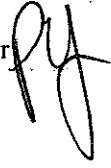


STEVENS COUNTY LAND SERVICES

Notice of SEPA Determination of Non-Significance Notice of Decision Notice of Hearing

To: Dept. of Ecology, SEPA Register
Dept. of Ecology, Eastern Regional Office
Dept. of Natural Resources, NE Regional
Dept. of Natural Resources, SEPA Center
US Army Corps of Engineers
Dept. of Fish and Wildlife
Dept. of Health
Bureau of Reclamation
National Park Service
Dept. of Transportation

Stevens County Public Works Department
Stevens County Sheriff/Fire Marshal
Stevens County Fire District No. 2
Northeast Tri-County Health District
Building Division - Land Services Dept.
Columbia School District No. 206
Avista
Century Tel
Larry Kendrick, NCW Land Surveying
Isaak Children, LLC

From: Paulette Yochum, Planner 

Date: September 7th, 2011

Subject: Notice for LP 7-2008 (aka Ridge to River) and VAR 2010-25

Enclosed please find a DNS and Final Decision for the referenced project permit application. Copies of the submitted application, environmental checklist, and other related materials were routed to you with the Notice of Application on August 10th, 2011. If you did not receive any of these documents, or require additional information, please contact our office.

The Open Record Hearing for the Subdivision has been scheduled to go before the Stevens County Hearing Examiner at **9:00 a.m., on Wednesday, September 28th, 2011**, in Room 215 of the Stevens County Courthouse located at 215 South Oak Street, Colville, Washington.

Pursuant to SCC 3.30.210, any person with standing may appeal this decision to the Stevens County Hearing Examiner within 14 calendar days of the issuance of the decision. Appeals must be filed with the Planning Division of the Stevens County Land Services Department, 215 S. Oak—Courthouse Annex, Colville. Appeals must contain the appeal application and be accompanied by a \$400.00 filing fee. The appeal application is available at the office of the Planning Division of the Stevens County Land Services Department or at the following web address: www.co.stevens.wa.us/plandservices/planning_forms. **The deadline for filing an appeal is 4:30 p.m. on Wednesday, September 21st, 2011.**

The complete file for this project is available for inspection at the Planning Division of the Stevens County Land Services Department located at 260 S Oak, Colville, Washington, from 8:00 a.m. to Noon and 1:00 p.m. to 4:30 p.m., excluding County holidays. To obtain copies or to arrange for an inspection of the file, contact Paulette Yochum, Planner, Planning Division of the Stevens County Land Services Department, 215 S. Oak—Courthouse Annex, Colville, WA, 99114, phone (509) 684-2401 or fax (509) 684-7525.

Building Divison: (509) 684-8325
FAX: (509) 685-0674

Planning Division: (509) 684-2401
FAX: (509) 684-7525

MAILING ADDRESS: 215 S. Oak St. – Courthouse Annex • Colville, WA 99114
STREET ADDRESS: 260 S. Oak St. – Courthouse Annex • Colville, WA 99114



STEVENS COUNTY LAND SERVICES

DETERMINATION OF NONSIGNIFICANCE

File No.: LP 7-2008 (aka Ridge to River) and VAR 2010-025

Applicant: Isaak Children, LLC, a Washington Limited Liability Company

Surveyor: Larry Kendrick of NCW Land Surveying

Description of Proposal: Ridge to River is a proposal to create eight (8) residential lots from approximately 40 acres in the RA-5 zone.

VAR 2010-25 is a request to reduce two (2) of the platting requirements:

1. **Requirement:** SCC 3.11.230.C and 3.11.210.B require this type of development to have a 50 foot wide Road Easement with a 40 foot wide unobstructed area, and a 24 foot wide gravel surface.
Request: The applicant is asking that the roads be allowed to meet the criteria of SCC 3.11.210.c of a 50 foot wide Road Easement with no specified unobstructed area, and a 20 foot wide gravel surface.
2. **Requirement:** SCC 3.11.230.G requires the lots to have a maximum length to width ratio of four-to-one.
Request: Five (5) of the proposed lots, numbered 2, 5, 6, 7 and 8, exceed this requirement.

Location of Proposal: The West half of the East half of the Northwest quarter of Section 10, Township 29 North, Range 36 East, W.M. in Stevens County, Washington. Tax Parcel Numbers 1512040 and 1512050.

Lead Agency: Planning Division of the Stevens County Land Services Department

Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. Comments were received with the Notice of Application with Optional MDNS issued on August 10th, 2011. **There is no further comment period on the DNS.**

Pursuant to SCC 3.80.270 there is no administrative appeal for this proposal.

The Open Record Hearing for the Subdivision has been scheduled to go forward before the Stevens County Hearing Examiner at **9:00 a.m., on Wednesday, September 28th, 2011**, in Room 215 of the Stevens County Courthouse located at 215 South Oak Street, Colville, Washington.

If you have any questions, please do not hesitate to contact us.

Responsible Official: Paulette Yochum, Planner for the Planning Division of the Stevens County Land Services Dept., 215 South Oak Street – Courthouse Annex, Colville, WA 99114, phone (509) 684-2401

Signature:  Date Issued: September 7th, 2011

Paulette Yochum, Planner

Building Divison: (509) 684-8325
FAX: (509) 685-0674

Planning Division: (509) 684-2401
FAX: (509) 684-7525

MAILING ADDRESS: 215 S. Oak St. – Courthouse Annex • Colville, WA 99114
STREET ADDRESS: 260 S. Oak St. – Courthouse Annex • Colville, WA 99114



STEVENS COUNTY LAND SERVICES

STEVENS COUNTY LAND SERVICES, PLANNING DIVISION TYPE 2 ADMINISTRATIVE DECISION FOR VAR 2010-25

A. PROJECT SUMMARY

File No.: LP 7-2008 (aka Ridge to River) and VAR 2010-25

Applicant: Isaak Children, LLC, a Washington Limited Liability Company

Surveyor: Larry Kendrick of NCW Land Surveying

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Request: The applicant is asking that the roads be allowed to meet the criteria of SCC 3.11.210.c of a 50 foot wide Road Easement with no specified unobstructed area, and a 20 foot wide gravel surface.
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Request: Five (5) of the proposed lots, numbered 2, 5, 6, 7 and 8, exceed this requirement.

Location of Proposal: The West half of the East half of the Northwest quarter of Section 10, Township 29 North, Range 36 East, W.M. in Stevens County, Washington. Tax Parcel Numbers 1512040 and 1512050.

B. DECISION SUMMARY

The Stevens County Land Services Planning Division grants **approval of the following:**

1. The roads will be allowed to have a 50 foot wide Road Easement with no specified unobstructed area, and a 20 foot wide gravel surface; and
2. The lots will be allowed to exceed the maximum length to width ratio.

The decision for Preliminary Plat Approval for the Subdivision will be made by the Hearing Examiner after the Open Record Hearing, scheduled for **9:00 a.m., on Wednesday, September 28th, 2011**, in Room 215 of the Stevens County Courthouse located at 215 South Oak Street, Colville, Washington.

C. PUBLIC COMMENT

The Planning Division of the Stevens County Land Services Department reviewed a completed Environmental Checklist and other available information and issued a "Notice of Complete Application with Optional DNS, Notice of Hearing" (NOA) document on August 10th, 2011, in accordance with WAC 197-11-355. Proper publication and circulation of the NOA has been made.

Five (5) comment letters from agencies were received during the comment period which addressed the

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STREET ADDRESS: 260 S. Oak St. – Courthouse Annex • Colville, WA 99114

following issues:

Comment: The Northeast Tri County Health District stated that they must complete a site review and address plat restrictions that should be included on the final plat.

Response: Their comments addressed the Subdivision approval and will be addressed in the Final Decision for the Subdivision.

Comment: The Washington State Department of Ecology submitted comments regarding the water resources program.

Response: No comments were received regarding the Variance. Water availability requirements will be addressed in the Final Decision for the Subdivision.

Comment: The comments from Stevens County Public Works Department referenced requirements for approaches to the County Road and plans for improvements to the County Road.

Response: The Variance request deals only with the private roads within the Subdivision boundaries. No improvements outside the plat boundaries are required for Subdivision approval.

Comment: Stevens County Fire District No. 2 is opposed to the Variance due to the size and weight of their fire fighting vehicles. They requested that the requirement of the 40 foot unobstructed width and the 24 foot surface be retained.

Response: As per SCC 3.16.010.D, this project is required to be approved as a Subdivision rather than two adjacent Short Plats. As a result the two (2) separate and distinct parcels were consolidated into one (1) eight (8) lot subdivision. Had the two (2) parcels been allowed to be Short Platted separately, a twenty foot (20') wide road would have been allowed to be developed.

The fifty foot (50') easement width has not been changed. Future improvements to the road surface can be completed at a later date if needed as there is adequate right of way.

Additionally, this subject road continues on to create a loop back to Pugh County Road which in turn allows emergency ingress and egress at two (2) separate points.

Therefore, it has been determined that a twenty foot (20') wide road is appropriate for the density and intensity of development proposed.

Comment: Avista Utilities commented on the easement for power line availability to the proposed lots.

Response: The comments do not affect the approval of Variance. Adequate utility easements shall be required prior to final Subdivision approval.

A SEPA threshold determination was made after review of the comments received on the NOA and a Determination of Nonsignificance (DNS) was issued on September 7th, 2011, and concurrently with this Decision in accordance with WAC 197-11-350. Proper publication and circulation of the MDNS has been made. No additional public comment period was issued in accordance with WAC 197-11-355.

D. FINDINGS

The findings for this decision area as follows:

1. Pursuant to SCC 3.30.110, all required information was submitted with the revised application submitted on June 8th, 2011.
2. Pursuant to SCC 3.30.120, the "Notice of Complete Application with Optional DNS, Notice of Hearing" document, dated August 10th, 2011, was sent that same day to adjacent property owners within 300 feet, service providers and agencies.

3. Pursuant to SCC 3.30.120, a "Notice of Complete Application with Optional DNS, Notice of Hearing" for the project was published in the *Chewelah Independent* on August 11th and 18th, 2011.

4. Pursuant to SCC 3.20.030, Variances may be approved if the applicant demonstrates that all of the following findings are met:

- a. Strict enforcement of the requirements of the title creates an unnecessary hardship to the property owner or would deprive the property owner of the rights commonly enjoyed by others in the same area.

Response: As per SCC 3.16.010.D, this project is required to be approved as a Subdivision rather than two adjacent Short Plats. As a result the two (2) separate and distinct parcels were consolidated into one (1) eight (8) lot subdivision. Had the two (2) parcels been allowed to be Short Platted separately, a twenty foot (20') wide road would have been allowed to be developed.

The fifty foot (50') easement width has not been changed. Future improvements to the road surface can be completed at a later date if needed as there is adequate right of way.

Additionally, this subject road continues on to create a loop back to Pugh County Road which in turn allows emergency ingress and egress at two (2) separate points.

Therefore, it has been determined that a twenty foot (20') wide road is appropriate for the density and intensity of development proposed.

The unique shape of the existing parcel along with the terrain and developable area create the need for the Lot Length to Width Ratio Variance.

- b. The Variance is necessary because of the unique size, shape, topography, or location of the subject property.

Response: A twenty foot (20') wide road is appropriate for the density and intensity of development proposed.

The property is approximately 1368' wide by 2650' long. It is very steep on the North 700 feet which is not suitable for residential structures and the remaining land is quite flat or has good potential building sites. A reduction of the lot width to length ratio would allow for a clustering of residential structures without intruding upon the North 700 feet which would have more risk of erosion.

The present road system also creates a natural division of the land.

- c. The need for Variance is not created by the deliberate actions of the applicant or property owner.

Response: As per SCC 3.16.010.D, this project is required to be approved as a Subdivision rather than two adjacent Short Plats. As a result the two (2) separate and distinct parcels were consolidated into one (1) eight (8) lot subdivision. Had the two (2) parcels been allowed to be Short Platted separately, a twenty foot (20') wide road would have been allowed to be developed.

The long and skinny parcels were configured by the prior owner.

- d. The Variance does not create health or safety problems.

Response: The proposal for a twenty foot (20') wide road is the same as what would have

been required if the application would have been allowed to be processed as a Short Plats. The Fire District did not comment during the adoption of the County Code nor were the requirements for a twenty foot (20') wide road found to create health or safety problems.

- e. The Variance from height or setback requirements does not infringe upon or interfere with easement or covenant rights of responsibilities.

Response: Not applicable.

- f. The Variance is the minimum necessary to grant relief to the applicant.

Response: It would be an unnecessary burden on the land owners to create a 24 foot wide road when the access road serving the parcel is only 20 feet wide.

E. CONDITIONS

No Conditions of Approval have been identified for the Variance Application. The applicant will be required to comply with all Conditions of Approval identified in the Preliminary Plat Approval, if granted by the Hearing Examiner, after the Open Record Hearing scheduled for **9:00 a.m., on Wednesday, September 28th, 2011**, in Room 215 of the Stevens County Courthouse located at 215 South Oak Street, Colville, Washington.

F. APPEALS

Pursuant to SCC 3.30.120, any person with standing may appeal this decision to the Stevens County Hearing Examiner within 14 calendar days of the issuance of the decision. Pursuant to SCC 3.30.130(C), when a Type 2 application (VAR 2010-25) is consolidated with a Type 3 application (LP 7-2008), no change in decision making or appeal processes will occur. Appeals of Type 2 decisions shall be consolidated into the required open record public hearing for the Type 3 decision, which has been re-scheduled to go forward before the Stevens County Hearing Examiner at 9:00 a.m., on Wednesday, September 28th, 2011, in Room 215 of the Stevens County Courthouse located at 215 South Oak Street, Colville, Washington.

Appeals must be filed with the Planning Division of the Stevens County Land Services Department. Appeals must be accompanied by a \$400.00 filing fee and the Appeal application must be completed and submitted at the time of the appeal. The Appeal application is available at the Planning Division office or online at: http://www/co/stevens.wa.us/landservies/planning_forms.php

Appeals for this Variance approval must be received by **4:30 p.m. on Wednesday, September 21st, 2011**.

G. DEPARTMENT FILE

The complete file for this project is available for inspection at the Stevens County Land Services, Planning Division, 260 S. Oak—Courthouse Annex, Colville, Washington, from 8:00 a.m. Noon and 1:00 p.m. to 4:30 p.m., excluding County holidays.

Signature:


Paulette Yochum, Planner

Date Issued: September 7th, 2011

Transmitted this 7th day of September, 2011 to the following:

Applicant: Isaak Children, LLC
Surveyor: Larry Kendrick of NCW Land Surveying
Commenting Parties: Northeast Tri County Health District
Washington State Department of Ecology
Stevens County Public Works Department
Stevens County Fire District No. 2
Avista

The Notice of Final Decision has been transmitted by email to the *Chewelah Independent* for publication on September 8th, 2011.