

LETTER OF TRANSMITTAL

DATE: July 10, 2017

TO: City of Okanogan Planning Commission

FROM: Christian Johnson, Permit Administrator

Re: **Supplemental Staff Report – Riverview Meadows**

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This report is supplemental to and does not change the original report except where specifically indicated or revised.

Staff enters following documents and exhibits into the record:

Documents:

1. The filed application, consisting of a City of Okanogan Land Use Permit Application Cover Sheet Questionnaire, Planned Development Supplemental Questionnaire, property description, vicinity maps and proposed project layout, Project SEPA Checklist and Cultural Resource Survey Report, together with a by condition of approval narrative of how Riverview Meadows will comply or is different, all noted as OKA RA 17-1 (Hereafter referred to as the “Application”).
2. Notice of Application, Issuance of a DNS under SEPA and Public Hearings on the Matter Riverview Meadows PD OKA PD 17-1 issued 6/16/2017 (Hereafter referred to as the “Notice”).
3. A letter of transmittal titled “Staff Report – Riverview Meadows – A Mixed Use Planned Development” dated July 4, 2017 (Hereafter referred to as the “Staff Report”).
4. All filed comments (city staff comments are inclusive with the Staff Report):
 - a. Colville Tribal Planning
 - b. Colville Tribal History
 - c. Columbia Fruit Packers
 - d. Marjorie McClellan
 - e. Clark & Stephanie Kraemer
 - f. Richard Ames
 - g. Economic Alliance
5. The Riverwalk Estates PD preliminary approval record.

Exhibits:

1. Declaration of Mail/Service dated June 21, 2017, signed by Laura Divis, Utility Clerk, regarding the mailing of the Notice, Application (less the SEPA documents) and an inquiry for comments on the application with attachments to the various vicinity landowners.
2. Declaration of Posting dated June 21, 2017, signed by Laura Divis, Utility Clerk, regarding the posting of the Notice at various prominent locations in the City.
3. Declaration of Posting dated June 20, 2017, signed by Teena Vickers, Public Works Employee, regarding the posting of the Notice of Application on and near various locations at the proposal site.
4. Affidavit of Mailing/Posting dated June 20, 2017, signed by Christian Johnson, regarding the transmitting the Agency Notice Packet to all city department heads, various county, tribal and state agencies and confirming that the Notice Packet was available on the city’s official website for viewing and downloading on June 21, 2017.
5. Affidavit of Publication of the Notice in the Omak-Okanogan County Chronicle on June

- 21, 2017.
6. Affidavit of Mailing/Posting dated July 5, 2017, signed by Christian Johnson, regarding the transmitting the Staff Report to all city department heads and the proponents and confirming that the Staff Report was available on the city's official website for viewing and downloading on July 5, 2017.
 7. A July 7, 2017 copy of the SEPA Register regarding the Notice (201703238).

Revised - FINDING OF FACT

2454 Elmway, Okanogan, Washington. Known as Tax 6 part of Lot 54 (5400540006), Tax 5 North part of Lot 44, Lot 45 (5400450005) and Tax 3 South 50.3' Lot 43 (5400430003) all in Gregory Tracts 1 is within the city limits of the City of Okanogan thereby Chapter 35A.63 of the Revised Code of Washington establishes the City of Okanogan as the authority with jurisdiction on local land use decisions.

18.88.060 OMC provides general design and locational standards for planned developments.

Chapter 58.17 RCW and 17.20.060 OMC provides specific issues that must be investigated in determining if the public interest is served by the approval of the plat.

Section 17.88.080 OMC empowers and directs the Planning Commission to hear and develop a recommendation to the City Council to approve, conditionally approve or disapprove planned development applications.

Section 17.20.060 OMC empowers and directs the Planning Commission to hear and develop a recommendation to the City Council to approve, conditionally approve or disapprove preliminary plat applications.

Section 18.24.010 OMC provides that the intent of the R-3 district is to provide areas for a mixture of housing types while still retaining the residential character by limiting uses to those that are compatible with residential areas. These areas are typically residential areas that have had a moderate to low build-out rate or have the potential for redevelopment or being annexed as a new residential area.

RCW 19.27.097(1) provides that each applicant for a building permit of a building necessitating potable water shall provide evidence of an adequate water supply for the intended use of the building. Evidence may be in the form of a water right permit from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, or another form sufficient to verify the existence of an adequate water supply. In addition to other authorities, the county or city may impose conditions on building permits requiring connection to an existing public water system where the existing system is willing and able to provide safe and reliable potable water to the applicant with reasonable economy and efficiency. An application for a water right shall not be sufficient proof of an adequate water supply

Section 18.36.01 OMC provides that the intent of the C-2 district is to provide an area for

highway-oriented commercial uses. Areas typical of this district are along major arterials

Section 18.08.320 OMC provides that at such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in OMC 13.08.310, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

On June 16, 2017 the proponent, WAFLA filed a complete application for a mixed use planned development (preliminary plat approval). Said application is attached and incorporated herein.

Relying on the information provided in the pre-application process and the application itself and the performance of the control measures stated therein, the SEPA Official issued the project a threshold determination of non-significance on June 16, 2017.

All notice regarding said application required by Chapter 18.100 OMC has satisfactorily been performed. Affidavits of said notice are attached and incorporated herein.

Revised - CONCLUSIONS

The accumulative merit of the conclusions of each of the following issues will determine if the public use and interest will be served by permitting the proposed division of land:

1. The proposed subdivision is in conformity with the Comprehensive Plan and applicable zoning requirements or other land use controls which may exist; and

COMPREHENSIVE PLAN

The approval of and the final build-out of the planned development is a promotion of the Comprehensive Plan.

The installation of a looped water main to serve Elmway area is a listed Capital Facilities Project (pg 37) of the Comprehensive Plan. Providing for provisions through this project site (which is the largest under-developed site in the vicinity) will promote this element of the plan. This includes reservation of necessary easements to ensure provisions are in place for a utilities crossing of the Okanogan River. There is currently some pressure for advancement of the Eastside Development Plan with the extension of the water main to the County/State Shops and responding to the needs of reliable water for fire fighting at the County Fair Grounds which are nearly across the river from this site. It is prudent to plan for such a river crossing which would facilitate both a looped system for the Elmway and Rodeo Trail water mainlines.

ZONING

In that a Comprehensive Plan amendment has not been proposed, those lots that front/abut Elmway should remain reserved for future commercial endeavors. With

respect to the interim use (recreational) of the commercial pad, a pragmatic approach is warranted to provide a clean curb side appeal and allow some flexibility for development in stages.

OVERLAY

The project site is not part of any specific overlay district.

FLOODPLAIN

A portion of the property is within the AE Zone. The City's Flood Damage Prevention regulations (Chapter 15.28 OMC) for flood hazard reduction will apply to work in the zone, the application and drawing indicate compliance.

This proposal has chosen avoidance and the method of compliance.

SHORELINE

The SMP puts substantial emphasis on securing public access to the state's shorelines. Ensuring that approval of this planned development provides for such public access will promote said goals and policies of the SMP and Act.

This proposal provides for the dedication of said access; when funds are available or in the future of development of Lot 3 said access will be constructed and provided.

CRITICAL AREA

The application notes that the entire site is located in the Aquifer Recharge Area, portions are within Areas Prone to Flooding, the areas adjacent to the Okanogan River and Elgin Creek are designated as Riparian Habitat and there are mapped wetlands in the vicinity.

The applicants have chosen to comply with the CAO requirement with the simplest method, avoidance and controlling run-off in accordance with the Eastern Washington Storm-water Manual.

When properly conditioned and implemented the proposal is consistent with applicable use regulation. Filed comments from the City Zoning, Shoreline, CAO, Floodplain Official and the noted sections of code were relied upon to develop this conclusion.

2. *The proposed subdivision provides access to the individual lots in accordance with current road standards or has received a deviation; and*

The development is served by private road of 40' which meet the local access standards. The proposed turn around paved width of 24' will require some controls for Fire Department access such as restricting parking in the paved area.

With respect to width within the proposed plat, compliance is found.

17.28.020.B. OMC provides that streets must either provide for the continuation or appropriate projection of existing principal streets in surrounding areas or meet neighborhood plan.

17.28.020.M OMC provides that cul-de-sacs (permanent) may serve a maximum potential of 200 vehicles per day and should otherwise be limited to 600'.

Highway Access Management controls will likely require the future commercial development of Lot 1 to be joined with the access for the housing development and/or seek and obtain a joint access with the business (grocery store) to the south.

As shown on the preliminary drawings and submittal documents, compliance is shown.

With respect to length of travel to reach an alternative route (Fire Access of 1/2 the longest diagonal) to the transportation system, the Administrator finds and concludes that providing for continuation to adjoining properties for fire protection service is warranted and within reasonable scope provided such continuance is not dictated as a primary route but provided as an opportunity for mutual benefit. With continuance of roads resolved compliance with 17.28.020 B & M OMC is found.

With respect to abutting pedestrian travel, Elmway is part of the Comprehensive Plans Priorities of the City's Trail System but the construction of a sidewalk is not part of the 6-Year Street Plan. The Administrator estimates that the closest formal sidewalk system is approximately 1.4 miles to the south at the 600 Block of 2nd Avenue.

Considering the scope of the proposal, the permitting decision at hand, the listed priority of Elmway as a part of the trail system, the number of residential units and the distance to the existing system, Staff seeks specific concurrence of the Planning Commission that it would be inappropriate to require sidewalk construction at the time of final plat approval, but provide a reasonable timeframe such as the to be conditioned on the first Certificate of Occupancy for commercial buildings on the fronting commercial lots.

3. *The proposed subdivision meets the requirements of Chapter 17.80 OMC and all lots have determined to be buildable or have been designated as non-buildable lots; and*

Each individual residential and commercial lot is by definition buildable.

4. *The proposed subdivision makes adequate provisions for sites for schools and school grounds; and*

It is expected that the development is of a nature and size below the threshold necessitating such dedications. Confirmation of this should come from filed comments from the School District. In the absence of such filed comments on this application, comments on similar applications were relied upon to develop this conclusion.

5. *The proposed subdivision makes adequate provisions for wildlife, parks and playgrounds; and*

The Comprehensive Plan makes no mention of the need for a formal park in the proposal vicinity. Additionally, the Plan states as a program policy to develop, make usable and/or make accessible to the public existing city park facilities. Should the applicant desire to develop additional recreational facilities within the subdivision, such facilities must remain a private endeavor.

The Comprehensive Plan does designate three (3) trail routes through and adjoining the property, these being along Elmway, along the river and from Elmway to the river. The proposed development makes provisions for these.

With respect to wildlife areas, the prescribed buffer area is provided.

Adequate provisions are made for wildlife, parks and playgrounds. Filed comments and the noted sections of Comprehensive Plan were relied upon to develop this conclusion.

6. *The territory of the proposed subdivision has access to adequate urban services.*

DOMESTIC WATER

The City currently has adequate right and capacity to provide domestic water access to the development. New connections and extensions will need to be provided. Approval of this development plan will result in replacement of a non-conforming public water system with city supplied domestic water. This is consistent with the water comprehensive plan objectives.

Filed comments from the Public Works Department were relied upon to develop this conclusion.

WATER - FIRE FIGHTING

The City currently has adequate reserve and capacity to provide access to adequate water for fire fighting purposes to serve the development. The installation of a system of mains and hydrants in conjunction with access roads will need to be provided within the development. As proposed, restrictions on parking are needed due to the width of the proposed roads some areas.

This development has been reviewed as being built to standard (full urban infrastructure in place and approved prior to issuance of the building permits for the individual buildings). Interim stage(s) would require a modification to timing of installation. For such consideration a formal modification (Applied for by the Applicant and approved by the Fire Chief) will need to be resolved prior to the submittal of infrastructure construction documents. Elements such as building spacing (reduced exposures), with construction material restrictions and defensible spaces and coupled with early detection and notification have been considered before thus reducing from the empirical needs for amounts of water needed for fire

fighting purposes.

WATER - IRRIGATION

The property has been irrigated in the past since at least 1928 (deed reference). Review of the state's water right inventory system has not identified an existing irrigation water right for irrigation on the property. If the proponent intends to continue use of the system or portions thereof, it is incumbent upon them to provide evidence of a valid claim or right for the irrigations system. Delineation of the physical system (pumps and pipes) must also be included in the review of the construction documents to prevent any likeliness of cross connection. With respect to the new connections each lot will have appropriate cross connection control and extensions will need to be provided. However, the City has adequate right and capacity for such use and thus any water attached to the property should be transferred to the City.

The application and filed comments from the City of Okanogan Public Works Department were relied upon to develop this conclusion.

WATER - SEWER

The City currently has adequate capacity to provide domestic wastewater service access to the development. New sewer connections, services and internal mains will need to be provided; this includes adequate easements for service and maintenance of said system. On site systems were not considered; this includes the existing system serving the existing residence. As to why said home was not connected to the public sewer system in 1990 when it was constructed, the record is silent.

The application and filed comments from the City of Okanogan Public Works Department and WAC 246-272A-0025 were relied upon to develop this conclusion.

TRANSPORTATION

The project is served by Elmway. The street surface is adequate to serve the development, the right of way width is 60'. Elmway is a community arterial which dictates a desired width of 80'. Reconciling the proposal with the long-range plans is appropriate. Requiring the dedication of 10' (1/2 of the needed width) right of way width to Elmway to be consistent with the Comprehensive Plan and requiring the construction of a sidewalk along that portion of entire property which abuts Elmway would reduce the likeliness of vehicle pedestrian conflicts, but requiring the sidewalk at construction of the plat would be out of scale of the City's history of approval conditions. Requiring the dedication of the 10' of additional right of way width at plat approval and the sidewalk coincident with a development that would generate additional traffic thus increase the chances of a conflicts would be appropriate and not overly burdensome on the developer.

The above noted Comprehensive Plan sections and the filed comments of the City of Okanogan Public Works Department, State Highway Department and the

application were relied upon to develop this conclusion.

POWER

In the absence of filed comments from the Okanogan PUD #1, there is no way the Staff is able to determine if there is adequate capacity available to serve the lots with electrical service. Certification is necessary.

PHONE

In the absence of filed comments from Century Link, there is no way the Staff is able to determine if there is adequate capacity available to serve the lots with phone service. Certification is necessary.

CABLE

In the absence of filed comments from Charter, there is no way the Staff is able to determine if there is adequate capacity available to serve the lots with cable service. Certification is necessary.

The accumulative merit of the conclusions of each of the following issues will determine if the public use and interest will be served by permitting the proposed planned development:

A. The planned development application has given proper attention to soils and geology:

The application (SEPA Checklist) notes the proper designations and control concerns regarding the various soil types found on the property. The primary concern is from dust during the construction phase. Adequate watering is proposed to control dust on the short term, physical controls will be put in place to control dust of the long term. This information will be included in the peer review of the construction documents.

B. The planned development application has given proper attention to drainage:

The application clearly notes that a portion of the site is within the floodplain and proposes to avoid work in those areas. The application also provides a conceptual stormwater disposal method. The required state storm water permit and peer review of the construction documents will verify proper addressing of these issues.

C. The planned development application has taken in to consideration architectural compatibility:

The application provided conceptual renditions of the residential units. If these or similar are constructed, compliance is found.

D. The planned development application includes a plan and program for the extension of such utilities as power, telephone, water and sewer required by the development. Evidence shall be provided that there exists or soon will exist sufficient demand for utility extension:

The proponent indicates that they plan to extend the services to the property.

E. The planned development application has shown via an on-site and off-site traffic engineering analysis that safe ingress and egress can be attained with the development and that efficient utilization of land has been proposed

The application includes a general analysis; a complete analysis must be performed in conjunction with the Highway Access Permit Application. Compliance is found if the conclusions of the complete analysis are included into the construction documents and the access permit.

F. The planned development application shows how the proposed project design and location meets the goals and objectives of the Comprehensive Plan.

The application makes provisions for designated trails through and by the property and provisions for extensions of services through the property.

G. The single use planned development application adheres to uses of the underlying zoning district.

Not applicable. Project is a mixed use development. That being said, the location of the proposed uses generally comply with the underlying zoning. Commercial towards Elmway, residential/recreational towards the river and the housing in the transition area.

H. The mixed use planned development application specifies the proposed uses to be approved by the Planning Commission:

The application and the proposed drawings clearly indicate the uses proposed on the “to be developed in the future” to be any of the listed uses in the permitted outright or conditionally approved uses for the underlying districts.

I. Mobile/Manufactured Home parks by planned development are restricted to the density of the underlying district.

Not applicable.

Revised - STAFF RECOMMENDED CONDITIONS OF APPROVAL

Approved to standard, as filed by the proponent with the twenty-nine (29) specified conditions.

Specified Conditions:

1. Within 30 days of preliminary plat approval the developer shall notify all owners which are serviced by the non-standard well system(s) upon the property that such non-standard service will be replaced (at the expense of the developer and/or in a manner

that is consistent with the water service arrangement) with a municipal service connection which will result in a regular municipal water service billing. Evidence of said notice shall be provided with the submittal of the construction documents for peer review. Preliminary plat approval shall be deemed as consent of the “new owner” with respect to the shortened time frame of notice.

PURPOSE: To avoid possible confusion and uncertainty for the water users of the non-standard system by ensuring that they are notified early on that their water service (arrangement) will be changing.

BASIS: WAC 246-290-035(2)(a)

2. The final plat shall include a dedication of an additional 10’ in width from the properties to the Elmway right of way.

PURPOSE: To ensure that Elmway has adequate width for the future growth of the community’s transportation needs.

BASIS: As stated in the facts and conclusions Elmway is a Community Arterial, the specified width for such designated roads is 80’. It is reasonable to request only ½ of the needed width from this property owner and seek the other ½ of width at a later date from the property owner across the street.

3. The Applicant shall provide a complete traffic analysis of the appropriate projected traffic impacts and incorporate said conclusions into the design of the connections to the State Highway System. This will likely include joint connections for the commercial lot to housing lot. An individual or firm with certificate or experience in transportation analysis shall complete the analysis.

PURPOSE: To ensure safe vehicle ingress and egress to the site and avoid likely pedestrian conflicts.

BASIS: The noted traffic analysis is a prescriptive requirement of the planned development application and under most cases, such analysis is a design requirement of a highway access management permit. Under SEPA the proponent provided a preliminary assessment, this report was deemed reasonable for the preliminary review; the final report shall include any changes as a result of the review process.

4. The design of the water system within the plat shall be inter-looped (or include provisions for) with adequate valves consistent with Department of Health Safe Drinking Water current design standards and to the satisfaction of Public Works Superintendent. In addition, Water, Sewer, Stormwater, and Irrigation lines shall be designed and constructed such that they have the prescribed vertical and horizontal separations defined by either the Departments of Health and/or Department of Ecology.

PURPOSE: To ensure that the water system can provide service to the area with only minimal disruptions should situations arise that necessitate shutting down specific line segments within the development area.

BASIS: It is a goal of the Water System Comprehensive Plan to have the water system that can provide reliable water service pressure, flow and quality during operational disruptions and maintenance.

5. Phasing is not approved for submittal of infrastructure and heavy construction plans and approvals. Said grading, vegetation, utilities and street improvements plans for the entire plat shall be approved prior to the issuance of building/grading permits. The Permit Administrator shall be responsible official on the City's behalf to ensure coordinated approvals and compliance with mitigations developed in the SEPA review process.

PURPOSE: To avoid possible confusion as to what is approved and what is under review and what is still outstanding and avoid redundant costs to the developer and reduce the pass through workload on City staff.

BASIS: The experience and current workload of City staff.

6. That if any archaeological material or human remains are suspected of being encountered during the course of the development, all operations will cease in accordance with federal Native American Graves Repatriation Act and Chapter 27.44 RCW and the Tribal Historic Preservation Officer for the Colville Tribes will be notified immediately at (509)634-2654.

PURPOSE: To avoid confusion on what is expected in the event of an encounter.

BASIS: Although this condition is redundant of state and federal law, the subject matter is of local interest and sensitivity, by stating it specifically in the conditions of approval all persons involved in the project should clearly know their responsibility.

7. The permit holder is responsible to provide for and maintain evidence that a weed control plan has been implemented. Consultation with Okanogan County Noxious Weed Control Board is encouraged. Said plan must be incorporated into the noted landscape provisions of the Design Guidelines and riparian buffer controls.

PURPOSE: To reduce the spread of noxious weeds within the City.

BASIS: The Okanogan County Noxious Weed Control Board has proven to be a valuable resource in these matters, by including their expertise in the construction design of the facility adequate weed control should be routine.

8. That the applicant shall provide evidence that the storm water plan has met the notice criteria of the State prior to submittal for peer review.

PURPOSE: To avoid reengineering and related re-peer review of the construction documents and to ensure compliance with the state requirement has been met. It is also understood that through the construction documents, the applicant will have demonstrated that the applicable thresholds have not been exceeded, and thus this condition is satisfied.

BASIS: As stated in the purpose.

9. The applicant shall provide evidence of a storm water discharge permit in hand prior to the issuance of the grading permit.

PURPOSE & BASIS: As noted above.

10. The utility easement plan layout shall include the dedication to the City of Okanogan of an utility easement right of way not less than 20' in width (minimum sewer/water width) from the to be installed and dedicated utilities through the proposed planned development (as indicated) to the external boundaries to provide for future

continuance. The specific location of said easements to the City shall be in a suitable location for extension onto adjacent properties including a river utility crossing.

PURPOSE: To provide the opportunity for continuance to adjoining properties and provide for the future growth of the City.

BASIS: One of the basic concepts of our platting ordinance is to build the city such that each plat is a building block to which the adjoining plats maybe built upon. Ensuring provisions for continuance is a requirement.

11. Upon recordation of the plat, a suitable area around the existing main well site shall be dedicated to the City of Okanogan as a future municipal well site with the current well left in its current condition. WAFLA may retain across said lot simple ingress and egress to serve the existing main home site. The construction of the plats servicing utilities shall include that said lot is served with a water main connection, power service and phone service as prescribed by the City of Okanogan Water Manager. In the event that the City determines that the site is not a suitable for a municipal well site, and alternate water supply has been provided, the City will decommission the existing well to State standards and return said title of the land to the WAFLA. At the discretion of the WAFLA, the redevelopment of said lot may be as a residential unit or be included in the community open space and/or amenities.

PURPOSE: 1) To comply with elements of the Water Comprehensive Plan and Department of Health, Safe Drinking Water standards. 2) To protect the aquifer by placing control of the well and responsibility of decommissioning with the City of Okanogan Water Manager. 3) To lessen the future impacts on the development when the City proceeds with the development of the well site, by not having to cut and patch the newly constructed streets and disrupt the traffic flow. 4) To return the site to the owners in a developable condition should the property not be used as a municipal well site.

BASIS: The application indicated that the noted well is to be developed to a municipal well, in that the application of water rights/permits is an involved process and the method of construction of such a well of particular interest the water purveyor it appropriate that if the well is to be developed that it be done under the full control of the Water Manager.

CLARITY: The absence of a notation regarding said well site from two successive Water System Plan Updates, may be used as cause for WAFLA to petition the City to complete the decommissioning and transfer ownership.

12. The owners shall quit claim and transfer all interest in Washington State water claims, permits and rights appurtenant to the subject property.

PURPOSE: To advance the City of Okanogan Water Comprehensive Plan.

BASIS: Provisions of water to 17 non-transient congregate living facilities, managers quarters, a single family dwelling, a commercial business, grocery store and the development on the lands referred to as Riverwalk Phase 1A connections constitutes a diminishment of Okanogan's overall ability to serve existing uses within the City's Service Area Boundaries. The City has adopted a policy that sets forth provisions for acquiring water rights through annexation and development proposals.

13. The noted 100' Radius Sanitary Control Area shall be further defined as restricting activities, uses and construction methods thereon by the City of Okanogan Water

Manager in consultation with the permitting authority. Said notation shall be described as to provide the required 100' radius SCA to all reasonable locations of future wells on said lot in addition to the existing well.

PURPOSE: To protect the potential water supply of the community. The radius's center is the location of the existing well; said existing well does not meet current construction standards, but could be used as a test well for the construction of an adjacent municipal standard well(s) which would have a different center. Planning on this plat should allow for such offsets with SCA control area.

BASIS: WAC 246-290-135(2) and Engineering comments.

14. Prior to final plat approval the existing residence's onsite sewage disposal system shall be properly decommissioned and the residence shall be connected directly to the extended public system with a standard connection. In the event that not all of the below grade waste, vent and sewer piping system serving existing home site is not exposed and tested to standard, a caption on the final plat may be noted that within 30 days of written notification of the City of Okanogan Water Manager expose and test same improvements to the standards and codes as adopted by the City for materials and methods for "within a building" said piping system. Further if any such material, fitting, device of the system in part or in whole shall fail said test and/or standards and codes it shall be replaced by the owner as per new construction.

PURPOSE: Correct an apparent existing substandard condition and to provide reasonable timing and notice for the owner of the existing home and protect the water supply of the community.

BASIS: WAC 246-290-135(2) & WAC 246-272A-0025

15. Prior to the issuance of the final for the first grading permit, the permit holder shall provide evidence of proper closure (decommissioning) or otherwise compliance with WAC 173-160-281 of all wells on the site except the noted main well.

PURPOSE: To ensure protection of children from falling into said wells and protect the water source quality of the community.

BASIS: WAC 173-160 and the City's Well Head Protection Plan.

16. An appropriate notation on the face of the plat shall include a caption describing a condition of development on the commercial lot abutting Elmway that prior to the issuance of the first Certificate of Occupancy for a building thereon an approved sidewalk will be installed in that portion of the abutting Elmway right-of-way of Lot 1 and together with a WSDOT compliant sidewalk/approach in the right-of-way which is serving the housing complex (Lot 2).

PURPOSE: To promote the Comprehensive Plan and provide for safe pedestrian travel past the development site in a manner that is timely and provides flexibility to the developer.

BASIS: As stated in the conclusions with respect to the location of the development from the existing sidewalk system, the scope and proportion of the development and the requirements of a planned development and plat.

17. The trail shown on the application map shall be dedicated to the City for the construction, use and maintenance of said trail and shall be noted on the face of the plat, said dedication is inclusive of and shall include access from the Elmway right of way to said trail. The actual construction of said trail is beyond the scope of this condition of approval. Shoreline Management Act permitting is required prior to such work and public use.

PURPOSE: To promote the Comprehensive Plan and the public access elements of the Shoreline Master Program.

BASIS: Making dedications and provisions within a planned development which are specified by the Comprehensive Plan are requirements of a planned development approval. Said widths are prescriptive detail requirements of the SMP.

18. Notwithstanding any existing vehicle access easements or precluding the granting of any future such easements onto adjoining properties; For the purposes of public safety, by providing increased reasonable alternative means to respond to emergencies and defend Riverview Meadows and future adjoining developments, developing adjoining properties may improve upon Riverview Meadows and connect reasonable Secondary Fire Department Access only roads to the internal roadway system.

PURPOSE: As stated in the condition.

BASIS: As proposed the separation of the two connections to the public access system (Elmway) do not meet the empirical $\frac{1}{2}$ the distance of the longest diagonal of the area served (the entire tract). The two connections as proposed does meet the this requirement for the proposed building area; by providing for secondary fire department access from this development to other adjoining properties does meet the intent of the code given the spirit of reciprocal continuance. Requiring dedication for Primary Fire Department Access on this plat for adjoining properties would be an arduous condition on the developer.

19. Certifications from servicing utilities such as power, phone, cable and refuse collection shall be provided for peer review prior to construction authorization.

PURPOSE: To ensures that such serving utilities have the capacity and availability to service the plat and to ensure that said installation of such utilities will not conflict with all other utilities.

BASIS: Certification of full urban services is a requirement of platting.

20. The Housing facility shall be controlled by the layout and description of use in similar character and scope as provided in the application.

PURPOSE: The community's concerns with respect to the aesthetics and the planned development design standards.

BASIS: Planned development standards and filed comments.

21. The City of Okanogan will implement its Water Comprehensive Plan (ie. Extension of the 12" water main to be located in Elmway) in accordance with the priorities of work, time table and funding availability as determined by the City Council. Should the developer desire the implementation of said plan at an earlier time frame, the developer may do so at the developer's expense.

PURPOSE: To avoid confusion with respect to this preliminary approval and the timetable in which the City will install said any main or portions thereof.

BASIS: The Water Comprehensive Plan, the application and the comments from Public Works.

22. The Sanitary Control Area noted in Condition #13 shall project onto the adjacent property to the North. WAFLA shall provide the recorded easement or provide evidence of a good faith effort made to secure said restrictions of use and activities.

PURPOSE: To protect the potential water supply of the community. The acquisition of the SCA is paramount to the suitability of the existing main well site as a municipal well site, however, elevating the securing the SCA to be applied to outside of lands within the control of the developer as a requirement of plat approval would be an arduous requirement.

BASIS: WAC 246-290-135(2) Riverwalk Estates comments.

23. The face of the plat shall clearly indicate the responsibility of the road maintenance and snow removal to be that of the owners and not the responsibility of the City of Okanogan.

PURPOSE: To avoid confusion with respect to the responsibility in the future.

BASIS: Standard condition of plat approval.

24. The riparian buffers shall be maintained to the maximum naturally sustainable level with suitable native vegetation and a clear notation shall be made on the face of the plat indicating the location of the riparian buffers and the limitations, restrictions and requirements on vegetation removal/planting and maintenance in said buffers along the Okanogan River and Elgin Creek.

PURPOSE: To reduce impacts to the river and creek and ensure maintenance in perpetuity of the critical areas buffer.

BASIS: A prescriptive requirement of platting to delineate permanent controls.

25. A final inspection report shall be prepared by all qualified professionals, design professional's in charge and special inspectors. Said report include the scope of work/activity of expertise they are responsible for, document the work/activity they have inspected detailing any corrections and/or discrepancies noted in the inspections together with a conclusion as to the conformance of the noted work/activity with the applicable standards and conditions. Said report(s) shall be filed with the application for final plat and PD approval.

PURPOSE & BASIS: Due to the complexity of the issues to ensure conformance.

26. The applicant shall develop and implement a Fugitive Dust Control Plan (FDCCP) incorporating all of the components of a best management plan as described by Ecology Air Quality Section. Said plan shall be reviewed and concurred with by the SEPA Official prior to the start of work.

PURPOSE: To reduce the likeliness of fugitive dust adversely affecting the adjoining property owners.

BASIS: The likely presence of Okanogan Loam on the site and its inherent likeliness of being eroded by wind when exposed.

27. Erosion control plan shall include provisions to control the spreading of material and debris from trucks and equipment entering and leaving the site while construction is taking place.

PURPOSE: Although a prescriptive requirement of a grading permit, included herein to provide assurances to the general public.

BASIS: Filed comments Riverwalk Estates.

28. Prior to the removal of any tree in the shoreline; there shall be a pre-action on site meeting. At a minimum the following personnel shall be in attendance: The owner's representative, the individual in charge who is in immediate supervisory control of the actual individual(s) performing the work, the record qualified habitat professional and the shoreline administrator of the City of Okanogan. The purpose of this meeting is to develop and have concurrence of which trees will be removed and establish suitable markings and other control measures to reduce inadvertent tree removal. Excluding immediate hazard tree repair as directed and documented by a qualified professional arborist.

PURPOSE: To reduce the likeliness of the temporal loss of apex trees due to miscommunication.

BASIS: Practical experience of Staff.

29. Phased plat approval is acceptable provided:

1. The first phase plat shall be accompanied and recorded with the required PD mylar.
2. The first phase plat shall include all of the required dedications for the entire PD.
3. Each phase shall be complete and self supportive and not reliant on non-bonded "to be built later" amenities and or infrastructure.

PURPOSE & BASIS: Although a prescriptive requirement of platting, included herein to provide clarity of how phasing is approved.

RECOMMENDATION

Staff recommends that the Planning Commission make and approve a motion in the manner of:

"I move to adopt by reference the Revised Staff Finding of Facts and Conclusions and recommend to the City Council to approve as filed and conditioned Riverview Meadows as recommended by Staff and stated in the Supplemental Report."