to Phase I of this Development are required on County Road #997 A as well as the interior street as proposed on the site plan. Improvements shall consist of street paving (hard surface) and shall be the responsibility of the Developer and subject to the approval of the County Engineer.

8. Improvements shall be in place prior to the filing of the final plat map, or an adequate bond or surety shall be posted and approved by the Douglas County Engineer in a form approved by the Douglas County Prosecuting Attorney.

9. A stormwater/drainage plan be prepared for Phase I shall be submitted and approved by the Douglas County Engineer prior to the filing of the final plat map. It is the responsibility of the developer to install the approved drainage system. The drainage plan shall address all on-site drainage, roadway drainage and future considerations for all phases of the Master Plan.

10. All easements and utility plans for electrical power, water and sewer (septic) lines, telephone, etc. shall be noted on the final plat map and approved by the appropriate agencies.

The following findings of fact support the approval of this project:

1. This proposal is located in the A-R Rural Agricultural District which allows Planned Residential Developments (PRD) subject to Chapter 18.67, the Douglas County Zoning Ordinance and Douglas County Subdivision Regulations.

2. The proposed site is located in an area which is undesignated in the Douglas County Comprehensive Plan, adopted in 1964.

3. The subject site is located in an area which is suitable for development as conditioned above and addressed by the commenting agencies.

4. As conditioned, the Master Plan and Development Plan for Phase I. meets all of the design standards as addressed in Chapter 18.67 and the Douglas County Subdivision Regulations.

3.
5. Adequate public service utilities are available to provide for the general health, safety and welfare of residents proposed for the area. These utilities include adequate provisions for potable water, power services, public roads, schools, and public services.

6. The overall density of the Master Plan and Phase I of the Development Plan do not exceed the allowable densities as addressed in the Douglas County Zoning Ordinance.

7. A Mitigated Determination of Nonsignificance was issued for this proposal as setforth in the State Environmental Policy Act, as amended.

Whereas, the Board has considered the Planning Commissions recommendations, conditions, and findings of fact and find them appropriate.

Therefore, be it hereby resolved by the Board of Douglas County Commissioners that the official zoning map and comprehensive plan map shall be identified by the symbol "PRD" with appropriate referenced to the PRD plan and explanatory text as attached and presented to the Planning Commission on September 18, 1991, based on the findings entered above.

LEGAL DESCRIPTION: A portion of Section 27; Portions of the Northeast 1/4 of Section 34; all in Township 26 North, Range 21 East, W.M., Douglas County, Washington. Detailed legal description attached.

Dated this day 17, of October 1991

Board of Douglas County Commissioners

Joan Patterson - Chairman

Matthew S. Warner - Vice Chair

Jay Weber - Member

Attest

Laurie Evenhus, Auditor
Clerk of the Board By
Marilyn Northrup
ATTACHED

ENVIRONMENTAL REVIEW

CORRECTED Planning Commission Hearing September 18, 1991

August 28, 1991

APPLICANT: Charlie McCray

SUBJECT: A Planned Residential Development proposal consisting of an 18 hole golf course, 100 single family lots, and 100 multi-family lots on 350 acres

On July 19, 1991, this department indicated to the applicant that a determination of significance was likely, however, after receiving additional information a determination was made for a mitigated Determination of Nonsignificance on August 28, 1991. Through the environmental review process, several issues were raised regarding public services, increased traffic, adjacent land uses, and wildlife habitat. After further review it was determined that impacts which may result from this proposal can be mitigated by implementing the criteria as established in the Planned Residential Development Regulation and Comprehensive Plan. The Determination of Nonsignificance (DNS) has the following conditions attached to the DNS as authorized in WAC 197-11-350 and the Douglas County Environmental Ordinance Section 19.04.140 and 19.04.240.

The determination of nonsignificance (DNS) has the following conditions attached as authorized above:

SOIL DISRUPTION

1. Prior to filing of the final Development Plan for Phases I, II, and III a construction/development permit addressing grading/excavation, drainage, erosion control, slope stability and soil bearing capacity shall be submitted by a licensed engineer and approved by the Building Official per Uniform Building Codes and the County Engineer.

2. Approved erosion control methods and devices as accepted by the County Engineer will be required to cover all major cut and fill areas. Seed mix will be injected into the areas to encourage re-seeding. Seeding mixtures to be approved by the Soil Conservation Service.
PUBLIC SERVICES
3. A needs assessment for fire operations, schools, police and emergency services is required by the Developer to adequately assess impacts response time, etc... to ensure public health, safety and welfare. Mitigation criteria, requirements, and improvements may be necessary by the developer depending on degree of benefit derived from these proposals for Phases I through III.

ROAD
4. Additional traffic analysis is needed for Phases I, II and III in order to quantify overall impacts to the County Road, and State highway system. Traffic analysis should reflect present use including Phase I, future development phases, degree of benefit derived, and existing roadway conditions. Off-site improvements to the intersection of SR 97 & Browns Canyon Road (Brays Landing Rd.) are required to be mitigated for turning movements.

a. A right turn pocket shall be required at the intersection of SR 97 and Browns Canyon Road. The turn pocket shall consist of an additional 12 foot wide lane for 60 feet in length, with a 100 foot taper in and 55 foot radius on to Browns Canyon Road prior to final approval of Phase I development.

WILDLIFE HABITAT
5. Springs, wetlands, and other sensitive areas shall be identified prior to the filing of the final plat for each phase with the Department of Wildlife and include provisions for the protection and enhancement of them for wildlife habitat. Whenever possible existing trees and snags should be left intact for perches and nesting areas.

a. The major drainage channel traversing the property from East to West shall be preserved and enhanced to a natural state. No filling, grading, or alterations shall take place in said drainage.

*Minor alterations to the drainage and identified sensitive area may be permissible. However a scaled plan shall be submitted detailing the amount of disturbance and a reclamation plan of all disturbed areas. All plans and activities shall be subject to the approval of the County Engineer, Planning Director and Department of Wildlife before and during construction.

STORM WATER
6. Submission of a drainage plan acceptable to the County Engineer which shall address stormwater runoff and be retained and in a system designed for such runoff, which does not damage adjacent
properties. The drainage plan shall be submitted and approved by the Engineer prior to the filing of the final plat for each development plan.

TRANSITION PERIMETER
7. A transition perimeter or buffer area shall be established along the North property boundary. Such buffer shall consist of a very dense sight barrier to significantly separate uses and land use districts. Buffering techniques may include any combination of trees, shrubs, earthen berms and related plant materials or design features be selected; provided, that the resultant effect is sight-obscuring from adjoining properties. All trees and shrubs must be capable of growing to a minimum of ten (10) and five (5) feet in height, respectively, within three (3) years. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within three (3) years. All landscaping shall be approved by the Douglas County Planning Department prior filing of the first phase.

ENVIRONMENTAL REVIEW
8. Each phase of this project shall conduct a separate Environmental review prior to approval.

The following finding of fact support the conditions necessary to mitigate the impacts of this project:

FINDINGS OF FACT

1. The proposed project is located within the A-R Rural Agricultural Zoning District which allows Planned Residential Developments subject Chapter 18.67 of the Douglas County Code.

2. The Traffic Impact Analysis is required to determine the characteristics and intensity of trips generated by this development, and additional improvements necessary to mitigate impacts which may occur on Browns Canyon (Brays Landing Road) and the intersection of SR 97.

3. SR 97 is classified as a primary arterial and Browns Canyon (Brays Canyon) Road is classified as a Collector Street.

4. Traffic impacts generated from this proposal can be mitigated through additional improvements to the roadways in conjunction with the development of this project.
5. The type of soils in this area is susceptible to wind and water erosion.

6. Observations and information provided on the proposed site do not indicate any threatened or endangered plant and animal species. However, several area do exist which have a high wildlife habitat value.

7. The Douglas County Comprehensive Plan setforth criteria and recommendations which address agricultural preservation, the public street system and public services.

8. A determination of nonsignificance (DNS) was issued for this proposal according to WAC 197-11-340, 197-11-350 and the Douglas County Environmental Ordinance Section 19.

Respectfully submitted,

John Shambaugh
Senior Planner