



DOUGLAS COUNTY
Transportation & Land Services
STATE OF WASHINGTON

STAFF REPORT

PLAT AMENDMENT – BEACH AT CORRAL CREEK

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Beach at Corral Creek Lot No. 9 Plat Amendment (PA-2020-01)
DATE: June 8, 2020

GENERAL INFORMATION

Requested Action: A Plat Amendment to remove a wetland buffer which is no longer applicable to Lot 9 of Beach at Corral Creek Plat # P-04-07. The amendment only affects lot 9. The subject property is approximately 1.23 acres in size.

Location: The property is located at 13 Fredrick Court, Orondo within the Rural Recreation 5 (RR-5) zoning district under Douglas County Code and Shoreline designation of Rural Conservancy. The project is further described as being located within Section 10, Township 27N, Range 23E, W.M. The Assessor's Parcel Number is 45800000900.

SITE INFORMATION

Site Characteristics: The subject properties are located within a cluster subdivision along the Columbia River.

Access: The subdivision accesses via Fredrick Court.

Zoning and Development Standards: The subject property is located within the Rural Resource 5 acres (RR-5) Zoning District, which allows for subdivisions.

Major Subdivisions:

The requirements of Title 17, "Subdivisions", Douglas County Code, apply to plat amendments.



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COMPREHENSIVE PLAN:

The Douglas County Countywide Comprehensive Plan designates this property as Rural Resource 5. The following goals and policies set forth in the comprehensive plan are relevant to this development:

RURAL

POLICY RD-4: Development and recreational opportunities in rural shoreline and other rural areas shall minimize potential adverse impacts to water quality, slope stability, vegetation, wildlife and aquatic life.

POLICY RD-7: Rural developments should consider and comply with the spirit, intent and requirements of all the chapters and section of this comprehensive plan, including but not limited to, the Resource Lands Element and resource and Critical Areas Conservation Element.

ENVIRONMENTAL REVIEW

Douglas County issued a Determination of Non-Significance on 06/03/2020 in accordance with WAC 197-11-355 (Optional DNS).

AGENCY AND PUBLIC COMMENTS:

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as Attachment A.

At the time of authoring this report and within the file of record, no public comments have been received.

PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive plan consistency:

The proposal is consistent with the goals and policies of the Douglas County Countywide Comprehensive Plan.



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Consistency with the provisions of Title 17, "Subdivision", DCC:

The Beach at Corral Creek established Critical Area Buffers (Wetland Buffers) on Lot 9, Lot 10, and Lot 28 (common area). The application materials for the plat included a Wetland and Stream Assessment prepared by Jay Dirkse, Biologist with Grette Associates dated May 13, 2019 regarding Stobb property, parcel no. 4580000900.

The plat was recorded on December 21, 2010.

The modification of plat elements must be approved via a plat amendment process. The applicant is requesting that the wetland and associated buffer be removed.

Pursuant to DCC 17.42.030 Alteration of final plat, or final short plat or final binding site plan, Alteration of a final plat, final short plat or final binding site plan or any portion thereof shall meet all requirements of this chapter, as applicable, Chapter 58.09 RCW, RCW 58.17.035, 58.17.060, 58.17.215 through 58.17.218 and WAC 332-130-050(3), as applicable, except that alterations subject to the provisions of DCC Chapter 17.34, Boundary Line Adjustments, are exempt from the requirements of this section.

Pursuant to RCW 58.17.215 Alteration of subdivision—Procedure.

When any person is interested in the alteration of any subdivision or the altering of any portion thereof, except as provided in RCW 58.17.040(6), that person shall submit an application to request the alteration to the legislative authority of the city, town, or county where the subdivision is located. The application shall contain the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered. If the subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the subdivision or portion thereof.

Upon receipt of an application for alteration, the legislative body shall provide notice of the application to all owners of property within the subdivision, and as provided for in RCW 58.17.080 and 58.17.090. The notice shall either establish a date for a public hearing or provide that a hearing may be requested by a person receiving notice within fourteen days of receipt of the notice.

The legislative body shall determine the public use and interest in the proposed alteration and may deny or approve the application for alteration. If any land within the alteration is part of an assessment district, any outstanding assessments shall be



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equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration. If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

After approval of the alteration, the legislative body shall order the applicant to produce a revised drawing of the approved alteration of the final plat or short plat, which after signature of the legislative authority, shall be filed with the county auditor to become the lawful plat of the property.

This section shall not be construed as applying to the alteration or replatting of any plat of state-granted tide or shore lands.

The applicant submitted a Wetland and Stream Assessment prepared by Jay Dirkse, Biologist with Grette Associates dated May 13, 2019 regarding Stobb property, parcel no. 45800000900.

The applicant has provided signatures of owners from the processing of the plat amendment. As conditioned, the proposed plat amendment is consistent with the provision of this title.

Consistency with the provisions of the RR-5 Zoning District, Chapter 18.30, DCC:
The proposal is consistent with the provisions of this chapter. Residential use of the property is permitted by the district.

Consistency with the provisions of DCC Chapter 20.34, Stormwater Drainage
No alteration of the stormwater system nor drainages are being proposed.

As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the provisions of DCC Title 12 Road Standards

No alteration of the existing infrastructure is being proposed.

Agency comments:

Agency Notified	Response Received	Agency Notified	Response Received
Chelan County PUD	04/06/2020	Washington State Dept. of Ecology	04/07/2020



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US Corps of Engineers	NR	Douglas County Land Services	04/06/2020
Washington State Dept of Fish & Wildlife	NR	Dept. of Arch. & Historical Preservation	NR

* N/R = No Reply

Agency comments have been included as suggested conditions of approval, as applicable.

- Date of Application: 03/23/2020
- Date Letter of Completeness Issued: 03/25/2020
- Date Notice of Application Issued: 03/25/2020
- Comment Period: 3/27/2020 - 4/9/2020

RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 17, 18, and 19 of the Douglas County Code. Staff recommends approval of PA-2020-01 subject to the following findings of fact and conditions:

Suggested Findings of Fact:

1. The applicants are Justin & Deedee Stobb, 20026 105th Ave SE Snohomish, WA 9829.
2. The agent is Grette & Associates, 151 S Worthen St Ste 101 Wenatchee, WA 98801.
3. General Description: A Plat Amendment to remove a wetland buffer which no longer applicable to Lot 9 of Beach at Corral Creek Plat # P-04-07. The amendment only affects lot 9. The subject property is approximately 1.23 acres in size.
4. Location: The property is located at 13 Fredrick Court, Orondo within the Rural Recreation 5 (RR-5) zoning district under Douglas County Code and Shoreline designation of Rural Conservancy. The project is further described as being located within Section 10, Township 27N, Range 23E, W.M. The Assessor's Parcel Number is 45800000900.
5. Site Characteristics: The subject properties are located within a cluster subdivision.
6. The Comprehensive Plan Designation is Rural Resource 5.



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7. The subject property is located in the RR-5 zoning district which allows for subdivisions as permitted uses.
8. The shoreline environment designation is Rural Conservancy.
9. The Beach at Corral Creek was recorded on December 21, 2010. Beach at Corral Creek includes Critical Areas (Wetlands and Streams) and associated buffers.
10. The applicant is requesting that the wetland buffer be removed.
11. The modification of plat elements must be approved via a plat amendment process.
12. Pursuant to DCC 17.42.030 Alteration of final plat, or final short plat or final binding site plan, Alteration of a final plat, final short plat or final binding site plan or any portion thereof shall meet all requirements of this chapter, as applicable, Chapter 58.09 RCW, RCW 58.17.035, 58.17.060, 58.17.215 through 58.17.218 and WAC 332-130-050(3), as applicable, except that alterations subject to the provisions of DCC Chapter 17.34, Boundary Line Adjustments, are exempt from the requirements of this section.
13. Pursuant to RCW 64.04.175 Easements established by dedication—
Extinguishing or altering, Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner or owners, unless the plat or other document creating the dedicated easement provides for an alternative method or methods to extinguish or alter the easement.
14. The applicant has provided signatures of owners from the processing of the plat amendment.
15. The applicant submitted a Wetland and Stream Assessment prepared by Jay Dirkse, Biologist with Grette Associates dated May 13, 2019 regarding Stobb property, parcel no. 45800000900.
 - a. Based on observations from several site visits, Corral Creek has changed since the initial plat. Corral Creek was mapped as a stream with associated wetlands. However, in July 2016, Corral Creek was washed out by a flash flood. This report discusses the current status of the wetlands and stream as it pertains to the Stobb property.
 - b. Based on these observations, Corral Creek plat can be amended to remove the wetland and wetland buffer that is indicated, since Corral Creek no longer flows regularly in this area and thus no longer supports wetlands. Further, this portion of Corral Creek, being ephemeral, requires no buffer. The next step would be to engage Douglas County about this change of conditions and begin the plat amendment process.
16. Douglas County issued a Determination of Nonsignificance on 06/03/2020 pursuant to WAC 197-11-355 (Optional DNS).



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17. Surrounding property owners were given the opportunity to comment on the proposals, can request a copy of the decision, and can appeal the decision subject to the requirements outlined in DCC Title 14.
18. The District (Chelan County PUD) has reviewed the referenced application for a plat amendment to remove a wetland buffer and provided comments.
19. The Washington State Department of Ecology has reviewed the referenced application for a plat amendment to remove a wetland buffer and provided comments.
20. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Douglas County Countywide Comprehensive Plan.
2. Public use and interests will be served by approval of this proposal.
3. As conditioned, the proposal is consistent with Title 18 "Zoning", Title 17 "Subdivision", and Title 19 "Environment", of the Douglas County Code.
4. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.

Suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials of file dated 03/23/2020 except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. A plat certificate showing parties of interest from a title company must be submitted with the blueline drawings.
4. The final plat map shall be submitted by a land surveyor licensed in the State of Washington, and shall comply with the standards set forth in Title 17 of the Douglas County Code.
5. All parties having an ownership interest in the subject property shall acknowledge the plat.
6. It is the responsibility of the applicant to contact the Douglas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.
7. Pursuant to WAC 332-130-050 (3)(c)(iii) A prominent note itemizing the changes to the original document needs to be included on the mylar.
8. Any and all plat notes that conflict with the removal of the wetland buffer shall be revised to accurately reflect the removal, as applicable.
9. The District (Chelan County PUD) has the right to flood and damage, and restrict development and recontouring below the Districts project boundary which is at an



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elevation of 725.5 above sea level on the subject property. The majority of the area within the wetland buffer proposed to be removed is within the Districts project boundary. Therefore, removal of the wetland buffer within the project boundary will not provide the applicant with additional area for improvements below the project boundary. This may or may not be of consequence to the applicant's future plans, however the District felt it important for the applicant to be made aware of this at this time.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Tanner Ackley".

Tanner Ackley, Associate Planner

June 8, 2020

Attachments

Agency comments

Agency Comments

Shari Tincher (x6589)

From: Graves, Lisa <lisa.graves@chelanpud.org>
Sent: Monday, April 06, 2020 4:18 PM
To: Shari Tincher (x6589)
Cc: Hankins, Alicia
Subject: Comment on Stobb - PA-2020-01

[EXTERNAL MESSAGE]

Ms. Tincher,

The District has reviewed the above referenced application for a plat amendment to remove a wetland buffer and provides the following comments:

The District has the right to flood and damage, and restrict development and recontouring below the District's project boundary which is at an elevation of 725.5' above sea level on the subject property. The majority of the area within the wetland buffer proposed to be removed is within the District's project boundary. Therefore, removal of the wetland buffer within the project boundary will not provide the applicant with additional area for improvements below the project boundary. This may or may not be of consequence to the applicant's future plans, however the District felt it important for the applicant to be made aware of this at this time.

Thank you for the opportunity to review. I may be sent email at lisa.graves@chelanpud.org for any questions.

Sincerely,

Lisa

Lisa Graves
Real Estate Specialist
PUD No. 1 of Chelan County | Wenatchee, Washington

(509) 661-4196 | lisa.graves@chelanpud.org



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 West Alder Street • Union Gap, Washington 98903-0009 • (509) 575-2490

April 7, 2020

Tanner Ackley
Douglas County Transportation and Land Services
140 19th Street N.W.
East Wenatchee, WA 98802

Re: PA-2020-01

Dear Tanner Ackley:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Stobb Corral Creek Plat Amendment. We have reviewed the documents and have the following comments.

SHORELANDS/ENVIRONMENTAL ASSISTANCE

As long as the applicant isn't removing any flood notes to the existing plat or changing any previously delineated special flood hazard area in regards to the NFIP, they are in compliance from the flood ordinance perspective.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Sandy Floyd** at 509-457-7139 or email at sandra.floyd@ecy.wa.gov .

Sincerely,

A handwritten signature in blue ink that reads "Gwen Clear".

Gwen Clear
Environmental Review Coordinator
Central Regional Office
509-575-2012
crosepa@ecy.wa.gov

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