



Town of Twisp Council Meeting

Tuesday, September 12th, 2023 – Time: 5:30 PM

Location: Twisp Civic Building

118 S Glover St.

If you would like to attend to the meeting online via computer, tablet, or smartphone, please visit our website and follow the link to join or navigate to the following

URL: <https://meet.goto.com/133057317>

If you would like to listen to the meeting over the phone, please use the following number: [+1 \(224\) 501-3412](tel:+12245013412)

Access Code: [133-057-317](#)

Anyone who wishes to make a verbal public comment may register in person before the meeting, or with the Clerk's Office via phone 509-997-4081 or email clerktreasurer@townoftwisp.com before 3:00 PM on the day of the meeting. Public Commenters must provide their name, address, and the topic of their comment. At the designated time, commenters will be called on by the Mayor. Comments will be limited to three (3) minutes in length.

Public comments may also be submitted in writing in advance of the meeting (via email to clerktreasurer@townoftwisp.com or dropbox at Town Hall) and must contain the Commenter's name, address, and comment. Written comments will NOT be read aloud at the meeting, but will be included on the meeting minutes.

Per TMC 14.05.070 5 (b) "The closed record appeal/decision hearing shall be on the record before the hearing body. If the appeal is on a Type II, III, or IV permit, no new evidence may be presented."

The Council WILL NOT be accepting public comments on or related to the Orchard Hills Planned Development agenda item.



Town of Twisp Council Meeting Agenda Tuesday, September 12th, 2023 – 5:30 PM

Call to Order and Roll Call

Pledge of Allegiance – Council Member (Mayor's Request)

Request for Additions &/or Changes to the Agenda

Public Comment Period

Note: Per TMC 14.05.070 5(b) - (b) "The closed record appeal/decision hearing shall be on the record before the hearing body. If the appeal is on a Type II, III, or IV permit, no new evidence may be presented."

The Council WILL NOT be accepting public comments on or related to the Orchard Hills Planned Development agenda item.

Routine Items:

- **Mayor's Report**
- **Staff Reports**
- **Committee/Commission/Board Reports**

New/Old Business:

- **Discussion/Action:** Request for Letter of Support for Twisp Chamber – State of Washington Tourism Grant
- **Discussion/Action:** Orchard Hills Planned Development Closed Record Hearing
- **Discussion/Action:** Short Term Vacation Rentals Update
- **Discussion/Action:** RCO Grant Authorization – LPM – Park Structure Repairs and Equipment Replacement

Consent Agenda:

1. **Accounts Payable/Payroll**
2. **Minutes: 04/10, 04/11, 05/09, 05/16, 05/23, 06/13**

Adjournment



Town of Twisp

110 E. 2nd Ave • Box 278 • Twisp, WA 98856 • 509-997-4081 • 509-997-9204
TDD 800-833-6388

RE: State of Washington Tourism Grant

To Whom it May Concern,

The Town of Twisp is pleased to provide this letter in support of the Twisp Chamber of Commerce for their grant application as they work to develop a new three-day, annual Fall Festival for our Town. The Town believes the Twisp Chamber is an exceptional candidate for the SWT (State of Washington Tourism) Grant for this new festival, as it will provide an opportunity for economic growth for the small businesses in our rural Town.

The Twisp Chamber of Commerce has a proven history of using granted funds reliably to benefit the local businesses and economy of Twisp and remain an important partner to the Town of Twisp in facilitating public events.

For these reasons we strongly support the Twisp Chamber of Commerce for this Grant. If you have any further questions about the qualifications, please don't hesitate to ask.
Sincerely,

Mayor Ing-Moody
Town of Twisp

Orchard Hills Planned Development Land Use Application File Town of Twisp

Updated 8/23

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**Town of Twisp
Land Use Application
Orchard Hills Planned Development**

Palm Investments North LLC
PO Box 322
Winthrop, WA 98862

Jerry Palm
palmci1@gmail.com
509.322.3032

- Town of Twisp Land Use Permit Application
- Vicinity Air Photo
- Neighborhood Air Photo
- Site Plan
- Project Narrative
- Open Space, Grading, Utilities & Infrastructure
- Preliminary Water & Sewer Plan
- Town of Twisp Impact Assessment Checklist
- SEPA Checklist
- Deed
- List of Adjacent Property Owners



Town of Twisp

118 S. Glover St • Box 278 • Twisp, WA 98856 • 509-997-4081 • 509-997-9204 TDD 800-833-6388

LAND USE PERMIT APPLICATION

(For Shoreline and Floodplain Development Permits, Use JARPA Form)

DATE: 4/7/22

PROJECT TITLE: ORCHARD HILLS

To be completed by local government:

- ☒ File ID#: PD 22-02
☒ Received Date: 4/7/22
☒ Vesting Date: 1/5/23
☒ Fees Paid: _____
☒ Hearing Date: 2/8/23
☐ Action Date: _____

PARCEL #: 3322180099 PHYSICAL ADDRESS PROJECT: N/A

Check all that apply

- | | |
|----------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Long Plat Preliminary Approval (SEPA) | <input type="checkbox"/> Long Plat Final Approval |
| <input type="checkbox"/> Long Plat alteration/Vacation | <input type="checkbox"/> Short Plat |
| <input checked="" type="checkbox"/> Planned Development (SEPA) | <input type="checkbox"/> Conditional Use Permit (SEPA) |
| <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Zoning Text or Map Amendment (SEPA) |
| <input type="checkbox"/> Zoning Map Amendment (SEPA) | <input type="checkbox"/> Comprehensive Plan Amendment (SEPA) |
| <input type="checkbox"/> Access Permit | <input type="checkbox"/> Administrative Permit |
| <input type="checkbox"/> Other, Specify: _____ | |

APPLICANT: Palm Investments North LLC

Phone #: (509) 322-3032

Mailing Address: P.O. Box 322, Winthrop, WA 98862

Contact Person: Jerry Palm, President

Email Address: palmci1@gmail.com

ENGINEER/SURVEYOR OF RECORD: Louis Sukovaty

Firm Name: North Cascades Engineering

Phone #: 509 341 4144

Mailing Address: 1 Twin Lakes Road Winthrop WA 98862

Email Address: _____

OWNER OF PROPERTY: Palm Investments North LLC

Mailing Address: P.O. Box 322, Winthrop, WA 98862

GENERAL PROJECT INFORMATION;

This application is made pursuant to the following ordinance sections: ☒ TMC 18
(Please check appropriate Twisp Municipal Code) ☐ TMC 17
☐ TMC 16

Description of the proposal: Create residential single-family on undeveloped land. Construct public infrastructure (streets, water, sewer, power). Dedicate open space to public use.

Description of the existing use(s) of the property: The existing property is vacant, undeveloped land.

PROJECT TITLE: ORCHARD HILLS

FILE ID #:

PD22-02

Description of the primary use(s) of the property: The existing site is vacant and undeveloped. The proposed primary use is single-family residential.

Description of other (appurtenant) uses: N/A

Land Use Description of the subject property:

Comprehensive Plan: Single-Family Low Density Residential (R1)

Shoreline Environment: N/A

Flood Plain Zone & Base Flood Elevation: N/A

Zoning District: Low-density residential single-family (R-1) district

Zoning Overlay District: N/A

Are there existing relevant permit or approvals held to the subject property? If yes, state the permit number and issuing agency: No

Will the proposal affect the access to the property? If yes, please describe: No

Will the proposal require work within an existing public right-of-way? If yes, please describe: Yes, improvements and connection to Harrison Street and ISABELLA LANE.

Will the proposal require additional and/or new and/or changes to the water, sewer and storm Services: If yes, please describe for each: Yes, new mainlines and service connections for water and sanitary sewer. Stormwater will be managed on-site.

Concurrency: _____

Water Service is provided by: Town of Twisp

Sewer Service is provided by: Town of Twisp

Storm sewer service is provided by: _____

Is the property served by an irrigation district? If yes, state the name of the servicing district and describe any affect the proposal will have on the service: Yes. Methow Valley Irrigation District (MVID).
Project will IRRIATE per district allotment.

Please also include:

- ☒ Complete permit application
- ☒ Impact assessment checklist
- ☒ Site plan
- ☒ Plans and specifications (if applicable)
- ☒ Septa documents
- ☒ Meets and bounds legal description (if applicable)
- ☒ List of all adjacent landowners (with addresses) within 300' of project vesting fees (if required).

PROJECT TITLE: ORCHARD HILLS

FILE ID#: PD 22-02

I hereby apply for the above noted permit(s). By signing below, I hereby certify that I am the above applicant and hereby state that all the foregoing information, and all information attached hereto, as true to the best of my knowledge, with the understanding that inaccurate, incomplete and/or false information may cause delays and/or provide cause to void this application and any subsequent approvals. Further, I understand that in addition to the filing fees, I am responsible for reimbursement to the Town of Twisp for all costs incurred in the processing of this application. These costs may include, but are not limited to: postage, publishing, copies, peer review and special consultant review and inspection.


Applicant's Signature

5/16/22
Date

Property Owner's Signature
(Mandatory if different from the applicant)

Date

*** FOR OFFICE USE BELOW ***

This proposal IS or IS NOT categorically exempt from a threshold determination in accordance With the State Environmental Policy Act.

Basis of exemption if applicable:

Decision Maker:  Date: 5/23/22

November 14, 2022

2. Impact Assessment Checklist

Orchard Hills Planned Development (PD)-Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

TOWN OF TWISP IMPACT ASSESSMENT CHECKLIST

This checklist is to accompany all land use, shoreline and floodplain development applications, building permits for new construction, except for single-family homes, and business licenses for new or substantial expansion or modification to the primary use of your establishment that might affect performance standards. (For example, a cafe currently open only for breakfast and lunch that wants to expand to serve dinners and live music is required to fill this out as this might increase the demand for off-street parking or noise impacts.)

This checklist is to be used to aid the administrator in determining the nature and extent of impacts of a proposed development within the Town of Twisp based on performance and development standards adopted in the Zoning Ordinance # 632.

For developments requiring an Administrative Permit (AP), this checklist must be completed and recorded along with a SEPA checklist (if required) prior to the Town making any determination.

To be completed by applicant

Project Title:	ORCHARD HILL
Development Location:	Twisp, Washington
Applicant Name:	Palm Investments North LLC
Mailing Address:	P.O. Box 322, Winthrop, WA 98862
Phone number:	509 322 3032
Email Address:	; palmci1@gmail.com

Section 1. General Performance Standards

Please answer the following questions to the best of your ability with **Y** for yes and **N** or No. If Yes is answered, please provide a description as to how the impact will be mitigated on a separate sheet of paper. Please use "**N/A**" for items that are not applicable to your proposal.

Do you foresee any of the following impacts from your proposed project?	Y, N N/A
1. Artificial glare or lighting that might interfere with street traffic or trespass into residential area, including but not limited to strobe lights, arc welding, overhead lighting, or security lights.	N
2. Electrical interferences or electromagnetic radiation	N
3. Flammable or explosive material	N
4. Hazardous substances or waste (storage, emission or manufacture)	N
5. Noise	N
6. Odor	N
7. Please indicate your proposed hours of operation:	
8. Emissions (including dust, ash, or airborne particulates)	N
9. Vibration or concussion detectable beyond property lines	N
10. Outdoor storage of materials	N

Section 2. Specific Performance Standards

Please provide a description that adequately addresses the following elements.

1. Aesthetics: How does your proposal provide aesthetic consistency with the surrounding neighborhood character?

The project is designed and proposed to be built to existing Town of Twisp standards.

2. Traffic: Will your project generate traffic or affect current traffic patterns? If so, a traffic impact analysis may be required.

The project will result in approximately ^{10.6} ~~100~~ daily trips per residential unit, as estimated by the Institute for Transportation Engineers (ITE). There are no vehicular transportation issues identified in the transportation plan or the comprehensive plan. A traffic impact analysis **HAS BEEN COMPLETED.**

3. Parking: Does your project provide adequate off-street parking consistent with the Town of Twisp parking requirements? If you intend to create parking, please describe your proposed surfacing materials, stormwater management plans, how many vehicles and what type of business equipment.

Residential parking will be developed consistent with, and may exceed, Town of Twisp standards.

4. Roads and Drives: Does your project propose new roads, driveways or alleys? If so, please provide a description of road dimensions, surfacing materials and stormwater management.

New public streets will be created. See discussion of proposed public streets.

5. Buffers and screening: Do you propose to plant vegetative buffers or screens? If so, please provide site plan with plant list and design.

No.

6. Open Space: Do you propose to leave open space in your project? If so, please provide site plan with location of open space and landscape plan.

Open space will be provided. See discussion of proposed open space dedication.

7. Utilities: Please list the necessary utility hook-ups required for your project.

Water, sewer, gas, electric/power, and telecom.

Section 3. Development Standards

Please provide information regarding the following elements (if applicable to your project) in the form of writing and/or a site plan where applicable to your project:

- ☒ Stormwater plan: A storm water management plan must be submitted with a development proposal for all uses other than single family dwellings, duplexes, and accessory dwellings. For those uses exempt from this requirement, adequate permeable surfaces must be maintained in yards and setbacks.
- ☐ Dog-control measures: Dog control measures are mandatory for all uses except single-family dwellings, duplexes, accessory structures and home businesses.
- ☒ SEPA checklist: If minimum threshold is determined.
- ☐ Roof Drainage Easements: If your project results in roof drainage onto neighboring properties, drainage easements are required.
- ☒ Water and Sewer: All new uses must connect to town water and sewer. (If other than a single-family residence, must include information regarding average water use and documentation used to determine this).
- ☐ Heating Ventilation and Air Conditioning Units: Screening of HVAC is required on all commercial and multi-family dwellings.
- ☐ Commercial Access: Access to commercial enterprises must be via public right of ways or adjacent commercial properties.
- ☒ Private roads and common areas: Management programs for joint ownership and use of roads and common spaces must be recorded on plat or site plan.
- ☒ Townhouses: Please see zoning ordinance for requirements and provide a site plan.
- ☐ Nuisances: Any nuisance shall be subject to Title 8.05 of Twisp Municipal Code.

Section 4: Critical Areas

To the best of your knowledge, is your project located in or adjacent to the following natural features? Please answer yes or no, or not sure. The Town of Twisp will make a determination if a Critical Areas Review may be required prior to granting a development permit.

- ☒ Steep slopes (geologically hazardous)
- ☒ Aquifer recharge
- ☐ Wetlands (including seasonally wet areas)
- ☐ Frequently flooded areas
- ☐ Wildlife habitat (including upland and/or riparian habitat)
- ☐ Is there a well on or near your property?
- ☐ Is there surface water on or near your property?

What is your property currently being used for? The site is currently undeveloped and vacant.

Please provide a description of historical uses of your property if you know them: _____

THE SITE WAS HISTORICALLY USED AS AN ORCHARD.


To the best of my knowledge, the information provided and any site plan presented depicts accurate information, structure placement, distances, roads, driveways, land features, and other pertinent development information for my proposal.


Applicant Signature

1/3/23
Date

Owner Signature (if other than applicant)

Date



November 14, 2022

3. Legal Description

Orchard Hills Planned Development (PD)-Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

EXHIBIT "A"
LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E W M , AND RUNNING THENCE NORTH 89 DEGREES 56 MINUTES WEST FOR A DISTANCE OF 912 FEET TO THE SOUTHWEST CORNER OF PAINTER'S SUBDIVISION AS RECORDED IN VOLUME "G" OF PLATS, PAGE 39, RECORDS OF OKANOGAN COUNTY, WASHINGTON, AND THE TRUE POINT OF BEGINNING;

THENCE FOLLOWING ALONG THE WEST BOUNDARY OF SAID PLAT, NORTH 00 DEGREES FOR A DISTANCE OF 237.56 FEET;

THENCE NORTH 66 DEGREES 00 MINUTES EAST FOR A DISTANCE OF 199.37 FEET;

THENCE NORTH 33 DEGREES 58 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 149.02 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES FOR A DISTANCE OF 275.00 FEET TO THE NORTHWEST CORNER OF SAID PAINTER MINUTESS SUBDIVISION,

THENCE NORTH 16 DEGREES 37 MINUTES WEST FOR A DISTANCE OF 608.00 FEET, MORE OR LESS, TO THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E W M.;

THENCE WESTERLY ALONG THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE SOUTHERLY ALONG THE WEST BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE TRUE POINT OF BEGINNING;

EXCEPT, BEGINNING AT THE SOUTHEAST CORNER OF THE TWISP WATER WORKS RESERVOIR SITE, SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E W M. (SAID RESERVOIR SITE BEING FULLY DESCRIBED IN WARRANT/ DEED RECORDED ON PAGE 22 IN BOOK 85 OF DEED RECORDS OF OKANOGAN COUNTY, WASHINGTON) THE TRUE POINT OF BEGINNING,

THENCE NORTH 0 DEGREES 01 MINUTES EAST ALONG THE EASTERLY BOUNDARY LINE OF SAID SITE A DISTANCE OF 150.0 FEET TO THE NORTHEAST CORNER OF SAID SITE,

THENCE NORTH 13 DEGREES 55 1/2 MINUTES WEST A DISTANCE OF 363.7 FEET,

THENCE NORTH 22 DEGREES 55 1/2 MINUTES WEST A DISTANCE OF 38 FEET MORE OR LESS TO THE NORTHERLY BOUNDARY LINE OF SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E W M.;

THE FOREGOING OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E W M.;

THE FOREGOING DESCRIPTION BEING A CENTER LINE AND THE LAND BEING CONVEYED BY THIS DESCRIPTION IS 16 FEET ON THE EASTERLY SIDE AND 16 FEET ON THE WESTERLY SIDE OF SAID CENTER LINE;

ALSO EXCEPT, BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E W M.,

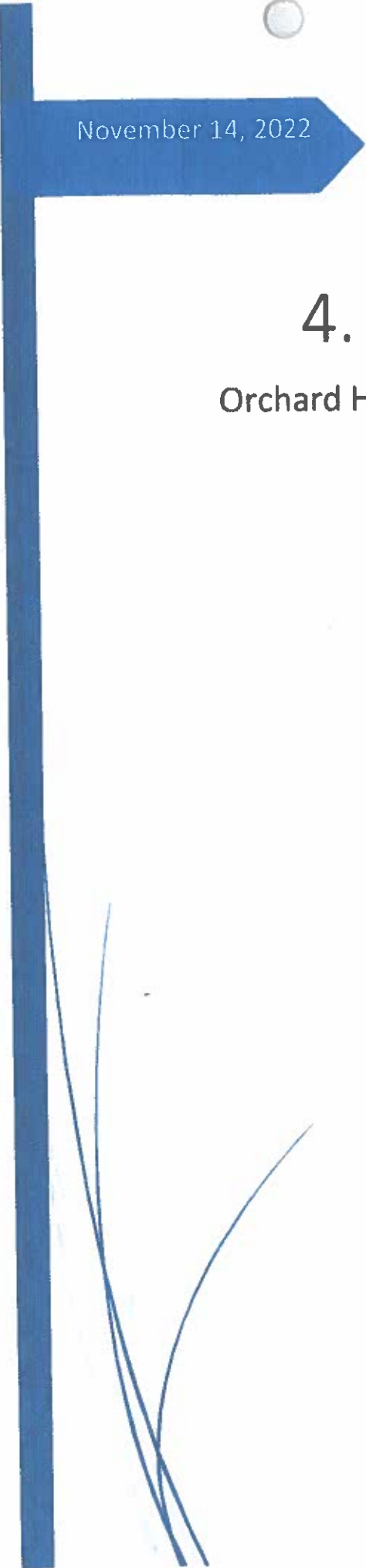
THENCE RUNNING NORTH 0 DEGREES 14 MINUTES WEST ALONG SAID SECTION LINE FOR A DISTANCE OF 874.8 FEET TO A POINT;

THENCE TURNING AND RUNNING SOUTH 65 DEGREES 57 MINUTES WEST A DISTANCE OF 76.1 FEET TO A POINT;

THENCE TURNING AND RUNNING NORTH 89 DEGREES 59 MINUTES WEST FOR A DISTANCE OF 872.0 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL OF LAND AND THE TRUE POINT OF BEGINNING;
THENCE TURNING AND RUNNING NORTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 100.0 FEET TO A POINT;
THENCE TURNING AND RUNNING SOUTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 150.0 FEET TO A POINT;
THENCE TURNING AND RUNNING SOUTH 89 DEGREES 59 MINUTES EAST FOR A DISTANCE OF 100.0 FEET TO A POINT;
THENCE TURNING AND RUNNING NORTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 50.0 FEET TO THE TRUE POINT OF BEGINNING.

AND EXCEPT, COMMENCING AT THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M. AND PROCEED NORTH 0 DEGREES 14 MINUTES WEST ALONG THE EAST LINE OF SAID SECTION 18 FOR 874.8 FEET;
THENCE SOUTH 65 DEGREES 59 MINUTES WEST FOR 76.1 FEET;
THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 672.0 FEET;
THENCE NORTH 0 DEGREES 01 MINUTES EAST FOR 100.0 FEET;
THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 16.48 FEET TO THE INTERSECTION OF THE NORTHERLY LINE OF THE EXISTING RESERVOIR SITE AND THE WESTERLY BOUNDARY OF THE EXISTING ACCESS ROAD RIGHT OF WAY WHICH IS THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE CONTINUE NORTH 89 DEGREES 59 MINUTES WEST FOR 83.52 FEET;
THENCE SOUTH 0 DEGREES 01 MINUTES WEST FOR 135.0 FEET;
THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 20.0 FEET;
THENCE NORTH 0 DEGREES 01 MINUTES EAST FOR 185.0 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES EAST FOR 91.11 FEET;
THENCE SOUTH 13 DEGREES 55 1/2 MINUTES EAST FOR 51.52 FEET TO THE POINT OF BEGINNING;

SITUATE IN THE CITY OF TWISP, COUNTY OF OKANOGAN, STATE OF WASHINGTON

A thick blue vertical bar runs down the left side of the page. At the top, it branches into a horizontal arrow pointing to the right.

November 14, 2022

4. Executive Summary

Orchard Hills Planned Development (PD) - Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Resubmittal of the Orchard Hills Planned Development strives to balance the design objectives of Palm Investments North LLC with requirements and desires of the Town of Twisp and its residences.

Palm Investments North's original design objectives were to develop the property while preserving ridge line views, minimizing road infrastructure, increasing available housing and assisting in alleviating the affordable housing problem while staying fundamentally within the Town's vision of Development as defined in the Twisp Comprehensive Plan.

A large volume comments were received for the project. These Comments were compiled, reviewed, weighted and incorporated (if applicable) into the design. All Comments received a written response, see section "Comments and Responses" of this document. An overwhelming number of Comments regarding the road width, parking, snow plowing, etc. left very little opportunity to minimize road infrastructure. Thus, the road infrastructure design objectives were changed for this resubmittal but the other objectives remain unchanged.

The site plan has been revised to incorporate only roads that meet the design standards of Twisp as defined by the Twisp Public Works design standards. This required the reduction of the number and location of the public roads.

Palm Investments North still proposes dedicating 40% of the 16.81 acres to the Town of Twisp for the possible use as the Painter Addition Park indicated in the Twisp Comprehensive Plan. The proposed lots have been located below the ridge line to reduce the visual impact of the development.

Palm Investment North, LLC spent considerable effort in determining the best lot layout that would meet the project goals and have a good balance in terms of density. The starting point for this calculation was the number of lots that would be allowed if a subdivision per the R1 zoning was executed. The parcel encompasses 16.81 acres or 732244sqft so if 18% is removed for infrastructure (roads,etc) that leaves 600440 sqft remaining for lots. Which equates to 60 ten thousand square foot lots. By proposing a planned development with only 52 lots there will be less residences in final build out than is allowed at this time by R-1 zoning and they will be concentrated on smaller lots that are below the ridge line and preserve a large portion of lot (40%) as public open space. Since this area is proposed to be dedicated to the town the citizens could work with the Town to utilize it in ways that are consistent with the Towns open space policy. The open space was selected to maintain a route for hiking to the high point of the property if the Town of Twisp so desires. Additionally, the smaller lot sizes will be more affordable thus furthering the project goal of assisting to provide affordable housing.

The proponent has been in direct communications with The Methow Housing Trust and, although an agreement has not been finalized, it is anticipated that they will be procuring 10 of the lots to construct housing upon. Additionally, the cost of smaller lots should hold the cost down. It is also the request of Palm Investments North that a limited number of the lots be

allowed to have zero side lot line setbacks to allow townhouse construction to further promote affordable housing (see Site Plan).

This proposal does not include additional requirements over and above the Twisp Codes and Standards for permitting and building of residences within the Development. The proposed consolidated Development footprint and the lower number of lots (than allowed by zoning) will result in a reduced overall impact.

Palm Investments North has responded to the comments requesting more information be obtained on different portions of the project by hiring outside consultants. Please find attached: Wetlands Determination, Traffic Analysis, DOE Lead and Arsenic Testing Report and Geotechnical report. Any additional information obtained from these reports has been used to update the SEPA checklist and has verified the feasibility of the proposed design.

In conclusion, Orchard Hills Planned Development proposes 52 compact buildable lots, several zero lot line townhouses and 40% of the site dedicated to the Town of Twisp as Open Space. Advantages of this proposal include: increasing the number of buildable lots within the Town to assist in reducing the existing housing shortage; providing area for a potential Park, as included in Twisp Comprehensive Plan, within the dedicated Open Space; including the ridge line in the dedicated Open Space to assist in preserving Town views while providing public access for hiking; lastly, as desired by the adjacent neighbors, the overall number of proposed residences is less than allowed in the current property R1 zoning.

November 14, 2022

5. Submittal Checklist

Orchard Hills Planned Development (PD) - Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Development Site Plan:

- ☒ 18.45.050(1)a - Boundaries of the site and north arrow.
- ☒ 18.45.050(1)b - Location, dimensions and names of all existing and proposed roads serving, adjacent to or lying within one-quarter mile of the site.
- ☒ 18.45.050(1)c - Areas proposed to be developed with approximate footprints of proposed buildings and their nature (e.g., residential, community use, commercial, office, etc.)
- ☒ 18.45.050(1)d - Proposed location(s) and dimensions of common open space areas.
- ☒ 18.45.050(1)e - Proposed public dedications.
- ☒ 18.45.050(1)f - Location, dimensions and schematic design of off-street parking areas or facilities, showing points of ingress and egress. N/A
- ☒ 18.45.050(1)g - Location of major physiographic features such as rivers, canals, floodplain areas, etc.
- ☒ 18.45.050(1)h - Existing topographic contours for the entire site, at intervals of not more than five feet, together with existing drainage and identification of existing vegetation.
- ☒ 18.45.050(1)i - Proposed land uses, densities and building types.
- ☒ 18.45.050(1)j - Pedestrian and vehicular circulation pattern.
- ☒ 18.45.050(1)k - Location and type of all existing and proposed recreational improvements, if any, to include nonmotorized trails and paths.
- ☒ 18.45.050(1)l - Conceptual landscape plan.
- ☒ 18.45.050(1)m - Proposed grading and drainage design.

Written Planned Development Program and Specifications:

- ☒ 18.45.050(2)a - An explanation of the density of the proposed project. The density goals are set forth in the regulations for the various zone districts (applies to residential uses only).
- ☒ 18.45.050(2)b - Proposed ownership pattern
- ☐ 18.45.050(2)c - Operation and maintenance proposal (if not dedicated to the public) for the project amenities, roadways, utilities, etc. (e.g., property owners' association, condominiums). The performance goal is to assure that a long-range maintenance program is provided for all common areas and commonly used utilities and roadways, with provision for collection of a prorated share of costs and expenses of such maintenance and for decision-making with regard thereto.
- ☒ 18.45.050(2)d - General timetable for development, including any project phasing and conditions therefor and any foreseeable future expansion. The performance goal is to provide sufficient open spaces and project utilities and amenities for each phase of development, so that each phase can stand alone as a satisfactory completed project.
- ☒ 18.45.050(2)e - Description of existing and proposed community and recreational facilities. The performance goal is for larger projects or projects that have a significant impact on existing formal or informal recreational opportunities to minimize and mitigate such impact by retention and expansion of existing opportunities or provisions for new or improved community or public recreation opportunities, including park areas, access to river or public lands, or recreational improvements such as pools, tennis courts, etc.
- ☒ 18.45.050(2)f - Visual impacts, including description of project view orientation, proposals to minimize view obstruction from adjacent lands and public roadways, and proposed site barriers for utility or loading areas, parking areas, etc. The performance goal is to minimize degradation of the existing views of river areas, mountains and open lands, to preserve the aesthetic qualities which the town values, to provide aesthetically pleasing visual barriers to unsightly areas, and to assure that new developments benefit from the available views without preventing their enjoyment by others.
- ☒ 18.45.050(2)g - Landscaping, both existing and proposed, and irrigation system proposed. The performance goal is to assure a long-range landscape plan that provides necessary greenbelt around structures for fire protection, provides for tree and vegetative buffers to reduce noise, light and view impacts from neighboring lands, minimizes irrigation water needs, and prevents noxious weeds.
- ☒ 18.45.050(2)h - Stormwater collection and disposal plan. The performance goal is to assure that stormwater runoff after development does not exceed the amount before development, and that stormwater disposal has no negative impact on the water quality of either surface or groundwater of the Methow Valley, and to provide, where feasible, and at the developer's expense, a stormwater management system which can be extended to serve future developments.
- ☒ 18.45.050(2)i - Geophysical characteristics of the site, including soils, slope, drainage patterns, erosion problems and controls. The performance goal is to prevent further or accelerated erosion of slopes or topsoil, provide for adequate site drainage and stormwater collection (see subsection (2)(h) of this section) properly

designed for the site, and to identify problem areas prior to development to prevent unanticipated erosion or drainage problems.

☑ 18.45.050(2)j - Air quality considerations and mitigation measures, including dust control measures. The performance goal is to allow no degradation of the air quality of the Twisp area, either from single projects or by cumulative impacts, and to prevent degradation of the ambient air quality by utilizing sufficient dust control measures both during periods of construction, and after project completion. Automobile emissions will be considered, and projects that will have a significant traffic impact will be expected to investigate all possible avenues to minimize motor vehicle usage, including provision for mass transit (such as bus or van runs to or from the project) and pedestrian/bike access.

☑ 18.45.050(2)k - Traffic circulation elements, including anticipated traffic increases (vehicles per day) and major times thereof. The performance goal is to assure a smooth flow of traffic through and throughout the town, to avoid traffic congestion and hazardous intersections, mergers or other traffic patterns, and to minimize increased traffic loads by encouraging pedestrian and nonvehicular transportation or mass transit.

☑ 18.45.050(2)l - Noise considerations and mitigation measures therefor. The performance goal is to minimize noise impacts on surrounding properties and the town in general, and mitigation measures to be examined include placing indoors those recreation facilities which may generate noise in the evening or night hours, limiting motor vehicle usage within the project, plantings to buffer noises, and limiting allowable hours and days of construction.

☑ 18.45.050(2)m - A concise statement of the general public benefits to be derived from the development of the proposed project, which may include but are not limited to increased open space, special wildlife or recreation benefits, perimeter transitions to surrounding land uses, or new public facilities included in the development (including dedicated or public trails, parks, etc.). The performance goal is to assure that all approved projects benefit the general welfare of the town of Twisp.

☑ 18.45.050(2)n - Proposals to control or prohibit further land divisions, where appropriate. The performance goal is to provide perpetual restriction on future division of the developed property beyond the approved density and/or below the approved minimum lot sizes, and to eliminate the need for town oversight to enforce such approved densities/lot sizes.

☑ 18.45.050(2)o - Description of planned uses of and improvements to common open space areas, if any, and proposals to ensure future maintenance of common open space areas, and to ensure compliance with the open space requirements set forth in TMC 18.45.020.

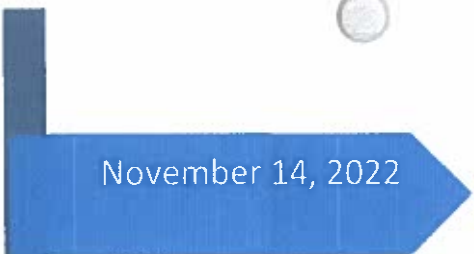
☑ 18.45.050(2)p - An explanation of all restrictions and proposals to protect wildlife, including but not limited to dog control, fencing restrictions, maintenance of riparian areas, and maintenance or re-establishment of recommended native vegetation for wildlife habitat. The performance goal is to allow no net loss of key or critical wildlife habitats, to provide for wildlife passage through developed areas, and to minimize the threat of domestic pets to wildlife.

Preliminary Utilities Plan and Specifications:

- ☒ 18.45.050(3) - Preliminary utility plan
- ☒ 18.45.050(3) - Preliminary utility specifications

SEPA checklist:

- ☐ 18.45.050(4) - SEPA checklist



November 14, 2022

6. Project Team

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Developer:

Jerry and Julie Palm
Palm Investments North, LLC
PO box 322, Winthrop, WA 98862
(509)322-3032

Engineer of Record:

Louis Sukovaty, PE
North Cascades Engineering, PLLC
PO Box 309, Winthrop, WA 98862
(509)741-9713

Civil Engineering and Planning:

Sang Park PE, Civil Engineer
Ian Faulds, Senior Planner
LDC Corp.
1851 Central Place South, Suite 101, Kent, WA 98030
(425)806-1869

Transportation Consultant:

Ryan Shea, PTP, Senior Transportation Planner
SCJ Alliance
8730 Tallon Lake, NE Suite 200, Lacey, WA 98516
(360)252-1465


Environmental Consultant:

Larry Lehman, Senior Biologist
Grette and Associates, LLC
151 S. Worthen St. Suite 101, Wenatchee, Wa 98801
(509)663-6300

Geotechnical Consultant:

Nick Szot, PE
Aspect Consulting, LLC
23 S Mission St C, Wenatchee, WA 98801
(509)888-7218

Palm Investments North LLC
28 Longhill Rd, Winthrop, WA 98862



November 14, 2022

7. Written Planned Development Program and Specifications

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Property Description:

The Orchard Hills planned development is a vacant property 16.8 acres in size near the western town limits. It sits above May Street and is accessed from Harrison Avenue. An orchard once occupied a portion of the site, but was abandoned and removed in the 70's. Volunteer apple trees have reappeared from the roots stock over time.

The parcel varies in elevation from a low point of 1710 feet on the eastern boundary to the high point of over 1900 feet in the northwest property corner. The majority of the property is vegetated with native grasses, bitterbrush and related plants. A small portion along the Methow Valley Irrigation District easement contains trees. The Twisp Comprehensive Plan designation is Single-Family Low Density Residential (R1). The current zoning designation is Low-density residential single-family (R-1).

Planned Development Proposal:

The proposed project request approval of 52 single-family residential homesites on 16.81 acres, completed in three phases. Lot sizes range between 3,600 square feet and 8,800 square feet with the majority of lots between 5,500 and 8,000 square feet. Using flexibility afforded by the planned development process the project focuses homesites on the more level portion of the site, avoiding steep slopes that are prone to erosion and keeps building off the ridgeline. The project proposes to retain 6.8 acres undeveloped and permanently dedicated to the Town of Twisp for a community park or open space. The project will build new public infrastructure (streets, water, sewer, electric power, stormwater).

Explanation of the density of the proposed project (18.45.050(2)(a)):

Palm Investment North, LLC spent considerable effort in determining the best lot layout that would meet the project goals and have a good balance in terms of density. The starting point for this calculation was the number of lots that would be allowed if a subdivision per the R1 zoning was executed. The parcel encompasses 16.81 acres or 732244sqft so if 18% is removed for infrastructure (roads,etc) that leaves 600440 sqft remaining for lots. Which equates to 60 ten thousand square foot lots. By proposing a planned development with only 52 lots there will be less residences in final build out than is allowed at this time by R-1 zoning and they will be concentrated on smaller lots that are below the ridge line and preserve a large portion of lot (40%) as public open space. Since this area is proposed to be dedicated to the town the citizens could work with the Town to utilize it in ways that are consistent with the Town's open space policy. The open space was selected to maintain a route for hiking to the high point of the property if the Town of Twisp so desires. Additionally, the smaller lot sizes will be more affordable thus furthering the project goal of assisting to provide affordable housing.

Proposed ownership pattern (18.45.050(2)(b)):

The open space and residential streets are proposed to be dedicated to the Town. The remaining area will be split into lots and sold to individuals for residential use.

Operation and maintenance proposal (18.45.050(2)(c)):

To keep the maintenance standards within the Town uniform this project proposes to dedicate to the Town all residential streets and Open Space. No improvements have been proposed to the open space to limit maintenance and operation cost required by the Town. Town of Twisp Public works has indicated this would make the acquisition of the Open Space more appealing to them.

General timetable for development (18.45.050(2)(d)):

Palm Investment North, LLC is proposing to construct the development in three phases. Construction is projected to start in the spring of 2023. The general phases are outlined below. Surety acceptable to the Town of Twisp will be provided for any public infrastructure that is not constructed in the first phase.

Phase 1: During the first phase utilities will be completed from Harrison to the West property line and up to the water tanks and will include the potable water connection at the booster pump station. Roads will be completed from Harrison to the water tanks.

Phase2: The second phase will include the construction of Harrison to 40' beyond the water tower enclosure and the construction of the fire access road down to Isabella. Also included in this phase is the extension of the utilities to the north property line and road grading to the north property line. This phase will be completed prior to the sale of more than 30 lots.

Phase3: The third phase will finish the road improvements out to the north property line.

Recreation (18.45.050(2)(e)):

Palm Investment North, LLC is proposing not to construct any new recreational facilities for this project. This is primarily because the Twisp Public Works has indicated that acceptance of the open space is more appealing to them if it does not bring a maintenance burden with it. However, the proposed development has a walking path along the length of all roads and the open space reserves 40% of the area for hiking of unofficial paths and allows a route to access the high point to enjoy the vista. Currently, the adjacent neighborhood utilizes this property for these hikes without the consent. If the property is subdivided per current zoning these recreational opportunities in all likely hood will go away.

In spite of the fact that the open space will not be improved at this time, there is the potential to have many recreational amenities added as the Town and its citizens define their expectations in the future. Although not developed as a park at this time, it would be a great place for the Painter's Addition area proposed park as delineated in the Twisp Comprehensive Plan.

Visual Impacts (18.45.050(2)(f)):

Despite the fact that the site does not encompass any land designated in the comprehensive plan as having significant visual quality warranting special protection beyond that provided by town development regulations, Palm Investments North has made a concerted effort to minimize the visual impacts that this project will have for the citizens of Twisp and the surrounding areas. The proposed building lots have all been pulled down off the ridge line so as to make the residences less obvious.

Landscaping (18.45.050(2)(g)):

Landscaping is anticipated to be irrigated green spaces around the residential structures with the bulk of open space remaining in natural vegetation. A good portion of the project site has irrigation rights on the MVID ditch and the developer will install infrastructure within the street to distribute this water to each lot which has legal access. Strategic tree planting along the street may be implemented to screen areas such as the water tanks. Disturbed areas will be reseeded with natural vegetation. Since this proposal is for individual residential lots and the Town code does include any landscaping requirements for this type of construction, it is anticipated that it will eventually be approximately the same as the surrounding residential neighborhood.

Stormwater collection and disposal plan (18.45.050(2)(h)):

The preliminary design of the storm water system has been completed in accordance with the Storm Water Management Manual for Eastern Washington. Like almost all jurisdictions in Eastern Washington, Twisp has adopted this manual as the basis for its storm water management standards because it defines the best management practices that are applicable. Onsite Infiltration is the preferred method of disposing of stormwater runoff and this site is especially well suited for this. Palm Investments North hired Aspect Consulting to analyze the soils and infiltration rates to verify the feasibility of this approach. Their conclusion is that the soils are highly infiltrative and deep enough to support a storm water infiltration system more than adequate to meet the maximum design storm water flows. The report has been included in our resubmittal. The storm water system for this development will collect, treat and infiltrate all of the storm water for a design storm frequency of 10yr (Twisp standard) and any runoff in excess of this will be directed to the location it would have drained to prior to the development. There are comments alluding to an existing problem of seasonal water flow crossing the property at the south end and flowing into Painter's Addition. This project will not modify this area of the property and therefore will not solve or exacerbate the situation. To be clear, each residence when built will collect, treat and infiltrate their storm water as well.

Geophysical Characteristics (18.45.050(2)(i)):

The proposed project was designed to take advantage of existing topographic conditions and minimize site disturbance to the greatest extent practicable. Most steep slopes were incorporated into required open space and will be left undisturbed. The street network was located to minimize cut and fill. A Geotechnical Engineer was retained to ascertain both soil stability and infiltration capability.

Air Quality Considerations (18.45.050(2)(l)):

This planned development anticipates the air quality impacts to be less than if the parcel was developed as a simple subdivision as allowed by current zoning. Best management practices will be used during construction to limit dust. Fireplaces will be regulated by the Twisp Municipal Code requirements. By providing affordable housing within the Town of Twisp that is closer to groceries, banking, entertainment, etc., the project will result in less miles driven and less automobile emissions. All graded areas will be revegetated after construction to control dust. A dust control plan per best management practices will be utilized during construction.

Transportation (18.45.050(2)(k)):

The proposed development will have less lots than allowed by current zoning, as such will have no additional impacts over infill development constructed in accordance with the Town Code. SJC Alliance was hired to estimate the traffic flows resulting from the development. It is anticipated that 563 new automobile trips per day will arise because of this development on Harrison Ave. and May St. and these will not exceed the safe capacity of these streets. Interior to the planned development, all roads will be constructed in accordance with the Town of Twisp Standards. A fire apparatus access road from Isabella Lane generally following the existing water tower access road alignment to McIntosh road is also proposed.

Noise (18.45.050(2)(l)):

This proposal is for a residential development with less total lots than allowed by current zoning. It is therefore anticipated that there will be no noise impacts in excess of those that would occur if the land was built out per the current zoning without a planned development.

Public Benefits (18.45.050(2)(m)):

The primary benefits to the public from this proposal are:

1. Increase the number of developable lots within the town, thereby contributing to a more sustainably affordable community.
2. Provide the open space for a park as planned for in the Twisp Comprehensive Plan.
3. Protect the iconic Twisp ridgeline from building.
4. Legitimize the Open Space for hiking and walking for the citizens of Twisp and maintain public access to the highpoint vista of the property.

Control of Future Land Division (18.45.050(2)(n)):

No further division of the land is allowed by the Twisp Code for the residential lots due to zoning. For further land division to occur the zoning would have to change. The open space, if acquired by the Town, would be controlled by the Town. Deed restrictions could be added if deemed necessary.

Open Space (18.45.050(2)(o)):

40% of the 16.81 acres of the parcel to be developed are proposed to be Open Space and dedicated to the Town of Twisp. Palm Investment North, LLC is proposing not to construct improvements within the Open Space as part of this project. This is primarily because the Twisp Public Works has indicated that acceptance of the open space is more appealing to them if it does not bring a maintenance burden.

Wildlife Protections (18.45.050(2)(p)):

Although, this project contains no specific proposals for regulating or restricting domestic animals or for improving wildlife habitat within the town limits, it benefits wildlife by setting aside approximately 7acre of the best habitat as Open Space and protecting it from development.

November 9, 2022

8. Development Site Plan and Drawings

Orchard Hills Planned Development (PD) - Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

RIGHT OF WAY = 51'
5' PAVED WALK
4' SWALE
8' GRAVEL PARKING LANE
(2) 11' PAVED TRAVEL LANES
8' GRAVEL PARKING LANE
4' SWALE

ELEVATION NOTE

ALL ELEVATIONS WILL BE VERIFIED WITH SURVECTOR PRIOR TO FINAL DESIGN.

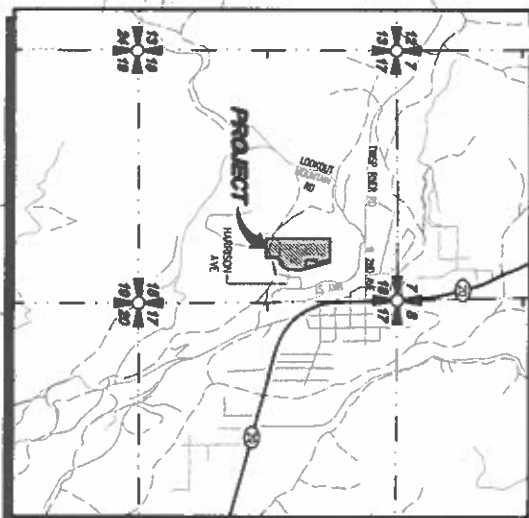
PROCESSING. SURVEY INFORMATION CONTAINED ON THESE PLANS HAS BEEN PROVIDED BY JACKMAN SURVEYING, INC. CENTRAL DATUM HAS BEEN ADJUSTED TO MAND 29 USING PAINTER'S BOOSTER PUMP STATION AND WATER SYSTEM IMPROVEMENTS RECORD DRAWINGS DATED 1/21/2010. LAND DEVELOPMENT CONSULTANTS, INC. ASSUMES NO LIABILITY AS TO THE ACCURACY AND COMPLETENESS OF THIS DATA. ANY DISCREPANCIES FOUND BETWEEN WHAT IS SHOWN ON THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.

1. BULK GRADING OF THE BUILDING PAD/LOT SLICE
2. LOT 17-18 ARE PROPOSED TO HAVE ZERO LOT LINE BUILDING FOOTPRINTS
3. LOT 17-18 ARE PROPOSED TO ALLOW ONLY 2-STORY DET. STRUCTURES BEHIND TO RENT OR LEASE. NO OTHERS WILL BE ALLOWED TO RENT OR LEASE
4. RESTRICTIONS PRIVATE ACCESS CORRIDOR MANAGEMENT PROGRAMS WILL BE RECOGNIZED ON FINAL PLAT.
5. PROPOSED PUBLIC DEDICATIONS: TRULYS 500 AND 990-1000
6. ARE PROPOSED PUBLIC DEDICATIONS
7. PROPOSED LAND USE: THE PROPOSED LAND USE IS VEHICLE STORAGE, TRUCKS, TRAILERS, AND ROAD ALL TRAFFIC WILL ENTER AND LEAVE THROUGH HIGHWAY 10. THERE WILL BE THE EXISTING OF THROUGH TRAFFIC TO THE EXISTING RESIDENCES TO THE SOUTH.
8. PEDESTRIAN CONCILIATION: PEDESTRIANS CAN ENTER OR LEAVE THE DEVELOPMENT DOWNS HIGHWAY VIA SIDEWALK OR DOWN THE FIRE APPARATUS ACCESS ROAD TO SHELBY LANE. ALL PUBLIC ROADS HAVE
9. APPROPRIATE BUILDING FOOTPRINTS. PROPOSED LAND USES: BUILDING FOOTPRINTS SHALL BE 350 SQ. FT. PER TOWN OF TOWNS CODE.
10. PROPOSED MAXIMUM LOT BUILDING COVERAGE IS 40% AND MAXIMUM PROPOSED LOT COVERAGE IS 55%.
11. UTILITIES FOR LOTS SERVED BY PRIVATE ACCESS CORRIDORS WILL HAVE THEIR OWN UTILITIES LOCATED WITHIN THE ACCESS CORRIDORS. PER ILM, THESE WILL BE LISTED AS PRIVATE UTILITIES ON THE FINAL PLAT. SERVICE CONNECTIONS TO THE TOWN WATER AND SEWER WILL BE WITHIN THE PUBLIC ROAD RIGHT OF WAY.

[illegible]

DAYLIGHT BASEMENT

TUCK UNDER



VICINITY MAP
SCALE: 1"=2000'

**OPEN SPACE
WITH COMBINED
MWD EASEMENT**

DEVELOPMENT SITE PLAN

**Surveying
Engineering
Planning**

Kent	Woodinville 20210 142nd Avenue NE Woodinville, WA 98072	Olympia
F 425.806.1869	www.LDCenters.com	F 425.482.2893

[illegible]

SP-01

JOB NUMBER: C72-246
 DRAWING NAME: C72-68-SP-P
 DRAUGHTING BY: SWK
 DATE: RCH
 SCALE: 1"=50'
 SURVEYOR: CITY OF THUNDERBOLT
 SHEET 1 of 1
SP-01



- | TABLE OF CONTENTS | |
|-------------------|-----------------------------------|
| 1 | PRELIMINARY UTILITIES PLAN |
| 2 | PRELIMINARY SPECIFICATIONS 1 OF 2 |
| 3 | PRELIMINARY SPECIFICATIONS 2 OF 2 |

DISCLAIMER

FORBIDDING STAINER INFORMATION CONTAINED ON THESE PLANS HAS BEEN PROVIDED BY LIGNUM SIMPLICITR, INC. (LIGNUM). LIGNUM HAS BEEN ADVISED TO AVOID 23 USING PAPER'S BOOSTER PUMP STATION AND WATER SYSTEM IMPROVEMENTS RECORD DOWNGRADES DATED 1/21/2010. LIGNUM DEVELOPMENT CONSULTANTS, INC. ASSUMES NO LIABILITY AS TO THE ACCURACY AND COMPLETENESS OF THESE DATA. ANY DISCREPANCIES FOUND BETWEEN WHAT IS SHOWN ON THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.



PALM PLANNED DEVELOPMENT
ORCHARD HILLS
PRELIMINARY UTILITIES PLAN



JOB NUMBER	C22-246
DRAWING NAME	C2246-15-PL
DESIGNER	SNP
DRAWING BY	RCR
DATE	
SCALE	1"=50'
JURISDICTION	CITY OF TAMPA



Town of Twisp

118 S. Glover St • Box 278 • Twisp, WA 98856 • 509-997-4081 • 509-997-9204 TDD 800-833-6388

www.townoftwisp.com

LAND USE PERMIT APPLICATION

(For Shoreline and Floodplain Development Permits, Use JARPA Form)

DATE: _____

PROJECT TITLE: _____

To be completed by local government:

- ☐ File ID#: _____
- ☐ Received Date: _____
- ☐ Vesting Date: _____
- ☐ Fees Paid: _____
- ☐ Hearing Date: _____
- ☐ Action Date: _____

PARCEL #: _____ PHYSICAL ADDRESS PROJECT: _____

Check all that apply

- | | |
|---------------------------------------------|-------------------------------------------|
| _____ Long Plat Preliminary Approval (SEPA) | _____ Long Plat Final Approval |
| _____ Long Plat alteration/Vacation | _____ Short Plat |
| _____ Planned Development (SEPA) | _____ Conditional Use Permit (SEPA) |
| _____ Zoning Variance | _____ Zoning Text or Map Amendment (SEPA) |
| _____ Zoning Map Amendment (SEPA) | _____ Comprehensive Plan Amendment (SEPA) |
| _____ Access Permit | _____ Administrative Permit |
| _____ Other, Specify: _____ | |

APPLICANT: _____ Phone #: _____

Mailing Address: _____

Contact Person: _____ Email Address: _____

palmci1@gmail.com

ENGINEER/SURVEYOR OF RECORD: _____

Firm Name: _____ Phone #: _____

Mailing Address: _____

Email Address: _____

OWNER OF PROPERTY: _____

Mailing Address: _____

GENERAL PROJECT INFORMATION;

This application is made pursuant to the following ordinance sections: _____ TMC 18
(Please check appropriate Twisp Municipal Code) _____ TMC 17
_____ TMC 16

Description of the proposal: _____

Description of the existing use(s) of the property: _____

Description of the primary use(s) of the property: _____

Description of other (appurtenant) uses: _____

Land Use Description of the subject property:

Comprehensive Plan: _____

Shoreline Environment: _____

Flood Plain Zone & Base Flood Elevation: _____

Zoning District: _____

Zoning Overlay District: _____

Are there existing relevant permit or approvals held to the subject property? If yes, state the permit number and issuing agency: _____

Will the proposal affect the access to the property? If yes, please describe: _____

Will the proposal require work within an existing public right-of-way? If yes, please describe: _____

Will the proposal require additional and/or new and/or changes to the water, sewer and storm Services: If yes, please describe for each: _____

Concurrency: _____

Water Service is provided by: _____

Sewer Service is provided by: _____

Storm sewer service is provided by: _____

Is the property served by an irrigation district? If yes, state the name of the servicing district and describe any affect the proposal will have on the service: _____

Please also include:

- ☐ Complete permit application
- ☐ Impact assessment checklist
- ☐ Site plan
- ☐ Plans and specifications (if applicable)
- ☐ Sepa documents
- ☐ Meets and bounds legal description (if applicable)
- ☐ List of all adjacent landowners (with addresses) within 300' of project vesting fees (if required).

I hereby apply for the above noted permit(s). By signing below, I hereby certify that I am the above applicant and hereby state that all the foregoing information, and all information attached hereto, as true to the best of my knowledge, with the understanding that inaccurate, incomplete and/or false information may cause delays and/or provide cause to void this application and any subsequent approvals. Further, I understand that in addition to the filing fees, I am responsible for reimbursement to the Town of Twisp for all costs incurred in the processing of this application. These costs may include, but are not limited to: postage, publishing, copies, peer review and special consultant review and inspection.

Applicant's Signature

Date

Property Owner's Signature
(Mandatory if different from the applicant)

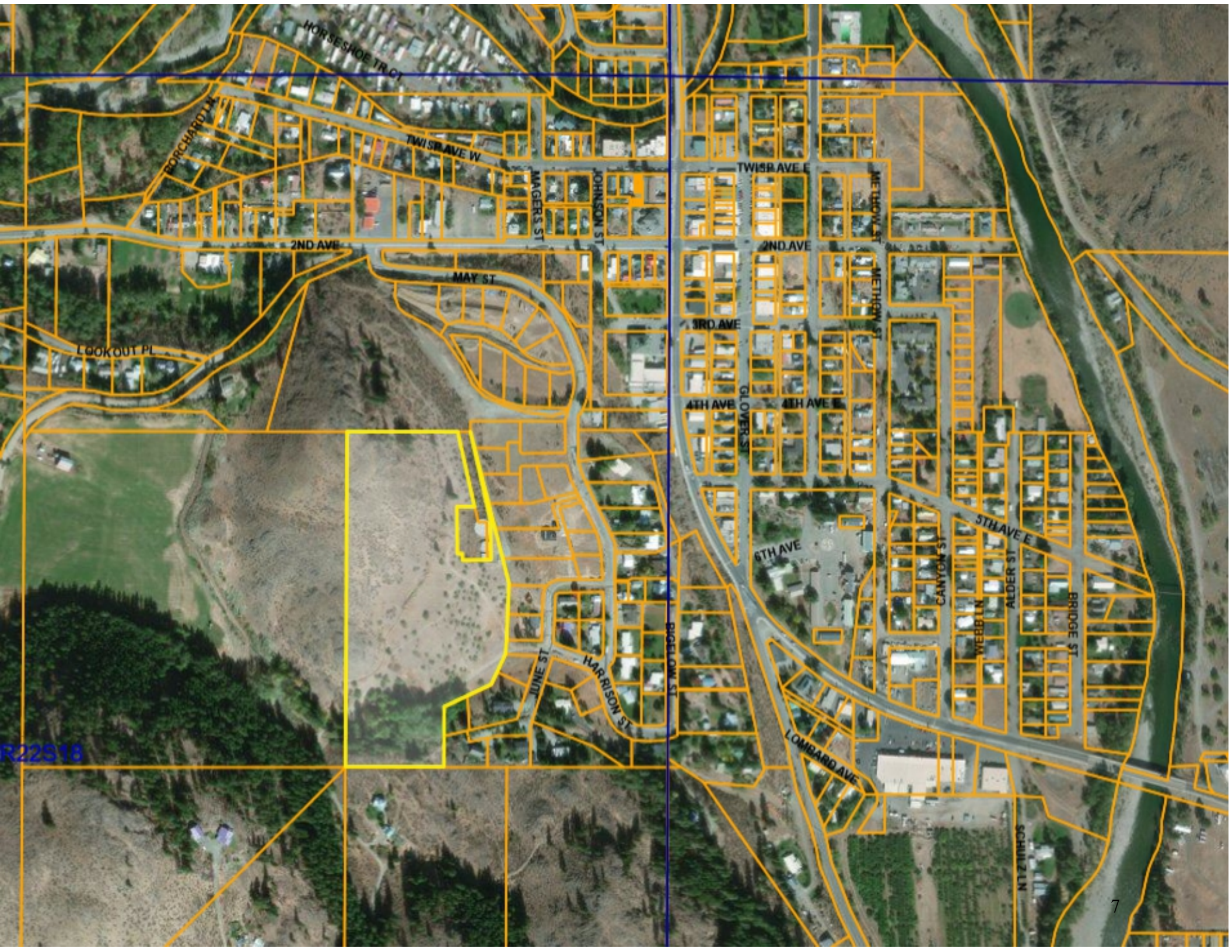
Date

***** FOR OFFICE USE BELOW *****

This proposal IS or IS NOT categorically exempt from a threshold determination in accordance With the State Environmental Policy Act.

Basis of exemption if applicable: _____

Decision Maker: _____ **Date:** _____



R22S18



2ND AVE

MAY ST

1ST ST

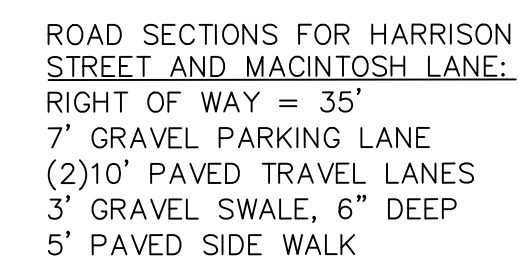
3RD ST

4TH ST

JUNE ST

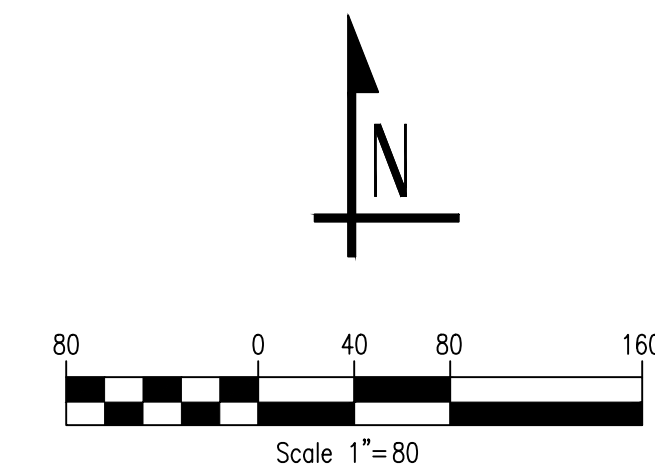
HARRISON ST

BRIGHTON ST



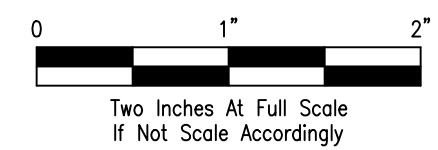
ROAD SECTIONS FOR APPLE
WAY AND GOLDEN WAY:
RIGHT OF WAY = 20'
2' GRAVEL SHOULDER
(2) 8' PAVED TRAVEL LANES
2' GRAVEL SHOULDER

AREAS(ACRES):
TOTAL AREA = 16.81A
OPEN SPACE = 7.52A
% OPEN SPACE = 44.74%



EXPIRES: 1/21/23

No.	Revisions	Date
-----	-----------	------



Project Name	
--------------	--

PALM SUBDIVISION
ORCHARD HILLS
PLANNED DEVELOPMENT

TWISP

Project No.	2021-55
Issue Date	3/4/2022

Scale			
Designed	LGS	Checked	LGS
Drawn	LGS	Approved	LGS

Description

Sheet

Permit Documents

Orchard Hills Planned Development

Palm Investments North LLC, applicant

Introduction

Palm Investments North LLC is a business venture of long-time Methow Valley residents Julie and Jerry Palm. We are very concerned with the changes we have seen in the Methow that are making it increasingly difficult for families to find meaningful employment at wages to support a family, to find childcare support, and to find housing that is affordable. The valley has always been a supportive community of people who live here, make a living here, and raise their kids here. A healthy community has all workers(service workers, technical workers, etc), business owners, and retired residents living together and caring for our community.

Few can argue that the valley faces a severe challenge providing affordable housing opportunities. The 2021 year-end market report from Windermere Real Estate reported these findings:

- Transactions (sales) down 16%
- Total \$ Sales up 18%
- Average Sale Price \$646,848 up 40%
- Median Sale Price \$525,000 up 25%
- Average Days on the market down 30%
- Current Inventory down 33%

The 2021 Twispworks economic study of the valley found the median household income for families who live and work in the Methow Valley is \$57,779, with nearly 60 percent of working families making less than \$55,000 a year.

The implications are that fewer houses are on the market with fewer sales, but prices are bid up over a shorter period of time. Once affordable houses are now out of reach for many residents. Fewer homes on the market resulting in fewer sales, but prices are bid up over a shorter period of time. Options are increasingly limited. Competition for available property is more intense, favoring cash sales which hurts those without means.

We believe that part of the solution is increasing the supply of developable land within our incorporated towns. Twisp is a logical location for additional housing because of the availability of existing infrastructure, the proximity to employment and social services, and the availability of transportation options. Development

is the Town of Twisp helps maintain the rural character of our valley, imposes fewer adverse environmental effects on our air, water and land, and supports an overall increase in business activity and local tax revenue.

We believe that the Town of Twisp will benefit from an increased supply of modestly-sized single-family residential lots. The Orchard Hills planned development capitalizes opportunities provided in the Twisp development code to make efficient and economical use of a topographically challenging piece of land for the benefit of the community. The modest lots proposed in Orchard Hills planned development focus homesites away from steeper slopes that are more difficult and expensive to develop. Orchard Hills proposes compact development that is more economic to service with public infrastructure and will require less land disturbance for streets and utilities. The compact neighborhood will be an attractive alternative for those who desire living in a close community with natural amenities close by.

Property Description

The Orchard Hills planned development is a vacant property 16.8 acres in size near the western town limits. It sits above May Street and takes access from Harrison Avenue. An orchard once occupied a portion of the site, but has been abandoned for many years.

The parcel varies in elevation from a low point of 2,020 feet on the eastern boundary to the high point in the northwest corner of over 2,200 feet. The majority of the property is shrub-steppe vegetation with bitterbrush and related plants. A small portion along the Methow Valley Irrigation District easement contains trees.

The comprehensive plan designation is Single-Family Low Density Residential (R1). The zoning designation is Low-density residential single-family (R-1).

Development Proposal

The proposed project contemplates 53 single-family residential homesites on 16.81 acres. Lot sizes range between 3,700 square feet and 10,500 square feet with the majority of lots between 6,000 and 8,000 square feet. Using flexibility afforded by the planned development process the project focuses homesites on

the more level portion of the site, avoiding steep slopes that are more difficult and costly to develop.

The project proposes to retain 7.5 acres as undeveloped, permanently dedicated open space.

The project will build new public infrastructure (streets, water, sewer, electric power).

Twisp Code Requirements for Planned Developments

Density (18.45.050(2)(a))

Pursuant to Chapter 18.25, 100 lots are allowed as a planned development. The proposed project is consistent with the Low Density Single-family Residential (R1) district.

Ownership (18.45.050(2)(b))

Palm Investments North LLC controls interest in the entire property. Palm Investments will be responsible for all land use permitting and public infrastructure planning, engineering and construction. At project build-out, ownership will comprise individually-owned, single-family homesites.

Operation and Maintenance (18.45.050(2)(c))

The project proposes to dedicate to the Town of Twisp all residential streets and required open-space.

Development Timetable (18.45.050(2)(d))

The project undertake infrastructure design and construction in coordination with the Town of Twisp public works department upon

preliminary approval of the planned development. Palm Investments will provide surety acceptable to the Town for any public infrastructure, but not constructed during initial construction.

Development of lots will proceed on a timeline dictated by sales and motivated by individual homeowners plans.

Existing and Proposed Community and Recreational Facilities (18.45.050(2)(e))

The project site includes no existing community recreational facilities. No recreational facilities are proposed as part of the project.

Visual Impacts (18.45.050(2)(f))

The proposed project site does not encompass any land designated in the comprehensive plan as having significant visual quality warranting special protection beyond that provided by town development regulations.

Landscaping (18.45.050(2)(g))

The project site contains no existing irrigation system. Future landscaping will be at the direction of homesite developers.

Stormwater (18.45.050(2)(h))

Stormwater runoff will result from developed hardscape areas including buildings, roadways, pedestrian paths and parking areas. These areas will be directed via sloped surfaces and conveyance piping (as necessary) to water quality and infiltration swales designed and size to meet the requirements of the DOE Stormwater Manual for Eastern Washington 2019.

Geophysical Conditions (18.45.050(2)(i))

The proposed project has been designed to take advantage of existing topographic conditions and minimize site disturbance to the greatest extent practicable. Most steep slopes have been incorporated into required open space and will be left undisturbed. The street network has been designed with the topography and appropriately sized to the scale of the proposed project to avoid unnecessary cut and fill.

Air Quality (18.45.050(2)(j))

Design and construction of the project is not anticipated to have adverse effects on local air quality, including generation of dust during construction.

Transportation (18.45.050(2)(k))

The proposed project is not expected to have adverse effects on local traffic. Proposed streets will connect to the existing street system. New vehicle trips generated should not exceed 9.5 daily trips per single-family residence as estimated by the Institute for Transportation Engineers (ITE). The potential exists for existing residents to notice additional vehicle traffic on local streets, but the comprehensive plan provides that all local streets and intersections are and will continue to operate at acceptable levels of service.

The street network of the proposed project is designed to facilitate future connection to adjacent property when developed. The proposed street network is designed to "calm" driver behavior making for safer and more convenient walking and bicycling.

Noise (18.45.050(2)(l))

The proposed project should not create noise impacts on surrounding properties or the town in general beyond that customarily associated with residential development and managed through civil or law-enforcement means.

Public Benefits (18.45.050(2)(m))

The proposed project will benefit the general public by increasing the supply of developable lots within the town, thereby contributing to a more sustainably affordable community.

Control of Future Land Division (18.45.050(2)(n))

The project is proposed to develop at the density allowed by code. No further measures are contemplated.

Open Space (18.45.050(2)(o))

No planned uses or improvements to common open space areas are proposed.

Wildlife Protections (18.45.050(2)(p))

Project contains no specific proposals for regulating or restricting domestic animals or for improving wildlife habitat within the town limits.

Open Space & Landscape Plan

The project site is currently vacant. Remnants of an orchard can still be found on the property. Large portions of the property are relatively undisturbed shrub/steppe vegetation typical of the Methow Valley. Few native trees are present.

The development plan calls for retaining 7.5 acres or nearly 45 percent of the property as undeveloped, permanent open space.

Palm Investments North LLC proposes dedicating the 7.5 acres of open space to the Town of Twisp for future park land or trail development. No community public open space currently exists in this western portion of the community.

Developers of the project will rehabilitate the abandoned alignment of Harrison Avenue.

Landscaping of individual residential lots will be the responsibility of individual property owners. Subject to requirements for planting and water use established by the Town of Twisp.

Grading and Drainage Plan

The project site presents topographic challenges due to moderately steep hillsides. As such, through the planned development process, the layout of individual residential homesites maximizes the use of flatter terrain requiring less grading and management of surface water runoff. Steeper portions of the project site are proposed "off-limits" to development, either temporary construction disturbance or long-term development.

The project site is composed of well-drained glacial soils typical of the valley floor. The comprehensive plan identifies the project site as a potential aquifer recharge area. The project will create new impervious surface that must be addressed.

Grading the site will be undertaken to establish the street network and will be undertaken with town permits and subject to town standards, including protection from stormwater runoff during construction. Palm Investments North LLC will enlist a licensed civil engineer to design a stormwater runoff system for local streets consistent with town standards and best practices of the Washington State Department of Ecology Stormwater Management Manual for Eastern Washington, 2019.

Future development of individual homesites will be regulated by Town of Twisp regulations for grading and stormwater drainage.

Utilities and Infrastructure

The proposal will require connection to existing Town infrastructure, and installation of new infrastructure to serve the homesites. Palm Investments North LLC will hire a consulting civil engineer to evaluate and design infrastructure according to town standards and specifications.

Palm Investments North LLC anticipates installing sewer, water and electric power to the development in phases, with construction expected to begin shortly after preliminary plan approval.

Sewer

The conceptual sewer system plan involves both mainline and lateral lines constructed to Town of Twisp standards. Lateral lines will be stubbed and capped in anticipation of connection when each homesite is developed.

Any necessary maintenance easements will be established to assure future Town of Twisp access to the system.

Water

The conceptual plan for water lines places new service within the street right-of-way. A licensed civil engineer will design the system with appropriate pipe sizes and flow consistent with town standards and specifications. Construction will be coordinated with town official to assure acceptance by the town upon completion.

Lateral lines will be stubbed and capped in anticipation of connection when each homesite is developed.

New fire hydrants will be design and installed in coordination with the Town of Twisp and Okanogan County Fire District #6

Palm Investments North LLC will elect to have town staff make all connections to the water main/meter.

Electric Power

Palm Investments North LLC will coordinate development plans with Okanogan County PUD. All electrical service will be underground meeting standards and specifications of the PUD.

Streets

The local street network serving the proposed project is one of the most challenging aspects of the design. To create the desired overall residential development, three variables come into play -- (1) minimizing grading and land disturbance, (2) encouraging safe, multi-modal streets, and (3) promoting more affordable single-family housing opportunities.

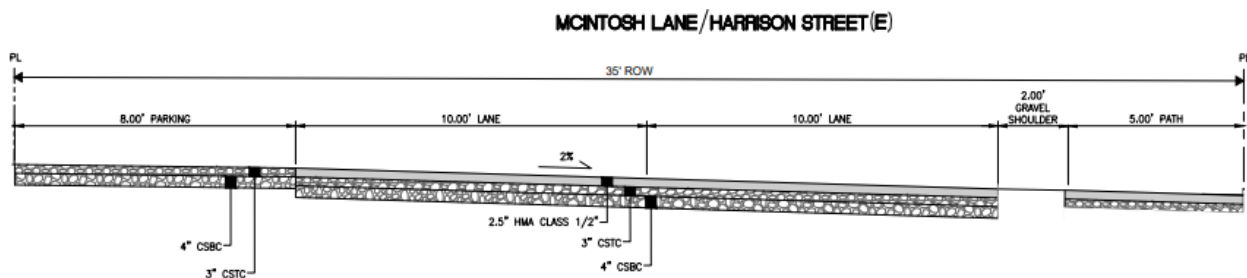
The street layout is portrayed on the site plan. It provides a central core "spine" street connecting Harrison Avenue on the southeast corner of the development and extending a new McIntosh Lane to the northern property line. This northern terminus enables future connection to the local street network when adjoining property is developed.

Minor streets, Golden Lane and Apple Way, provide no through-street function and merely access individual homesites.

Street cross-sections are as follows:

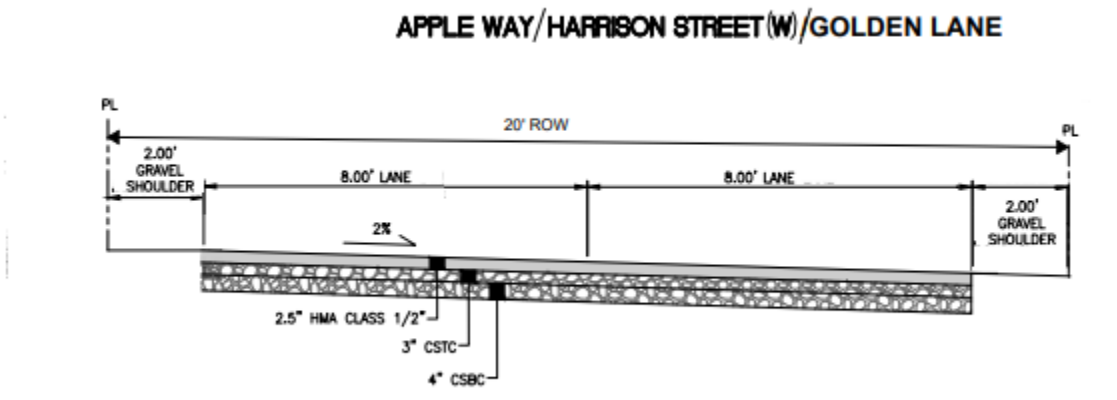
McIntosh Lane / Harrison Avenue

- Right-of-way - 35 feet
- Parking lane - 7 feet (gravel)
- Travel lane (2) - 10 feet (paved)
- Shoulder/verge - 3 feet
- Paved path - 5 feet (paved)



Apple Way / Harrison Avenue / Golden Lane

Right-of-way - 20 feet
Travel lane (2) - 8 feet (paved)
Shoulder/verge - 2 feet

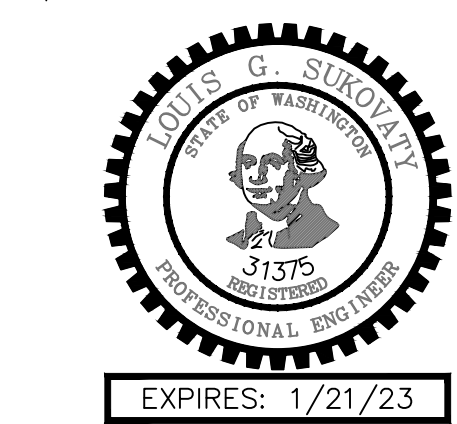
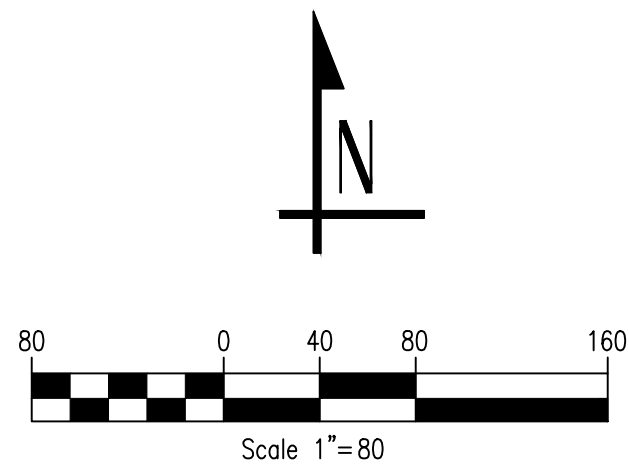
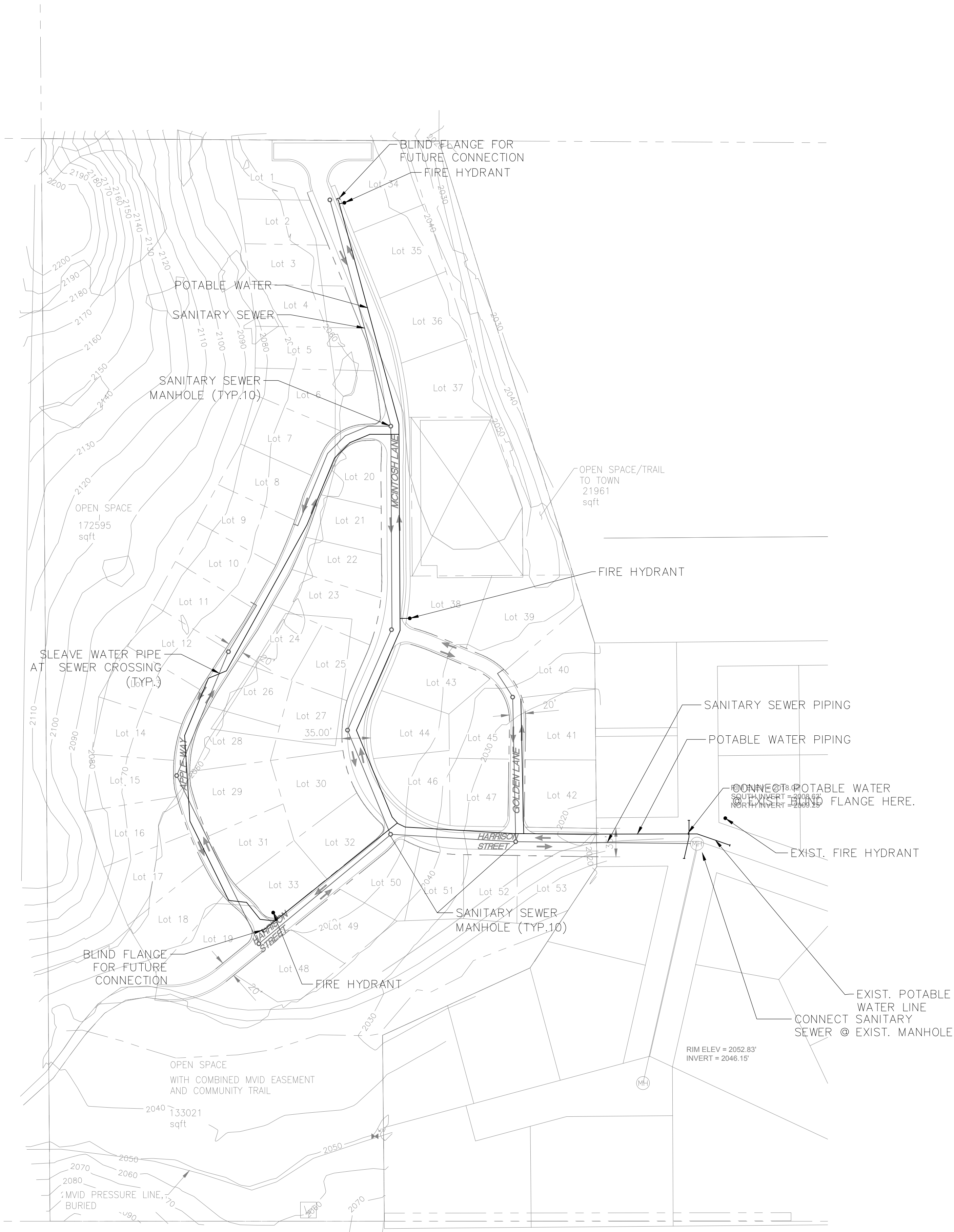


The proposed streets required design deviations to be approved by the public works director. Palm Investments North LLC asserts that the design deviations are warranted in the case of this development and should be approved.

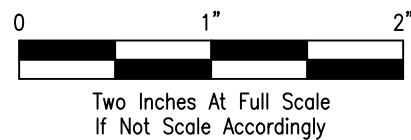
- 1) Minimize land disturbance and surface runoff. Building narrower public streets requires less engineering and disturbance of the existing topography.
- 2) Safety. Modern engineering practice in urban environments recognizes that slower vehicle speeds make safer neighborhoods. Slower vehicle speeds cannot be accomplished by simply posting signs. Drivers must receive visual clues from the environment to slow down. Narrower streets do that.
- 3) Affordability. Large amounts of urban land are dedicated to vehicles and the parking of vehicles. All of which drive up the cost of housing. Appropriately scaling neighborhood streets to meet the needs of residents help assure that valuable land is not wasted and helps create more efficient and affordable development.

The proposed project is designed to enable ample opportunity to meet Town of Twisp regulations for parking -- two spaces per residence. In practice, many home designs will provide for double this amount with two garage spaces and two driveway spaces.

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No.	Revisions	Date



Project Name

PALM PLANNED DEVELOPMENT ORCHARD HILLS PRELIM. WATER AND SEWER PLAN

TWISP

Project No.	2021-55		
Issue Date	3/27/2022		
Scale			
Designed	LGS	Checked	LGS
Drawn	LGS	Approved	LGS

Description

Sheet

Permit Documents

TOWN OF TWISP IMPACT ASSESSMENT CHECKLIST

This checklist is to accompany all land use, shoreline and floodplain development applications, building permits for new construction, except for single-family homes, and business licenses for new or substantial expansion or modification to the primary use of your establishment that might affect performance standards. (For example, a cafe currently open only for breakfast and lunch that wants to expand to serve dinners and live music is required to fill this out as this might increase the demand for off-street parking or noise impacts.)

This checklist is to be used to aid the administrator in determining the nature and extent of impacts of a proposed development within the Town of Twisp based on performance and development standards adopted in the Zoning Ordinance # 632.

For developments requiring an Administrative Permit (AP), this checklist must be completed and recorded along with a SEPA checklist (if required) prior to the Town making any determination.

To be completed by applicant

Project Title: _____
Development Location: _____
Applicant Name: _____
Mailing Address: _____
Phone number: _____ - _____ Email Address: _____ ; palmci1@gmail.com

Section 1. General Performance Standards

Please answer the following questions to the best of your ability with **Y** for yes and **N** or No. If **Yes** is answered, please provide a description as to how the impact will be mitigated on a separate sheet of paper. Please use “**N/A**” for items that are not applicable to your proposal.

Do you foresee any of the following impacts from your proposed project?	Y, N N/A
1. Artificial glare or lighting that might interfere with street traffic or trespass into residential area, including but not limited to strobe lights, arc welding, overhead lighting, or security lights.	
2. Electrical interferences or electromagnetic radiation	
3. Flammable or explosive material	
4. Hazardous substances or waste (storage, emission or manufacture)	
5. Noise	
6. Odor	
7. Please indicate your proposed hours of operation:	
8. Emissions (including dust, ash, or airborne particulates)	
9. Vibration or concussion detectable beyond property lines	
10. Outdoor storage of materials	

Section 2. Specific Performance Standards

Please provide a description that adequately addresses the following elements.
1. Aesthetics: How does your proposal provide aesthetic consistency with the surrounding neighborhood character?
2. Traffic: Will your project generate traffic or affect current traffic patterns? If so, a traffic impact analysis may be required.
3. Parking: Does your project provide adequate off-street parking consistent with the Town of Twisp parking requirements? If you intend to create parking, please describe your proposed surfacing materials, stormwater management plans, how many vehicles and what type of business equipment.
4. Roads and Drives: Does your project propose new roads, driveways or alleys? If so, please provide a description of road dimensions, surfacing materials and stormwater management.
5. Buffers and screening: Do you propose to plant vegetative buffers or screens? If so, please provide site plan with plant list and design.
6. Open Space: Do you propose to leave open space in your project? If so, please provide site plan with location of open space and landscape plan.
7. Utilities: Please list the necessary utility hook-ups required for your project.

Section 3. Development Standards

Please provide information regarding the following elements (if applicable to your project) in the form of writing and/or a site plan where applicable to your project:

- ☐ Stormwater plan: A storm water management plan must be submitted with a development proposal for all uses other than single family dwellings, duplexes, and accessory dwellings. For those uses exempt from this requirement, adequate permeable surfaces must be maintained in yards and setbacks.
- ☐ Dog-control measures: Dog control measures are mandatory for all uses except single-family dwellings, duplexes, accessory structures and home businesses.
- ☐ SEPA checklist: If minimum threshold is determined.
- ☐ Roof Drainage Easements: If your project results in roof drainage onto neighboring properties, drainage easements are required.
- ☐ Water and Sewer: All new uses must connect to town water and sewer. (If other than a single-family residence, must include information regarding average water use and documentation used to determine this).
- ☐ Heating Ventilation and Air Conditioning Units: Screening of HVAC is required on all commercial and multi-family dwellings.
- ☐ Commercial Access: Access to commercial enterprises must be via public right of ways or adjacent commercial properties.
- ☐ Private roads and common areas: Management programs for joint ownership and use of roads and common spaces must be recorded on plat or site plan.
- ☐ Townhouses: Please see zoning ordinance for requirements and provide a site plan.
- ☐ Nuisances: Any nuisance shall be subject to Title 8.05 of Twisp Municipal Code.

Section 4: Critical Areas

To the best of your knowledge, is your project located in or adjacent to the following natural features? Please answer yes or no, or not sure. The Town of Twisp will make a determination if a Critical Areas Review may be required prior to granting a development permit.

- ☐ Steep slopes (geologically hazardous)
- ☐ Aquifer recharge
- ☐ Wetlands (including seasonally wet areas)
- ☐ Frequently flooded areas
- ☐ Wildlife habitat (including upland and/or riparian habitat)
- ☐ Is there a well on or near your property?
- ☐ Is there surface water on or near your property?

What is your property currently being used for? _____

Please provide a description of historical uses of your property if you know them: _____

To the best of my knowledge, the information provided and any site plan presented depicts accurate information, structure placement, distances, roads, driveways, land features, and other pertinent development information for my proposal.

Applicant Signature

Date

Owner Signature (if other than applicant)

Date

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

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

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

1. Name of proposed project, if applicable: **Orchard Hills**
2. Name of applicant: **Palm Investments North LLC**

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

Contact Name(s): **Jerry Palm & Julie Palm**

Address: **P.O. Box 322, Winthrop, WA 98862**

Phone Number: **(509) 996-2884**

4. Date checklist prepared: **April 2022**

5. Agency requesting checklist: **Town of Twisp**

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

The project is anticipated to begin the Summer of 2022 with infrastructure phasing as coordinated with the Town of Twisp.

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

No.

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

None to our knowledge.

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

No.

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

Permits as required by the Town of Twisp.

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

A residential single Planned Development is proposed for the Orchard Hills project, a 16.81-acre site. Orchard Hills is a low impact development with limited hardscape and dedicated Open Space (approx 40%). It's focus will be on pedestrian circulation, softscape amenities and downtown Twisp connections.

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

The site is located in the Town of Twisp and the parcel identified as Okanogan County parcel number: 3322180099.

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

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

a. General description of the site:

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

Within the project area the site slope varies from flat (1%) to steep

(24%). b. What is the steepest slope on the site (approximate percent slope)?

Within the Project area the steepest slope is approximately 24%.

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



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI
341	Lithic Haploxerepts-Kartar complex, 15 to 90 percent slopes	5.3
343	Lithic Haploxerepts-Newbon complex, 15 to 45 percent slopes	38.1
414	Newbon gravelly loam, 0 to 8 percent slopes	1.6
433	Owhi ashy fine sandy loam, 0 to 3 percent slopes	19.5
435	Owhi ashy fine sandy loam, 0 to 25 percent slopes, extremely stony	4.2
436	Owhi ashy fine sandy loam, 25 to 45 percent slopes, extremely stony	11.3
437	Owhi gravelly ashy fine sandy loam, 0 to 8 percent slopes	29.1
Totals for Area of Interest		109.1

SEPA Environmental checklist (WAC 197-11-960) July 2016 Page 3 of 17

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

In general, the site soils appear stable. At the northwest corner of the site, within the proposed Open Space Area, there appears to be historical rock movement.

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

Within the approximate 11 acres of development area, excavation and grading will be typical for infrastructure and construction of single and multi-family homes. Select materials will be imported as necessary for infrastructure improvements.

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

Temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site.

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

Approximately 30% of the site will be covered with impervious surfaces after project construction.

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

Temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site. All land disturbed during construction will be stabilized and revegetated. Measures to reduce or control erosion include stormwater management and dedication of permanent open space.

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

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

Potential sources of emissions to the air during construction include construction dust (mitigated by erosion control measures) and construction vehicle emissions. After project completion, potential sources of emissions to the air include vehicle and typical home emissions.

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

Not to our knowledge.

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

Dust abatement measures will be incorporated during construction as necessary to reduce and control emissions. After construction, increased pedestrian circulation and routes provided by the project, and possible Town public transportation expansion will assist in the reduction of emissions.

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

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

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

Yes, seasonal flow from upstream tributary at proposed Open Space area located at south end of site.

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

All proposed infrastructure and improvements are upgradient of seasonal drainage area.

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

None

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

No

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

No.

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

No.

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

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

withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No. The proposal is within the Town of Twisp municipal water system.

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

N/A. Waste discharge will be to the Town of Twisp public sewer system.

c. Water runoff (including stormwater):

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

Stormwater runoff will result from developed hardscape areas including buildings, roadways, pedestrian paths and parking areas. These areas will be directed via sloped surfaces and conveyance piping (as necessary) to water quality and infiltration swales (as necessary) designed and sized to meet the requirements of the DOE Stormwater Manual for Eastern Washington 2019.

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

Groundwater and surface water will be protected from conventional pollutants as described in above measures, c.1). No, additional waste materials anticipated.

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

No.

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

See above c.1).

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

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

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

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

The project will disturb approximately 9 to 11 acres (50% to 60%) of the site. Majority of vegetation disturbed will be grasses and shrubs.

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

None known.

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

Proposed Landscaping will incorporate the use of native plants, water quality swales and other measures to preserve or enhance vegetation.

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

Possible Knapweed.

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

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

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

Typical Eastern Washington east slope of the Cascades bird species, rodents, small predators and deer.

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

No known threatened or endangered species.

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

No known migration route.

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

Incorporation of native plant landscaping and Open Space.

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

No known invasive animal species.

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

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

For HVAC and lighting, the project proposes using electric, propane, wood and solar to meet the completed project's energy needs.

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

Not to our knowledge.

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

Energy conservation features include reducing paved surfaces and development footprint while encouraging solar, energy efficient housing, and pedestrian access, circulation and connections.

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

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

Not to our knowledge.

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

None known.

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

None known.

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

None known.

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

None known.

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

N/A

b. Noise

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

None.

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

Short-term noise consistent with general construction activity during regular business hours.

Long-term noise consistent with residential living.

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

Project proposes to reduce and control noise by reducing hard surfaces with minimal width vehicular access and local access roads, and encouraging pedestrian trips by providing trails and walkways.

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

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

The current undeveloped site is situated adjacent to single family residential properties and one of the Town of Twisp water reservoirs. The proposed development includes single family housing which is consistent with residential use.

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

Not to our knowledge.

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

Not to our knowledge.

c. Describe any structures on the site.

There are no existing structures on the site.

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

N/A

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

Low density single-family residential (R1)

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

Single-Family Low Density Residential (R1).

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

N/A.

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

Yes, a Potential Aquifer Recharge Area.

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

100

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

None.

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

N/A.

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

Proposal is developed pursuant to adopted Town of Twisp regulations.

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

N/A

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

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

53 lots of single residential lots.

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

None.

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

Intent of Planned Development is to increase housing.

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

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

Proposed structures should not exceed 30 feet in height consistent with Town of Twisp regulations.

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

None to our knowledge.

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

Compliance with Town of Twisp regulations.

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

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

Typical lighting from residential properties and traffic.

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

None to our knowledge.

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

None to our knowledge.

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

Compliance with Town of Twisp regulations.

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

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

None.

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

None.

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

No existing recreation onsite exists.

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

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

No.

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

None to our knowledge.

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

N/A

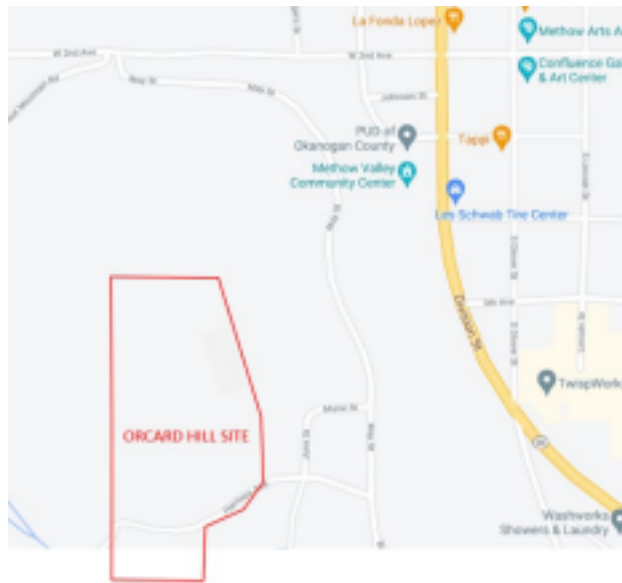
d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

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

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

Public streets and highways serving the site include HYW 20, Harrison Avenue, June Street, Marie Street, and May Street, see vicinity map below.



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

No.

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

The proposed project will create residential parking for the development pursuant to Town of Twisp regulations.

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

Yes, proposal creates driveway access to residential properties, three public roads (Mcintosh Lane, Apple Way and Golden Lane) and improvements to existing road (Harrison Street), connection to existing Town of Twisp road network, and pedestrian pathways.

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

No.

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

At build out:

- **single family residences would generate an additional of 505 daily vehicle trips per day according to Institute of Transportation Engineers (ITE) trip estimates of 9.54 trips per dwelling unit;**

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

Not to our knowledge.

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

The proposal includes pedestrian pathways for circulation and connections to adjacent neighborhoods and downtown Twisp.

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

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

No. Project is consistent with the Town of Twisp comprehensive plan.

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

None.

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

a. Circle utilities currently available at the site:

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

The site is currently vacant and undeveloped. Electricity, water (domestic, fire and irrigation), refuse service, telephone and sanitary sewer are currently available adjacent to the east property line.

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

Utilities required for the project include:

- **Electricity - Okanogan County PUD #1**
- **Water domestic and fire - Town of Twisp**
- **Water irrigation - Methow Valley Irrigation District (MVID)**
- **Refuse service – Wastewise Methow**
- **Telephone – CenturyLink**

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

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

Signature: _____

Name of signee

SEPA Environmental checklist (WAC 197-11-960) July 2016Page 15 of 17
Position and Agency/Organization

_____ Date Submitted: _____

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

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

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

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

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

Proposed measures to avoid or reduce such increases are:

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

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

are:

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

Proposed measures to protect or conserve energy and natural resources

are:

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

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

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

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

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

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

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

When recorded return to:
Eldred D. Barker
PO box 934
Twisp, WA 98856

Reference No.: 19-291639

DEED OF TRUST
(For use in the State of Washington only)

THIS DEED OF TRUST, made this 22 day of June, 2019 between

Palm Investments North LLC, as GRANTOR(S),
whose address is PO Box 322, Winthrop, WA 98862

and

WFG National Title, as TRUSTEE,
whose address is 715 Okoma Dr, Omak, WA 98841

and

Eldred D. Barker, as BENEFICIARY,
whose address is PO box 934, Twisp, WA 98856.

WITNESSETH: Grantor(s) hereby bargain(s), sell(s), and convey(s) to Trustee in trust, with power of sale, the following described real property in Okanogan County, Washington:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Abbreviated Legal: PTN SE NE OF S-18, T-33N, R-22E

Tax Parcel Number(s): 3322180099

which real property is not used principally for agricultural or farming purposes, together with all the tenements, hereditaments, and appurtenances now or hereafter thereunto belonging or in any wise appertaining, and the rents, issues, and profits thereof.

This deed is for the purpose of securing performance of each agreement of Grantor(s) herein contained, and payment of the sum of Two Hundred Ten Thousand Dollars (\$210,000.00) with interest, in accordance with the terms of a promissory note of even date herewith, payable to Beneficiary or order, and made by Grantor(s), and all renewals, modifications, and extensions thereof, and also such further sums as may be advanced or loaned by Beneficiary to Grantor(s), or any of his/her/their successors or assigns, together with interest thereon at such rate as shall be agreed upon.

DUE DATE: The entire balance of the promissory note secured by this Deed of Trust, together with any and all interest accrued thereon, shall be due and payable in full on June 18, 2024.

To protect the security of this Deed of Trust, Grantor(s) covenant(s) and agree(s):

1. To keep the property in good condition and repair; to permit no waste thereof; to complete any building, structure, or improvement being built or about to be built thereon; to restore promptly any building, structure, or improvement thereon which may be damaged or destroyed; and to comply with all laws, ordinances, regulations, covenants, conditions, and restrictions affecting the property.
2. To pay before delinquent all lawful taxes and assessments upon the property; to keep the property free and clear of all other charges, liens, or encumbrances impairing the security of this Deed of Trust.
3. To keep all buildings now or hereafter erected on the property described herein continuously insured against loss by fire or other hazards in an amount not less than the total debt secured by this Deed of Trust. All policies shall be held by the Beneficiary, and be in such companies as the Beneficiary may approve and have loss payable first to the Beneficiary, as its interest may appear, and then to the Grantor(s). The amount collected under any insurance policy may be applied upon any indebtedness hereby secured in such order as the Beneficiary shall determine. Such application by the Beneficiary shall not cause discontinuance of any proceedings to foreclose this Deed of Trust. In the event of foreclosure, all rights of the Grantor(s) in insurance policies then in force shall pass to the purchaser at the foreclosure sale.
4. To defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee, and to pay all costs and expenses, including cost of title search and attorney's fees in a reasonable amount, in any such action or proceeding, and in any suit brought by Beneficiary to foreclose this Deed of Trust.
5. To pay all costs, fees, and expenses in connection with this Deed of Trust, including the expenses of the Trustee incurred in enforcing the obligation secured hereby and Trustee's and attorney's fees actually incurred, as provided by statute.
6. Should Grantor(s) fail to pay when due any taxes, assessments, insurance premiums, liens, encumbrances, or other charges against the property hereinabove described, Beneficiary may pay the same, and the amount so paid, with interest at the rate set forth in the note secured hereby, shall be added to and become a part of the debt secured in this Deed of Trust.
7. **DUE ON SALE:** (OPTIONAL – Not applicable unless initialed by Grantor and Beneficiary.) The property described in this security instrument may not be sold or transferred without the Beneficiary's consent. Upon breach of this provision, Beneficiary may declare all sums due under the note and Deed of Trust immediately due and payable, unless prohibited by applicable law.

Grantor initials

Beneficiary initials

8. **NO FURTHER ENCUMBRANCES:** (OPTIONAL – Not applicable unless initialed by Grantor and Beneficiary.) As an express condition of Beneficiary making the loan secured by this Deed of Trust, Grantor shall not further encumber, pledge, mortgage, hypothecate, place any lien, charge or claim upon, or otherwise give as security the property or any interest therein nor cause or allow by operation of law the encumbrance of the Trust Estate or any interest therein without the written consent of a Beneficiary even though such encumbrance may be junior to the encumbrance

created by this Deed of Trust. Encumbrance of the property contrary to the provisions of this provision shall constitute a default and Beneficiary may, at Beneficiary's option, declare the entire balance of principal and interest immediately due and payable, whether the same be created by Grantor or an unaffiliated third party asserting a judgment lien, mechanic's or materialmen's lien or any other type of encumbrance or title defect.

J.P.
Grantor initials

Beneficiary initials

IT IS MUTUALLY AGREED THAT:

1. In the event any portion of the property is taken or damaged in an eminent domain proceeding, the entire amount of the award or such portion as may be necessary to fully satisfy the obligation secured by this Deed of Trust shall be paid to Beneficiary to be applied to said obligation.
2. By accepting payment of any sum secured by this Deed of Trust after its due date, Beneficiary does not waive its right to require prompt payment when due of all other sums so secured or to declare default for failure to so pay.
3. The Trustee shall reconvey all or any part of the property covered by this Deed of Trust to the person entitled thereto, on written request of the Grantor(s) and the Beneficiary, or upon satisfaction of the obligation secured and written request for reconveyance made by the Beneficiary or the person entitled thereto.
4. Upon default by Grantor(s) in the payment of any indebtedness secured by this Deed of Trust or in the performance of any agreement contained in this Deed of Trust, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary subject to any cure period provided in the note secured by this Deed of Trust. In such event and upon written request of Beneficiary, Trustee shall sell the trust property, in accordance with the Deed of Trust Act of the State of Washington, at public auction to the highest bidder. Any person except Trustee may bid at Trustee's sale. Trustee shall apply the proceeds of the sale as follows: (1) to the expense of the sale, including a reasonable Trustee's fee and attorney's fee; (2) to the obligation secured by this Deed of Trust; and (3) the surplus, if any, shall be distributed to the persons entitled thereto.
5. Trustee shall deliver to the purchaser at the sale its deed, without warranty, which shall convey to the purchaser all right, title and interest in the real and personal property which Grantor(s) had or had the power to convey at the time of the execution of this Deed of Trust, and such as Grantor(s) may have acquired thereafter. Trustee's deed shall recite the facts showing that the sale was conducted in compliance with all the requirements of law and of this Deed of Trust, which recital shall be prima facie evidence of such compliance and conclusive evidence thereof in favor of bona fide purchaser and encumbrancers for value.
6. The power of sale conferred by this Deed of Trust and by the Deed of Trust Act of the State of Washington is not an exclusive remedy; Beneficiary may cause this Deed of Trust to be foreclosed as a mortgage.
7. In the event of the absence, death, incapacity, disability, or resignation of Trustee, or at the discretion of the Beneficiary, Beneficiary may appoint in writing a successor trustee, and upon the recording of such appointment in the mortgage records of the county in which this Deed of Trust is recorded, the successor trustee shall be vested with all powers of the original trustee. The trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of an

action or proceeding in which Grantor(s), Trustee, or Beneficiary shall be a party unless such action or proceeding is brought by the Trustee.

8. This Deed of Trust applies to, inures to the benefit of, and is binding not only on the parties hereto, but on his/her/their heirs, devisees, legatees, administrators, executors, and assigns. The term Beneficiary shall mean the holder and owner of the note secured hereby, whether or not named as Beneficiary herein.

9. ADDITIONAL TERMS AND CONDITIONS: (check one)

- a. ☒ None
- b. ☐ As set forth on the attached Exhibit _____ which is incorporated by this reference.

(Note: If neither "a" nor "b" is checked, then option "a" applies.)

Palm Investments North LLC

By: _____

Jerry Palm, member

By: _____

Julie Palm, member

STATE OF _____

Washington

SS.

County of _____

Okanogan

On this 22 day of June, 2019, before me personally appeared Jerry Palm, to me known to be the member, and Julie Palm, the member, of Palm Investments North LLC, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

Given under my hand and official seal the day and year last above written.

Tracy L. Flagg Gariano

Notary Public in and for the State of WASHINGTON

Residing at: Wentworth

My appointment expires: 9-2-2021

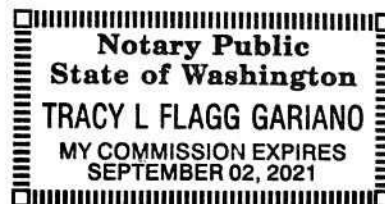


EXHIBIT "A"
LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M., AND RUNNING THENCE NORTH 89 DEGREES 56 MINUTES WEST FOR A DISTANCE OF 912 FEET TO THE SOUTHWEST CORNER OF PAINTER'S SUBDIVISION AS RECORDED IN VOLUME "G" OF PLATS, PAGE 39, RECORDS OF OKANOGAN COUNTY, WASHINGTON, AND THE TRUE POINT OF BEGINNING;
THENCE FOLLOWING ALONG THE WEST BOUNDARY OF SAID PLAT, NORTH 00 DEGREES FOR A DISTANCE OF 237.56 FEET;
THENCE NORTH 66 DEGREES 00 MINUTES EAST FOR A DISTANCE OF 199.37 FEET;
THENCE NORTH 33 DEGREES 58 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 149.02 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES FOR A DISTANCE OF 275.00 FEET TO THE NORTHWEST CORNER OF SAID PAINTER MINUTESS SUBDIVISION;
THENCE NORTH 16 DEGREES 37 MINUTES WEST FOR A DISTANCE OF 606.00 FEET, MORE OR LESS, TO THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M.;
THENCE WESTERLY ALONG THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;
THENCE SOUTHERLY ALONG THE WEST BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;
THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE TRUE POINT OF BEGINNING;

EXCEPT, BEGINNING AT THE SOUTHEAST CORNER OF THE TWISP WATER WORKS RESERVOIR SITE, SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M. (SAID RESERVOIR SITE BEING FULLY DESCRIBED IN WARRANT/ DEED RECORDED ON PAGE 22 IN BOOK 85 OF DEED RECORDS OF OKANOGAN COUNTY, WASHINGTON) THE TRUE POINT OF BEGINNING;
THENCE NORTH 0 DEGREES 01 MINUTES EAST ALONG THE EASTERLY BOUNDARY LINE OF SAID SITE A DISTANCE OF 150.0 FEET TO THE NORTHEAST CORNER OF SAID SITE;
THENCE NORTH 13 DEGREES 55 1/2 MINUTES WEST A DISTANCE OF 363.7 FEET;
THENCE NORTH 22 DEGREES 55 1/2 MINUTES WEST A DISTANCE OF 38 FEET MORE OR LESS TO THE NORTHERLY BOUNDARY LINE OF SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M.;
THE FOREGOING OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M.;
THE FOREGOING DESCRIPTION BEING A CENTER LINE AND THE LAND BEING CONVEYED BY THIS DESCRIPTION IS 16 FEET ON THE EASTERLY SIDE AND 16 FEET ON THE WESTERLY SIDE OF SAID CENTER LINE;

ALSO EXCEPT, BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M.;
THENCE RUNNING NORTH 0 DEGREES 14 MINUTES WEST ALONG SAID SECTION LINE FOR A DISTANCE OF 874.8 FEET TO A POINT;
THENCE TURNING AND RUNNING SOUTH 65 DEGREES 57 MINUTES WEST A DISTANCE OF 76.1 FEET TO A POINT;

THENCE TURNING AND RUNNING NORTH 89 DEGREES 59 MINUTES WEST FOR A DISTANCE OF 672.0 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL OF LAND AND THE TRUE POINT OF BEGINNING;
THENCE TURNING AND RUNNING NORTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 100.0 FEET TO A POINT;
THENCE TURNING AND RUNNING SOUTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 150.0 FEET TO A POINT;
THENCE TURNING AND RUNNING SOUTH 89 DEGREES 59 MINUTES EAST FOR A DISTANCE OF 100.0 FEET TO A POINT;
THENCE TURNING AND RUNNING NORTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 50.0 FEET TO THE TRUE POINT OF BEGINNING;

AND EXCEPT, COMMENCING AT THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M. AND PROCEED NORTH 0 DEGREES 14 MINUTES WEST ALONG THE EAST LINE OF SAID SECTION 18 FOR 874.8 FEET;
THENCE SOUTH 65 DEGREES 59 MINUTES WEST FOR 76.1 FEET;
THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 672.0 FEET;
THENCE NORTH 0 DEGREES 01 MINUTES EAST FOR 100.0 FEET;
THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 16.48 FEET TO THE INTERSECTION OF THE NORTHERLY LINE OF THE EXISTING RESERVOIR SITE AND THE WESTERLY BOUNDARY OF THE EXISTING ACCESS ROAD RIGHT OF WAY WHICH IS THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE CONTINUE NORTH 89 DEGREES 59 MINUTES WEST FOR 83.52 FEET;
THENCE SOUTH 0 DEGREES 01 MINUTES WEST FOR 135.0 FEET;
THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 20.0 FEET;
THENCE NORTH 0 DEGREES 01 MINUTES EAST FOR 185.0 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES EAST FOR 91.11 FEET;
THENCE SOUTH 13 DEGREES 55 1/2 MINUTES EAST FOR 51.52 FEET TO THE POINT OF BEGINNING;

SITUATE IN THE CITY OF TWISP, COUNTY OF OKANOGAN, STATE OF WASHINGTON.

Orchard Hills PD

Property Owners within 300 feet

Carol & Clifford Wisman
Po Box 306
Carlton, Wa 98814
100 Florence Lane

Timothy Matsui & Jessica Kutma
1752 NW Market Street #1635
Seattle, Wa 98107
102 Florence Lane

Alison Talbot & Jeffery McDonald
PO Box 36
Winthrop, Wa 98862
103 Florence Lane

Rudolph & Katrina Miniutti
3648 Old Pacific Hwy South
Kelso, Wa 98626
104 Florence Lane

Roger & Anna Stuff
14 Renwick Drive
Crossville, TN 38558
105 Florence Lane

Ben Sabold & Nimmi Chadwaney
Po Box 338
Twisp, Wa 98856
405 May Street, Lot 1&3 Reid Short Plat

Scott Domergue
PO Box 935
Twisp, Wa 98856
501 June Street

Marcia Butchart
PO Box 886
Twisp, Wa 98856
515 June Street

Mike and Soo Ing-Moody
PO Box 534
Twisp, Wa 98856
622 Moody Lane

Stephen & Jill Alexander, Trust
PO Box 1126
Twisp, Wa 98856
401 Harrison Street

Russ and Laura Thomas
PO Box 833
Twisp, Wa 98856
410 Harrison Street

Howard & Jeanne Day
PO Box 524
Twisp, Wa 98856
415 Harrison Street

Bill & Suellen White
PO Box 975
Twisp, Wa 98856
40 Lookout Mountain Road

Heidi Apppel
PO Box 278
Twisp, Wa 98856

Town of Twisp
PO box 278
Twisp, Wa 98856

Gavin Trust
PO Box 381
Twisp, Wa 98856
455 Marie Street

Jami Schneider
146 Elbow Canyon Road
Twisp, Wa 98856
514 June Street

Wayne & Joni Stevie
PO Box 122
Twisp, Wa 98856
515 May Street


Douglas & Mindy Irvine
PO Box 122
Twisp, Wa 98856
612 June Street

Larry & Barara Schaber
PO Box 605
Twisp, Wa 98856
618 June Street

Daughters Legacy LLC
PO Box 218
Twisp, Wa 98856
2 Isabella Lane

Janelle Delfino
2970 Hwy 153
Twisp, Wa 98856
10 Isabella Lane

Irvine Revocable Living Trust
c/o Barbara Irvine
PO box 355
Twisp, Wa 98856



November 14, 2022

1. Land Use Permit Application

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

ORCHARD HILLS

PD22-02

Description of the primary use(s) of the property: The existing site is vacant and undeveloped. The proposed primary use is single-family residential.

Description of other (appurtenant) uses: N/A

Land Use Description of the subject property:

Comprehensive Plan: Single-Family Low Density Residential (R1)

Shoreline Environment: N/A

Flood Plain Zone & Base Flood Elevation: N/A

Zoning District: Low-density residential single-family (R-1) district

Zoning Overlay District: N/A

Are there existing relevant permit or approvals held to the subject property? If yes, state the permit number and issuing agency: No

Will the proposal affect the access to the property? If yes, please describe: No

Will the proposal require work within an existing public right-of-way? If yes, please describe: Yes, improvements and connection to Harrison Street and ISABELLA LANE.

Will the proposal require additional and/or new and/or changes to the water, sewer and storm Services: If yes, please describe for each: Yes, new mainlines and service connections for water and sanitary sewer. Stormwater will be managed on-site.

Concurrency: _____

Water Service is provided by: Town of Twisp

Sewer Service is provided by: Town of Twisp

Storm sewer service is provided by: _____

Is the property served by an irrigation district? If yes, state the name of the servicing district and describe any affect the proposal will have on the service: Yes. Methow Valley Irrigation District (MVID). Project will maintain per district allotment.

Please also include:

- ☒ Complete permit application
- ☒ Impact assessment checklist
- ☒ Site plan
- ☒ Plans and specifications (if applicable)
- ☒ Sepa documents
- ☒ Meets and bounds legal description (if applicable)
- ☒ List of all adjacent landowners (with addresses) within 300' of project vesting fees (if required).

I hereby apply for the above noted permit(s). By signing below, I hereby certify that I am the above applicant and hereby state that all the foregoing information, and all information attached hereto, as true to the best of my knowledge, with the understanding that inaccurate, incomplete and/or false information may cause delays and/or provide cause to void this application and any subsequent approvals. Further, I understand that in addition to the filing fees, I am responsible for reimbursement to the Town of Twisp for all costs incurred in the processing of this application. These costs may include, but are not limited to: postage, publishing, copies, peer review and special consultant review and inspection.


Applicant's Signature

5/16/22
Date

Property Owner's Signature
(Mandatory if different from the applicant)

Date

*** FOR OFFICE USE BELOW ***

This proposal IS or IS NOT categorically exempt from a threshold determination in accordance With the State Environmental Policy Act.

Basis of exemption if applicable: _____

Decision Maker:  Date: 5/23/22



November 14, 2022

2. Impact Assessment Checklist

Orchard Hills Planned Development (PD)-Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

TOWN OF TWISP IMPACT ASSESSMENT CHECKLIST

This checklist is to accompany all land use, shoreline and floodplain development applications, building permits for new construction, except for single-family homes, and business licenses for new or substantial expansion or modification to the primary use of your establishment that might affect performance standards. (For example, a cafe currently open only for breakfast and lunch that wants to expand to serve dinners and live music is required to fill this out as this might increase the demand for off-street parking or noise impacts.)

This checklist is to be used to aid the administrator in determining the nature and extent of impacts of a proposed development within the Town of Twisp based on performance and development standards adopted in the Zoning Ordinance # 632.

For developments requiring an Administrative Permit (AP), this checklist must be completed and recorded along with a SEPA checklist (if required) prior to the Town making any determination.

To be completed by applicant

Project Title:	ORCHARD HILL
Development Location:	Twisp, Washington
Applicant Name:	Palm Investments North LLC
Mailing Address:	P.O. Box 322, Winthrop, WA 98862
Phone number:	509 322 3032
Email Address:	; palmci1@gmail.com

Section 1. General Performance Standards

Please answer the following questions to the best of your ability with *Y* for yes and *N* or No. If Yes is answered, please provide a description as to how the impact will be mitigated on a separate sheet of paper. Please use "N/A" for items that are not applicable to your proposal.

Do you foresee any of the following impacts from your proposed project?	Y, N N/A
1. Artificial glare or lighting that might interfere with street traffic or trespass into residential area, including but not limited to strobe lights, arc welding, overhead lighting, or security lights.	N
2. Electrical interferences or electromagnetic radiation	N
3. Flammable or explosive material	N
4. Hazardous substances or waste (storage, emission or manufacture)	N
5. Noise	N
6. Odor	N
7. Please indicate your proposed hours of operation:	
8. Emissions (including dust, ash, or airborne particulates)	N
9. Vibration or concussion detectable beyond property lines	N
10. Outdoor storage of materials	N

Section 2. Specific Performance Standards

Please provide a description that adequately addresses the following elements.
1. Aesthetics: How does your proposal provide aesthetic consistency with the surrounding neighborhood character? The project is designed and proposed to be built to existing Town of Twisp standards.
2. Traffic: Will your project generate traffic or affect current traffic patterns? If so, a traffic impact analysis may be required. The project will result in approximately ^{10.6} 26 daily trips per residential units, as estimated by the Institute for Transportation Engineers (ITE). There are no vehicular transportation issues identified in the transportation plan or the comprehensive plan. A traffic impact analysis HAS BEEN COMPLETED.
3. Parking: Does your project provide adequate off-street parking consistent with the Town of Twisp parking requirements? If you intend to create parking, please describe your proposed surfacing materials, stormwater management plans, how many vehicles and what type of business equipment. Residential parking will be developed consistent with, and may exceed, Town of Twisp standards.
4. Roads and Drives: Does your project propose new roads, driveways or alleys? If so, please provide a description of road dimensions, surfacing materials and stormwater management. New public streets will be created. See discussion of proposed public streets.
5. Buffers and screening: Do you propose to plant vegetative buffers or screens? If so, please provide site plan with plant list and design. No.
6. Open Space: Do you propose to leave open space in your project? If so, please provide site plan with location of open space and landscape plan. Open space will be provided. See discussion of proposed open space dedication.
7. Utilities: Please list the necessary utility hook-ups required for your project. Water, sewer, gas, electric/power, and telecom.

Section 3. Development Standards

Please provide information regarding the following elements (if applicable to your project) in the form of writing and/or a site plan where applicable to your project:

- ☒ Stormwater plan: A storm water management plan must be submitted with a development proposal for all uses other than single family dwellings, duplexes, and accessory dwellings. For those uses exempt from this requirement, adequate permeable surfaces must be maintained in yards and setbacks.
- ☐ Dog-control measures: Dog control measures are mandatory for all uses except single-family dwellings, duplexes, accessory structures and home businesses.
- ☒ SEPA checklist: If minimum threshold is determined.
- ☐ Roof Drainage Easements: If your project results in roof drainage onto neighboring properties, drainage easements are required.
- ☒ Water and Sewer: All new uses must connect to town water and sewer. (If other than a single-family residence, must include information regarding average water use and documentation used to determine this).
- ☐ Heating Ventilation and Air Conditioning Units: Screening of HVAC is required on all commercial and multi-family dwellings.
- ☐ Commercial Access: Access to commercial enterprises must be via public right of ways or adjacent commercial properties.
- ☒ Private roads and common areas: Management programs for joint ownership and use of roads and common spaces must be recorded on plat or site plan.
- ☒ Townhouses: Please see zoning ordinance for requirements and provide a site plan.
- ☐ Nuisances: Any nuisance shall be subject to Title 8.05 of Twisp Municipal Code.

Section 4: Critical Areas

To the best of your knowledge, is your project located in or adjacent to the following natural features? Please answer yes or no, or not sure. The Town of Twisp will make a determination if a Critical Areas Review may be required prior to granting a development permit.

- ☒ Steep slopes (geologically hazardous)
- ☒ Aquifer recharge
- ☐ Wetlands (including seasonally wet areas)
- ☐ Frequently flooded areas
- ☐ Wildlife habitat (including upland and/or riparian habitat)
- ☐ Is there a well on or near your property?
- ☐ Is there surface water on or near your property?

What is your property currently being used for? The site is currently undeveloped and vacant.

Please provide a description of historical uses of your property if you know them: _____

THE SITE WAS HISTORICALLY USED AS AN ORCHARD.

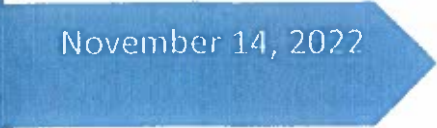
To the best of my knowledge, the information provided and any site plan presented depicts accurate information, structure placement, distances, roads, driveways, land features, and other pertinent development information for my proposal.


Applicant Signature

1/3/23
Date

Owner Signature (if other than applicant)

Date



November 14, 2022

3. Legal Description

Orchard Hills Planned Development (PD)-Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

EXHIBIT "A"
LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18
TOWNSHIP 33 NORTH, RANGE 22, E.W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS

STARTING AT THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE
22, E.W.M., AND RUNNING THENCE NORTH 89 DEGREES 56 MINUTES WEST FOR A DISTANCE
OF 912 FEET TO THE SOUTHWEST CORNER OF PAINTER'S SUBDIVISION AS RECORDED IN
VOLUME "G" OF PLATS, PAGE 39, RECORDS OF OKANOGAN COUNTY, WASHINGTON, AND
THE TRUE POINT OF BEGINNING.

THENCE FOLLOWING ALONG THE WEST BOUNDARY OF SAID PLAT, NORTH 00 DEGREES
FOR A DISTANCE OF 237.56 FEET;

THENCE NORTH 66 DEGREES 00 MINUTES EAST FOR A DISTANCE OF 199.37 FEET

THENCE NORTH 33 DEGREES 58 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 149.02
FEET.

THENCE NORTH 00 DEGREES 00 MINUTES FOR A DISTANCE OF 275.00 FEET TO THE
NORTHWEST CORNER OF SAID PAINTER'S SUBDIVISION.

THENCE NORTH 16 DEGREES 37 MINUTES WEST FOR A DISTANCE OF 306.00 FEET, MORE
OR LESS TO THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M..

THENCE WESTERLY ALONG THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF
THE NORTHEAST QUARTER.

THENCE SOUTHERLY ALONG THE WEST BOUNDARY OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF
THE NORTHEAST QUARTER.

THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER TO THE TRUE POINT OF BEGINNING.

EXCEPT, BEGINNING AT THE SOUTHEAST CORNER OF THE TWSP WATER WORKS
RESERVOIR SITE, SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER
SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M. (SAID RESERVOIR SITE BEING FULLY
DESCRIBED IN WARRANT/ DEED RECORDED ON PAGE 22 IN BOOK 85 OF DEED RECORDS
OF OKANOGAN COUNTY, WASHINGTON) THE TRUE POINT OF BEGINNING.

THENCE NORTH 0 DEGREES 01 MINUTES EAST ALONG THE EASTERLY BOUNDARY LINE OF
SAID SITE A DISTANCE OF 150.0 FEET TO THE NORTHEAST CORNER OF SAID SITE

THENCE NORTH 13 DEGREES 55 1/2 MINUTES WEST A DISTANCE OF 363.7 FEET

THENCE NORTH 22 DEGREES 55 1/2 MINUTES WEST A DISTANCE OF 38 FEET MORE OR
LESS TO THE NORTHERLY BOUNDARY LINE OF SOUTHEAST QUARTER OF THE NORTHEAST
QUARTER OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M..

THE FOREGOING OF SAID SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M..

THE FOREGOING DESCRIPTION BEING A CENTER LINE AND THE LAND BEING CONVEYED BY
THIS DESCRIPTION IS 16 FEET ON THE EASTERLY SIDE AND 16 FEET ON THE WESTERLY
SIDE OF SAID CENTER LINE.

ALSO EXCEPT, BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 18
TOWNSHIP 33 NORTH, RANGE 22, E.W.M..

THENCE RUNNING NORTH 0 DEGREES 14 MINUTES WEST ALONG SAID SECTION LINE FOR A
DISTANCE OF 874.8 FEET TO A POINT.

THENCE TURNING AND RUNNING SOUTH 65 DEGREES 57 MINUTES WEST A DISTANCE OF
76.1 FEET TO A POINT.

THENCE TURNING AND RUNNING NORTH 89 DEGREES 59 MINUTES WEST FOR A DISTANCE OF 672.0 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL OF LAND AND THE TRUE POINT OF BEGINNING.

THENCE TURNING AND RUNNING NORTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 100.0 FEET TO A POINT.

THENCE TURNING AND RUNNING SOUTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 150.0 FEET TO A POINT.

THENCE TURNING AND RUNNING SOUTH 89 DEGREES 59 MINUTES EAST FOR A DISTANCE OF 100.0 FEET TO A POINT.

THENCE TURNING AND RUNNING NORTH 0 DEGREES 01 MINUTES EAST FOR A DISTANCE OF 50.0 FEET TO THE TRUE POINT OF BEGINNING.

AND EXCEPT, COMMENCING AT THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 33 NORTH, RANGE 22, E.W.M. AND PROCEED NORTH 0 DEGREES 14 MINUTES WEST ALONG THE EAST LINE OF SAID SECTION 18 FOR 874.8 FEET.

THENCE SOUTH 85 DEGREES 59 MINUTES WEST FOR 78.1 FEET.

THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 672.0 FEET.

THENCE NORTH 0 DEGREES 01 MINUTES EAST FOR 100.0 FEET.

THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 16.48 FEET TO THE INTERSECTION OF THE NORTHERLY LINE OF THE EXISTING RESERVOIR SITE AND THE WESTERLY BOUNDARY OF THE EXISTING ACCESS ROAD RIGHT OF WAY WHICH IS THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

THENCE CONTINUE NORTH 89 DEGREES 59 MINUTES WEST FOR 83.52 FEET.

THENCE SOUTH 0 DEGREES 01 MINUTES WEST FOR 135.0 FEET.

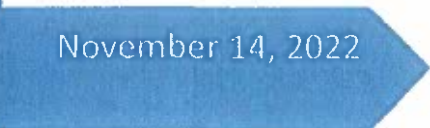
THENCE NORTH 89 DEGREES 59 MINUTES WEST FOR 20.0 FEET.

THENCE NORTH 0 DEGREES 01 MINUTES EAST FOR 185.0 FEET.

THENCE SOUTH 89 DEGREES 59 MINUTES EAST FOR 91.11 FEET.

THENCE SOUTH 13 DEGREES 55 1/2 MINUTES EAST FOR 51.52 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE CITY OF TWISP, COUNTY OF OKANOGAN, STATE OF WASHINGTON



November 14, 2022

4. Executive Summary

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Resubmittal of the Orchard Hills Planned Development strives to balance the design objectives of Palm Investments North LLC with requirements and desires of the Town of Twisp and its residences.

Palm Investments North's original design objectives were to develop the property while preserving ridge line views, minimizing road infrastructure, increasing available housing and assisting in alleviating the affordable housing problem while staying fundamentally within the Town's vision of Development as defined in the Twisp Comprehensive Plan.

A large volume comments were received for the project. These Comments were compiled, reviewed, weighted and incorporated (if applicable) into the design. All Comments received a written response, see section "Comments and Responses" of this document. An overwhelming number of Comments regarding the road width, parking, snow plowing, etc. left very little opportunity to minimize road infrastructure. Thus, the road infrastructure design objectives were changed for this resubmittal but the other objectives remain unchanged.

The site plan has been revised to incorporate only roads that meet the design standards of Twisp as defined by the Twisp Public Works design standards. This required the reduction of the number and location of the public roads.

Palm Investments North still proposes dedicating 40% of the 16.81 acres to the Town of Twisp for the possible use as the Painter Addition Park indicated in the Twisp Comprehensive Plan. The proposed lots have been located below the ridge line to reduce the visual impact of the development.

Palm Investment North, LLC spent considerable effort in determining the best lot layout that would meet the project goals and have a good balance in terms of density. The starting point for this calculation was the number of lots that would be allowed if a subdivision per the R1 zoning was executed. The parcel encompasses 16.81 acres or 732244sqft so if 18% is removed for infrastructure (roads,etc) that leaves 600440 sqft remaining for lots. Which equates to 60 ten thousand square foot lots. By proposing a planned development with only 52 lots there will be less residences in final build out than is allowed at this time by R-1 zoning and they will be concentrated on smaller lots that are below the ridge line and preserve a large portion of lot (40%) as public open space. Since this area is proposed to be dedicated to the town the citizens could work with the Town to utilize it in ways that are consistent with the Towns open space policy. The open space was selected to maintain a route for hiking to the high point of the property if the Town of Twisp so desires. Additionally, the smaller lot sizes will be more affordable thus furthering the project goal of assisting to provide affordable housing.


The proponent has been in direct communications with The Methow Housing Trust and, although an agreement has not been finalized, it is anticipated that they will be procuring 10 of the lots to construct housing upon. Additionally, the cost of smaller lots should hold the cost down. It is also the request of Palm Investments North that a limited number of the lots be

allowed to have zero side lot line setbacks to allow townhouse construction to further promote affordable housing (see Site Plan).

This proposal does not include additional requirements over and above the Twisp Codes and Standards for permitting and building of residences within the Development. The proposed consolidated Development footprint and the lower number of lots (than allowed by zoning) will result in a reduced overall impact.

Palm Investments North has responded to the comments requesting more information be obtained on different portions of the project by hiring outside consultants. Please find attached: Wetlands Determination, Traffic Analysis, DOE Lead and Arsenic Testing Report and Geotechnical report. Any additional information obtained from these reports has been used to update the SEPA checklist and has verified the feasibility of the proposed design.

In conclusion, Orchard Hills Planned Development proposes 52 compact buildable lots, several zero lot line townhouses and 40% of the site dedicated to the Town of Twisp as Open Space. Advantages of this proposal include: increasing the number of buildable lots within the Town to assist in reducing the existing housing shortage; providing area for a potential Park, as included in Twisp Comprehensive Plan, within the dedicated Open Space; including the ridge line in the dedicated Open Space to assist in preserving Town views while providing public access for hiking; lastly, as desired by the adjacent neighbors, the overall number of proposed residences is less than allowed in the current property R1 zoning.



November 14, 2022

5. Submittal Checklist

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Development Site Plan:

- ☒ 18.45.050(1)a - Boundaries of the site and north arrow.
- ☒ 18.45.050(1)b - Location, dimensions and names of all existing and proposed roads serving, adjacent to or lying within one-quarter mile of the site.
- ☒ 18.45.050(1)c - Areas proposed to be developed with approximate footprints of proposed buildings and their nature (e.g., residential, community use, commercial, office, etc.)
- ☒ 18.45.050(1)d - Proposed location(s) and dimensions of common open space areas.
- ☒ 18.45.050(1)e - Proposed public dedications.
- ☒ 18.45.050(1)f - Location, dimensions and schematic design of off-street parking areas or facilities, showing points of ingress and egress. N/A
- ☒ 18.45.050(1)g - Location of major physiographic features such as rivers, canals, floodplain areas, etc.
- ☒ 18.45.050(1)h - Existing topographic contours for the entire site, at intervals of not more than five feet, together with existing drainage and identification of existing vegetation.
- ☒ 18.45.050(1)i - Proposed land uses, densities and building types.
- ☒ 18.45.050(1)j - Pedestrian and vehicular circulation pattern.
- ☒ 18.45.050(1)k - Location and type of all existing and proposed recreational improvements, if any, to include nonmotorized trails and paths.
- ☒ 18.45.050(1)l - Conceptual landscape plan.
- ☒ 18.45.050(1)m - Proposed grading and drainage design.

Written Planned Development Program and Specifications:

- ☒ 18.45.050(2)a - An explanation of the density of the proposed project. The density goals are set forth in the regulations for the various zone districts (applies to residential uses only).
- ☒ 18.45.050(2)b - Proposed ownership pattern
- ☐ 18.45.050(2)c - Operation and maintenance proposal (if not dedicated to the public) for the project amenities, roadways, utilities, etc. (e.g., property owners' association, condominiums). The performance goal is to assure that a long-range maintenance program is provided for all common areas and commonly used utilities and roadways, with provision for collection of a prorated share of costs and expenses of such maintenance and for decision-making with regard thereto.
- ☒ 18.45.050(2)d - General timetable for development, including any project phasing and conditions therefor and any foreseeable future expansion. The performance goal is to provide sufficient open spaces and project utilities and amenities for each phase of development, so that each phase can stand alone as a satisfactory completed project.
- ☒ 18.45.050(2)e - Description of existing and proposed community and recreational facilities. The performance goal is for larger projects or projects that have a significant impact on existing formal or informal recreational opportunities to minimize and mitigate such impact by retention and expansion of existing opportunities or provisions for new or improved community or public recreation opportunities, including park areas, access to river or public lands, or recreational improvements such as pools, tennis courts, etc.
- ☒ 18.45.050(2)f - Visual impacts, including description of project view orientation, proposals to minimize view obstruction from adjacent lands and public roadways, and proposed site barriers for utility or loading areas, parking areas, etc. The performance goal is to minimize degradation of the existing views of river areas, mountains and open lands, to preserve the aesthetic qualities which the town values, to provide aesthetically pleasing visual barriers to unsightly areas, and to assure that new developments benefit from the available views without preventing their enjoyment by others.
- ☒ 18.45.050(2)g - Landscaping, both existing and proposed, and irrigation system proposed. The performance goal is to assure a long-range landscape plan that provides necessary greenbelt around structures for fire protection, provides for tree and vegetative buffers to reduce noise, light and view impacts from neighboring lands, minimizes irrigation water needs, and prevents noxious weeds.
- ☒ 18.45.050(2)h - Stormwater collection and disposal plan. The performance goal is to assure that stormwater runoff after development does not exceed the amount before development, and that stormwater disposal has no negative impact on the water quality of either surface or groundwater of the Methow Valley, and to provide, where feasible, and at the developer's expense, a stormwater management system which can be extended to serve future developments.
- ☒ 18.45.050(2)i - Geophysical characteristics of the site, including soils, slope, drainage patterns, erosion problems and controls. The performance goal is to prevent further or accelerated erosion of slopes or topsoil, provide for adequate site drainage and stormwater collection (see subsection (2)(h) of this section) properly

designed for the site, and to identify problem areas prior to development to prevent unanticipated erosion or drainage problems.

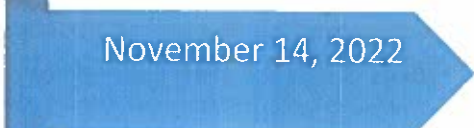
- ☒ 18.45.050(2)j - Air quality considerations and mitigation measures, including dust control measures. The performance goal is to allow no degradation of the air quality of the Twisp area, either from single projects or by cumulative impacts, and to prevent degradation of the ambient air quality by utilizing sufficient dust control measures both during periods of construction, and after project completion. Automobile emissions will be considered, and projects that will have a significant traffic impact will be expected to investigate all possible avenues to minimize motor vehicle usage, including provision for mass transit (such as bus or van runs to or from the project) and pedestrian/bike access.
- ☒ 18.45.050(2)k - Traffic circulation elements, including anticipated traffic increases (vehicles per day) and major times thereof. The performance goal is to assure a smooth flow of traffic through and throughout the town, to avoid traffic congestion and hazardous intersections, mergers or other traffic patterns, and to minimize increased traffic loads by encouraging pedestrian and nonvehicular transportation or mass transit.
- ☒ 18.45.050(2)l - Noise considerations and mitigation measures therefor. The performance goal is to minimize noise impacts on surrounding properties and the town in general, and mitigation measures to be examined include placing indoors those recreation facilities which may generate noise in the evening or night hours, limiting motor vehicle usage within the project, plantings to buffer noises, and limiting allowable hours and days of construction.
- ☒ 18.45.050(2)m - A concise statement of the general public benefits to be derived from the development of the proposed project, which may include but are not limited to increased open space, special wildlife or recreation benefits, perimeter transitions to surrounding land uses, or new public facilities included in the development (including dedicated or public trails, parks, etc.). The performance goal is to assure that all approved projects benefit the general welfare of the town of Twisp.
- ☒ 18.45.050(2)n - Proposals to control or prohibit further land divisions, where appropriate. The performance goal is to provide perpetual restriction on future division of the developed property beyond the approved density and/or below the approved minimum lot sizes, and to eliminate the need for town oversight to enforce such approved densities/lot sizes.
- ☒ 18.45.050(2)o - Description of planned uses of and improvements to common open space areas, if any, and proposals to ensure future maintenance of common open space areas, and to ensure compliance with the open space requirements set forth in TMC 18.45.020.
- ☒ 18.45.050(2)p - An explanation of all restrictions and proposals to protect wildlife, including but not limited to dog control, fencing restrictions, maintenance of riparian areas, and maintenance or re-establishment of recommended native vegetation for wildlife habitat. The performance goal is to allow no net loss of key or critical wildlife habitats, to provide for wildlife passage through developed areas, and to minimize the threat of domestic pets to wildlife.

Preliminary Utilities Plan and Specifications:

- ☒ 18.45.050(3) - Preliminary utility plan
- ☒ 18.45.050(3) - Preliminary utility specifications

SEPA checklist:

- ☒ 18.45.050(4) - SEPA checklist



November 14, 2022

6. Project Team

Orchard Hills Planned Development (PD) - Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Developer:

Jerry and Julie Palm
Palm Investments North, LLC
PO box 322, Winthrop, WA 98862
(509)322-3032

Engineer of Record:

Louis Sukovaty, PE
North Cascades Engineering, PLLC
PO Box 309, Winthrop, WA 98862
(509)741-9713

Civil Engineering and Planning:

Sang Park PE, Civil Engineer
Ian Faulds, Senior Planner
LDC Corp.
1851 Central Place South, Suite 101, Kent, WA 98030
(425)806-1869

Transportation Consultant:

Ryan Shea, PTP, Senior Transportation Planner
SCJ Alliance
8730 Tallon Lake, NE Suite 200, Lacey, WA 98516
(360)252-1465

Environmental Consultant:

Larry Lehman, Senior Biologist
Grette and Associates, LLC
151 S. Worthen St. Suite 101, Wenatchee, Wa 98801
(509)663-6300

Geotechnical Consultant:

Nick Szot, PE
Aspect Consulting, LLC
23 S Mission St C, Wenatchee, WA 98801
(509)888-7218

Palm Investments North LLC
28 Longhill Rd, Winthrop, WA 98862



November 14, 2022

7. Written Planned Development Program and Specifications

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Property Description:

The Orchard Hills planned development is a vacant property 16.8 acres in size near the western town limits. It sits above May Street and is accessed from Harrison Avenue. An orchard once occupied a portion of the site, but was abandoned and removed in the 70's. Volunteer apple trees have reappeared from the roots stock over time.

The parcel varies in elevation from a low point of 1710 feet on the eastern boundary to the high point of over 1900 feet in the northwest property corner. The majority of the property is vegetated with native grasses, bitterbrush and related plants. A small portion along the Methow Valley Irrigation District easement contains trees. The Twisp Comprehensive Plan designation is Single-Family Low Density Residential (R1). The current zoning designation is Low-density residential single-family (R-1).

Planned Development Proposal:

The proposed project request approval of 52 single-family residential homesites on 16.81 acres, completed in three phases. Lot sizes range between 3,600 square feet and 8,800 square feet with the majority of lots between 5,500 and 8,000 square feet. Using flexibility afforded by the planned development process the project focuses homesites on the more level portion of the site, avoiding steep slopes that are prone to erosion and keeps building off the ridgeline. The project proposes to retain 6.8 acres undeveloped and permanently dedicated to the Town of Twisp for a community park or open space. The project will build new public infrastructure (streets, water, sewer, electric power, stormwater).

Explanation of the density of the proposed project (18.45.050(2)(a)):

Palm Investment North, LLC spent considerable effort in determining the best lot layout that would meet the project goals and have a good balance in terms of density. The starting point for this calculation was the number of lots that would be allowed if a subdivision per the R1 zoning was executed. The parcel encompasses 16.81 acres or 732244sqft so if 18% is removed for infrastructure (roads, etc) that leaves 600440 sqft remaining for lots. Which equates to 60 ten thousand square foot lots. By proposing a planned development with only 52 lots there will be less residences in final build out than is allowed at this time by R-1 zoning and they will be concentrated on smaller lots that are below the ridge line and preserve a large portion of lot (40%) as public open space. Since this area is proposed to be dedicated to the town the citizens could work with the Town to utilize it in ways that are consistent with the Town's open space policy. The open space was selected to maintain a route for hiking to the high point of the property if the Town of Twisp so desires. Additionally, the smaller lot sizes will be more affordable thus furthering the project goal of assisting to provide affordable housing.

Proposed ownership pattern (18.45.050(2)(b)):

The open space and residential streets are proposed to be dedicated to the Town. The remaining area will be split into lots and sold to individuals for residential use.

Operation and maintenance proposal (18.45.050(2)(c)):

To keep the maintenance standards within the Town uniform this project proposes to dedicate to the Town all residential streets and Open Space. No improvements have been proposed to the open space to limit maintenance and operation cost required by the Town. Town of Twisp Public works has indicated this would make the acquisition of the Open Space more appealing to them.

General timetable for development (18.45.050(2)(d)):

Palm Investment North, LLC is proposing to construct the development in three phases. Construction is projected to start in the spring of 2023. The general phases are outlined below. Surety acceptable to the Town of Twisp will be provided for any public infrastructure that is not constructed in the first phase.

Phase 1: During the first phase utilities will be completed from Harrison to the West property line and up to the water tanks and will include the potable water connection at the booster pump station. Roads will be completed from Harrison to the water tanks.

Phase2: The second phase will include the construction of Harrison to 40' beyond the water tower enclosure and the construction of the fire access road down to Isabella. Also included in this phase is the extension of the utilities to the north property line and road grading to the north property line. This phase will be completed prior to the sale of more than 30 lots.

Phase3: The third phase will finish the road improvements out to the north property line.

Recreation (18.45.050(2)(e)):

Palm Investment North, LLC is proposing not to construct any new recreational facilities for this project. This is primarily because the Twisp Public Works has indicated that acceptance of the open space is more appealing to them if it does not bring a maintenance burden with it. However, the proposed development has a walking path along the length of all roads and the open space reserves 40% of the area for hiking of unofficial paths and allows a route to access the high point to enjoy the vista. Currently, the adjacent neighborhood utilizes this property for these hikes without the consent. If the property is subdivided per current zoning these recreational opportunities in all likely hood will go away.

In spite of the fact that the open space will not be improved at this time, there is the potential to have many recreational amenities added as the Town and its citizens define their expectations in the future. Although not developed as a park at this time, it would be a great place for the Painter's Addition area proposed park as delineated in the Twisp Comprehensive Plan.

Palm Investments North LLC
28 Longhill Rd, Winthrop, WA 98862

Visual Impacts (18.45.050(2)(f)):

Despite the fact that the site does not encompass any land designated in the comprehensive plan as having significant visual quality warranting special protection beyond that provided by town development regulations, Palm Investments North has made a concerted effort to minimize the visual impacts that this project will have for the citizens of Twisp and the surrounding areas. The proposed building lots have all been pulled down off the ridge line so as to make the residences less obvious.

Landscaping (18.45.050(2)(g)):

Landscaping is anticipated to be irrigated green spaces around the residential structures with the bulk of open space remaining in natural vegetation. A good portion of the project site has irrigation rights on the MVID ditch and the developer will install infrastructure within the street to distribute this water to each lot which has legal access. Strategic tree planting along the street may be implemented to screen areas such as the water tanks. Disturbed areas will be reseeded with natural vegetation. Since this proposal is for individual residential lots and the Town code does include any landscaping requirements for this type of construction, it is anticipated that it will eventually be approximately the same as the surrounding residential neighborhood.

Stormwater collection and disposal plan (18.45.050(2)(h)):

The preliminary design of the storm water system has been completed in accordance with the Storm Water Management Manual for Eastern Washington. Like almost all jurisdictions in Eastern Washington, Twisp has adopted this manual as the basis for its storm water management standards because it defines the best management practices that are applicable. Onsite Infiltration is the preferred method of disposing of stormwater runoff and this site is especially well suited for this. Palm Investments North hired Aspect Consulting to analyze the soils and infiltration rates to verify the feasibility of this approach. Their conclusion is that the soils are highly infiltrative and deep enough to support a storm water infiltration system more than adequate to meet the maximum design storm water flows. The report has been included in our resubmittal. The storm water system for this development will collect, treat and infiltrate all of the storm water for a design storm frequency of 10yr (Twisp standard) and any runoff in excess of this will be directed to the location it would have drained to prior to the development. There are comments alluding to an existing problem of seasonal water flow crossing the property at the south end and flowing into Painter's Addition. This project will not modify this area of the property and therefore will not solve or exacerbate the situation. To be clear, each residence when built will collect, treat and infiltrate their storm water as well.

Geophysical Characteristics (18.45.050(2)(i)):

The proposed project was designed to take advantage of existing topographic conditions and minimize site disturbance to the greatest extent practicable. Most steep slopes were incorporated into required open space and will be left undisturbed. The street network was located to minimize cut and fill. A Geotechnical Engineer was retained to ascertain both soil stability and infiltration capability.

Air Quality Considerations (18.45.050(2)(j)):

This planned development anticipates the air quality impacts to be less than if the parcel was developed as a simple subdivision as allowed by current zoning. Best management practices will be used during construction to limit dust. Fireplaces will be regulated by the Twisp Municipal Code requirements. By providing affordable housing within the Town of Twisp that is closer to groceries, banking, entertainment, etc., the project will result in less miles driven and less automobile emissions. All graded areas will be revegetated after construction to control dust. A dust control plan per best management practices will be utilized during construction.

Transportation (18.45.050(2)(k)):

The proposed development will have less lots than allowed by current zoning, as such will have no additional impacts over infill development constructed in accordance with the Town Code. SJC Alliance was hired to estimate the traffic flows resulting from the development. It is anticipated that 563 new automobile trips per day will arise because of this development on Harrison Ave. and May St. and these will not exceed the safe capacity of these streets. Interior to the planned development, all roads will be constructed in accordance with the Town of Twisp Standards. A fire apparatus access road from Isabella Lane generally following the existing water tower access road alignment to McIntosh road is also proposed.

Noise (18.45.050(2)(l)):

This proposal is for a residential development with less total lots than allowed by current zoning. It is therefore anticipated that there will be no noise impacts in excess of those that would occur if the land was built out per the current zoning without a planned development.

Public Benefits (18.45.050(2)(m)):

The primary benefits to the public from this proposal are:

1. Increase the number of developable lots within the town, thereby contributing to a more sustainably affordable community.
2. Provide the open space for a park as planned for in the Twisp Comprehensive Plan.
3. Protect the iconic Twisp ridgeline from building.
4. Legitimize the Open Space for hiking and walking for the citizens of Twisp and maintain public access to the highpoint vista of the property.

Control of Future Land Division (18.45.050(2)(n)):


No further division of the land is allowed by the Twisp Code for the residential lots due to zoning. For further land division to occur the zoning would have to change. The open space, if acquired by the Town, would be controlled by the Town. Deed restrictions could be added if deemed necessary.

Open Space (18.45.050(2)(o)):

40% of the 16.81 acres of the parcel to be developed are proposed to be Open Space and dedicated to the Town of Twisp. Palm Investment North, LLC is proposing not to construct improvements within the Open Space as part of this project. This is primarily because the Twisp Public Works has indicated that acceptance of the open space is more appealing to them if it does not bring a maintenance burden.

Wildlife Protections (18.45.050(2)(p)):

Although, this project contains no specific proposals for regulating or restricting domestic animals or for improving wildlife habitat within the town limits, it benefits wildlife by setting aside approximately 7acre of the best habitat as Open Space and protecting it from development.



November 9, 2022

8. Development Site Plan and Drawings

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

November 14, 2022

10. SEPA Checklist

Orchard Hills Planned Development (PD) - Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

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

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

1. Name of proposed project, if applicable: **Orchard Hills**
2. Name of applicant: **Palm Investments North LLC**
3. Address and phone number of applicant and contact person: Contact Name(s): **Jerry Palm & Julie Palm**
Address: **P.O. Box 322, Winthrop, WA 98862**
Phone Number: **(509) 996-2884**
4. Date checklist prepared: **April 2022**
5. Agency requesting checklist: **Town of Twisp**
6. Proposed timing or schedule (including phasing, if applicable):

The project is anticipated to begin the Summer of 2023 2023 with infrastructure phasing as coordinated with the Town of Twisp.

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

No.

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

~~None to our knowledge.~~ **Soils and Geotechnical report, Preliminary Traffic Analysis, Wetlands determination and delineation, Habitat Assessment and Lead and Arsenic testing.**

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

No.

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

Permits as required by the Town of Twisp. NPDES Construction Storm Water Permit from DOE.

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

A residential single Planned Development is proposed for the Orchard Hills project, a 16.81-acre site. Orchard Hills is a low impact development with limited hardscape and dedicated Open Space (approx 40%). Its focus will be on pedestrian circulation, softscape amenities and downtown Twisp connections.

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

The site is located in the Town of Twisp and the parcel identified as Okanogan County parcel number: 3322180099.

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

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

a. General description of the site:

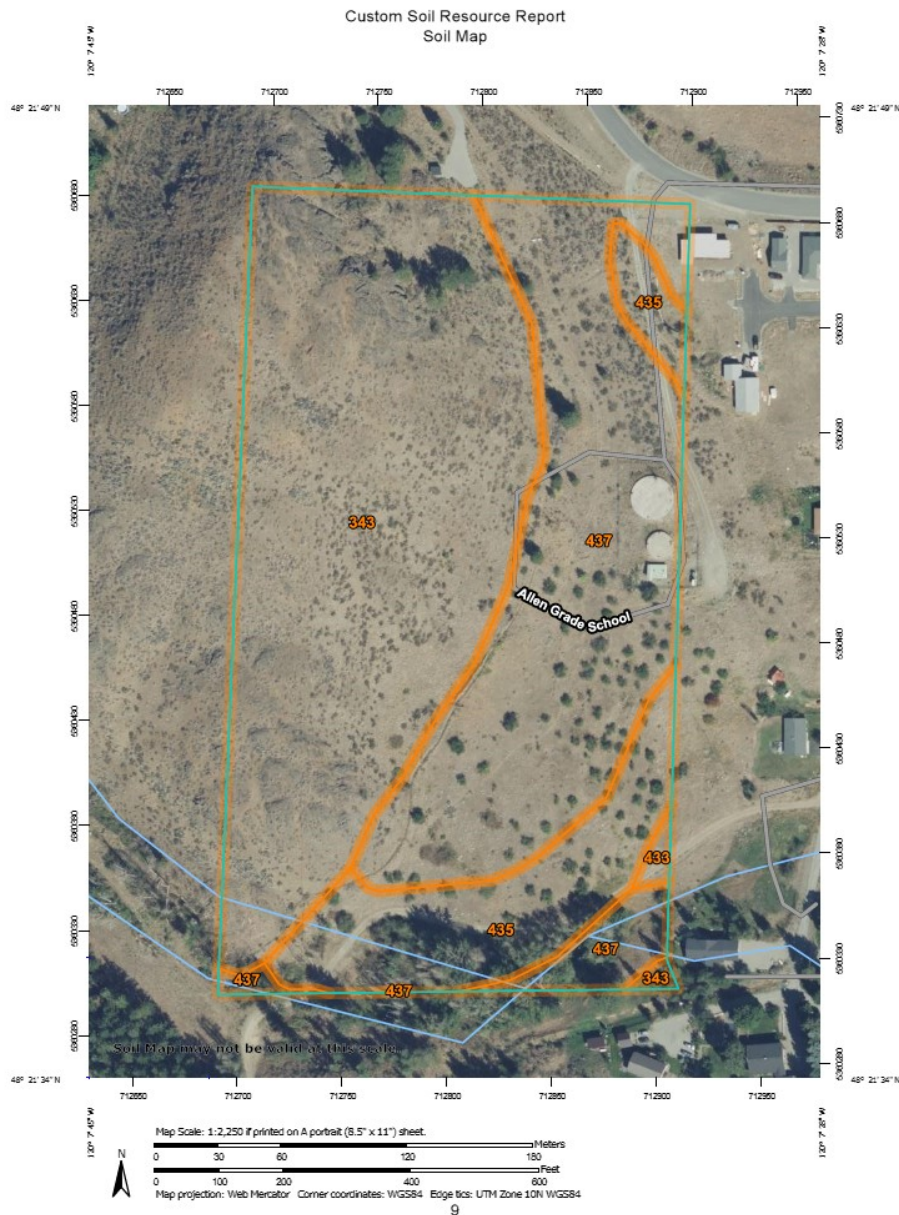
(circle one): Flat, rolling, hilly, steep slopes, mountainous, other:

Within the project area the site slope varies from flat (1%) to steep

(24%). b. What is the steepest slope on the site (approximate percent slope)?

Within the Project area the steepest slope is approximately 24%.

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



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
343	Lithic Haploxerepts-Newbon complex, 15 to 45 percent slopes	9.9	49.9%
433	Owhi ashy fine sandy loam, 0 to 3 percent slopes	0.1	0.4%
435	Owhi ashy fine sandy loam, 0 to 25 percent slopes, extremely stony	2.8	14.1%
437	Owhi gravelly ashy fine sandy loam, 0 to 8 percent slopes	7.1	35.6%

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

In general, the site soils appear stable. At the northwest corner of the site, within the proposed Open Space Area, there appears to be historical rock movement.

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

Within the approximate 11 acres of development area, excavation and grading will be typical for infrastructure and construction of single and multi-family homes. Select materials will be imported as necessary for infrastructure improvements.

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

Temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site. This plan is part of the NPDES Construction Storm Water Permit from DOE

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

Approximately 30% of the site will be covered with impervious surfaces after project construction and complete buildout.

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

Temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site. NPDES Construction Storm Water Permit from DOE will be obtained and an associated plan implemented All land disturbed during construction will be stabilized and revegetated. Measures to reduce or control erosion include stormwater management and dedication of permanent open space.

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

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

Potential sources of emissions to the air during construction include construction dust (mitigated by erosion control measures) and construction vehicle emissions. After project completion, potential sources of emissions to the air include vehicle and typical home emissions.

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

Not to our knowledge.

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

Dust abatement measures will be incorporated during construction as necessary to reduce and control emissions. The Department of Ecology publication "Methods for Dust Control" 2016 will be utilized to prepare a dust control plan in accordance with the town of Twisp's codes and regulations and best management practices. After construction, increased pedestrian circulation and routes provided by the project, and possible Town public transportation expansion will assist in the reduction of emissions.

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

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

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

Yes, seasonal flow from upstream tributary at proposed Open Space area located at south end of site. This site has had a wetlands determination by an outside consultant and no wetlands are present.

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

All proposed infrastructure and improvements are upgradient of seasonal drainage area. Work will be adjacent to this season flow area but no wetlands exist.

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

None

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

No

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

No.

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

No.

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

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

withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No. The proposal is within the Town of Twisp municipal water system.

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

N/A. Waste discharge will be to the Town of Twisp public sewer system.

c. Water runoff (including stormwater):

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

Stormwater runoff will result from developed hardscape areas including buildings, roadways, pedestrian paths and parking areas. These areas will be directed via sloped surfaces and conveyance piping to water quality and infiltration swales or dry wells designed and sized to meet the requirements of the DOE Stormwater Manual for Eastern Washington 2019. As required by Town of Twisp standards all storm water up to the design storm required by the Town of Twisp will be infiltrated.

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

Groundwater and surface water will be protected from conventional pollutants by best management practices as described in the DOE Stormwater Manual of Eastern Washington and adopted by the Town of Twisp. ~~as described in above measures, c-1).~~ No, additional waste materials anticipated.

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

No.

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

As required by Town of Twisp standards all storm water up to the design storm required by the Town of Twisp will be infiltrated. This will be accomplished using best management practices practices as described in the DOE Stormwater Manual of Eastern Washington and adopted by the Town of Twisp.

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

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

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

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

The project will disturb approximately 9 to 11 acres (50% to 60%) of the site. Majority of vegetation disturbed will be grasses and shrubs and volunteer apple trees.

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

None known.

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

Proposed Landscaping will incorporate the use of native plants, water quality swales and other measures to preserve or enhance vegetation. Most landscaping will be installed by individual homeowners of single-family residences and is exempt from TMC landscaping regulations per 18.20.160(2)(a)

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

Possible Knapweed.

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

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

Examples include:

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

Typical Eastern Washington east slope of the Cascades bird species, rodents, small predators and deer.

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

No known threatened or endangered species.

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

No known migration route.

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

Incorporation of native plant landscaping and Open Space. By including the southern portion of the property in open space the best overall wildlife habitat is protected, this area includes the best grazing, tree and shrub cover and seasonal water. The upland area to be in open space includes shrub step type habitat.

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

No known invasive animal species.

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

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

For HVAC and lighting, the project proposes using electric, propane, wood and solar to meet the completed project's energy needs. All uses will be residential.

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

Not to our knowledge.

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

Energy conservation features include reducing paved surfaces and development footprint while encouraging solar, energy efficient housing, and pedestrian access, circulation and connections.

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

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

After testing arsenic was found to be present but not primarily in the location of the old orchard and at depth that are not consistent with pesticide application. The arsenic found is highest in concentration the higher you go and closer to the rock outcroppings and seems to be natural background arsenic. Palm Investments North will coordinate with the Department of Ecology on mitigation required. The types of mitigation that is usually done is outlined in the Department of Ecology's "Model Remedies for Former Orchards". The testing seems to indicate that the source of the arsenic is natural mineralogy and there may be spots of elevated concentration within the surrounding neighborhood as well. No elevated lead levels were found.

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

See above.

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

High arsenic levels probably of natural origins.

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

None known.

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

None known.

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

A dust control plan using best management practices per DOE Publication 96-433 "Methods for Dust Control" will be implemented. Where levels of arsenic exceed DOE cleanup levels within areas disturbed by construction, they will be mitigated by one or a combination of the four model remedies endorsed by DOE.

b. *Noise*

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

None.

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

Short-term noise consistent with general construction activity during regular business hours.

Long-term noise consistent with residential living.

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

Project proposes to reduce and control noise by reducing hard surfaces with minimal width vehicular access and local access roads, and encouraging pedestrian trips by providing trails and walkways. Construction will be limited to normal business hours.

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

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

The current undeveloped site is situated adjacent to single family residential properties and one of the Town of Twisp water reservoirs. The proposed development includes single family housing which is consistent with surrounding residential use and zoning.

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

~~Not to our knowledge.~~ An orchard was planted on part of the site in the 40's but was removed in the 70's. We are not aware of any other past agricultural uses.

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

Not to our knowledge.

- c. Describe any structures on the site.

There are no existing structures on the site.

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

N/A

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

Low density single-family residential (R1)

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

Single-Family Low Density Residential (R1). The comprehensive plan also identifies a need for a park in the vicinity.

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

N/A.

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

Yes, (i) Potential Aquifer Recharge Area, (ii) Steep Slopes. All water storm water will be infiltrated and lots are laid out to avoid steep slopes.

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

100

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

None.

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

N/A.

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

Proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning.

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

N/A

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

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

53 lots of single residential lots.

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

None.

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

Intent of Planned Development is to increase housing by providing smaller high quality lots and a limited number lots with zero side setback to allow the building of townhouses.

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

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

Proposed structures should not exceed 30 feet in height consistent with Town of Twisp regulations.

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

None to our knowledge.

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

Compliance with Town of Twisp regulations.

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

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

Typical lighting from residential properties and traffic. This would be in the early morning and evenings.

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

None to our knowledge. The distance from other residences and by situating lots well below the ridge line the proposed development should have little impact on views and should not produce noticeable glare.

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

None to our knowledge.

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

Compliance with Town of Twisp regulations. Keep all building lots at least 30' below the ridge line.

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

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

None. Currently residents of Painter's Addition use the land without permission for hiking.

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

None.

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

~~No existing recreation onsite exists.~~ By putting 40% into open space and maintaining an informal route to the ridge summit, the informal hiking will be legal and maintained into the future.

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

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

No.

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

~~None to our knowledge.~~ No, The Methow Artifacts Research Project identifies no artifacts that were found on the site.

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

The Methow Artifacts Research Project identifies no artifacts that were found on the site. Known locations of native American camps and settlements were researched online and at the Interpretive Center in Twisp. It is an unlikely place for extensive use due to the distance from a reliable water source.

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

e. N/A

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

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

Public streets and highways serving the site include HYW 20, Harrison Avenue, June Street, Marie Street, and May Street, see vicinity map below. Additionally, a fire apparatus access road is proposed from Isabella Lane to McIntosh Rd generally following the existing water tank access road.



Palm Investments North LLC
28 Longhill Rd, Winthrop, WA 98862

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

No.

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

The proposed project will create residential parking for the development pursuant to Town of Twisp regulations. This at a minimum is two off street parking spaces per dwelling unit and more than 2000 linear feet of 8' parking strips along side of roads.

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

Yes, proposal creates driveway access to residential properties, one public roads (Mcintosh Lane, Apple Way and Golden Lane), connection to existing Town of Twisp Road network, and pedestrian pathways.

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

No.

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

At build out:

- ~~single family residences would generate an additional of 505 daily vehicle trips per day according to Institute of Transportation Engineers (ITE) trip estimates of 9.54 trips per dwelling unit;~~ Study by independent consultant SJC Alliance estimates that there will be 563 new trips per day on May St and Harrison Ave. There is no anticipated commercial traffic.**

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

Not to our knowledge.

SEPA Environmental checklist (WAC 197-11-960) July 2016 Page 14 of 17

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

The proposal includes pedestrian pathways for circulation and connections to adjacent neighborhoods and downtown Twisp.

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

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

No. Project is consistent with the Town of Twisp comprehensive plan.

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

None.

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

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

The site is currently vacant and undeveloped. Electricity, water (domestic, fire and irrigation), refuse service, telephone and sanitary sewer are currently available adjacent to the east property line.

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

Utilities required for the project include:

- **Electricity - Okanogan County PUD #1**
- **Water domestic and fire - Town of Twisp**
- **Sanitary Sewer – Town of Twisp**
- **Water irrigation - Methow Valley Irrigation District (MVID)**
- **Refuse service – Wastewise Methow**

- Telephone – CenturyLink

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

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

Signature: _____

Name of signee

SEPA Environmental checklist (WAC 197-11-960) July 2016Page 15 of 17

Position and Agency/Organization

_____ Date Submitted: _____

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

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

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

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or

at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

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

Proposed measures to avoid or reduce such increases are:

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

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

are:

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

measures to protect or conserve energy and natural resources

are:

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

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

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

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

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

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

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

November 14, 2022

9. Preliminary Utilities Plan and Specifications

Orchard Hills Planned Development (PD) - Resubmittal

Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

RIGHT OF WAY = 51'
5' PAVED WALK
4' SWALE
8' GRAVEL PARKING LANE
(2) 11' PAVED TRAVEL LANES
8' GRAVEL PARKING LANE
4' SWALE

AREAS

TOTAL AREA = 16.81 AC
OPEN SPACE = 6.80 AC
X OPEN SPACE = 40.45%

ELEVATION NOTE

ALL ELEVATIONS WILL BE VERIFIED WITH SURVEYOR PRIOR TO FINAL DESIGN

DISCLAIMER

TOPOGRAPHIC SURVEY INFORMATION CONTAINED ON THESE PLANS HAS BEEN PROVIDED BY TACKMAN SURVEYING, INC. VERTICAL DATUM HAS BEEN ADJUSTED TO MVD 29 USING PAINTER'S BOOSTER PUMP STATION AND WATER SYSTEM IMPROVEMENTS RECORD DRAWINGS DATED 1/21/2010. LAND DEVELOPMENT CONSULTANTS, INC. ASSUMES NO LIABILITY AS TO THE ACCURACY AND COMPLETENESS OF THIS DATA. ANY DISCREPANCIES FOUND BETWEEN WHAT IS SHOWN ON THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.

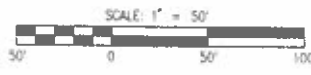
Fire Access Road Easement (Easement) coordination is in progress at time of this submittal.
If Easement is unattainable then all Orchard Hills Planned Development residences shall be equipped with residential fire sprinkler systems in accordance with the International Fire Code.
Therefore, adhering to second access requirement exception number 1. "Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from two directions shall not be required."
In addition, a new Town water tower access will be provided through the Development, the fire access easement shall be removed and the existing access area will be converted to a pedestrian access/trail. See Fire Access Road Alt this sheet.

PROJECT NOTES

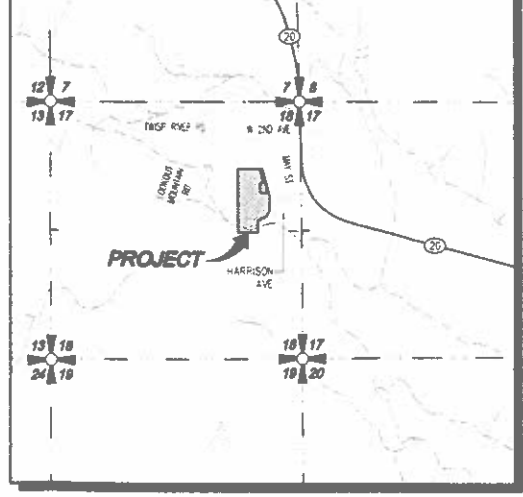
1. FINAL GRADING OF LOTS TO BE COMPLETED AT THE BUILDING PERMIT STAGE
2. LOTS 17-32 ARE PROPOSED TO HAVE ZERO LOT LINE SETBACKS PENDING APPROVAL TO ALLOW CONSTRUCTION OF TOWNHOUSES.
3. ONLY SITE-BUILT STRUCTURES BUILT TO TOWN OF TWSP'S STANDARDS WILL BE ALLOWED BY DEED RESTRICTION. PRIVATE ACCESS CORRIDOR MANAGEMENT PROGRAMS WILL BE RECORDED ON FINAL PLAT.
4. PROPOSED PUBLIC DEDICATIONS: TRACTS 998 AND 999 ARE PROPOSED PUBLIC DEDICATIONS.
5. PROPOSED LAND USE: THE PROPOSED LAND USE IS FOR RESIDENTIAL SINGLE FAMILY.
6. VEHICLE CIRCULATION: AS A DEAD-END ROAD ALL TRAFFIC WILL ENTER AND LEAVE THROUGH HARRISON STREET WITH THE EXCEPTION OF THROUGH TRAFFIC TO THE EXISTING RESIDENCES TO THE SOUTH.
7. PEDESTRIAN CIRCULATION: PEDESTRIANS CAN ENTER OR LEAVE THE DEVELOPMENT DOWN HARRISON VIA SIDEWALK OR DOWN THE FIRE APPARATUS ACCESS ROAD TO ISABELLA LANE. ALL PUBLIC ROADS HAVE SIDEWALKS.
8. APPROXIMATE BUILDING FOOTPRINTS: PROPOSED MIN RESIDENTIAL BUILDING FOOTPRINTS SHALL BE 950 SQ FT PER TOWN OF TWSP CODE.
9. PROPOSED MAXIMUM LOT BUILDING COVERAGE IS 40% AND MAXIMUM PROPOSED LOT COVERAGE IS 55%.
10. UTILITIES FOR LOTS SERVED BY PRIVATE ACCESS CORRIDORS WILL HAVE THEIR PRIVATE UTILITIES ROUTED WITHIN THE ACCESS CORRIDORS. PER TMC THESE WILL BE LISTED AS PRIVATE UTILITIES ON THE FINAL PLAT. SERVICE CONNECTIONS TO THE TOWN WATER AND SEWER WILL BE WITHIN THE PUBLIC ROAD RIGHT OF WAY.

INFILTRATION POND/PRE-SETTLING BASIN NOTE

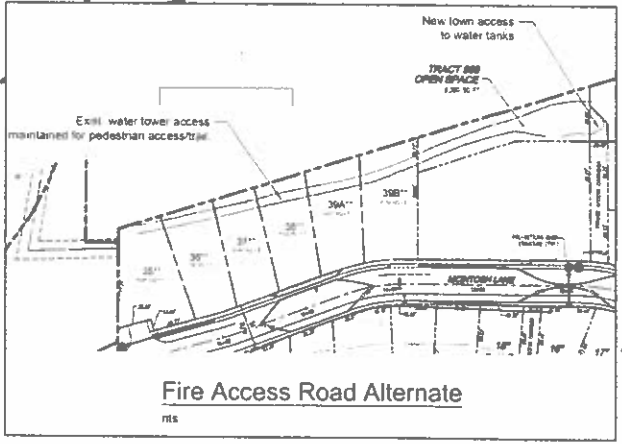
PER CORE REQUIREMENTS, THIS PROJECT IS REQUIRED TO PROVIDE BASIC WATER QUALITY TREATMENT. WATER QUALITY TREATMENT WILL BE PROVIDED FOR ALL PGIS WITHIN THE ONSITE BASIN BY MEANS OF INFILTRATING THROUGH AN APPROPRIATE SOIL PER SSC-6 2019 SWMM. SITE SOILS MUST BE TESTED AND AMENDED AS NEEDED DURING POND INSTALLATION IN ORDER TO MEET SSC-6 CRITERIA. A GEC OF 5 MEQ/100 GRAMS OF DRY SOIL AND A MINIMUM OF 1% ORGANICS ARE THE BASELINE CRITERIA ESTABLISHED IN SSC-6. AS INFILTRATION PERFORMANCE CAN BE IMPACTED BY SITUATION PRESETTLING BASINS ARE REQUIRED FOR ALL INFILTRATION FACILITIES BEING USED FOR WATER QUALITY.



DAYLIGHT BASEMENT
TUCK UNDER



VICINITY MAP
SCALE: 1"=2000'



REVISIONS

NO.	DATE	DESCRIPTION

Surveying
Engineering
Planning

LDC

Woodville
20210 12nd Avenue NE
Woodville, WA 98772
www.LDCcorp.com
1 425.481.2811

PALM PLANNED DEVELOPMENT

ORCHARD HILLS

DEVELOPMENT SITE PLAN

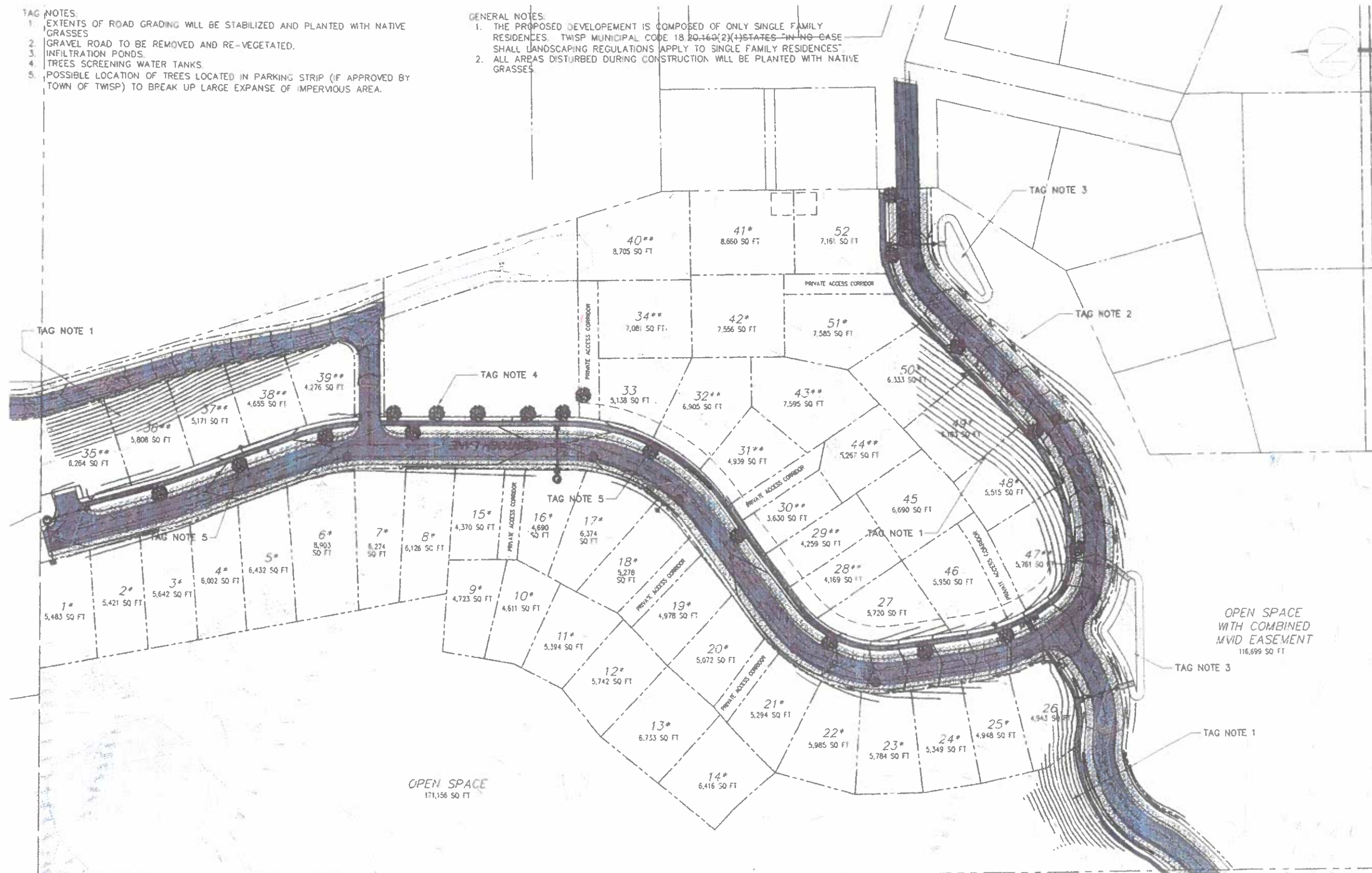
JOB NUMBER: 022-248
DRAWING NAME: 022248-SP-PL
DESIGNER: SWP
DRAFTING BY: RCP
DATE:
SCALE: 1"=50'
JURISDICTION: CITY OF TWSP

SP-01

SHEET 1 OF 1

- TAG NOTES:**
1. EXTENTS OF ROAD GRADING WILL BE STABILIZED AND PLANTED WITH NATIVE GRASSES
 2. GRAVEL ROAD TO BE REMOVED AND RE-VEGETATED.
 3. INFILTRATION PONDS.
 4. TREES SCREENING WATER TANKS.
 5. POSSIBLE LOCATION OF TREES LOCATED IN PARKING STRIP (IF APPROVED BY TOWN OF TWISP) TO BREAK UP LARGE EXPANSE OF IMPERVIOUS AREA.

- GENERAL NOTES:**
1. THE PROPOSED DEVELOPMENT IS COMPOSED OF ONLY SINGLE FAMILY RESIDENCES. TWISP MUNICIPAL CODE 18.20.160(2)(1) STATES "IN NO CASE SHALL LANDSCAPING REGULATIONS APPLY TO SINGLE FAMILY RESIDENCES"
 2. ALL AREAS DISTURBED DURING CONSTRUCTION WILL BE PLANTED WITH NATIVE GRASSES



Cascades Engineering



EXPIRES: 1/21/23

No. Revision Date



Project Name

PALM PLANNED DEVELOPMENT ORCHARD HILLS LANDSCAPING PLAN

TWISP

Project No: 2021-55
Issue Date: 5/10/2022
Scale:
Designed: LGS
Drawn: LGS
Checked: LGS
Approved: LGS
Description:

Permit Documents

Sheet
LS-01



LEGEND

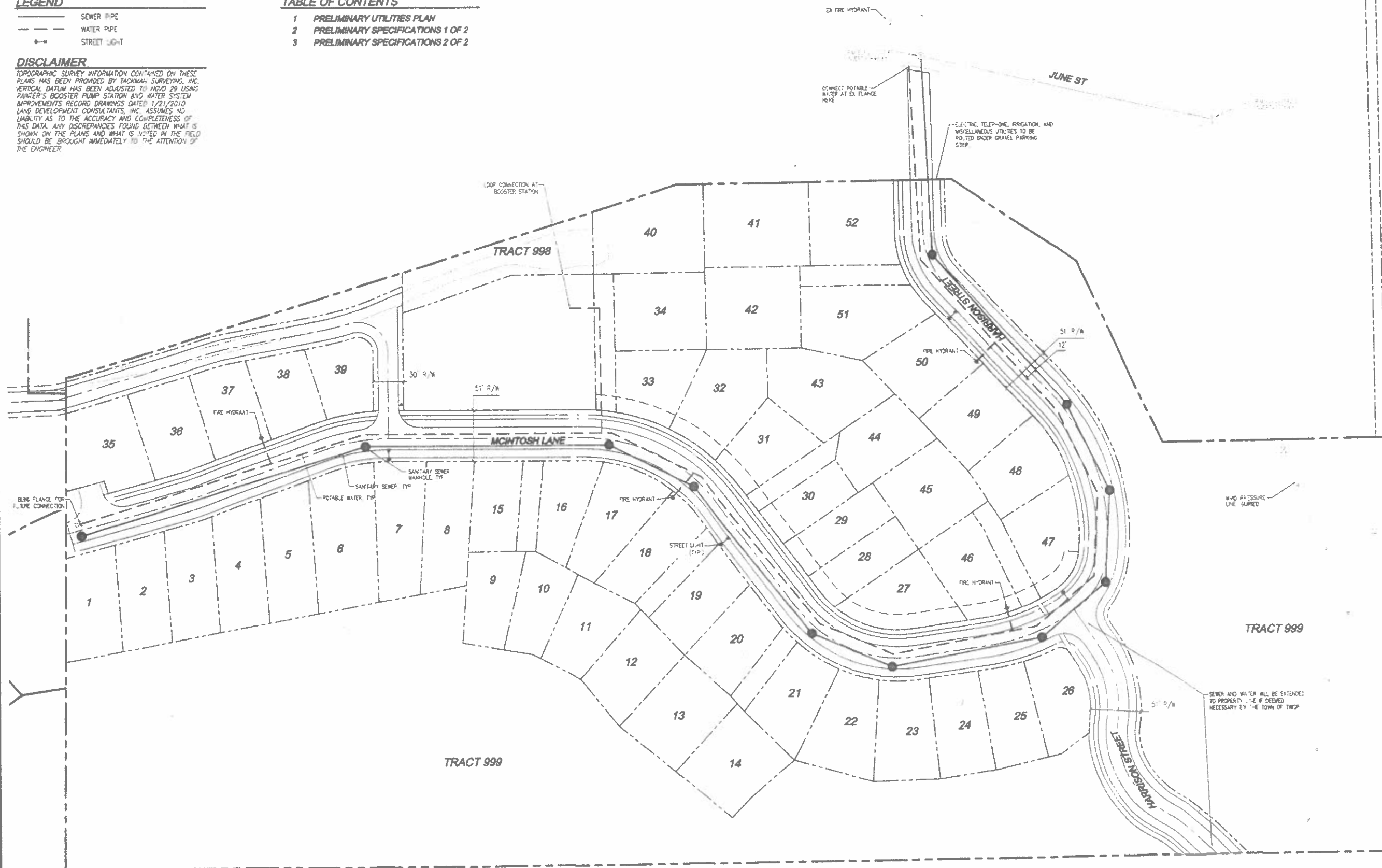
- SEWER PIPE
- WATER PIPE
- STREET LIGHT

DISCLAIMER

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- 1 PRELIMINARY UTILITIES PLAN
- 2 PRELIMINARY SPECIFICATIONS 1 OF 2
- 3 PRELIMINARY SPECIFICATIONS 2 OF 2



REVISIONS	
NO.	DESCRIPTION

Surveying
Engineering
Planning

LDC

Woodville
20210 14th Avenue NE
Woodville, WA 98072
www.LDCcorp.com

Kent Olympia
1 425.866.1844 1 377.461.1814

PALM PLANNED DEVELOPMENT

ORCHARD HILLS

PRELIMINARY UTILITIES PLAN



DWG NUMBER: 002-238
DRAWING NAME: 002-238-01
DESIGNER: SLP
CHECKED BY: SLP
DATE: 1/2/2011
SCALE: 1"=50'
DESCRIPTION: CITY OF TWP

WS-01

SHEET 1 OF 3

6.01 GENERAL

THE STANDARDS ESTABLISHED BY THESE DEVELOPMENT STANDARDS ARE INTENDED TO REPRESENT THE MINIMUM STANDARDS FOR THE DESIGN AND CONSTRUCTION OF WATER SYSTEM FACILITIES. GREATER OR LESSER REQUIREMENTS MAY BE MANIPULATED BY THE TOWN DUE TO LOCALIZED CONDITIONS. OTHER APPLICABLE STANDARDS THAT ARE REFERENCED WITHIN THESE DEVELOPMENT STANDARDS WILL ALSO BE USED AS DESIGN AND CONSTRUCTION STANDARDS. EXTENSIONS, CONNECTIONS OR MODIFICATIONS TO THE EXISTING SYSTEM SHALL BE IN COMPLIANCE WITH THE STATE DEPARTMENT OF HEALTH REQUIREMENTS.

6.02 DESIGN STANDARDS

A. THESE DESIGN STANDARDS APPLY TO ANY SYSTEM CONNECTED TO THE TOWN'S SYSTEM, WHETHER INSIDE OF THE MUNICIPAL LIMITS OR NOT.

B. DETAILED PLANS SHALL BE SUBMITTED FOR THE TOWN'S REVIEW WHICH PROVIDES THE LOCATIONS, SIZE, AND TYPE OF THE PROPOSED WATER SYSTEM AND POINTS OF CONNECTION. THESE PLANS SHALL BE SEPARATE FROM SEWER PLANS.

C. PROJECT PLANS SHALL HAVE A HORIZONTAL SCALE 20 FEET TO THE INCH AND A VERTICAL SCALE OF NOT MORE THAN 5 FEET TO THE INCH. PLANS SHALL SHOW:

- LOCATIONS OF STREETS, RIGHTS-OF-WAY, EXISTING UTILITIES AND WATER SYSTEM FACILITIES;
- GROUND SURFACE, PIPE TYPE AND SIZE, AND WATER VALVES AND HYDRANTS STATIONING;
- ALL KNOWN EXISTING STRUCTURES, BOTH ABOVE AND BELOW GROUND, WHICH MIGHT INTERFERE WITH THE PROPOSED CONSTRUCTION, PARTICULARLY SEWER LINES, GAS MAINS, STORM DRAINS, OVERHEAD AND UNDERGROUND POWER AND ALL UNDERGROUND STRUCTURES, TELEPHONE LINES AND TELEVISION CABLES;
- ALL UTILITY EASEMENTS AND APPLICABLE COUNTY RECORDING NUMBER.

D. COMPUTATIONS AND OTHER DATA USED FOR DESIGN OF THE WATER SYSTEM SHALL BE SUBMITTED TO THE TOWN FOR APPROVAL.

E. MATERIAL AND INSTALLATION SPECIFICATIONS SHALL CONTAIN APPROPRIATE REQUIREMENTS THAT HAVE BEEN ESTABLISHED BY THE INDUSTRY IN ITS TECHNICAL PUBLICATIONS, SUCH AS ASTM, AWWA, WPOF, AND AWWA STANDARDS. REQUIREMENTS SHALL BE SET FORTH IN THE PLANS FOR THE PIPE AND METHODS OF BEDDING AND BACKFILLING SO AS NOT TO DAMAGE THE PIPE OR ITS JOINTS.

F. THE LOCATION OF THE WATER MAINS, VALVES, HYDRANTS, AND PRINCIPAL FITTINGS INCLUDING MODIFICATIONS SHALL BE STAKED BY THE OWNER. NO DEVIATION SHALL BE MADE FROM THE REQUIRED LINE OR GRADE. THE OWNER SHALL VERIFY AND PROTECT ALL UNDERGROUND AND SURFACE UTILITIES ENCOUNTERED DURING THE PROGRESS OF THIS WORK.

I. PRIOR TO FINAL INSPECTION, ALL PIPELINES SHALL BE TESTED AND DISINFECTED IN CONFORMANCE WITH AWWA OR STANDARD SPECIFICATIONS.

J. BEFORE ACCEPTANCE OF THE WATER SYSTEM BY THE TOWN, ALL PIPES, ASSEMBLIES, AND OTHER APPURTENANCES SHALL BE CLEANED OF ALL DEBRIS AND FOREIGN MATERIAL. AFTER ALL OTHER WORK IS COMPLETED AND BEFORE FINAL ACCEPTANCE, THE ENTIRE ROADWAY, INCLUDING THE ROADSIDE, PLANTING, SIDEWALK AREAS, SHOULDERS, DRIVEWAYS, ALLEY AND SIDE STREET APPROACHES, SLOPES, DITCHES, UTILITY TRENCHES, AND CONSTRUCTION AREAS SHALL BE NEATLY FINISHED TO THE LINES, GRADES AND CROSS SECTIONS OF A NEW ROADWAY CONSISTENT WITH THE ORIGINAL SECTION.

K. THE OWNER SHALL BE REQUIRED, UPON COMPLETION OF THE WORK AND PRIOR TO ACCEPTANCE BY THE TOWN, TO FURNISH THE TOWN WITH A WRITTEN GUARANTEE (MAINTENANCE BOND) COVERING ALL MATERIAL AND WORKMANSHIP FOR A PERIOD OF TWO YEARS AFTER THE DATE OF FINAL ACCEPTANCE AND SHALL MAKE ALL NECESSARY REPAIRS DURING THAT PERIOD AT THEIR OWN EXPENSE. IF SUCH REPAIRS ARE NECESSITATED AS THE RESULT OF FINISHING POWER MATERIALS AND/OR WORKMANSHIP, THE OWNER SHALL OBTAIN WARRANTIES FROM THE CONTRACTORS, SUBCONTRACTORS AND SUPPLIERS OF MATERIAL OR EQUIPMENT WHERE SUCH WARRANTIES ARE REQUIRED AND SHALL DELIVER COPIES TO THE TOWN UPON COMPLETION OF THE WORK.

6.03 GENERAL REQUIREMENTS

A. PRIOR TO CONSTRUCTION, THE OWNER SHALL NOTIFY THE TOWN FOR A PRE-CONSTRUCTION MEETING.

B. WORK SHALL BE PERFORMED ONLY BY CONTRACTORS EXPERIENCED IN LAYING PUBLIC WATER MAINS.

C. THE OWNER SHALL FOLLOW THE SCHEDULE PRESENTED AT THE PRE-CONSTRUCTION MEETING.

D. THE OWNER SHALL OBTAIN APPROVAL OF MATERIALS TO BE USED FROM THE PUBLIC WORKS DIRECTOR PRIOR TO ORDERING OF MATERIALS.

E. WATER MAINS SHALL BE LAID ONLY IN DEDICATED STREETS OR IN EASEMENTS WHICH HAVE BEEN GRANTED TO THE TOWN. A STREET IS NORMALLY NOT CONSIDERED DEDICATED UNTIL THE PLAT WHICH CREATED IT HAS BEEN OFFICIALLY FILED WITH THE COUNTY AUDITOR.

F. ALL WATER MAIN DISTRIBUTION PIPELINE CONSTRUCTION SHALL HAVE A MINIMUM 60-INCH COVER FROM FINISHED GRADE AND 60-INCH COVER OVER TRANSMISSION MAINS. WATER MAINS SHALL BE EXTENDED TO THE FAR PROPERTY LINE(S) OF THE PROPERTY BEING SERVED. OFF-SITE EXTENSIONS ARE REQUIRED TO HYDRAULICALLY LOOP EXISTING AND NEW SYSTEMS.

G. THE TOWN REQUIRES MINIMUM PIPE SIZES OF 8-INCH IN RESIDENTIAL ZONES, 10-INCH IN COMMERCIAL ZONES, AND 12-INCH IN INDUSTRIAL ZONES UNLESS A LARGER SIZE IS DETERMINED TO BE REQUIRED BY THE TOWN.

H. EVERY CROSS SHALL HAVE NO LESS THAN FOUR VALVES. EVERY TEE SHALL HAVE NO LESS THAN THREE VALVES. AN IN-LINE VALVE SHALL BE INSTALLED ON RUNS OF PIPE EVERY 400 FEET.

I. UNLESS OTHERWISE APPROVED OR REQUIRED BY THE PUBLIC WORKS DIRECTOR, THE WATER MAIN SHALL BE DUCTILE IRON PIPE OR C900/C905 PVC AS SHOWN BELOW. THE MINIMUM SIZE FOR ALL WATER LINES SHALL BE 8 INCHES, EXCEPT FOR PIPES CONNECTING HYDRANTS LESS THAN 60' LONG.

PIPE DIAMETER	CLASS
D.I. PVC	
6" THROUGH 14"	CLASS 52
16" AND LARGER	CLASS 50

EXCEPTION: 8-INCH HYDRANT SPOOLS AND PIPELINES LOCATED BENEATH ROCK OR RETAINING WALLS SHALL BE DR 53

L. PIPES CONNECTING HYDRANTS TO MAINS SHALL BE 6 INCH IN DIAMETER OR LARGER AND 40' LONGER THAN 60'. 60 PLUS FEET REQUIRES 9 INCH OR LARGER.

F. PERMANENT DEAD-END LINES ARE NOT PERMITTED. WATER MAINS ON CUL-DE-SACS SHALL EXTEND TO THE PLAT LINE BEYOND THE CUL-DE-SAC TO NEIGHBORING PROPERTY FOR A CONVENIENT FUTURE CONNECTION, AND HAVE A 2-INCH BLOW OFF ASSEMBLY INSTALLED AT THE TERMINATION POINT. ALL LINES SHALL BE CAPABLE OF BEING LOOPEL UPON FUTURE DEVELOPMENT.

G. ALL MATERIALS SHALL BE NEW, UNDAMAGED AND FREE FROM ANY DEBRIS.

H. ALL FITTINGS SHALL BE CEMENT-LINED DUCTILE IRON.

I. PROVIDE BENDS IN FIELD TO SAT CONSTRUCTION AND IN ACCORDANCE WITH PIPE MANUFACTURER'S RECOMMENDATIONS SO AS NOT TO EXCEED ALLOWABLE DEFLECTION AT PIPE JOINTS.

J. PROVIDE THRUST BLOCKING AT ALL FITTINGS AND BENDS AS DESIGNED BY OWNER'S ENGINEER AND APPROVED BY THE PUBLIC WORKS DIRECTOR.

K. PROVIDE ANCHOR BLOCKING AT ALL UP-THRUST VERTICAL BENDS AS DESIGNED BY OWNER'S ENGINEER AND APPROVED BY THE PUBLIC WORKS DIRECTOR.

L. ALL VALVE MARKER POSTS SHALL BE PAINTED YELLOW AND MARKED WITH THE DISTANCE TO VALVE BEING REFERENCED.

M. RESIDENTIAL WATER SERVICE PIPE SHALL BE ONE-INCH CTS POLY WITH NO JOINTS.

N. COMMERCIAL SERVICE LINES BETWEEN THE WATER MAIN AND THE WATER METER SHALL BE SIZED APPROPRIATELY.

O. ALL WATER SERVICES SHALL END WITHIN ROAD RIGHTS-OF-WAY OR EASEMENTS, EXCEPT WHEN OTHERWISE APPROVED BY THE PUBLIC WORKS DIRECTOR.

P. ALL WATER SERVICES SHALL BE INSTALLED BY THE TOWN, UNLESS APPROVED BY THE PUBLIC WORKS DIRECTOR. ALL COSTS ASSOCIATED WITH THIS WORK SHALL BE PAID FOR BY THE OWNER.

Q. ONE SAMPLING STATION IS REQUIRED FOR A DEVELOPMENT IN SIZE OF 5 TO 20 LOTS. ONE ADDITIONAL STATION IS REQUIRED FOR EACH ADDITIONAL 50 LOTS OR PORTIONS THEREOF.

R. ALL NEW SERVICE CONNECTIONS SHALL COMPLY WITH TMC CHAPTER 13.07 REGARDING CROSS CONNECTION CONTROL.

S. CUT IN CONNECTIONS SHALL NOT BE MADE ON FRIDAYS, HOLIDAYS OR WEEKENDS. ALL TAPPING SLEEVES AND TAPPING VALVES SHALL BE PRESSURE TESTED PRIOR TO MAKING CONNECTION TO EXISTING MAINS. TAPS ARE TO BE MADE BY TOWN PERSONNEL (FEE IS REQUIRED).

T. OWNER SHALL REQUEST THE PUBLIC WORKS DIRECTOR APPROVAL PRIOR TO ANY WATER SHUT-OFF OR TURN-ON, AFFECTING THE WATER SYSTEM, A MINIMUM OF 3 WORKING DAYS IN ADVANCE. THE PUBLIC WORKS DEPARTMENT SHALL OPERATE ALL VALVES IN EXISTING SERVICE MAINS.

6.04 MATERIALS & INSPECTIONS

A. INSPECTIONS

THE OWNER SHALL REQUEST FOR INSPECTION A MINIMUM OF 3 WORKING DAYS IN WRITING PRIOR TO THE CONTRACTOR'S SCHEDULED NEED. INSPECTION SHALL BE REQUIRED FOR THE FOLLOWING ITEMS OF WORK:

- PIPE AND BEDDING INSTALLATION;
- BACKFILL AND COMPACTION;
- PRESSURE TESTING;
- WATER MAINS & FITTINGS

1. WATER MAINS TO BE INSTALLED UNLESS OTHERWISE APPROVED (OR REQUIRED) IN WRITING BY THE TOWN ENGINEER SHALL BE EITHER DUCTILE IRON OR C900 OR C905 PVC PIPE.

1. DUCTILE IRON SHALL BE:

A. THE DUCTILE IRON PIPE SHALL CONFORM TO STANDARD SPECIFICATIONS OR AWWA C151/A21.51-91 STANDARDS, AND CURRENT AMENDMENTS THEREOF. EXCEPT THE DUCTILE IRON PIPE SHALL BE PROGRESS CLASS 52 FOR 4" THROUGH 14" DIAMETER PIPE (EXCEPT FOR 8-INCH HYDRANT SPOOLS WHICH SHALL BE CLASS 53) AND CLASS 50 FOR 16" AND LARGER. GRADE OF IRON SHALL BE A MINIMUM OF 60-42-10. THE PIPE SHALL BE CEMENT LINED TO A MINIMUM THICKNESS OF 1/16", AND THE EXTERIOR SHALL BE COATED WITH AN ASPHALTIC COATING. EACH LENGTH SHALL BE PLAINLY MARKED WITH THE MANUFACTURER'S IDENTIFICATION, YEAR CAST, THICKNESS, CLASS OF PIPE AND WEIGHT.

2. PVC PIPE SHALL CONFORM TO AWWA C900 OR C905, CLASS 150, CAPABLE OF CONNECTING TO DUCTILE IRON FITTINGS. ALL FITTINGS SHALL BE DUCTILE IRON.

3. TYPE OF JOINT SHALL BE MECHANICAL JOINT OR PUSH-ON TYPE EMPLOYING A SINGLE GASKET, SUCH AS "TYTON", EXCEPT WHERE OTHERWISE CALLING FOR FLANGED ENDS. BOLTS FURNISHED FOR MECHANICAL JOINT PIPE AND FITTINGS SHALL BE HIGH STRENGTH DUCTILE IRON, WITH A MINIMUM TENSILE STRENGTH OF 50,000 PSI.

4. RESTRAINED JOINT PIPE, WHERE SHOWN ON THE PLANS SHALL BE PUSH-ON JOINT PIPE WITH "FAST RIGHT" GASKETS AS FURNISHED BY U.S. PIPE OR EQUAL FOR 12" DIAMETER AND SMALLER PIPE AND "TYP FLUT" AS FURNISHED BY U.S. PIPE OR EQUAL FOR 16" AND 24" DIAMETER PIPES. THE RESTRAINED JOINT PIPE SHALL MEET ALL OTHER REQUIREMENTS OF THE NON-RESTRAINED PIPE.

5. ALL PIPE SHALL BE JOINTED BY THE MANUFACTURER'S STANDARD COUPLING, BE ALL OF ONE MANUFACTURER, BE CAREFULLY INSTALLED IN COMPLETE COMPLIANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

6. JOINTS SHALL BE "MADE UP" IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. STANDARD JOINT MATERIALS, INCLUDING RUBBER RING GASKETS SHALL BE FURNISHED WITH THE PIPE. MATERIAL SHALL BE SUITABLE FOR THE SPECIFIED PIPE SIZE AND PRESSURES.

7. ALL FITTINGS SHALL BE SHORT-BODED, DUCTILE IRON COMPLYING WITH APPLICABLE STANDARD SPECIFICATIONS OR AWWA/C110 OR C153 STANDARDS FOR 350 PSI PRESSURE RATING FOR MECHANICAL JOINT FITTINGS AND 250 PSI PRESSURE RATING FOR FLANGED FITTINGS. ALL FITTINGS SHALL BE CEMENT LINED AND EITHER MECHANICAL JOINT OR FLANGED, AS INDICATED ON THE PLANS.

8. FITTINGS IN AREAS SHOWN ON THE PLANS FOR RESTRAINT JOINTS SHALL BE MECHANICAL JOINT FITTINGS WITH A MECHANICAL JOINT RESTRAINT DEVICE. THE MECHANICAL JOINT RESTRAINT DEVICE SHALL HAVE A WORKING PRESSURE OF AT LEAST 250 PSI WITH A MINIMUM SAFETY FACTOR OF 2:1 AND SHALL BE ROMAC "GRIP RING" (RETAINER CLAMPS) OR TOWN APPROVED EQUAL.

9. ALL COUPLINGS SHALL BE DUCTILE IRON MECHANICAL JOINT SLEEVES.

10. THE PIPE AND FITTINGS SHALL BE INSPECTED FOR DEFECTS BEFORE INSTALLATION. ALL LUMPS, BUSTERS AND EXCESS COAL TAR COATING SHALL BE REMOVED FROM THE BELL AND SPOOT END OF EACH PIPE, AND THE OUTSIDE OF THE SPOOT AND THE INSIDE OF THE BELL SHALL BE MORE BRUSHED AND WIPED CLEAN AND DRY, AND FREE FROM OIL AND GREASE BEFORE THE PIPE IS LAID. ANY DAMAGE TO THE INTERIOR LINING CAUSED BY CUTTING OR OTHER MEANS MUST BE REPAIRED PRIOR TO INSTALLATION.

11. EVERY PRECAUTION SHALL BE TAKEN TO PREVENT FOREIGN MATERIAL FROM ENTERING THE PIPE WHILE IT IS BEING PLACED IN THE LINE. AFTER PLACING A LENGTH OF PIPE IN THE TRENCH, THE SPOOT END SHALL BE COVERED IN THE BELL AND PIPE FORCED HOME AND Brought TO CORRECT LINE AND GRADE. THE PIPE SHALL BE SECURED IN PLACE WITH SELECT BACKFILL TAUPED UNDER IT. PRECAUTION SHALL BE TAKEN TO PREVENT DIRT FROM ENTERING THE JOINT SPACE. AT TIMES WHEN PIPE LAYING IS NOT IN PROGRESS, THE OPEN END OF PIPE SHALL BE CLOSED BY A WATER-TIGHT PLUG. IF WATER IS IN THE TRENCH WHEN WORK RESUMES, THE SEAL SHALL REMAIN IN PLACE UNTIL THE TRENCH IS PUMPED COMPLETELY DRY. NO PIPE SHALL BE LAID IN WATER OR WHEN TRENCH CONDITIONS ARE UNSUITABLE.

12. THE CUTTING OF PIPE FOR INSERTING FITTINGS OR CLOSURE DEVICES SHALL BE DONE IN A NEAT AND WORKMANLIKE MANNER, WITHOUT DAMAGE TO THE PIPE OR CEMENT LINING, AND SO AS

TO LEAVE A SMOOTH END AT RIGHT ANGLES TO THE AXIS OF THE PIPE. PIPE SHALL BE LAID WITH BELL ENDS FACING IN THE DIRECTION OF THE LAYING, UNLESS DIRECTED OTHERWISE BY THE TOWN. WHEREVER IT IS NECESSARY TO DEFLECT PIPE FROM A STRAIGHT LINE, THE AMOUNT OF DEFLECTION ALLOWED SHALL NOT EXCEED THE MANUFACTURER'S RECOMMENDATIONS.

14. FOR CONNECTION OF MECHANICAL JOINTS, THE SOCKET, PLUG, END OF EACH PIPE AND GASKET SHALL BE CLEANED OF DIRT BEFORE JOINTING, AND SHALL BE JOINTED ACCORDING TO MANUFACTURER'S DIRECTIONS. BOLTS SHALL BE TIGHTENED ALTERNATELY AT TOP, BOTTOM AND SIDES, SO PRESSURE ON GASKET IS EVEN.

15. FOR CONNECTION OF "TYTON" JOINTS, THE JOINTING SHALL BE DONE ACCORDING TO MANUFACTURER'S RECOMMENDATIONS, WITH SPECIAL CARE USED IN CLEANING GASKET SEAT TO PREVENT ANY DIRT OR SAND FROM GETTING BETWEEN THE GASKET AND PIPE. LUBRICANT TO BE USED ON THE GASKET SHALL BE NON-TOXIC AND FREE FROM CONTAMINATION. WHEN A PIPE LENGTH IS CUT, THE OUTER EDGE OF THE CUT SHALL BE BEVELED WITH A FILE TO PREVENT INJURY TO THE GASKET DURING JOINTING.

16. VALVES, FITTINGS, PLUGS AND CAPS SHALL BE SET AND JOINTED TO PIPE IN THE MANNER AS REQUIRED. ALL DEAD ENDS ON NEW MAINS SHALL BE CLOSED WITH DEAD END M.J. PLUGS.

17. FITTINGS SHALL BE "BLOCKED" WITH POURED-IN-PLACE CONCRETE, WITH A FIRM MINIMUM BEARING AGAINST AN UNDISTURBED EARTH WALL. TAMER BLOCKING AND PRECAST CONCRETE BLOCKS SHALL NOT BE PERMITTED. THRUST BLOCKS SHALL BE POURED AS SOON AS POSSIBLE AFTER SETTING THE FITTINGS IN PLACE TO ALLOW THE CONCRETE TO "SET" BEFORE APPLYING THE PRESSURE TEST. THE CONCRETE THRUST BLOCKS SHALL BE IN PLACE BEFORE BEGINNING THE PRESSURE TEST. ANCHOR BLOCKS SHALL BE ALLOWED TO SET SUFFICIENTLY TO DEVELOP THE NECESSARY BOND STRENGTH BETWEEN THE REINFORCING ROCKS AND THE CONCRETE ANCHOR BEFORE BEGINNING THE PRESSURE TEST.

18. ALL OF THE NEW PIPING, VALVES AND BLOCKING SHALL HAVE BEEN INSTALLED, DISINFECTED AND TESTED UP TO THE POINT OF CUTTING INTO EXISTING LINES BEFORE THE CROSSOVER IS MADE. THE CROSSOVER SYSTEM SHALL BE IN FULL READINESS, INCLUDING THE CUT AND SIZED SPECIALS. THE TOWN SHALL BE GIVEN 3 WORKING DAYS NOTICE IN ADVANCE OF THE PLANNED "CUT-INS". ALL SLEEVES SHALL BE DUCTILE IRON.

C. VALVES

ALL VALVES 12" AND SMALLER SHALL BE RESILIENT SEAT GATE VALVES.

1. RESILIENT-SEATED GATE VALVES

ALL GATE VALVES 12" AND SMALLER SHALL CONFORM TO STANDARD SPECIFICATIONS OR AWWA C508-87 STANDARDS FOR RESILIENT-SEATED, HIGH STRENGTH, BRONZE STEMMED GATE VALVES. THE VALVES SHALL BE IRON-BODIED, IRON DISK COMPLETELY ENCAPSULATED WITH POLYURETHANE RUBBER AND BRONZE, NON-RISKY, STEM WITH O-RING SEALS. THE POLYURETHANE SEALING RUBBER SHALL BE FUSION BONDED TO THE DISK. THE DISK SHALL BE FUSION BONDED TO RUBBER TO METAL BOND ASTM D429. THE VALVES SHALL OPEN COUNTER-CLOCKWISE AND BE FURNISHED WITH 2-INCH SQUARE OPERATING NUTS EXCEPT VALVES IN VAULTS SHALL BE FURNISHED WITH HAND WHEELS. ALL SURFACES, INTERIOR AND EXTERIOR SHALL BE FUSION BONDED EPOXY COATED, ACCEPTABLE FOR POTABLE WATER.

THE VALVES SHALL BE SET WITH STEMS VERTICAL. THE AXIS OF THE VALVE BOX SHALL BE COMMON WITH THE AXIS PROJECTED OFF THE VALVE STEM. THE TOPS OF THE ADJUSTABLE VALVE BOXES SHALL BE SET TO THE EXISTING OR ESTABLISHED GRADE, WHICHEVER IS APPLICABLE. VALVE STEM RISERS SHALL BE INSTALLED 12 TO 24 OF THE FINISHED GRADE OF THE VALVE BOX CAP.

VALVES SHALL BE TOWN, MUELLER, M&M, OR APPROVED EQUAL BY THE PUBLIC WORKS DIRECTOR.

2. TAPPING SLEEVES & TAPPING VALVES

THE TAPPING SLEEVES SHALL BE STAINLESS STEEL TAPPING SLEEVES RATED FOR A WORKING PRESSURE OF 250 PSI MINIMUM AND FURNISHED COMPLETE WITH JOINT ACCESSORIES. TAPPING SLEEVES SHALL BE CONSTRUCTED IN TWO SECTIONS FOR EASE OF INSTALLATION AND SHALL BE ASSEMBLED AROUND THE MAIN WITHOUT INTERRUPTING SERVICE.

MECHANICAL JOINT STYLE SLEEVES SHALL BE DUCTILE IRON AND IS REQUIRED FOR SIZE-ON-SIZE CONNECTION TO CAST IRON PIPE. MECHANICAL JOINT SLEEVES SHALL BE CAST BY TOWN, DRESSER, MUELLER, TYLER, U.S. PIPE, OR APPROVED EQUAL BY THE PUBLIC WORKS DIRECTOR.

TAPPING VALVES SHALL BE FLANGED OUTLET FOR USE WITH DUCTILE IRON PIPE AND SHALL HAVE OVERSIZED SEAT PADS TO PERMIT ENTRY OF THE TAPPING, MAJOR CUTTERS, IN ALL DIRECTIONS. THE TAPPING VALVES SHALL CONFORM TO THE RESILIENT SEAT GATE VALVES HEREIN SPECIFIED WITH REGARDS TO OPERATION AND MATERIALS.

THE INSTALLATION OF THE TAPPING SLEEVES AND VALVES SHALL BE PERFORMED BY A QUALIFIED CONTRACTOR.

ALL TAPS WILL BE MADE BY THE PUBLIC WORKS DEPARTMENT. FEES ARE REQUIRED.

3. ALL VALVES

ALL VALVES WITH OPERATING NUTS LOCATED MORE THAN 24" BELOW FINISHED GRADE SHALL BE EQUIPPED WITH EXTENSION STEMS TO BRING THE OPERATING NUT TO WITHIN 12" OF THE FINISHED GRADE.

AT THE TOP OF THE EXTENSION STEM, THERE SHALL BE A 2-INCH STANDARD OPERATING NUT, COMPLETE WITH A "ENTERING FLANGE" THAT CLOSELY FITS THE 5-INCH PIPE ENCASUREMENT OF THE EXTENSION STEM. THE VALVE SHALL BE SET IN A TELESCOPING FASHION AROUND THE 5-INCH PIPE CUT TO THE CORRECT LENGTH TO ALLOW FUTURE ADJUSTMENT UP OR DOWN.

EACH VALVE SHALL BE PROVIDED WITH AN ADJUSTABLE TWO-PIECE CAST IRON VALVE BOX OF FIVE INCHES MINIMUM INSIDE DIAMETER. VALVE BOXES SHALL HAVE A TOP SECTION WITH A 16-INCH MINIMUM LENGTH. THE VALVE BOXES AND COVERS SHALL BE 6600 WITH LOCKING LID OR APPROVED EQUAL BY THE PUBLIC WORKS DIRECTOR.

4. VALVE MARKERS

FOR EACH VALVE OUTSIDE OF ASPHALT, PROVIDE A VALVE CONCRETE PAD 24" X 24" X 6" WITH REINFORCING MESH CENTERED OVER VALVE BOX AND SET TO GRADE.

D. FIRE HYDRANTS

ALL FIRE HYDRANTS SHALL BE APPROVED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS AND CONFORM TO AWWA SPECIFICATION C502, BREAKAWAY TYPE, IN WHICH THE VALVE WILL REMAIN CLOSED IF THE BARREL IS BROKEN. THE HYDRANT BARREL SHALL HAVE A DIAMETER OF NOT LESS THAN 8- 1/2 INCHES, AND THE VALVE DIAMETER SHALL BE NOT LESS THAN 5-1/4 INCHES. EACH HYDRANT SHALL BE EQUIPPED WITH TWO 2 1/2-INCH HOSE PORTS (NATIONAL STANDARD THREAD), AND ONE 4-1/2- INCH PUMPER CONNECTION (NATIONAL STANDARD THREAD), WITH PERMANENT 5-INCH STORZ HYDRANT ADAPTOR AND STORZ BUNG CAP WHICH SHALL BE INSTALLED ON THE HYDRANT PRIOR TO INSTALLATION. EACH HYDRANT SHALL BE EQUIPPED WITH A SUITABLE POSITIVE ACTING DRAIN VALVE AND A 1-1/4-INCH COUNTER-CLOCKWISE OPENING PENTAGONAL OPERATING NUT. THE FIRE HYDRANTS SHALL BE 6" BURY OR MORE TO CONFORM TO THE STANDARD DETAIL, WITH MODEL 129.

THE HOLDING SPOOLS BETWEEN THE GATE VALVE AND FIRE HYDRANT SHALL BE MADE FROM 6-INCH CLASS 53 DUCTILE IRON PIPE, 0.34-INCH WALL THICKNESS OR C900 PVC. THE HYDRANT AND GATE VALVE SHALL BE ANCHORED IN PLACE USING HOLDING SPOOLS AND MECHANICAL JOINT RESTRAINT DEVICE. THRUST BLOCK AT ALL FITTINGS SHALL BE IN ACCORDANCE WITH TOWN STANDARDS AND CONDITIONS. HOLDING SPOOLS WITH LENGTH IN EXCESS OF 17 FEET SHALL BE SUPPLIED WITH AN M.J. SLEEVE AND MECHANICAL JOINT RESTRAINT DEVICE.

BETWEEN THE TIME THAT THE FIRE HYDRANT IS INSTALLED AND THE COMPLETED FACILITY IS PLACED IN OPERATION, THE FIRE HYDRANT SHALL AT ALL TIMES BE WRAPPED IN BURLAP, OR COVERED IN SOME OTHER SUITABLE MANNER TO CLEARLY INDICATE THAT THE FIRE HYDRANT IS NOT IN SERVICE.

E. BLOW-OFFS & AIR RELIEF ASSEMBLIES

2-INCH BLOW-OFF ASSEMBLIES SHALL BE INSTALLED AT THE TERMINUS OF ALL DEAD-END WATER MAINS. BLOW-OFFS UTILIZED BY THE OWNER FOR FLUSHING THE WATER MAIN SHALL BE SUFFICIENT SIZE TO OBTAIN 2.5 FEET PER SECOND IN THE MAIN. THE SYSTEM SHALL BE DESIGNED TO DRAIN THE ENTIRE ASSEMBLY TO PREVENT FREEZING. TEMPORARY BLOW-OFFS SHALL BE REMOVED AND REPLACED WITH A SUITABLY SIZED WATER-TIGHT BRASS PLUG.

2-INCH AIR AND VACUUM RELEASE VALVES SHALL BE INSTALLED AT PRINCIPAL HIGH POINTS IN THE SYSTEM. THE INSTALLATION OF THESE ITEMS SHALL INCLUDE CONNECTION PIPING, GATE VALVE, VALVE BOX, AND ALL ACCESSORIES. VALVE MARKERS SHALL BE OPTIONAL WITH TOWN.

F. WATER SAMPLING STATION

ONE WATER SAMPLING STATION SHALL BE FURNISHED AND INSTALLED FOR EACH DEVELOPMENT IN SIZE OF 5 TO 20 LOTS. ONE ADDITIONAL SAMPLING STATION SHALL BE FURNISHED AND INSTALLED FOR EACH ADDITIONAL 50 LOTS OR PORTION THEREOF. THE WATER SAMPLING STATION(S) SHALL BE FURNISHED AND

INSTALLED AT A LOCATION AS DETERMINED BY THE PUBLIC WORKS DIRECTOR AND AS FURTHER SHOWN ON ANY PLANS.

G. BEDDING FOR WATER MAINS AND SERVICE LINES

A. DUCTILE IRON AND PVC PIPE (ALL SIZES)

PIPE BEDDING MATERIAL TO BE INSTALLED AND COMPACTED UNDEF, AROUND AND ABOVE ALL PIPE AS SPECIFIED IN THIS SECTION SHALL BE CLEAN, WELL-GRADED SAND OR SAND/GRAVEL, MIXTURE WITH A MAXIMUM PARTICLE SIZE OF 5/8 INCH, ENTIRELY FREE OF CLAY, SILT, ORGANIC OR JETTERIOUS MATTER AND FROZEN MATERIAL. MINIMUM MATERIAL WEIGHT SHALL BE 110 POUNDS PER CUBIC FOOT AT 95% RELATIVE COMPACTION. BEDDING SHALL CONFORM TO THE FOLLOWING GRADUATION REQUIREMENTS:

SEIVE SIZE	PERCENT PASSING
#10 SQUARE	100
3/8" SQUARE	95-100
U.S. NO. 8	0-10
U.S. NO. 200	0-3

SAND EQUIVALENT 35 MIN.

ALL PERCENTAGES ARE BY WEIGHT. NATIVE MATERIAL MAY NOT BE USED FOR BEDDING.

B. COPPER, PEX AND PVC LESS THAN 4" DIAMETER WATER SERVICE PIPE

ALL REQUIREMENTS OF 6.04 (G)(A) HEREIN APPLY, EXCEPT THAT BEDDING MATERIAL SHALL BE CLEAN SAND, FREE OF GRAVEL, WITH NO MORE THAN 5% PASSING THE NO. 200 SEIVE (BY WEIGHT).

6.05 WATER PIPE TESTING & DISINFECTING

ALL PIPELINES SHALL BE HYDROSTATICALLY TESTED AND DISINFECTED PER CURRENT APPLICABLE AWWA AND STANDARD SPECIFICATIONS PRIOR TO ACCEPTANCE OF WORK. A WATER HYDRANT TESTER SHALL BE REQUIRED AND PROVIDED FROM THE TOWN FOR ALL WATER UTILIZED FOR FLUSHING PIPELINES. ALL PUMPS, GAUGES, PLUGS, SADDLES, CORPORATION STOPS, MISCELLANEOUS HOSE AND PIPING, AND MEASURING EQUIPMENT NECESSARY FOR PERFORMING THE TEST SHALL BE FURNISHED, INSTALLED AND OPERATED BY THE OWNER. FEED FOR THE PUMP SHALL BE DISINFECTED TREATED WATER FROM A BARREL, OR OTHER CONTAINER WITHIN THE ACTUAL AMOUNT OF "WAKE-UP" WATER, SO THAT IT CAN BE MEASURED PERIODICALLY DURING THE TEST PERIOD. OWNER SHALL NOT TRANSPORT MAKE UP WATER IN TRUCKS.

THE PIPELINE SHALL BE BACKFILLED SUFFICIENTLY TO PREVENT MOVEMENT OF THE PIPE UNDER PRESSURE. ALL THRUST BLOCKS SHALL BE IN PLACE AND TIME ALLOWED FOR THE CONCRETE TO CURE BEFORE TESTING WHERE PERMANENT BLOCKING IS NOT REQUIRED. THE OWNER SHALL FURNISH AND INSTALL TEMPORARY BLOCKING.

AS SOON AS PIPE IS SECURED AGAINST MOVEMENT UNDER PRESSURE, IT MAY BE FILLED WITH WATER AFTER APPROVAL FROM THE PUBLIC WORKS DIRECTOR TO DO SO. SATISFACTORY PERFORMANCE OF AIR VALVES SHALL BE CHECKED WHILE THE LINE IS FILLING.

6.06 TESTING AND FLUSHING PROCEDURAL ORDER

- UPON APPROVAL FROM THE PUBLIC WORKS DIRECTOR, FILL THE PIPE LINE IN ACCORDANCE WITH THESE STANDARDS.
- THE INITIAL CHLORINE CONCENTRATION TEST IS PERFORMED BY THE PUBLIC WORKS DEPARTMENT.
- PRESSURE TEST IN ACCORDANCE WITH THESE STANDARDS AFTER ACCEPTABLE CHLORINE CONCENTRATION TEST.
- DEPRESSURIZE AFTER ACCEPTABLE PRESSURE TEST, LEAVING THE PIPE LINE FULL OF TREATED WATER.
- 24 HOURS LATER, THE RESIDUAL CHLORINE CONCENTRATION TEST IS PERFORMED BY THE PUBLIC WORKS DEPARTMENT.
- FINAL FLUSHING AFTER ACCEPTABLE CHLORINE CONCENTRATION TEST UNTIL NO CHLORINE IS PRESENT.
- FINAL CHLORINE CONCENTRATION IS TESTED BY THE PUBLIC WORKS DEPARTMENT.
- BACTERIAL TEST SAMPLE IS TAKEN BY THE CONTRACTOR TO AN ACCREDITED LABORATORY FOR TESTING IN ACCORDANCE WITH THESE STANDARDS.

OTHER PRESSURE, TESTING AND DISINFECTION PROCEDURES THAT CONFORM TO AWWA STANDARDS MAY BE APPROVED BY THE PUBLIC WORKS DIRECTOR UPON REQUEST BY THE OWNER.

6.07 BACKFLOW PREVENTION AND SPRINKLER SYSTEMS

ALL WATER SYSTEMS (IE SPRINKLER SYSTEMS, SWIMMING POOLS, LABORATORIES, FIRE SPRINKLERS, IRRIGATION SYSTEMS, CAR WASHES, FUNERAL HOMES, ETC.) IN DIRECTION OF THE TOWN BUILDING INSPECTOR AND PUBLIC WORKS DEPARTMENT) CONNECTED TO THE PUBLIC WATER SYSTEM SHALL HAVE BACKFLOW PREVENTION AS REQUIRED BY WAC 748-54-205 AND TMC CHAPTER 13.07.

6.08 STAKING

ALL SURVEYING AND STAKING SHALL BE PERFORMED BY AN ENGINEERING OR SURVEYING FIRM EMPLOYED BY THE OWNER AND CAPABLE OF PERFORMING SUCH WORK. THE ENGINEER OF SURVEYOR (DEFECTIVE AND/OR PERFORMING SUCH WORK SHALL BE CURRENTLY LICENSED BY THE STATE OF WASHINGTON TO PERFORM SAID TASKS.

A. PROVIDE STAKING SUFFICIENT TO SATISFY PUBLIC WORKS DIRECTOR. IN NEW PLAT DEVELOPMENT, ROADWAY CENTERLINE OR EDGE OFFSET STAKING MUST BE READILY IDENTIFIABLE.

B. STAKE LOCATIONS OF ALL PROPOSED FIRE HYDRANT, BLOW-OFF, AIR-VALVE, VALVES, METERS, ETC.

6.09 TRENCH EXCAVATION

CLEANING AND GRUBBING WHERE REQUIRED SHALL BE PERFORMED WITHIN THE EASEMENT OR PUBLIC RIGHT-OF-WAY AS PERMITTED BY THE TOWN AND/OR GOVERNING AGENCIES. DEBRIS RESULTING FROM THE CLEANING AND GRUBBING SHALL BE DISPOSED OF BY THE OWNER IN ACCORDANCE WITH THE TERMS OF ALL APPLICABLE PERMITS.

TRENCHES SHALL BE DECAVATED TO THE LINE AND DEPTH DESIGNATED BY THE TOWN TO PROVIDE A MINIMUM OF 60" INCHES OF COVER OVER THE PIPE. EXCEPT FOR UNUSUAL CIRCUMSTANCES WHERE APPROVED BY THE TOWN, THE TRENCH SIDES SHALL BE EXCAVATED VERTICALLY AND THE TRENCH WIDTH SHALL BE EXCAVATED ONLY TO SUCH WIDTHS AND DEPTHS AS ARE NECESSARY FOR ADEQUATE WORKING SPACE AS ALLOWED BY THE GOVERNING AGENCY AND IN COMPLIANCE WITH ALL SAFETY REQUIREMENTS OF THE PREVAILING AGENCIES. THE TRENCH SHALL BE KEPT FREE FROM WATER UNTIL JOING IS COMPLETE. SURFACE WATER SHALL BE DIVERTED SO AS NOT TO ENTER THE TRENCH. THE OWNER SHALL MAINTAIN SUFFICIENT PUMPING EQUIPMENT ON THE JOB TO ENSURE THAT THESE PROVISIONS ARE CARRIED OUT.

TRENCHING AND SHORING OPERATIONS SHALL NOT PROCEED MORE THAN 100 FEET IN ADVANCE OF PIPE LAYING WITHOUT APPROVAL OF THE TOWN, AND SHALL BE IN CONFORMANCE WITH WASHINGTON INDUSTRIAL SAFETY AND HEALTH ADMINISTRATION (WISHA) AND OFFICE OF SAFETY AND HEALTH ADMINISTRATION (OSHA) SAFETY STANDARD.

6.10 BACKFILLING

NATIVE MATERIAL FOR BACKFILL MATERIAL MUST BE FREE OF WOOD WASTE, DEBRIS, BLOBS OR ROCKS GREATER THAN THREE INCHES IN ANY DIMENSION. BACKFILLING AND SURFACE RESTORATION SHALL CLOSELY FOLLOW INSTALLATION OF PIPE SO THAT NOT MORE THAN 100 FEET IS LEFT EXPOSED DURING CONSTRUCTION HOURS WITHOUT APPROVAL OF THE TOWN. SELECTED MATERIAL SHALL BE PLACED AND COMPACTED AROUND AND UNDER THE PIPE BY HAND TOOLS. SPECIAL PRECAUTIONS SHOULD BE PROVIDED TO PROTECT THE PIPE TO A POINT 12 INCHES ABOVE THE CROWN OF THE PIPE. DUE TO LOCAL CONDITIONS, AS MAY BE SPECIFICALLY APPROVED BY THE TOWN, SUITABLE EXCAVATED BACKFILL MATERIAL, AS DETERMINED BY THE TOWN, MAY BE UTILIZED AS BACKFILL, OR IF SUCH MATERIAL IS NOT AVAILABLE FROM TRENCHING OPERATIONS, THE TOWN MAY ORDER THE PLACING OF GRAVEL BARS CONFORMING WITH STANDARD SPECIFICATIONS SECTION 9.02.10 FOR BACKFILLING THE TRENCH. ALL EXCESS MATERIAL SHALL BE PROMPTLY LOADED AND HAWKED TO WASTE.

6.11 STREET PATCHING AND RESTORATION

SEE SECTION 5 FOR REQUIREMENTS REGARDING STREET PATCHING.

6.12 EROSION CONTROL

EROSION CONTROL SHALL COMPLY WITH STANDARD SPECIFICATIONS 841-10.

6.13 FINISHING AND CLEANUP

AFTER ALL OTHER WORK ON A PROJECT IS COMPLETED AND BEFORE FINAL ACCEPTANCE, THE ENTIRE ROADWAY, INCLUDING THE ROADSIDE, PLANTING, SIDEWALK AREAS, SHOULDERS, DRIVEWAYS, ALLEY AND SIDE STREET APPROACHES, SLOPES, DITCHES, UTILITY TRENCHES, AND CONSTRUCTION AREAS SHALL BE NEATLY FINISHED TO THE LINES, GRADES AND CROSS SECTIONS OF A NEW ROADWAY CONSISTENT WITH THE ORIGINAL SECTION, AND TO THE SATISFACTION OF THE PUBLIC WORKS DIRECTOR.

UPON COMPLETION OF THE CLEANING AND DRESSING, THE PROJECT SHALL APPEAR UNIFORM IN ALL RESPECTS.

DRAINAGE FACILITIES SUCH AS INLETS, CATCH BASINS, CULVERTS, AND OPEN DITCHES SHALL BE CLEANED OF ALL DEBRIS, WHICH IS THE RESULT OF THE OWNER'S OPERATIONS. ALL PAVEMENTS AND OIL WAT SURFACES, WHETHER NEW OR OLD, SHALL BE THOROUGHLY CLEANED. EXISTING IMPROVEMENTS SUCH AS PORTLAND CEMENT CONCRETE CURBS AND CURBS, WALLS, SIDEWALKS, AND OTHER FACILITIES WHICH HAVE BEEN SPRAYED BY THE ASPHALT CEMENT, SHALL BE CLEANED TO THE SATISFACTION OF THE PUBLIC WORKS DIRECTOR.

CASTINGS FOR MONUMENTS, WATER VAL

[illegible]

EASEMENT DOCUMENTS, IF APPLICABLE, SHALL BE FILED AND RECORDED WITH THE OKANOGAN COUNTY AUDITOR'S OFFICE, AND THE DOCUMENTS REVIEWED BY THE TOWN'S ATTORNEY PRIOR TO PROJECT ACCEPTANCE.

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Town of Twisp
STATE ENVIRONMENTAL POLICY ACT
Mitigated Determination of Non-Significance

Date: January 3, 2023

Lead agency: Town of Twisp

Agency Contact: Kurt Danison, townplanner@townoftwisp.com, Town of Twisp, P.O. Box 278, Twisp, WA 98856, 509 997 4081

Agency File Number: TWP PD22-02

Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero side yard setback. The proposed planned development is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

The Town of Twisp has determined that this proposal, with planned mitigation, will 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). We have reviewed the attached Environmental Checklist, project application, special studies and appurtenant information. This information is available at Twisp Town Hall.

This determination is based on the following findings and conclusions:

The application and SEPA checklist contain mitigation measures that satisfactorily address environmental impacts.

This DNS is issued under WAC 197-11-340(2) and the appeal period will end on February 1, 2023. Comments and/or appeals must be made in writing to Randy Kilmer, Town Clerk, townclerk@townoftwisp.com, Town of Twisp, P.O. Box 278, Twisp, WA 98856, 509 997 4081

Signature _____
(electronic signature or name of signor is sufficient)

Date _____

STATE ENVIRONMENTAL POLICY ACT
Mitigated Determination of Non-Significance

May 19, 2023

Town of Twisp

Agency Contact: Kurt Danison. townplanner@townoftwisp.com, 509 997 4081

Agency File Number: PD22-02

Project:

Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero-side yard setback. The proposed planned development, which proposed streets, water and stormwater utilities built to Town standards, is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

Applicant: *Palm Investments LLC
PO Box 322
Winthrop, WA 98862*

The Town of Twisp has determined that this proposal will not have a probable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3), the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030. The necessary mitigation measures are listed below, the Environmental Checklist is attached and the application, special studies and related materials are available at: townoftwisp.com.

This determination is based on the following findings and conclusions:

The application for the proposed planned development underwent a preliminary review process wherein a DNS was issued by the Town and was subject to numerous comments and several appeals. As a result the Town withdrew the DNS and provided the applicant with a list of items to address in a revised SEPA checklist and application for the planned development. The town issued a "mitigated"

Determination of Non-Significance on _____, which was withdrawn as it was on the wrong form, then a new MDNS was issued on _____, which was also withdrawn on March 23, 2023 when a commentor correctly pointed out that the notice provided did not meet the requirements of state statute.

The Planning Commission completed the required Public Hearing process on April 26, 2023 then began discussion of the conditions to be placed on the recommendation for preliminary approval of the PD. The hearing process entailed The Commission completed its discussion of the proposed conditions on May 10, 2023, with the conditions primarily intended to address the issues brought up via the written comments from 35 individuals and couples, another 34 individuals (some also provided written comments) commenting during the public hearing process and the 9 appeals/comments submitted on the February __, 2023 MDNS.

This final MDNS was not prepared until the conditions placed on the Planning Commission's recommendation for preliminary approval was determined as the conditions are an important part of the mitigation required to address potential significant impacts on the environment.

Many of the comments received on the original DNS and subsequent MDNS (withdrawn) mirrored the comments submitted on the Planned Development application itself and were more about the Town's land use plans, codes and regulations, however, the following items have been addressed in the revised checklist and the conditions of preliminary approval recommended by the Planning Commission:

- 1. Air Quality*
- 2. Glare and light pollution*
- 3. Critical Areas*
- 4. Design Standards*
- 5. Density*
- 6. Traffic – volume, road capacity and emergency access*
- 7. Wetlands - delineation*
- 8. Stormwater – how will it be handled*
- 9. Consistency with Comprehensive Plan*
- 10. Consistency with Zoning Code*
- 11. Wildfire*
- 12. Contamination from previous agricultural use*

The Mitigation Plan supporting this Mitigated Determination of Non-Significance is attached hereto.

This MDNS is issued under WAC 197-11-350 and the comment period will end on June 7, 2023.
Kurt Danison, Town Planner, townplanner@townoftwisp.com. 509 997 4081

Signature _____
(electronic signature or name of signor is sufficient)

Date _____

Appeal process:

Orchard Hills Planned Development Mitigation Plan

One of the conditions for preliminary approval of the PD requires that all mitigation measures set forth in the Revised SEPA Checklist and any addendums thereto are required to be implemented and maintained through the life of the project.

Air Quality

The applicant notes in the SEPA Checklist that all woodstoves must be current state and federal standards and that The Department of Ecology publication “Methods for Dust Control” 2016 will be utilized to prepare a dust control plan in accordance with the town of Twisp’s codes and regulations and best management practices.

The conditions for preliminary approval of the PD requires that the Covenants, Conditions and Restrictions required prior to final approval contain a statement that limits each unit to one wood burning with no fireplaces allowed. Another condition is that the PD be redesigned so that there is at least 30 feet of clear space between structures, which will result in a reduction of the number of lots thus reducing the number of potential wood burning devices. It should also be noted that the Town may amend its code related to wood burning devices subsequent to the final approval of the PD. Any new construction within the PD would have to meet the new standards, that may further reduce the number and/or type of wood burning devices that in turn will reduce impacts to air quality.

The issue of resuspended dust from winter sanding operations is a Town issue that is not the responsibility of the developer.

Glare and light pollution

The applicant notes in the SEPA checklist that the project will adhere to current town lighting standards and will limit all building sites to at least 30’ below the ridgeline. The conditions for preliminary approval of the PD states that the Covenants, Conditions and Restrictions required prior to final approval contain a statement that all exterior lighting comply with “Dark Sky” standards. It should also be noted that the Town may amend its code related to wood burning devices subsequent to the final approval of the PD. Any new construction within the PD would have to meet the new standards, that may further reduce the number and/or type of wood burning devices that in turn will reduce impacts to air quality.

Critical Areas

Portions of the project site have been designated as Geological Hazardous Areas and Critical Aquifer Recharge Areas in the Town’s Comprehensive Plan. The applicant submitted a Geotechnical Report and a Limited Environmental Investigation prepared by qualified professionals. The studies provided data on the soils, topography, soil permeability and potential contamination from historic use of portions of the site as a commercial orchard. In general, the Geotechnical Report found the site suitable for the type of development being proposed and contained recommendations for measures to reduce potential impacts. The Limited Environmental Investigation did find evidence arsenic in the soils on the project site and made the following recommendation:

“Because arsenic was detected in soil above the MTCA Method A cleanup level at the Subject Property, Ecology requires additional environmental investigation and/or cleanup to meet the requirements of MTCA and Ecology's Model Remedies for Cleanup of Former Orchard Properties in Central and Eastern Washington (July 2021, Publication No. 21-09-006). The highest concentrations of arsenic were measured in soil samples collected at depths of 8 and 10 feet bgs from test pits located nearest the bedrock ridge in the western portion of the Subject Property. It is possible that naturally occurring arsenic in the bedrock is a source of arsenic to soil at the Subject Property. However, because the Subject Property was historically used as orchard land, Ecology will likely require a background study of naturally occurring arsenic, completed in accordance with WAC 173-340-709, to establish area soil background concentrations and evaluate future cleanup requirements for the Subject Property.”

The applicant notes in the SEPA checklist that temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site. NPDES Construction Storm Water Permit from DOE will be obtained and an associated plan implemented. All land disturbed during construction will be stabilized and revegetated. Measures to reduce or control erosion include stormwater management and dedication of permanent open space.

Design Standards

The applicant notes in the SEPA checklist that the project will comply with current town standards.

The conditions for preliminary approval of the PD requires that the Covenants, Conditions and Restrictions required prior to final approval contain design criteria and standards for new homes and accessory buildings consistent with the requirements of 18.45.050(2)

Density

The proposed PD includes 52 individual single-family residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft.. The PD was determined to meet the density standards set forth in the Twisp Zoning Code (Title 18, Table 5). While the proposed development is in an area zoned R1, with a minimum lot size of 10,000 sq ft, Table 5 contains a footnote the minimum lot size does not apply to a PD. Comprehensive Plan and Zoning regulations encourage PDs as a means to help protect open space and critical areas by allowing flexibility in design, which includes clustering of dwellings on smaller lots.

As a result of the recommendations provided by a professional Fire Marshall, preliminary approval is conditioned on a redesign of the PD to ensure at least 30 feet between all building envelopes. This will result in a reduction of the density in the final PD as lots will have to be combined and/or enlarged to address this requirement.

Traffic

The applicant notes in the SEPA checklist that a study by independent consultant SJC Alliance estimates that there will be 563 new trips per day on May St and Harrison Ave. The study noted that the existing street network has the capacity to handle the increased traffic, The applicant also provided a supplemental traffic study that examined the current and projected capacity of the

intersections of May Street and Second Avenue and Second Avenue and S.R. 20. The supplement found that both intersections have the capacity to address existing as well as projected traffic volumes.

As a result of the Fire Marshall's recommendation, preliminary approval is conditioned on the applicant working with the Town to amend the Emergency Response Plan to include traffic control at the intersection of May Street and Second Avenue if an evacuation order is given for the May Street neighborhood.

Wetlands

The applicant provided a Wetlands Assessment conducted by a qualified professional. The Assessment found no wetlands on the subject property.

Stormwater

The applicant states in the SEPA Checklist that stormwater runoff will result from developed hardscape areas including buildings, roadways, pedestrian paths and parking areas. These areas will be directed via sloped surfaces and conveyance piping to water quality and infiltration swales or dry wells designed and sized to meet the requirements of the DOE Stormwater Manual for Eastern Washington 2019. As required by Town of Twisp standards all storm water up to the design storm required by the Town of Twisp will be infiltrated. The applicant also provided a Preliminary Stormwater Design Report which provide sufficient data to show that a system can be designed and constructed to meet stated requirements,

The conditions for preliminary approval of the PD requires: "A stormwater management plan compliant with Town standards and the Eastern Washington Stormwater Management Manual has to be prepared by a licensed engineer and approved by the Town and required improvements constructed to ensure that stormwater runoff from the development is retained, treated and dispersed within the project boundaries."

Consistency with Comprehensive Plan

The applicant states in the SEPA Checklist that the proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning.

The Staff Report prepared for the Planning Commission noted that there are conflicts between the Comprehensive Planning and Zoning code: "The Town's Comprehensive Plan contains some contradictory goals and principals. Some support the type of development planned for Orchard Hills others seem to discourage such development. The provisions related to Planned Development support the proposed Orchard Hills planned development. The Planning Commission will have to determine whether recommending approval of the planned development, as conditioned, is consistent with the comprehensive plan."

The Planning Commission recommendation to Council to grant preliminary approval subject to a list of conditions means they determined, that with conditions, the PD is consistent with the Comprehensive Plan.

Consistency with Zoning Code

The applicant states in the SEPA Checklist that the proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning.

The Staff Report prepared for the Planning Commission noted that there are conflicts between the Comprehensive Planning and Zoning code: “There is a conflict between the intent of the R1 zoning district and the regulations which provides for the reduction of minimum lot sizes through the PD process. There is also a conflict with the comprehensive plan which calls for a maximum density of 4 units per acre rather than the 6 permitted under zoning. However, as the zoning code has been adopted by ordinance, the zoning provisions prevail. The proposed use is considered allowed as it consists of single-family residences and falls within the allowable zoning density providing it follows the requirements for a planned development.”

The Planning Commission recommendation to Council to grant preliminary approval subject to a list of conditions means they determined, that with conditions, the PD is consistent with the Zoning Code.

Wildfire

One of the key issues raised during the public review process was wildfire and the impact the number of new dwellings would have on traffic in the event of an emergency and the small lots limiting the space between structures thus contributing to fire spread in the event of a wildfire.

The Town retained a professional Fire Marshall who visited the site, reviewed the plans and provided recommendations that addressed both issues. As a result, the Planning Commission recommended the following conditions be met prior to the PD being granted final approval:

- That all provisions of the International Fire Code related to access and fire flow be included in project designs and be built or bonded prior to granting of final approval of the PD.
- That the planned emergency access road, if approved, cannot be barricaded and must be maintained year-round.
- That prior to final approval the applicant participates with the Town in the amendment of the adopted Comprehensive Emergency Response Plan that sets forth a plan for traffic control in the event of a wildfire or other emergency that necessitates evacuation of the May Street neighborhood.
- That all construction be completed in compliance with applicable requirements of the International Building Code and all homes meet the 2018 International Wildland-Urban interface code and that all homes be equipped with fire sprinklers if a second access isn't provided. A note on the final plat will also be required referencing the requirement that all homes meet the 2018 International Wildland-Urban Interface code and fire sprinklers be provided if a second access isn't provided.
- That each lot be labeled with an E911 address prior to filing and recording of PD Plat.
- That the Town amend its Capital Facilities Plan and Six Year Transportation Improvement Plan to add a second point of access from the May Street neighborhood to the Twisp Carlton Road with the intent of completing the project within 5 years.

- That a 100-foot-wide buffer as per Fire Marshall recommendation be created along the western boundary of the development from the western property line to Harrison Street. Such buffer shall be gravel, irrigated grass or other acceptable fire-resistant vegetation and must be completed prior to deeding of open space to Town.
- That a fire hazard reduction plan prepared by a qualified professional be prepared, approved by the Town and implemented in the proposed open space area south of Harrison Street be completed prior to deeding of open space to Town.
- That the PD be redesigned to eliminate proposed townhomes and modify lot sizes that ensure that there is a minimum of 30 feet of clear space between the eave line of structures.

Contamination from previous agricultural use

Portions of the project site have been designated as Geological Hazardous Areas and Critical Aquifer Recharge Areas in the Town's Comprehensive Plan. The applicant submitted a Geotechnical Report and a Limited Environmental Investigation prepared by qualified professionals. The studies provided data on the soils, topography, soil permeability and potential contamination from historic use of portions of the site as a commercial orchard. In general, the Geotechnical Report found the site suitable for the type of development being proposed and contained recommendations for measures to reduce potential impacts. The Limited Environmental Investigation did find evidence arsenic in the soils on the project site and made the following recommendation:

"Because arsenic was detected in soil above the MTCA Method A cleanup level at the Subject Property, Ecology requires additional environmental investigation and/or cleanup to meet the requirements of MTCA and Ecology's Model Remedies for Cleanup of Former Orchard Properties in Central and Eastern Washington (July 2021, Publication No. 21-09-006). The highest concentrations of arsenic were measured in soil samples collected at depths of 8 and 10 feet bgs from test pits located nearest the bedrock ridge in the western portion of the Subject Property. It is possible that naturally occurring arsenic in the bedrock is a source of arsenic to soil at the Subject Property. However, because the Subject Property was historically used as orchard land, Ecology will likely require a background study of naturally occurring arsenic, completed in accordance with WAC 173-340-709, to establish area soil background concentrations and evaluate future cleanup requirements for the Subject Property."

The applicant notes in the SEPA checklist that temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site. NPDES Construction Storm Water Permit from DOE will be obtained and an associated plan implemented. All land disturbed during construction will be stabilized and revegetated. Measures to reduce or control erosion include stormwater management and dedication of permanent open space.

Recreation

The applicant states in the SEPA Checklist that currently residents of Painter's Addition use the land without permission for hiking. By putting 40% into open space and maintaining an informal route to the ridge summit and the informal hiking will be legal and maintained into the future. The applicant proposed to donate the open space land to the Town.

The Planning Commission recommends that the Town accept the donation and begin planning for

appropriate development of the property.

STATE ENVIRONMENTAL POLICY ACT
Mitigated Determination of Non-Significance

May 24, 2023

Town of Twisp

Agency Contact: Kurt Danison. townplanner@townoftwisp.com, 509 997 4081

Agency File Number: PD22-02

Description of Proposal:

Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero-side yard setback. The proposed planned development, which proposed streets, water and stormwater utilities built to Town standards, is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

Applicant: *Palm Investments LLC
PO Box 322
Winthrop, WA 98862
Palmci1@gmail.com
509 322 3032*

The Town of Twisp has determined that this proposal will not have a probable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3), the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030. The necessary mitigation measures are listed below, the Environmental Checklist is attached and the application, special studies and related materials are available at: townoftwisp.com.

This determination is based on the following findings and conclusions:

The application for the proposed planned development underwent a preliminary review process wherein a Determination of Non-Significance ("DNS") was issued by the Town and was subject to numerous comments and several appeals. As a result, the Town withdrew the DNS and provided the applicant with a list of items to address in a revised SEPA Checklist and application for the planned development ("PD"). The Town issued a Mitigated Determination of Non-Significance ("MDNS") on January 5, 2023, which was withdrawn as it was on the wrong form, then a new MDNS was issued on February 1, 2023, which was also withdrawn on March 23, 2023, when a commentor correctly pointed out that the notice provided did not meet the requirements of state statute.

The Planning Commission completed the required Public Hearing process on April 26, 2023, then began discussion of the conditions to be placed on the recommendation for preliminary approval of the PD. The hearing process entailed the Planning Commission completing its discussion of the proposed conditions on May 10, 2023, with the conditions primarily intended to address the issues brought up via the written comments from 35 individuals and couples, another 34 individuals (some also provided written comments) commenting during the public hearing process and the 9 appeals/comments submitted on the February 1, 2023, MDNS.

This final MDNS was not prepared until the conditions placed on the Planning Commission's recommendation for preliminary approval was determined as the conditions are an important part of the mitigation required to address potential significant impacts on the environment.

Many of the comments received on the original DNS and subsequent MDNS (withdrawn) mirrored the comments submitted on the PD application itself and were more about the Town's land use plans, codes and regulations, however, the following items have been addressed in the revised SEPA Checklist and the conditions of preliminary approval recommended by the Planning Commission:

- 1. Air Quality*
- 2. Glare and light pollution*
- 3. Critical Areas*
- 4. Design Standards*
- 5. Density*
- 6. Traffic – volume, road capacity and emergency access*
- 7. Wetlands - delineation*
- 8. Stormwater – how will it be handled*
- 9. Consistency with Comprehensive Plan*
- 10. Consistency with Zoning Code*
- 11. Wildfire*
- 12. Contamination from previous agricultural use*

The mitigating conditions set forth in the Mitigation Plan supporting this Mitigated Determination of Non-Significance attached hereto are requirements of approval of the PD.

This MDNS is issued under WAC 197-11-350 and the comment period will end on *June 23, 2023*. Comments can be submitted to Kurt Danison, Town Planner, townplanner@townoftwisp.com, P.O. Box 278, Twisp, WA 98856 509 997 4081

Signature Kurt E. Danison
(electronic signature or name of signor is sufficient)

Date May 24, 2023

Appeal process:

You may appeal this determination to:

Okanogan County Superior Court
149 3rd Ave. South
Okanogan, WA 98840

No later than:

July 19, 2023

Orchard Hills Planned Development

Mitigation Plan

One of the conditions for preliminary approval of the PD requires that all mitigation measures set forth in the revised SEPA Checklist and any addendums thereto are required to be implemented and maintained throughout the life of the project.

Air Quality

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The issue of resuspended dust from winter sanding operations is a Town issue that is not the responsibility of the developer.

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Critical Areas

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that the existing street network has the capacity to handle the increased traffic, The applicant also provided a supplemental traffic study that examined the current and projected capacity of the intersections of May Street and Second Avenue and Second Avenue and S.R. 20. The supplement found that both intersections have the capacity to address existing as well as projected traffic volumes.

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The Staff Report prepared for the Planning Commission noted that there are conflicts between the Comprehensive Planning and Zoning code: "The Town's Comprehensive Plan contains some contradictory goals and principles. Some support the type of development planned for Orchard Hills others seem to discourage such development. The provisions related to Planned Development support the proposed Orchard Hills planned development. The Planning Commission will have to determine whether recommending approval of the planned development, as conditioned, is consistent with the comprehensive plan."

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Wildfire

One of the key issues raised during the public review process was wildfire and the impact the number of new dwellings would have on traffic in the event of an emergency and the small lots limiting the space between structures thus contributing to fire spread in the event of a wildfire.

The Town retained a professional Fire Marshall who visited the site, reviewed the plans, and provided recommendations that addressed both issues. As a result, the Planning Commission recommended the following conditions be met prior to the PD being granted final approval:

- That all provisions of the International Fire Code related to access and fire flow be included in project designs and be built or bonded prior to granting of final approval of the PD.
- That the planned emergency access road, if approved, cannot be barricaded, and must be maintained year-round.
- That prior to final approval the applicant participates with the Town in the amendment of the adopted Comprehensive Emergency Response Plan that sets forth a plan for traffic control in the event of a wildfire or other emergency that necessitates evacuation of the May Street neighborhood.
- That all construction be completed in compliance with applicable requirements of the International Building Code and all homes meet the 2018 International Wildland-Urban interface code and that all homes be equipped with fire sprinklers if a second access isn't provided. A note on the final plat will also be required referencing the requirement that all homes meet the 2018 International Wildland-Urban Interface code and fire sprinklers be provided if a second access isn't provided.
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The Planning Commission recommends that the Town accept the donation and begin planning for

appropriate development of the property.

Town of Twisp
P.O. Box 278
Twisp, WA 98856

RECEIVED

FEB 02 2023

TWISP CLERKS OFFICE

RE: Orchard Hills PD
Application: TWP PD22-02
Comments for Planning Commission
Hearing, February 8, 2023

Greetings, Kurt Danison, Town Planner; Randy Kilmer, Town Clerk; and Twisp Planning Commission:

The Comments and Responses Section of Palm Investment North, LLC's (Proponent) Orchard Hills Planned Development (PD) application was recently put on the Town's website as part of the Proponent's resubmittal materials. In the Comment and Responses Section of the application Proponent addresses public comment received from the first submittal of the PD application.

In response to Frequent Comment #34 Proponent states the Town recognizes that the fire danger of the May Street neighborhood has existed for years and it is the Town's burden (not the Proponent's) to find a solution. Proponent further states that the Town feels the public safety issue should not be a "limiting factor for the planned development." However, allowing the planned development to proceed exacerbates the fire safety situation and more than doubles the number of families put in harm's way. The obvious solution is to avoid creating a more dangerous fire safety situation by denying Proponent's PD application or placing appropriate conditions, like the construction and dedication of a second ingress and egress, on the approval of the permit.

There are discretionary elements to PD approvals that the Town Council should consider. The Town Council must decide whether the PD is in the best interest of the community and may approve, deny, or condition a PD application. TMC 18.45.060(5) provides in part:

...the council shall approve, conditionally approve, or disapprove the preliminary development plan application or a revised version thereof, including findings of fact and conclusions to support such decision. In the event that the council approves or conditionally approves the preliminary development plan application, such approval or conditional approval shall be binding on the town

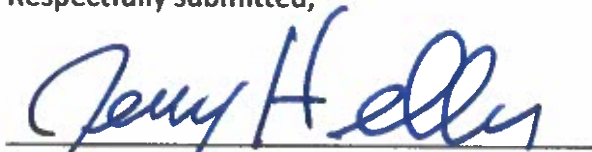
and on the applicant as to the general intent of the development and apportionment of the land for buildings, uses, circulation patterns and designs, other improvements and open space areas, and densities...

In this case the Town recognizes it does not have in place adequate fire safety resources or infrastructure to support the proposed PD. Unless or until the fire safety issues are adequately dealt with and planned for, this PD application must be denied.

It may be that Proponent has not fairly represented the position conveyed in pre-application meetings. Meeting minutes, as required by TMC 18.45.040(3), would be enlightening here. I requested copies of such minutes via email to Randy Kilmer, Town Clerk, on 1/17/23. There are none, which was very surprising to hear.

Unless the Town has some way to provide suitable fire safety protection to the May Street neighborhood or places appropriate fire-safety conditions on the approval, Proponents application must be rejected.

Respectfully submitted,



Jerry Heller
P.O. Box 546
610B Bridge Street
360.708.4320

Hand Delivered

Emailed to: Randy Kilmer; townclerk/treasurer@townoftwisp.com
Kurt Danison; townplanner@townoftwisp.com

Please, deliver copies to planning commission chair and each commission member

February 1, 2023

Town of Twisp
P.O. Box 278
Twisp, WA 98856

RECEIVED

FEB 01 2023

RE: Orchard Hills PD
Application: TWP PD22-02
Comments for Planning Commission
Hearing date, February 8, 2023

TWISP CLERKS OFFICE

Greetings, Randy Kilmer, Town Clerk and Twisp Planning Commission:

I am a resident of the Town of Twisp. Land use planning and zoning is absolutely necessary for the orderly growth of a community. Maintaining the citizens' confidence in the Town's zoning framework is essential. Drastic changes or disregard for the Town's regulatory scheme without an important public purpose betrays the public trust of those who have acted in reliance on the planning and zoning regulations. Allowing Palm Investments North, LLC (Proponent) to create a 52 lot subdivision in the R1 zone that would generally limit a development on this parcel to 31 lots subdivisions, without establishing an overwhelming public need, is a breach of the public trust.

Below are my comments on the Orchard Hills Planned Development (Orchard Hills PD).

1. Background

Proponent purchased 16.8 acres of property in 2019 for \$310,000. It is zoned R1, single family, low density. Subdivision and development of property in Twisp is regulated by the town municipal code, TMC Title 17 Subdivisions. Instead, Proponent has applied to develop the property under TMC Chapter 18.45 Planned Developments. This category of special projects allows relaxation of some zoning requirements in exchange for an integrated community approach with development and building standards and creation and maintenance of open space areas and other amenities. The Town has the explicit authority to condition approval of Planned Development permits to protect surrounding uses or other environmental or aesthetic attributes of the Town. TMC 18.45.010. In particular the Town must, for example:

- Consider public input to ensure that the PD reflects the “needs and desires of town citizens”;
- Minimize the impacts of development to protect natural resources, including views, slopes, and wildlife habitats; and
- “Require the incorporation of public access to recreational opportunities, including trail systems”.

TMC 18.45.010 (2)(5)(7).

For a historical perspective, the first development plat touching the May Street neighborhood was the Risleys 2nd Addition plat in 1912. It covered the eastern edge of the neighborhood between Bigelow Street on the west and Division Street (SR 20) on the east. Numerous plats have followed:

1. Painter’s Subdivision; 1969; AF# 567665
2. Twisp water reservoir easement; 1997; AF# 850884
3. Isabella Investors Short Plat No. 1; 2009; AF# 3147967
4. Isabella Investors Short Plat No. 2; 2009; AF# 3147968
5. Isabella Investors Short Plat No. 3; 2009; AF# 3147969
6. Reid Short Plat; 2014; AF# 3194671
7. The Plat of Isabella Ridge; 2016; AF# 3206691
8. The School House Plat; 2019; AF# 3232119
9. L Ecole Capitol, LLC Boundary Adjustment; 2022; AF# 3262399

TMC 18.25.030 describes the intent of the R1 Zone as follows:

The low-density residential single-family district is intended to reserve areas primarily for family living in single-family dwellings on large lots, characterized by privacy, an atmosphere conducive to sleep and repose, and living environments that promote the enjoyment of residential and neighborhood life. Certain community and commercial uses that are compatible with residential uses and consistent with the character of single-family neighborhoods should be allowed. Approved accessory dwelling units should be allowed.

Throughout subsequent development of the area all of the above subdivisions have honored the single family, low density aspect of the neighborhood and adhered to the minimum 10,000 sq/ft lot standard. TMC 18.25, Table 5. This is reflected in Twisp’s zoning designation for the area, R1, single family, low density.

Proponent's proposal significantly alters the minimum lot size and R1 zone character. The Orchard Hills PD more than doubles the size of the neighborhood (which is currently 45 homes) by adding 52 buildable lots. None of the new lots meet the R1, single family, low density standard (10,000 sq. ft.), and nearly 80% fail even to meet Twisp's lower lot-size standard for R2, single family, high density residential zone (minimum lot size of 7,500 sq. ft. under Chapter 18.25 TMC).

The two most recent neighborhood subdivisions are Isabella (2016) and Schoolhouse (2019). Both comply with R1 single family, low density, zoning and road requirements including minimum lot size. By comparison, the average lot size of Proponent's proposal is 5,972 sq. ft. To gain a sense of what these subdivisions feel like the members of the planning commission and council are urged to drive through them (Isabella on Isabella Lane and School House on Florence Lane). Consider the density of these neighborhoods if they were crammed into lots reduced by 40%, which is what Proponent proposes when asking for an average lot size of about 6,000 sq. ft. rather than 10,000 sq. ft.

2. Proponent's Proposal

The Orchard Hills PD proposal is asking the Town of Twisp to disregard a half century of development history around the May Street neighborhood without providing for the intended benefits of a PD such as developed trails, public access to trails or other recreational opportunities, or even combined development (rather than development on a lot-by-lot basis). See TMC 18.45.010 (7), (8). It undermines years of the Town's planning and zoning accomplishments. Approving Proponent's project will set a landmark precedent which tells the community and developers, "come here, we use our Planned Development Code (TMC Chapter 18.45) to disregard our zoning and subdivision requirements for projects so that you can sell your lots off one-by-one."

There is a fundamental difference between Planned Developments and subdivisions. The specific intent outlined in the TMC for PDs is as follows:

The intent of the planned development permit process is to allow a variety of uses and developments within the town of Twisp while retaining the ability of the town to review and condition those developments that might without restriction infringe on other uses in the district or threaten the environmental or aesthetic attributes of the town. The planned development permit process allows review and the implementation of restrictions or conditions on a development by the town...

The purpose of subdivisions is to create lots for sale and they must follow zoning and construction standards. The purpose of Planned Developments is to create a cohesive community with a commonality using building design standards, common landscape design, and creation and perpetual designation of open spaces. All of this is to be managed by a development organization. These features are the tradeoff for lot size reductions and other adjustments in zoning and building regulations. These features do not appear in Proponent's proposal. Proponent makes it clear it has no "Development Plan." Rather, Proponent states it intends to create and sell the lots individually and move on.

Proponent claims it can develop 60 lots on 16.8 acres and comply with subdivision and zoning requirements (R1, single family, low density, 10,000 sq. ft. lots). Instead, Proponent asks to develop 10 acres with 52 lots, creating a very dense neighborhood. As a tradeoff, Proponent proposes to give 6.8 acres of undevelopable land to the town for "open space." As explained in greater detail below, the Proponent seems to have miscalculated the open space; it appears only 6.6 acres is available open space in the proposal. The 52 lots in Proponent's proposal cover a total of 310,600 sq/ft. This amount of land would yield 31, lots, each 10,000 sq. ft., if consistent with the subdivision code.

Proponent states the majority of the 52 lots are between 5,500 and 8,000 sq. ft. This is not an accurate picture. 40 of the 52 lots, (nearly 80%) are less than 7,500 sq. ft., the minimum standard for R2, single family, high density. 22 lots (nearly 50%) are less than 5,500 sq. ft. To give a further picture of the Orchard Hills PD proposed density, Proponent has requested 16 lots with no side yards for townhouses (with no design or compatibility standards) and 13 lots with no public road frontage ("backyard lots").

In the Executive Summary of the Orchard Hills PD Application Proponent says it has proposed "only roads that meet the design standards of Twisp." This is not true. Good planning requires that all lots abut dedicated town-maintained roads. In this proposal 13 backyard lots do not abut McIntosh Lane. They are accessed by six 20' driveways totaling 535 feet. These corridors provide utility access, homeowner ingress/egress and fire/emergency response services. Management of these private access corridors is not specified in the application. Are these private driveways belonging to certain lots? Are they easements? Who has the responsibility to maintain these private access corridors? The Town will assume no responsibility for management and maintenance of them.

The following is a comparison of the net sales revenues from Proponent's Planned Development versus a subdivision:

1. A lot on May Street recently sold for \$130,000 (7/21/22). After sale cost, this will net about \$120,000.
2. A 52 lot Planned Development @ \$120,000/lot yields \$6.24 million in revenue.
3. A 31 lot subdivided property @ \$120,000/lot yields \$3.7 million in revenue.

This comparison shows Proponent, by requesting the Planned Development, and thereby avoiding of the Town's subdivision and zoning standards, realizes \$2.5 million more in revenue than if the Property is subdivided per Twisp's subdivision code (TMC Title 17) and zoning regulations.

NOTE: Proponent claims it can develop 60, 10,000 sq/ft lots as R1 single family, low density on 16.8 acres. This is not credible. In reality, 40% of the property is not feasible for development because of steep slopes, storm water run-off and other issues. Indeed, if Proponent could develop 60 lots it would. It would generate \$7.2 million, nearly \$1 million more than the 52-lot proposal.

3. Open Space and Net Residential Acre Calculations

A. Open Space

Pursuant to the TMC, PD's must designate at least 40% of a planned development project to open space. TMC 18.45.020(1)(a). Open Space may not include "roads, utility structures, parking areas, or other structures." *Id.* at (2)(a). I am concerned that the Proponent's proposal includes an existing Right of Way owned by the Town in its calculation of Open Space Tract 998. See AFN 850884 which is attached to this Comment. This right of way is 60 feet wide and dedicated for road purposes. The right of way encompasses the entirety of Tract 998 on the Proponent's proposal (8,390 sq. ft. or 0.2 acres). My understanding is that it is currently used by the Town to reach two water towers near the Orchard Hills PD and it does not appear that the Town has vacated this right of way. Removing the 60-foot right of way from the calculation of dedicated Open Space leaves only 6.6 acres of open space, less than 40% of the project. The Town must require Proponent to accurately calculate open space requirements and dedicate an additional .2 acres (or 8,390 sq. ft.) to open space prior to any approval.

Proponent proposes to dedicate the open space to Twisp for trails and other recreational use and a public park. These uses are contrary to what is allowable on Planned Development designated open space land. Open space must be dedicated in perpetuity and development involving structures, parking, or other roads is not allowed. As indicated above, the Proponent has not designated sufficient area to open space to allow for the developer or the Town to

develop the space for recreational use by installing public access, parking, or park facilities. If that infrastructure is developed, it will reduce the open space calculation even further below the 40% threshold. This defeats Proponent's claim that the open space can be used for public access and recreational purposes.

Further, TMC 18.45.010(7) requires incorporation of access to recreational opportunities like trail systems as part of the development plan. Palm Investment's PD application fails to address this requirement. Section 7 of the Proponents application provides that "the open space was selected to maintain a route for hiking to the highpoint of the property," but it does not explain how users of the open space should access the same or where this trail system is located. Proponent points out that current users of the property utilize the area for hiking without permission. *Has the Proponent cleared title to that land and ensured that these nonpermissive users have not acquired a prescriptive easement for recreational use over the proposed residential lots?* Proponent further states that "Palm Investments LLC is proposing not to construct a new recreational facilities for this project." The application must be revised to show how the Proponent will improve the areas of open space specifically related to location of trails and access points for the public.

B. Density

Proponent has requested 52 lots. This exceeds the residential density limitation which is 6 dwelling units per net residential acre (see TMC Chapter 18.25, Table 5-Residential Districts). Proponent's site plan shows it is developing about seven net residential acres for lots. This would allow for 42 lots (7 net residential x 6 dwelling units) in the planned development. Proponent is requesting 52 lots. Six lots per acre, as authorized by the TMC, is an average lot size of 7,260 sq/ft. This is much more compatible with the neighborhood than the 6,000 sq/ft lots Proponent is requesting.

Said another way, the Developer misinterprets the meaning of net residential acre and miscalculates the total number of dwelling units available for the Orchard Hills development. Pursuant to TMC 18.10.140 a "net residential acre" is defined as: "43,560 square feet minus the area in private and public streets, rights-of-way, and access easements." Proponent appears to include open space in its calculation of net residential acreage. Including open space in the calculation, results in up to 82 dwelling units available to the developer. That would lead to absurd results and completely change the character and density of the surrounding developments. However, reading the code as a whole, particularly given the purpose and intent of the Planned Development provisions, open space should be excluded from the calculation of net residential acre because it is space specifically restricted from development. If the Planning

Commission and Town Council properly exclude the open space from net residential acreage calculations, then the density math for the Orchard Hills PD is as follows:

16.81 acres total
- 3.0257 acres for roads (18% of total development)
- 6.80¹ acres for open space (40% of total development)
=6.98 net residential acres for residential use
6.98 net residential acres x 6 dwelling units = 41.88 OR the equivalent of 41 total dwellings

4. Proposal not ready for Planning Commission Review

Proponent has not met requirements for a Planned Development application. The Development Site Plan regulated by TMC 18.45.050(1) is not complete. It does not provide, among other things, the following:

1. Location, dimensions and names of roads within ¼ mile of site; TMC 18.45.050(1)(b).
2. Footprints of proposed buildings; TMC 18.45.050(1)(c).
3. Pedestrian and vehicular circulation patterns; TMC 18.45.050(1)(j).
4. Conceptual landscape plan; TMC 18.45.050(1)(i).
5. Proposed grading plan; TMC 18.45.050(1)(m).

Proponents Written Planned Development Program and Specifications do not comply with TMC 18.45.050(2). This code section addresses the planning, development, and maintenance aspects of a Planned Development. Proponent evades presenting the information required, or attempts to explain why it is not necessary. This attitude flows from Proponent's mindset that it is not his responsibility to plan and develop a community. Proponent only wants to divide up the property for sale and leave development to the individual purchasers of the lots (an attitude more aligned with a subdivision).

Fire and safety access issues are not resolved. Proponent says it may have a second fire access over Isabella or Proponent may require every house to be sprinkled. This determination must be made in order for the planning commission to consider the proposal.

It is necessary for the Town to engage an independent fire safety consultant to review the proposal. This is because of Proponent's position as a commissioner of Fire District 6, creates a

¹ The calculation used 6.80 acres for open space. Since Tract 998 does not qualify as open space, it is necessary to replace the open space deficiency with 0.2 acres of land from the proposed lots. (See: p. 5, A. Open Space, above.)

conflict of interest and inhibits the officials of Fire District 6 from frankly and fairly reviewing and commenting on the SEPA MDNS and presenting comments to the Planning Commission.

The SEPA review has not been concluded. The SEPA environmental review is a threshold process and must be concluded before further consideration can occur. The SEPA MDN review will not close until March 22, 2023. It is inappropriate for the planning commission to have a hearing before that date per TMC 15.45.060 (1).

Proponent has requested the elimination of side yards for 16 lots (17-32). There are no Twisp code provisions that authorize this in R1, single family, low density zone. Nor is there a code provision in Chapter 18.45 TMC authorizing the elimination of side yard set backs. The Twisp Municipal Code is silent as to set back requirements for PDs. When the PD regulations are silent as to certain requirements, a developer must look at the regulations of the underlying zone. The underlying R1 Zone requires setbacks as follows:

- Minimum front yard setback- 15 feet
- Minimum side yard setback- 5 feet
- Minimum rear yard setback 15 feet

Nothing in Chapter 18.45 TMC authorizes the Planning Commission or Town Council to allow zero lot line setbacks in contravention of Chapter 18.25 TMC.

5. Red Herring

Proponent says it anticipates the Methow Housing Trust will purchase 10 lots (Executive Summary, p.2. last paragraph). This is a hollow statement and not supported by my recent conversation with a member of the Trust's staff. The Trust is aware of the proposed Orchard Hills PD. However, it has not visited the site and does not have solid understanding of the PD's site plan. It is not part of the proposal team and is not actively supporting the proposal.

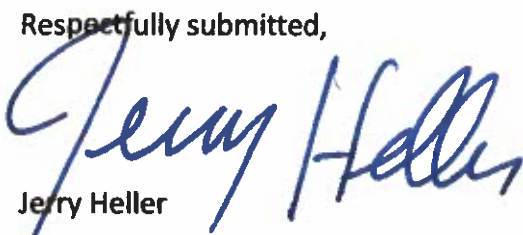
6. Conclusion

Approving the Orchard Hills PD is tantamount to summarily rezoning the property to an average, single family dwelling lot size of 6,000 sq/ft. This is not allowed anywhere else in Twisp. It approves substandard lots, without common landscaping, without developed and maintained amenities and burdens the town with protecting and managing the open space.

The Town should not have accepted Proponent's application and the application should not be considered by the Planning Commission or Town Council until it is complete and compliant with the TMC. Clearly, it is not intended to meet legal requirements of Twisp's Planned Development code. Rather, it should be sent back to staff with instructions not to advance it further until Proponent submits an application that fulfills the requirements of TMC 18.45.050(1), and the spirit, intent, goals and legal requirements of TMC Chapter 18.45.

In the alternative Proponent should file a completed subdivision application (TMC Title 17).

Respectfully submitted,

A handwritten signature in blue ink that reads "Jerry Heller". The signature is fluid and cursive, with the first name "Jerry" and last name "Heller" clearly distinguishable.

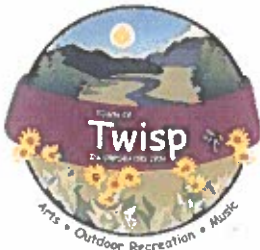
Jerry Heller
PO Box 546
710B Bridge Street
Twisp, WA
360.708.4320

Hand Delivered

Emailed to: Randy Kilmer; townclerk/treasurer@townoftwisp.com

Kurt Danison; townplanner@townoftwisp.com

Please, deliver copyies to planning commission chair and commission members



**TOWN OF TWISP
PLANNED DEVELOPMENT
COMMENT SHEET**

RECEIVED

FEB 01 2023

TWISP CLERKS OFFICE

The following permit application may be of interest to you.

PROJECT AND APPLICANT: Orchard Hills Planned Development

NOTICE IS HEREBY GIVEN Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero side yard setback. The proposed planned development is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E. W.M.

Persons wishing to view project information may contact Twisp Town Hall, 118 S. Glover Street, between the hours of 9:00 AM and 5:00 PM Monday through Thursday. A copy of the resubmitted application plans and SEPA checklist are available on the Town's website at townoftwisp.com. Copies of special studies are available for review at Town Hall. Written comments must be submitted to the Town of Twisp, P.O. Box 278, Twisp, WA 98856, no later than 5:00 PM, Wednesday February 8, 2023 with verbal comments accepted at the Planning Commission Public Hearing set for 5:00 pm on February 8, 2023. For further information check the Town of Twisp website or contact Kurt Danison at (509) 997-4081.

APPLICATION: TWP PD22-02

DATE SENT: May 26, 2022

The Town of Twisp has enclosed application materials inclusive of a Land Use Application, Notice of Application, proposed Plat Map other related documents for the application for approval of the Orchard Hills Planned Development. Any comments regarding the impacts of this project are requested along with general comments regarding the proposed development and will be considered in the review of the permit.

Please fill out and return this form to: Town of Twisp – Attention Orchard Hills PD; P.O. Box 278, Twisp, WA 98856

Written comments due: **February 8, 2023**. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual: LARRY & BARBARA SCHABER

Comments:

ONE OF OUR MAIN CONCERNS IS - NO EXIT, ONLY MAY STREET. THE STREETS ALL RUN INTO MAY STREET, IN AN EMERGENCY TRAFFIC JAM. MAYBE OPEN OLD ROAD ON SIDE HILL TO USE AS AN EXIT. OR FIND ANOTHER TOO MANY HOUSES AND TOO MANY SMALL LOTS. 10,000 SQ FT LOTS WOULD BE A REASONABLE SIZE

(if needed, use reverse side for additional comments)

Lamy Schah

Signature

HOME OWNER IN PAINTER ADDITION

1-23-2023

Date

FOR ALL AND GIVE ALL SPACE AND NOT LOOK LIKE
THE HILLS OF SAN FRANCISCO.
ALSO NO PLACE TO PUT SNOW AND ROADS TO
NARROW FOR SAFETY AND FIRE TRUCKS.

I UNDERSTAND THE PALM'S ARE IN IT
FOR THE MONEY. BUT THEY LIVE IN WINTHROP
AND THIS IS NOT THEIR NEIGHBORHOOD.
WE DO NOT WANT ~~THESE~~ PLACES OR HOUSES TO
LOOK LIKE THE LOW INCOME ON CANYON ST.
IN TWIN. THEY ARE SO CLOSE TOGETHER
IF ONE CATCHES FIRE THEY COULD ALL GO AND
NO PLACE TO PUT THE SNOW EITHER

E AGREE WITH Bill Moody ON FIRES!!

10,000 SQ FT LOTS - 27-30 HOMES

STANDARD SIZE ROADS - 2 LANE

MAKE EXIT NOT ISABELLA TO 111AY - MAYBE
REOPEN OLD ROAD ON HILL SIDE. OR FIND
ANOTHER WAY OUT.

01/31/2023

RECEIVED

JAN 31 2023

TWISP CLERKS OFFICE

Randy Kilmer, Twisp Town Clerk
Twisp Planning Commission
P O Bx 278
Twisp, WA 98856

RE: Orchard Hills PD

Gentlemen:

The Methow Valley has been my home since May, 1990. I worked in real estate and my late husband was a home builder. In 2016 we purchased property in Painter's Subdivision. Then, as a widow, I had my home built at 507 Bigelow Street. I was drawn to the character of the neighborhood, knew about and relied on the R1, single family, low density zoning.

My lot and all of the surrounding properties comply with Twisp zoning standards. The Orchard Hills proposal will completely and adversely change things. The proposal will more than double the homes and density on lots averaging 6,000 sq ft, 60% the size of the zoning standard.

There is no justifiable or overwhelming public purpose for this change. I recognize current zoning regulations provide for development of the property with 31 lots. Such a development is appropriate. Proponent's 52 lot subdivision is unreasonable and allowing it would be a breach of public trust for all who relied on the established Twisp zoning and created the existing neighborhood.

Much discussion of the Orchard Hills proposal centers around "affordable housing." What does affordable housing mean? It means nothing without context. For context, in the Orchard Hills development a 950 sq ft home would cost \$424,000. It would be affordable for a family with an income of \$112,000. These numbers are based on the analysis below:

Affordable Home Analysis

HUD defines affordable housing as housing for which the occupant/owner is paying no more than 30% of gross income for housing including costs. This means affordable housing depends on the people group involved.

The estimated cost of a new "modest" home in the proposed Orchard Hills Planned Development is \$425,000:

1. Lot	\$100,000	(the last neighborhood sale, \$130,000; 07/01/2022)
2. House	300,000	(modest home estimate: \$300-325 per sq ft)
3. Water/sewer	5,000	(Town of Twisp hook-up fee)
4. In-house sprinkler	10,000	(required when only 1 fire-response route)
5. Foundation	<u>10,000</u>	(extra for daylight/tuck in foundation)
6. TOTAL	\$425,000	

Assume: 30 year loan, 20% down payment, 5.5% interest, then:
Loan would be \$340,000; monthly payment would be \$1,930.48.

Basic monthly housing costs for a family of one:

1. House payment	\$1,930
2. Water/sewer	130
3. Electricity/propane	300
4. Snow removal, irrigation	50
5. Real estate taxes	350
6. Home insurance	<u>65</u>
7. TOTAL/monthly	\$2,825

At \$2,825/mo, the annual housing cost would be \$33,900/yr, for a family of one.

Using HUD's 30% rule, the home would need \$113,000/yr income (\$33,900/30%).

The 2021 census reports the following household annual income levels in Okanogan County were:

Median:	\$51,992
Low:	\$41,595 (80% of median)
Very low:	\$26,000 (50% of median)

The conclusion is that Orchard Hills will not be for median income Okanogan County families with \$52,000 annual income. This is less than half the \$113,000 necessary to support a home in that development.

Methow Housing Trust

Housing costs are driven by the market. There is great interest in providing housing for those who cannot afford the cost of market driven homes. The Methow Housing Trust is active and successful in projects for this. The success is because it plans and manages its housing developments, taking them out of the private market. Proponent says he anticipates the trust will purchase 10 lots. In a conversation with a housing trust staff

member I was advised this was overstated. At this time they are aware of the project, have not visited the site, are not part of the project and are not actively supporting it.

The housing trust's success requires cost effective design and construction of its projects. The lots are close and concentrated, with easy access and on table flat land assuring for efficient construction which results in lower costs. The Orchard Hills project does not meet these needs. All of the lots have uneven terrain. Only 6 of the 52 appear to be flat enough to accept a standard home foundation, maybe fewer. The remaining 46 lots are so steep they require a daylight basement, or tuck under garage below the living quarters. This requires individual engineering and non-standard plans for each house. A wild fire could be catastrophic!

Conclusion

There is no established public need for the project which justifies the town abandoning its long established zoning for the neighborhood. To allow a 52 unit development where zoning allows only 31 units is a breach of public trust, myself and my neighbors being a part of that trust. Proponent's planned development should be denied and he should be instructed to apply for a subdivision under TMC Title 17.

I appreciate the opportunity to comment on this important project and trust that all comments will be dutifully considered.



Dolores A. (Deb) Barnard
507 Bigelow Street
Twisp, WA 98856



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PLANNED DEVELOPMENT
COMMENT SHEET**

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Written comments due: February 8, 2023. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual: HOWARD CHERINGTON

Comments:

PLEASE SEE ATTACHED

(if needed, use reverse side for additional comments)

Howard Cherrington

Signature

Title

1/30/23

Date

Randy Kilmer, Twisp Town Clerk
Town of Twisp
115 S. Glover Street
Twisp, Wa. 98856

1/29/23

Comments and concerns regarding Orchard Hills TWP PD22-02 Resubmittal

To: Town of Twisp Planning Commission and Town Council members

The whole purpose of land use codes and ordinances is to offer consistency and continuity to already established uses and make sure that any new uses or developments are beneficial, or at the least, do not harm existing uses. The citizens in the position of being members of the planning commission or the town council, as representatives of the citizens of the town, are tasked with making decisions based on applicable codes and ordinances that are in the best interests of the current residents and landowners. This can be a daunting task as one must be rational in adhering to specific ordinances and codes while remaining biased in favor of the Town's residents' and its citizens' best interests as they interpret the application of those codes and ordinances.

Per TMC 18.05.010

The purposes of this title shall be to promote the public health, safety, general welfare and interest of the town of Twisp, Washington and the citizens thereof by:

(1) Establishing and retaining a pattern of land use within the town reflective of the needs of the residents thereof and considering the existing land uses, structures, and their associated intensities in residential, commercial, and other use areas;

(6) Protecting existing land uses and property values from undue adverse impacts of adjacent development;

When people invest in land or structures, they do so with an expectation that the area within which they locate will remain of a similar character and density for the foreseeable future. If it doesn't, they risk losing not only their monetary investment, but the time invested in their property and the relationships developed living in a specific area or neighborhood. The permitting of a use that would be counter to the best interests of the citizens living in a specific

minimum lot size (10,000 s/f) and includes the potential for 14 Townhouses which noticeably alters the character of the neighborhood.

Proponent's Orchard Hills proposal is asking the town of Twisp to disregard a half century history of development around the May Street neighborhood and it undermines years of the town's planning and zoning accomplishments. Approving Proponent's project will set a precedent which tells the community and developers that the Town will allow the use of the Planned Development code (TMC Title 18) to disregard the Town's comprehensive plan, zoning and subdivision requirements for projects.

Per TMC 18.45.010(8): Allow areas to be combined together for development that would otherwise be developed on a lot-by-lot basis, and to develop the area jointly with clustered or common features and structures and shared roads and utilities for more economic use of the land and better utilization of limited land and natural resources and maintenance of open space areas;

The proposed PD 22-02 is not a planned development but rather a subdivision utilizing the benefits afforded a PD without actually providing any assurances or covenants to regulate the aesthetics or consistency required by TMC Title 18. The developer offers no conceptual architectural or landscape guidelines or assurances that lots will be developed and built upon in a cohesive or aesthetic manor but relies on the purchasers of the lots to do what they will without coordination or standards for compliance.

There is a fundamental difference between Planned Developments and subdivisions. The purpose of a subdivision is to create lots for sale. They must follow zoning and construction standards. The purpose of Planned Developments is to create a cohesive community "Development Plan" using building design standards, common landscape design, and development and maintenance of open space and recreational amenities. These features are the tradeoff for lot size reductions and other adjustments in zoning and building regulations. However, Proponent makes it clear he has no "Development Plan." He states he intends create and sell the lots and move on.

neighborhood or area goes against the duty of their representatives. This is what democracy looks like. Representatives are elected or appointed to act on the citizens' behalf in making decisions through governmental bodies based on existing laws, ordinances and codes. The duty of any public representative is also to listen to the voice of the people and act in accord with their stated interests and with their well-being in mind so long as it complies with pertinent laws and ordinances.

The Orchard Hills PD proposal is not in the best interests of the existing May Street neighborhood nor is it in compliance with various ordinances contained within the Twisp Municipal Code in Title 17 and Title 18.

For historical perspective, the first development plat touching the May Street neighborhood was the Risley's 2nd Addition plat in 1912. It covered the eastern edge of the neighborhood between Bigelow Street on the west and Division Street (SR 20) on the east. Numerous plats have followed:

1. Painter's Subdivision; 1969; AF# 567665
2. Twisp water reservoir easement; 1997; AF# 850884
3. Isabella Investors Short Plat No. 1; 2009; AF# 3147967
4. Isabella Investors Short Plat No. 2; 2009; AF# 3147968
5. Isabella Investors Short Plat No. 3; 2009; AF# 3147969
6. Reid Short Plat; 2014; AF# 3194671
7. The Plat of Isabella Ridge; 2016; AF# 3206691
8. The School House Plat; 2019; AF# 3232119
9. L Ecole Capitol, LLC Boundary Adjustment; 2022; AF# 3262399

Throughout subsequent development of the area all have honored the single family, low density aspect of the neighborhood and adhered to the 10,000 s/f lot standard. This is reflected in Twisp's zoning designation for the area, R-I single family, low density with minimum lots size of 10,000 SF.

Proponent's proposal significantly alters this. It more than doubles the size of the neighborhood with 52 lots, none of which meet the R1, single family, low density

Affordability

While the developer utilizes the term "affordable" to described his motivation for proposing small lots, the price of any lot is not controlled by the developer except in his initial offering of lots for sale. The "market" will determine the price of lots. Further, the developer does not propose to actually build any houses but makes it very clear in his application that individual lot owners will be responsible for what is built. Do not be misled by the developer's use of the term "affordable". The only way affordable housing is made available to the public in need of such housing is through a land trust that maintains ownership of the lots, builds the homes in a production style on relatively flat lots to reduce costs, sells homes to qualified purchasers based on income and includes covenants that limit the allowable price increase should a home be sold. None of the above mentioned requirements are proposed as an element of this subdivision. Methow Housing Trust is the only local entity actually providing affordable housing to those in need of such housing in the Methow and follows all of the above mentioned elements to guarantee that the original purchaser is buying an affordable house and any subsequent purchaser will also be buying an affordable home. The lack of any covenants or restrictions upon the purchasers of the lots of the proposed Orchard Hills development makes it quite obvious that the developer is not offering affordable housing or affordable lots. The developer is only proposing to develop small lots that are inconsistent with the Town Municipal Code Title 17, Title 18 and the existing May Street neighborhood. MHT has said it has no agreements with Palm Investors LLC and does not actively support the development. They realize that the expense of attempting to build affordable housing in that subdivision would not be successful.

Thank you for considering my comments.


Howard Cherrington

P.O.Box 681

Twisp, Wa. 98856



**TOWN OF TWISP
PLANNED DEVELOPMENT
COMMENT SHEET**

The following permit application may be of interest to you.

PROJECT AND APPLICANT: Orchard Hills Planned Development

NOTICE IS HEREBY GIVEN Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero side yard setback. The proposed planned development is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

Persons wishing to view project information may contact Twisp Town Hall, 118 S. Glover Street, between the hours of 9:00 AM and 5:00 PM Monday through Thursday. A copy of the resubmitted application plans and SEPA checklist are available on the Town's website at townoftwisp.com. Copies of special studies are available for review at Town Hall. Written comments must be submitted to the Town of Twisp, P.O. Box 278, Twisp, WA 98856, no later than 5:00 PM, Wednesday February 8, 2023 with verbal comments accepted at the Planning Commission Public Hearing set for 5:00 pm on February 8, 2023. For further information check the Town of Twisp website or contact Kurt Danison at (509) 997-4081.

APPLICATION: TWP PD22-02

DATE SENT: May 26, 2022

The Town of Twisp has enclosed application materials inclusive of a Land Use Application, Notice of Application, proposed Plat Map other related documents for the application for approval of the Orchard Hills Planned Development. Any comments regarding the impacts of this project are requested along with general comments regarding the proposed development and will be considered in the review of the permit.

Please fill out and return this form to: Town of Twisp – Attention Orchard Hills PD; P.O. Box 278, Twisp, WA 98856

Written comments due: February 8, 2023. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual: Pearl Cherrington

Comments:

See attached Comments

(if needed, use reverse side for additional comments)

Pearl A. Cherrington Signature

Title

1-31-2023 Date

Randy Kilmer, Twisp Town Clerk
Town of Twisp
115 S. Glover St.
Twisp, Wa. 98856

1/29/2023

Attention: Planning Commission, Town Council

Orchard Hills PD, resubmittal
Palm Investment North LLC
Parcel #332218099

Comments by: Pearl Cherrington

I posted #1-5 plus #8 goals in the Twisp Comprehensive Plan below to show why the Orchard Hills PD by Palm Investments should not be approved as planned. I will address some of those goals in my comments.

1. Encourage the most appropriate use of land throughout the community.
2. Lessen traffic congestion and accidents. Encourage non-motorized transportation and pedestrian connection of neighborhoods.
3. Secure safety from fire.
4. Provide adequate light and air, lessen noise & light pollution.
5. Prevent overcrowding of land. Encourage a broad spectrum of housing through multiple residential zoning types.
8. Encourage the formation of neighborhood or community units.

Planned Development Proposal:

Palm Investments purchased 16.8 acres of property in 2019 above the Painter's Addition which is zoned R1 (10,000 sq/ft lots), single family, low density. The Proponent has proposed a Planned Development where the average lot size would be approximately 6,000 sq/ft., which in the town of Twisp, exists nowhere else. The Proponent has requested 16 Townhouses with no side yards and 13 lots with no public road frontage.

This proposal with the facts and figures above do not abide by the Comprehensive Plan or the Twisp Municipal Code, titles 17 and 18.

This is a subdivision in that lots are only for sale by the Proponent. The Proponent is utilizing the benefits afforded a PD, without actually providing any CC&Rs to regulate consistency that is required by TMC Title 18.

Explanation of the Proposed Density of the Proposed Project. (18.45.050(2)(a):

The Proponent repeatedly states that 52 lots are less than the 60 lots they would be allowed in a subdivision. This is misleading, 6.8 of the sixteen acres are considered undesirable to build on,

due to rocky outcrops, steepness and the expense to build a home on the ridge. so that reduces the property to ten acres of buildable land with stipulations.

Proposed Ownership Pattern (18.45.050(2)(b))

The developer is only proposing to develop small lots that are inconsistent with the Town Municipal Code Title 17, Title 18 and the existing May Street neighborhood. (R1)

Proponent's proposal significantly alters this. It more than doubles the size of the neighborhood with 52 lots, none of which meet the R1, single family, low density minimum lot size (10,000 s/f) Townhouses are proposed which would alter the character of the neighborhood.

Proponent proposes "open space and residential streets are proposed to be dedicated to the Town. The remaining area will be split into lots and sold to individuals for residential use."

This is not consistent with a Planned Development. There is minimal planning and no CC&Rs.

Operation and Maintenance Proposal (18.45.050(2)(c))

The residential streets will be dedicated to the Town of Twisp as well as the Open Space. Correct, if it is a true PD.

However, there are 7 "private access lanes" where the Town will not assume responsibility for these streets for maintenance and snowplowing. The buyer purchasing the lot or lots will be responsible for maintenance of those access roads. That will add an additional cost for the home owner. Utilities will be installed under these roads as well. Each time the access road is dug up, it will be harder for the homeowners to maintain.

Stormwater Collection and disposal plan (18.45.050(2)(h)):

Proponent mentions "comments alluding to an existing problem of seasonal water flow crossing the property at the south end and flowing into Painter's Addition.

<https://methowvalleynews.com/2017/12/14/twisp-pondering-solutions-for-painters-addition-flooding/>

Has this been mitigated successfully?

Air Quality Considerations (18.45.050(2)(j)):

Woodstove use should be discouraged. Proponent repeatedly says impacts will be less due to less lots than the 60 that could be developed. Again, misleading, as there are only 10 buildable acres, due to the topography of the land.

Transportation (18.45.050(2)(k):

Does the proponent think 563 additional automobile trips per day will not have an impact on the existing Painter's Addition and other neighborhoods? The Comprehensive Plan numbers 2,3 and 5 address this situation. In the present Orchard Hills Plan, fire safety and egress and ingress have not been provided as is required per the Twisp Municipal Fire Code 15.05(4). Overcrowding of land with more housing units could create a domino effect from house to house during a fire.

Roads and Fire Safety

There are seven private access lanes that are only 20' wide with no real turnaround for fire trucks or emergency vehicles. See Development Site plan map to see the access lanes and how they provide minimum access to lots. This presents a serious situation, should fire evacuations be called for.

There is only one way in and out at this time, where hazards such as approaching fire trucks and people evacuating would cause congestion. Also, Lookout Mtn. Rd. and Twisp River Rd. converge at May Street, which would create a bottleneck.

The Proponent states that a proposed fire access lane is in need of an easement. If no easement is granted, then sprinklers in each house must be installed adding to the cost of the housing.

Sprinkler systems are there to help if the structure is on fire. People cannot "shelter in place" but instead must evacuate.

Impact Assessment

Aesthetics

Proponent states that "the project is designed and proposed to be built to existing Town of Twisp standards". Which are? Proponent will not be building the homes, so CC&Rs are needed and have not been provided as they should be for a PD.

Development site plan:

Proponents Written Planned Development Program and Specifications do not comply with **TMC 18.45.050(2)**. This code section addresses the planning, development, and maintenance aspects of a Planned Development

The Proponent has not met requirements in the Planned Development application. The development site plan is incomplete and does not include the following:

Location, dimensions and names of roads within ¼ mile of site; **TMC 18.45.050(1)(b)**.

Footprints of proposed buildings; **TMC 18.45.050(1)(c)** “ Areas proposed to be developed with approximate footprints of proposed buildings and their nature (e.g., residential, community use, commercial, office, etc.)” Proponent does not give any footprints of proposed buildings.

Parking Two spaces are required. Where are those? Where will visitors park, especially in the narrow private access lanes.

Roads and Drives

According to the Development Site Plan Map, there will be less streets created. The map shows Private Access Lanes servicing a variety of lots. This creates a danger should people need to evacuate quickly.

Affordability

The Proponent speaks of wanting to alleviate the affordable housing problem. What are the lot prices? What is considered affordable? To whom? The purchasers of the lots will find that excavating costs and concrete will be expensive. There are 31 Tuck under garages and 13 daylight basements suggested due to the sloping terrain. Tuck Under garages start at about \$10,000 on up. This adds to the cost of housing considerably.

If a second way out cannot be negotiated, then the home owner will have to have an indoor sprinkler system installed. Installation of indoor sprinklers start at \$2000 or even more in the Methow.

The term affordable housing is being misused. The only way affordable housing is made available is through a land trust, such as we have here, with the Methow Housing Trust. They purchase the land and maintain ownership, and build homes in a production style which reduces costs. Proponent states there are negotiations between the Methow Housing Trust and their company, but MHT has said there is no agreement and that they do not actively support the project.

Another definition of “affordable housing” in the legal sense means residential housing that is rented by a person or household whose monthly housing costs, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, “affordable housing” means residential housing that is within the means of low or moderate-income households.

The developer is proposing to sell small lots and have the homeowners build without any CC&Rs’ in place or any consistency with building materials as is required in a planned development. And this will not be affordable to many people.

Conclusion

If approved, the Orchard Hills Planned Development will approve substandard lots, without common landscaping, with no developed and maintained amenities.

Much time and effort went in to developing and adopting the current R-1 standards. Approval of this development will impact current residents and landowners considerably who invested their time and money based on the understanding that R1 standards would be maintained per the protection of TMC title 17 and 18.

This development plan should be rejected. Thank you for considering my comments.

Sincerely,

A handwritten signature in cursive script that reads "Pearl A Cherrington".

Pearl Cherrington

PO Box 681

Twisp, Wa.



TOWN OF TWISP
PLANNED DEVELOPMENT
COMMENT SHEET

RECEIVED

JAN 30 2023

TWISP CLERKS OFFICE

The following permit application may be of interest to you.

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Written comments due: February 8, 2023. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual: William D. Moody

Comments:

See 'Comments' - Orchard Hills Development

(if needed, use reverse side for additional comments)

Lander L Moody

William D. Moody

Signature

Title

January 26, 2023 Date

January 26, 2023

Randy Kilmer, Twisp Town Clerk
Town of Twisp
115 S. Glover
Twisp, WA 98856

RE: Orchard Hills Development
Palm Investment North LLC
Parcel # 332218099
Agency File #TWP PD – 22-02

Comments by: William (Bill) D. Moody
Wildland Fire Suppression/Air Operations Specialist
Methow Valley resident 1957-2023
1969-2023 Lived at 620 Moody Lane, Painter Addition

Concerns: Permit Application for 52 Lots – Orchard Hills Planned Development

We recognize the need for additional housing in Twisp and the Methow Valley. We support a well planned development that does not compromise existing R-1 zoning standards for Painter's Addition, Schoolhouse Hill development, and Isabella Lane. Bigelow Street and a plan that follows Firewise basic recommendations for home survivability. The Orchard Hills Development, as currently proposed, compromises effective fire operations and resident's safety.

CONCERNS:

1. Road system and Private Access Corridors do not meet egress requirements
2. Traffic volume during a Level 3 Mandatory evacuation- impact on emergency vehicles responding while residents of both Orchard Hills and all the existing neighborhoods using May Street are evacuating.
3. Use of a residential sprinklers if a second egress is not attained. This does not address the issue of the resident's safety. Residents still need to evacuate under a Level 3 Mandatory Evacuation.
4. Lot size/structure density creates an increased potential for fire spread to adjacent structures.

In the **Impact Assessment Checklist** the developer states "**Specific Performance Standards. The project is designed and proposed to be built to existing Town of Twisp standards**" The PD, as proposed, does not adhere to existing Town of Twisp standards or all PD requirements. The following comments focus on structure and wildfire operations and the safety of residents and firefighters.

Twisp/Methow Valley Fire History

The Methow Valley/Twisp is located in a very high wildland fire risk area susceptible to fast moving wildfires. In the last eight years the Methow Valley communities and Twisp have been threatened by several major wildfires, some resulting in mandatory Level 3 evacuations- (2014) Carlton Complex, Rising Eagle Fire and Twisp River Fire in 2015. The Cedar and Cub 2 Fires in 2021 resulted in numerous Level 3 evacuations. During the 2015, Twisp River Fire, two strategically placed DC-10 retardant drops at the junction of Twisp River Road and Poorman Creek Road likely prevented the fire from spreading southeast to the adjacent steep forested hillside and on to the Bill White Ranch, Lookout Place, the proposed Orchard Hills development, Painter's 'Addition, Schoolhouse Hill and Isabella Lane. This would have resulted in a severe threat to human/animal life, and significant property damage and structure loss. The number of structures lost would depend on fire behavior, home density and landscape preventative measures taken within each of the development. An example of this is the 2014 Carlton Complex Fire. On July 17th the Carlton Complex Fire exploded, spreading 30 miles from just east of Winthrop to Pateros and Brewster. In just one- day the fire consumed 123,000 acres, destroying a majority of the 553 structures lost during Carlton Complex/Rising Eagle fires.

Whether originating from within the town/development, or spread on to the town/development, these fires require rapid emergency resource and resident evacuations. Keep in mind that devastating structure fires can also occur during winter months as well. It is imperative that there are at least two routes into and out of the development—one on the northside and one in the south end of Orchard Hills.

A Second Egress to Highway 20

A related issue of concern is the need for a "major egress" from Orchard Hills, Painter Addition, Schoolhouse Hill, Bigelow Street and Isabella to Highway 2, Twisp-Carlton Road. A Level 3 Evacuation was ordered for Twisp in 2015 during the Twisp River Fire. In 2014 a Level 2 (almost a Level 3) was ordered during the Carlton Complex. Balky Hill, just east of town, was under Level 3 mandatory evacuation in 2014.

Each year in the United States thousands of structures, and entire communities, are lost to fast moving wildfires. Three major factors come into play here: 1.) lack of adequate road access for emergency apparatus mobilization simultaneous with resident evacuation. 2.) the development's structure density, closeness of homes/out buildings 3.) not adhering to Firewise risk reduction guidelines, and 4.) inadequate water supply to support suppression activities.

Emergency Traffic Flow With Single Ingress/Egress

During a fire emergency it is imperative that emergency vehicles mobilizing and residents evacuating have a good ingress/egress roads which maximizes traffic flow and minimizes the potential of collisions that could impede the egress of all neighborhoods on Schoolhouse Hill.

a. Firewise principles - "Other Considerations In Making Your Home Survivable."

- Identify at least two (2) existing exit routes from your neighborhood
- Construct roads that allow two-way traffic
- Design road width, grade and curves to allow access for large emergency vehicles
- Construct driveways to allow large emergency equipment to reach your home
- Make sure dead-end roads and long driveways have turnaround areas wide enough for emergency vehicles

b. Traffic density

An additional 52 homes would double the Level 3 traffic volume, and probably result in major traffic congestion. The combined traffic would be approximately 150-200 vehicles and 200 residents converging on May Street and down the hill to 2nd Street – converging with residents fleeing down Lookout Road. In addition to the planned development there is a potential for 25 more homes that can be built on available tax parcels in Painter Addition, School house Hill and along Bigelow Street. This could add another 50 residents and 50 more vehicles to an already over loaded egress.

c. Road Standards

Fire Apparatus - To protect the community/development from destructive fires requires a road system which can provide for safe and efficient traffic flow for mobilizing emergency resources and a safe and orderly evacuation of residents. Fire engines are 9 feet wide, some up to 10 feet wide, and are 30-40 feet long. Forty-five (45) feet wide area is required for large fire engines to turn around. Does the dead end of McIntosh Road, between Lots 1 and 2 and Lot 35, meet this standard?

Visitor Parking - Another concern is where residents and visitors will park? Obviously, parking on McIntosh narrows the road and compromises traffic flow. During winter/snow periods when the road is "narrowed" by snow berms, safe and efficient access and evacuation are compromised.

Private Access Corridors - Some properties are accessed by a 20 ft. wide Private Access Corridor, without turn arounds. Fire apparatus will need to back in to access the structure. Simultaneously, residents will be evacuating via the same Private Access Corridor. How will resident's parking impact the Private Access Corridor? During the winter it is the home owner's responsibility to snow plow and remove the berms created. The corridors may be impassible for fire engines.

Evacuation Impact on Egress

During a “fast-moving fire evacuation” there would simultaneously be people evacuating toward May Street and multiple emergency vehicle mobilization up Second and May Streets. With only one egress route funneling traffic down Harrison to May Street to Second street there would be congestion and chaos evacuating over 200 people and 150 to 200 vehicles from Orchard Hills, Painter Addition, Schoolhouse Hill, Isabella Lane and Bigelow Street residents. The addition of Orchard Hills exacerbates an already insufficient egress. A second “major egress” is needed on the south end of Painter Addition/Bigelow Street access Highway 20 or Twisp-Carlton Road. See Twisp Municipal Fire Code below.

Two egress requirement – The Orchard Development, as proposed, requires two (2) egresses. Without it the developer is required to install an automatic residential sprinkler system meeting International Fire Code for each residence. Information regarding fire code requirements is discussed in “Municipal (Twisp) Fire Code” below.

Developers Proposed Solution – The developer’s proposed solution is a designated fire apparatus access from Isabella Lane to McIntosh Lane. A “DO NOT ENTER” sign will prevent egress traffic from McIntosh Lane to Isabella Lane. The proposal states that “in addition, a new Town water tower access will be provided through the development.” Where will the road be located? Has the Town of Twisp agreed to this? What impact will this have on mobilization of emergency vehicles? How wide will the road be?

Municipal (Twisp) Fire Code

The Twisp Fire Code is TMC 15.05 (4). Twisp adopts the International Fire Code (IFC) including appendices, IFC Appendix D, Section 107.1 which requires two access roads for developments over 30 units. The code states: “One or Two-family dwelling residential development. *Development of one-or two-family dwellings where the number of dwellings units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.*” Even with fewer than 30 units, ingress and egress will be compromised. A second egress is critical. As of January 23, 2023 a second egress has not been attained. If the second egress is not attainable the developer will use the “**Exception 1**” alternative to get around the second egress issue.

Residential Sprinkler System Alternative: Exception Section D 107.1

If a second egress is unattainable the developer is required to install an automatic residential sprinkler system for each residence. An estimated cost per unit is \$10,000-15,000. Exception No.1 implies that the residents should "shelter in place" and ride out the approaching fire since there is no second egress. Evacuation is the only sensible response.

Does the Town of Twisp approve of the residential sprinkler system alternative which puts residents at risk? **Exception Number 1** is for the house interior. An approaching fire will ignite the structure's exterior and spread to the interior. The residential sprinkler system does not address the real issue - the resident's safety. The only common sense response is evacuation. Is the residential sprinkler system alternative practical? Would it be effective? No! All residents need to be evacuated! Do the Fire District #6 Fire Commissioners, including Commissioner Palm (also the developer), support **Exception Number 1**?

Orchard Hills Development Density

The current R-1 zone classification is Low Density Single Family Residential. The development proposal is for 52 residences situated on 16.81 acres, with 7.5 acres, including areas designated for parks and open space. Does this PD density meet the "low density" classifications? It appears some portions of the development are moderate to high density. The higher the density the more susceptible the development is to rapid fire spread and major losses. A burning structure can produce radiant heat temperatures in excess of 2,000 degrees F. The fire spreads via radiant heat and ember showers deposited downwind. **NOTE:** Quite common to the area are cold front winds with wind speeds of 35-40 mph and lightning storm winds of 50 mph or more. Cold front winds occurred several times during the Carlton Complex Fire. The fire can quickly spread from home to home through the development – a domino effect."

The current minimum lot size for the R-1 zone is 10,000 square feet. A large number of 3,600 square foot sized lots would result in a much higher density. The developer proposed lots range from 3,630 to 8,903 sq. lots, the average being around 5,000 sq. feet.

After Action Reviews

After Action Reviews serve to identify both positive and negative aspects of the fire suppression response. The aim of the AAR, routinely conducted on fires with loss of lives and significant property damage, is to highlight "lessons learned." AARs consistently site the following issues: extreme fire behavior conditions resulting in a rapid rate of spread (ROS), failure to evacuate in a timely manner, and lack of adequate ingress/egress, narrow congested roads as major contributors.

Lessons learned—2014 Carlton Complex Fire.

From **Trial By Fire**: page 61, Ken Bevis article—**How preparation, brave firefighters, and a bit of luck saved our home—Some lessons**

- “Firefighter access is vital. They were able to get here. A wide turn around for fire truck was essential. Good ingress and egress”

“National leader’s Summit and Fire Prevention and Control—conclusion”

- “Create safer communities by implementing and enforcing codes and standards, especially in the WUI” (Wildland-Urban Interface)

Conclusion,

The Methow Valley has a long history of fast moving destructive wildfires, some resulting in loss of lives. It is the responsibility and obligation, of the Town of Twisp and Okanogan County Fire District #6 to provide maximum fire protection and safety of its citizens. The PD, as proposed, has several critical fire safety issues. – egress, home density, Private Access Corridors, and, in lieu of a second egress, the installation of residential sprinkler systems. The Fire District should inform the Town of any fire protection issues related to the PD. The town depends on the Fire District’s input related to adherence to code, sound fire protection principles and “lessons learned” from previous fires.

Allowing the Orchard Hills PD to move forward, as proposed, is a disservice to the Town of Twisp, future residents of the proposed PD, and the community. The PD violates some very basic fire protection principles and disregards “lessons learned” from past large fire after action reviews. It appears that Fire Commissioner Palm, who is also the developer, might have a conflict of interest. The developer has the opportunity “to do it right”.

We feel that the proposed development, as written, compromises the safety of the Orchard Hills residents, adjacent properties and firefighting personnel. Adherence to sound fire protection principles and to the R-1 Low Density Single Family Residential standards will help to mitigate the concerns expressed in this paper.

A lot of time and effort went in to developing and adopting the current R-1 Standards. As stated in the developer’s Impact Assessment Checklist- **“The project is designed and proposed to be built to existing Town of Twisp standards.** The Orchard Hills PD, as proposed, does not meet the requirements of R-1 low density residential, nor does it adequately address fire related issues and all the requirements of a Planned Development. The developer’s Planned Development, as proposed, does not meet Town of Twisp’s standards and should be rejected.

Respectfully,

William D. Moody
William D and Sandra L. Moody
620 Moody Lane, PO 262
Twisp, Washington 98856

Sandra L. Moody
1/26/2023

January 26, 2023

Randy Kilmer, Twisp Town Clerk
Town of Twisp
115 S. Glover
Twisp, Washington 98856

RECEIVED

JAN 30 2023

TWISP CLERKS OFFICE

**RE: Orchard Hills Development
Palm Investment North LLC
Parcel # 332218099
Agency File #TWP PD – 2202**

Comments by: William D. Moody
620 Moody Lane
Twisp, WA 98856

Addition to my comments submitted/received by Heather Davis January 30, 2023.

Additional statement: page 5, line 5, **After Action Reviews - to read:**

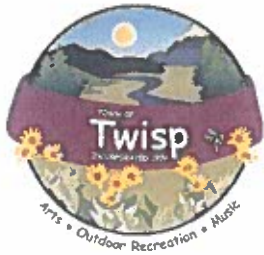
After Action Reviews serve to identify both positive and negative aspects of the fire suppression response. The aim of the AAR, routinely conducted on fires with loss of lives and/or significant property damage, is to highlight actions taken and "lessons learned." AARs consistently site the following issues:

1. **Developments with a high density of structures resulting in house - to - house ignitions via radiation and ember showers,**
2. Extreme fire behavior conditions resulting in a rapid rate of spread (ROS),
3. Failure to evacuate in a timely manner,
4. Lack of adequate ingress/egress, and
5. Narrow congested roads as major contributors.

William D. Moody



January 30, 2023



TOWN OF TWISP PLANNED DEVELOPMENT COMMENT SHEET

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APPLICATION: TWP PD22-02

DATE SENT: May 26, 2022

The Town of Twisp has enclosed application materials inclusive of a Land Use Application, Notice of Application, proposed Plat Map other related documents for the application for approval of the Orchard Hills Planned Development. Any comments regarding the impacts of this project are requested along with general comments regarding the proposed development and will be considered in the review of the permit.

Please fill out and return this form to: Town of Twisp – Attention Orchard Hills PD; P.O. Box 278, Twisp, WA 98856

Written comments due: **February 8, 2023**. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual: Rudy + Katrina Miniutti

Comments:

Fire evacuation will be a severe hazard for the development and existing neighborhood. We recommend the city keep the 10,000 sq ft minimum lot size to maintain existing neighborhood standard.

(over)

(if needed, use reverse side for additional comments)

Rugby Minnith Signature
Patricia Minnith Title
January 25, 2023 Date

Twisp, WA
January 30, 2023

RECEIVED
JAN 30 2023
TWISP CLERKS OFFICE

Re: Orchard Hills Planned Development – Resubmittal.

To: Twisp Planning Committee.

Our names are Ken and Virginia Borg. We are residents of Twisp, living on Isabella Lane. We would like to address our concerns about the resubmitted application of the Palm's Orchard Hills project. They lie chiefly with the issues of fire, snow disposition, lots with no direct city street access, & affordability.

The revision addresses many of our initial concerns but does not adequately address lingering issues such as fire, affordability and access.

1. **Fire.** Ingress and egress is not addressed beyond **proposing** the addition of a fire vehicle access road which is essentially the City's existing road to its' water tanks, **IF an easement can be attained** to gain access across a piece of private property where it intersects Isabella Lane. Of equal importance is addressing the total impact on traffic when an evacuation event occurs. It does not include any independent traffic studies at two bottle necks – Junction of May Street, to Lookout Mountain Road and Second Street, AND Second Street to State Highway 20. The City needs a risk assessment by an independent fire consultant – DNR has such a person available. The city needs traffic counts associated with such a study to make a proper determination of egress needs.



The revision states that if an additional egress is not obtained, "each home would be equipped with a **"sprinkler system"**. Good heavens, this is not about protecting a structure, **it's about SAVING LIVES!** Twisp is in 11th place for fire risk in the states of Washington and Oregon. People need the ability to get out in an emergency! Revisit the Camp Fire in Paradise, California 2018 - 85 lives lost (only 1 road out)! Revisit the Bear Creek fire, in California, 2020 – 16 lives lost! Revisit the Grizzley Flats in California fire on 60 minutes. Don't forget our own Carleton Complex Fire, 2014 - 2 lives lost, to name just one.

2. **Affordability.** The proposal continually cites the goal of “affordable housing”. The possible requirement of fire sprinkler systems in each house – approximately an additional \$8,000 in cost to the buyer. There are #13 lots with no city street frontage. The application is for **private corridors for ingress and egress** to these #13 lots. The city has stated that it will not maintain these private easements – additional homeowner expense.
3. **Private Corridor Snow Removal.** Where is the snow going to be stored for the #13 private corridor lots, on the owner’s lot (no room). On the access corridor – this would be in violation of City requirements for emergency access. On to McIntosh Lane? Not according to the Public Works Department. The snow would have to be transported to the South side of Harrison and deposited on to “Tract 999” in either the infiltration pond or the canyon. Costs are shouldered by the Private Corridor owners and are an additional cost to them.
4. **Access to the Hillside Open Space.** None is so designated, and there needs to be. As proposed, the transfer of these parcels to the Town of Twisp as open space would preclude hiking and public access. The open space would be an animal corridor only.
5. **Housing Trust.** The application states that it is “**anticipated**” that the Methow Housing Trust will be procuring “the #10 lots” to construct houses upon – which #10? This is not in writing. If the Trust does not purchase the lots, they likely would become opportunities for speculators – rentals?
6. **Access to Public Transportation.** In the original application, access to public transportation was touted. Now they state that it is a **mere 2,000 feet as the crow flies to the nearest public transportation stop**. The actual route would be down the fire access road, on to Isabella, on to May Street, down Second Avenue, across highway 20, and either to Methow and West Second Street or Canyon Street and Highway 20 (across from Hanks). For a person requiring a walker or other assistance, either would be impossible.

In Summary, we ask you as Planning Committee members, ingress and egress for the entire hill, for an emergency are you seriously ready to accept the responsibility for the safety and lives of people in Twisp and put the City of Twisp at risk for the liabilities this application ignores? We urge you to delay

further consideration of this proposal until a fire assessment, traffic study and egress easements are resolved. We submit to you that this development will not result in affordable housing.

Respectfully submitted.



Ken and Virginia Borg

Cc Don Nelson



**TOWN OF TWISP
PLANNED DEVELOPMENT
COMMENT SHEET**

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Please fill out and return this form to: Town of Twisp – Attention Orchard Hills PD; P.O. Box 278, Twisp, WA 98856

Written comments due: February 8, 2023. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual: Saelken White

Comments:

(if needed, use reverse side for additional comments)

Saelken White Signature

Title

1-24-23 Date

January 24, 2022

Randy Kilmer, Town of Twisp Clerk
PO Box 278
Twisp, WA 98856

FROM: William and Suellen White
40 Lookout Mountain Road
P. O. Box 975
Twisp, WA 98856

RE: Orchard Hills Planned Development
Agency File Number: TWP PD22-02
SEPA DNS May 26th, 2022

Dear Mr. Kilmer,

My husband William White and I, Suellen White own land adjacent to this development to the west. We concur with the comments made by other residents of the affected neighborhood concerning potential impacts a plan of this scope and density will provide. We believe the awarding of a SEPA DNS is not appropriate as there are several areas where there are significant areas of noncompliance with environmental and common sense issues.

Our biggest concern has to do with traffic. In the past Town of Twisp officials have informally asked if we would consider allowing an emergency access through our property to the west for emergencies. For the current residents of this area. We let them know this is not an option as construction of any roads to the west would have a detrimental effect on our right to farm. There is not a viable route that would not have a major impact on our farming operations including raising hay and pasturing our herd of cattle in the winter.

When the issue of allowing access through our property for emergency egress was made, we pointed out that it would not actually help because of the bottleneck that already exists when May Street and Lookout Mountain Road intersect before entering Hwy 20.

Since these traffic issues exist without the addition of 50+ new houses in this neighborhood it does not seem feasible to safely allow this density of housing. Improving the roads in the development will not solve the issues with traffic. All of the roads from the beginning of May Street to Harrison will need to be widened and improved to deal with the additional traffic that will occur.

As we have all learned with this heavy snow winter the issues of where to put the snow removed from the roads is a large problem. Looking at the planned development this will also

be a problem in the development. Plans for where to safely put the snow removed from the additional roads that will be constructed.

There will also be a snow problem for all property owners as there will be an issue of where to put the snow that comes off the roofs. With the planned variance from The Town of Twisp of setback rules, the snow issues will be compounded without space on each parcel to store the snow removed from the roofs and the drives surrounding the property.



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Written comments **due: February 8, 2023**. Comments may also be submitted by email to townplanner@townoftwisp.com. ✓

Commenting Department, Agency, or Individual:

Maria J Tracy

Comments:

see attached sheet

(if needed, use reverse side for additional comments)

Maria J Tracy Signature

Title

1-18-23 Date

1. How does Isabella Lane constitute an "alternate escape route" when it feeds into May Street, which is the only road down and out of the area. Isabella Lane is only a circle added for vehicles wanting a way out, and can only temporarily divert traffic; it remains that all the traffic from the new development ends up on May Street. Isabella lane is NOT a separate escape route.
2. There is no mention of the snow removal problems that will need attention. This development claims to be low density, but it adds a considerable amount of vehicles traveling or parking, preventing proper clearing of snow. Is the burden carried by the town of Twisp?
3. Whose responsibility is it to revegetate land disturbed during construction? Who verifies that?
4. Page 11 says that solar, and energy efficient measures will be encouraged. In the same sentence it allows wood-burning. Isn't this contradictory? Wood burning is one of the worst contributors to air pollution in our area; so why not prohibit its use for this development? Why not invest in solar panel for the whole development, with the option to tie into it. The Winthrop library developers made provision for that possibility. Potential buyers would welcome it and the area would be an inspiration for other developments.
5. Please provide details regarding how pedestrian trips will be encouraged. With added vehicles traveling the already narrow roads, there needs to be accommodation for safe pedestrian travel.
6. Could there be a definition of low-density, single family homes? as well as "townhouse"; Is a townhouse for one owner, or two owners? The wording is not clear, and all options are open.
7. Please explain how this will be affordable? how will market forces be controlled to prevent a cash purchase, highest bidder situation, or preventing a buyer from claiming 2 lots?
8. Does the town of Twisp have the staff to enforce ordinances such as limitations of outdoor lighting?

February 2, 2023
Kurt Danison, Town Planner
Twisp Planning Commission
PO Box 278
Twisp, WA 98856

RE: Orchard Hills Planned Development
Agency File Number: TWP PD22-02

Dear Mr. Danison and Twisp Planning Commission,

We are residents of the Painter's Addition neighborhood in Twisp which borders the proposed Orchard Hills development. We have lived here for 34 years and have enjoyed the beauty and safety of our neighborhood.

We have many concerns with this large scale development.

Our first and main concern is fire safety and the possibility of an emergency evacuation of the neighborhood during a fire event. May street is the only way in and out of the neighborhood. The additional homes would create much heavier traffic and would impact the safety and effectiveness of evacuation for the proposed development, the existing neighborhood and the residents of Lookout, Poorman Creek, and Twisp River who depend on access to Second Avenue (Twisp River Road) for evacuation if necessary.

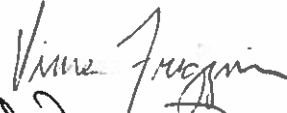

The developers plan to have an additional evacuation point of Alder Creek Road. This would not be a viable option as that would most likely be sending people up into the fire zone and that road is a one way, dirt road that on a good day is barely navigable. Along with the safety of ourselves and our neighbors we are concerned for the liability that the Town of Twisp would be facing with a development of this size without having adequate evacuation roads.

The current Twisp Zoning and Land use for this area is low density single-family units with 10,000 square foot lots. This is what the town should be considering. We understand the need for more housing but we want it to be safe and enjoyable for everyone.

This development presents density on a scale unprecedented in the Town of Twisp. The town code should be reviewed with an eye to the density and scale of the development to ensure that it is adequate to provide regulation in this unique situation.

In summary, this is a very large and complex project which requires many considerations of the site before the project should continue.

Thank you for the opportunity to comment.

Sincerely, 

Vince and Nancy Friggione

PO Box 945
616 May Street
Twisp, WA 98856
(509) 997-2949
nfriggione@hotmail.com

TOWN OF TWISP
Notice of Application
1/5/23
Twisp Orchard Hills Planned Development
Resubmittal

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PLANNED DEVELOPMENT
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Written comments due: February 8, 2023. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual: Vince and Nancy Friggione

Comments: Please see attached letter.

(if needed, use reverse side for additional comments)

Vince Friggione Nancy Friggione Signature

Concerned home owners Title

2.2.23 Date

February 2, 2023
Kurt Danison, Town Planner
Twisp Planning Commission
PO Box 278
Twisp, WA 98856

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Agency File Number: TWP PD22-02

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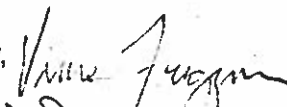
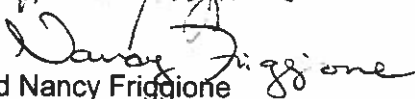
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616 May Street
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(509) 997-2949
nfriggione@hotmail.com

TO:

Town of Twisp Planner, Kurt Danison
Town Clerk: Randy Kilmer
Deputy Clerk: Heather Davis
Town of Twisp Planning Commission

From:

Isabelle Spohn, Twisp Resident
PO Box 24
Twisp, WA. 98856
509-997-4425

**COMMENT ON ORCHARD HILLS PROPOSAL AND IMPACTS
UPON THE RESIDENTS OF THE TOWN OF TWISP
FEBRUARY 7, 2023**

Thank you for this opportunity to comment. At this time I am restricting my comments to issues related to air quality in the Twisp and Methow River drainages, which converge close to this location and are affected not only by frequent wildfires but frequent atmospheric inversions, particularly in winter.

The overarching question regarding Air Quality is this: Is our town interested in doing only the basic minimum we can get away with in addressing this important topic, or we going to do our best to protect the health of our residents and the best we can do to protect the aesthetics and visibility in our town? Both goals require clean air.

1) The importance of Air Quality in our Town related to Health and Aesthetics:

Air quality year-round averages have become an increasing concern as living creatures are now subjected to increasing smoke from wildfires during the summers in addition to smoke from wood-burning devices during inversions in the winter months. The cumulative impact is huge upon human lungs.

Emissions from wood burning devices: Emissions from wood burning devices such as wood stoves and fireplaces have a significant impact upon human health, particularly because

these emissions contain particulate matter of PM 2.5 or smaller, which enter the lungs and can create severe health conditions. In addition, wood smoke contains highly carcinogenic or otherwise dangerous compounds including, but not limited to:

- * Carbon monoxide. Wood smoke add to the outdoor levels of carbon monoxide, as well as increasing indoor concentrations
- * Nitrogen oxides. Nitrogen oxides harm health indoors and outdoors, and helps create particle pollution.
- * Volatile organic compounds. These gases include harmful pollutants and contribute to creating ozone pollution. Some of these gases are carcinogens, including benzene and formaldehyde.
- * Climate change pollution. Wood smoke adds carbon dioxide and methane to the air, two pollutants that contribute significantly to climate change.

Not only do these emissions affect our health, but the decrease in visibility has a huge impact upon the aesthetics of our valley.

Resuspended (Re-entrained) Dust

Recreational areas across the West, particularly those frequented by skiers in the winter, have noted that resuspended dust from automobile traffic (on especially sanded roads) are second only to wood stove emissions in impacts upon both human health and visibility.) Vehicles drive over and over the sand particles, crushing them into ever-smaller particles which enter the lungs and are very dangerous to both human health aesthetics (haze and visibility.) How will this be mitigated in the area in question, which includes steep roads that need to be maintained during icy conditions in this development?

<https://www.sciencedirect.com/science/article/pii/S0169809521002969>

One mitigation used to reduce the impact of re-entrained dust is to require that requirements be placed upon the size of sand being used. The coarser the sand that is used, the less dust winds up in our air and in our lungs.

PURPLE AIR data from the Methow Valley can substantiate the increasing amounts of particular matter residents of the Methow Valley are subjected during all seasons cumulatively these days.

2) Two Standards Currently Utilized by the Washington State Department of Ecology to Quantify and Deal with Particulate Matter

A) ATTAINMENT VS. NON-ATTAINMENT AREAS: An “attainment area” is an area in which the ambient air quality standards of the Clean Air Act and Washington State have been met. A “non-attainment “ area is an area in which they are not being met for significant periods of time.

Non-attainment’: There are two ways of being designated “Non attainment.” The measurements require a minimum of 3 years of data by and official monitor (one is located in Twisp.

1) **24-hour average :** An area that averages over 35 PM 2.5 (particulate matter) over 24 hours is considered a non-attainment area.

2) **Annual average:** An area that measure an average of over 12 PM 2.5 (minimum of 3 years of data, with an official monitor) is considered a non-attainment area.

Twisp is currently considered an “attainment area.” However, here’s the problem: WDOE eliminates smoke from wildfire incidents in this calculation because WDOE has no regulatory control over wildfire. Thus, we don’t really know the total amount of harmful particulate matter that is typically entering the lungs of our residents over 24 hours.

B. COMMUNITIES OF CONCERN: looking at 24-hour averages as a way of identifying concerns. Under this type of evaluation, we are not looking at violations of the 24-hour average. We are looking at communities that have or have had 24-hour averages over 20 (which is lower than the standard for non-attainment.)

Twisp has had 24-hour averages over 20. In our county, Omak and Twisp are of concern to WDOE, resulting in large expenditures to help remedy the situation.

Omak is technically a community of concern through 2021. Twisp as of now is not technically a community of concern, but it is actually of concern to Ecology especially since they know we have been inundated with smoke from wildfire, and it is the cumulative impact of particular matter that damages our lungs. Ending in July, 2022 WDOE had invested \$230,000 in “changeout” of old wood stoves, and Twisp is a priority although it is not currently on the map of “communities of concern.”

The question: Are we going to accept this help from Ecology to deal with our woodstove/fireplace emissions and then turn around and add more woodstoves/fireplaces with no required mitigations? (Isn't that like borrowing from Peter in order to pay Paul?) To clarify, check, or update this information, contact Sean Hopkins here: sean.hopkins@ECY.WA.GOV.)

3) Just a few mitigations typically being utilized in other mountainous communities across the West include these:

Twisp is not the only western town suffering from high levels of particulate matter from either (or both) wildfire and emissions from wood-burning devices. Other towns like ours (high mountain valleys with frequent inversions, often tourist-oriented) have been proactive in implementing mitigations such as these, which not only protect air quality but respect the welfare of long-time residents who burn wood:

- *A date of registration for fireplaces and woodstoves.
- *Wood cook stoves exempt for the life of the owner if used for cooking and in place before registration dates.
- *Fireplaces in only lobbies, restaurants, etc. and none allowed in new home construction after a certain date.
- *Rules for storage of fuel for fireplaces and wood stoves to minimize burning wet wood. (Even the best certified devices do no function as intended if the wood is green or wet.)
- * One wood stove per structure.
- * Fireplace inserts required after a certain date.
- *Cap-and-trade policies relieving established wood users.
- *Requirements that new wood stoves be EPA-certified.

It's time we confronted some of the realities surrounding the rapid construction now proposed for our town. Protection of clean air is one of those. Education is good, citizen action needed, and air purifiers wonderful - but, as with climate action, policy is essential. At this point, I've seen no proponents or groups supporting such needed policy. Twisp could be a leader of such efforts - or at least protect its own residents.

IN CONCLUSION: The Threshold Determination (MDNS) on the Orchard Hills proposal contains no mitigations for wood -burning devices or re-entrained dust. Stating that the project will comply with already -required Federal, State, or Local regulations is not a mitigation.

Definition of Mitigation: SEPA handbook, p. 21

Mitigation is the avoidance, minimization, rectification, compensation, reduction, or elimination of adverse impacts to built and natural elements of the environment. Mitigation may also involve monitoring and a contingency plan for correcting problems if they occur.

When considering the need for mitigation measures, the lead agency should review the environmental checklist and other information available on the proposal, including consultations with other agencies. Mitigation required under existing local, state, and federal rules may not be sufficient to avoid, minimize or compensate for significant impacts. It is important to identify applicable regulations and then analyze and disclose the extent to which they reduce the specific impacts of the specific proposal under SEPA review.

Additional mitigation can be applied to a proposal with the use of SEPA substantive authority, based on identified potential adverse impacts related to the proposal and the agency's adopted SEPA procedures. (See section on Using SEPA in Decision Making) Mitigation conditions must also be reasonable and capable of being accomplished.

It may also be possible to work cooperatively with the proponent to make changes to the proposal that will reduce and eliminate the significant adverse impacts. Voluntary mitigation may sometimes exceed the level that may be required of the applicant under regulatory authority, and produce a much improved and more desirable project. Mitigation conditions must be included in the permit, license or other approval to be binding.

Other agencies with jurisdiction or expertise, and the public may assist the lead agency in determining appropriate mitigation for a proposal. This can be done prior to the threshold determination (see discussion on Notices of Application and Consultations), or may result from comments received on a threshold determination (DNS or DS/scoping notice), or draft EIS.

Sincerely Yours,

Isabelle Spohn

March 7 , 2023

Addendum to Comments submitted by Doug Irvine on 2/6/2023

RE: Application TWP PD22-02

From: Doug Irvine

612 June street Twisp Wa

To the Town of Twisp and the planning commission.

I have reviewed Chapter **18.45 PLANNED DEVELOPMENT PERMIT**. It is clear, based on the proponents answers (or lack of) that this development does not satisfy, both in intent and execution, the stated objective and goals as specified in the TMC Planned Development. Furthermore, it is clear, based on citizen feedback and public hearings, that this development does not *“reflect the needs and desires of the town citizens...”*

Additionally, there have been concerns brought up concerning safety in regards to egress, evacuation routes and road capacity. This must be officially studied, documented and addressed.

Here are a few supporting items that clearly show that the proponent does not, in practicality, meet the TMC’s stated intent and requirement goals of a Planned Development.

- **IMPACT ASSESSMENT IMPACT.**

- **Section 1. General Performance Standards. Number 1. Artificial glare and lighting.**

Do you foresee any of the following impacts from your proposed project?	Y, N N/A
1. Artificial glare or lighting that might interfere with street traffic or trespass into residential area, including but not limited to strobe lights, arc welding, overhead lighting, or security lights.	N

The proponent has indicated N.

Because the proponent has not supplied building plans, orientations, elevations and placements of structures they are unable to predict light glare. This is because this is not a Planned Development, it is a sale of small lots.

- **IMPACT ASSESSMENT IMPACT.**

Section 2. Specific Performance Standards

Please provide a description that adequately addresses the following elements.

1. Aesthetics: How does your proposal provide aesthetic consistency with the surrounding neighborhood character?

The project is designed and proposed to be built to existing Town of Twisp standards.

The proponent does not answer the question. Stating that it will follow TMC has nothing to do with aesthetics. **TMC 18.45.010 Intent #9** clearly states that, *“aesthetic values are considered in the architectural design of structures...”*

Stating that the future owners of the lots will build to Twisp Building Standard does not address aesthetics. New owners are not required to build on the lots they purchase. Further, new owners might opt to purchase multiple lots for expanded yards or outbuilding. Without a plan, this clearly is not a Planned Development.

- **Section 5. General Performance Standards. Number 5. Buffers and screening.**

5. Buffers and screening: Do you propose to plant vegetative buffers or screens? If so, please provide site plan with plant list and design.

No.

The proponent states “no” to any buffers and screening.

The proposed development is being built around old water towers, a pump house and a generator. As stated in the **TMC 18.45.050 Preliminary development plan application #2, (F.) “..The written PD program shall include concise and detailed evaluation and information on the following items...(f) “...provide aesthetically pleasing visual barriers to unsightly areas.”**

The proponent has not addressed visual impacts.

- Section 7. Written Plan Development Program and Specifications. Explanation of the density of the proposed project.

Explanation of the density of the proposed project (18.45.050(2)(a)):

Palm Investment North, LLC spent considerable effort in determining the best lot layout that would meet the project goals and have a good balance in terms of density. The starting point for this calculation was the number of lots that would be allowed if a subdivision per the R1 zoning was executed. The parcel encompasses 16.81 acres or 732244sqft so if 18% is removed for infrastructure (roads,etc) that leaves 600440 sqft remaining for lots. Which equates to 60 ten thousand square foot lots. By proposing a planned development with only 52 lots there will be less residences in final build out than is allowed at this time by R-1 zoning and they will be concentrated on smaller lots that are below the ridge line and preserve a large portion of lot (40%) as public open space. Since this area is proposed to be dedicated to the town the citizens could work with the Town to utilize it in ways that are consistent with the Towns open space policy. The open space was selected to maintain a route for hiking to the high point of the property if the Town of Twisp so desire. Additionally, the smaller lot sizes will be more affordable thus furthering the project goal of assisting to provide affordable housing.

Once the lots are sold the proponent is not in control of the development. (it's possible some lots won't be developed by new owners) This does not align with the TMC stated intent of a Planned Development.

- Section 7. Written Planned Development Program and Specifications.

Proposed ownership pattern (18.45.050(2)(b)):

The open space and residential streets are proposed to be dedicated to the Town. The remaining area will be split into lots and sold to individuals for residential use.

TMC 18.45.050 (2) states, “*program shall include a concise and detailed evaluation of the following items.. (b) proposed ownership pattern.*” The proponent has failed to provide a concise and detailed ownership pattern, or any ownership pattern.

There isn't a plan for the lots, other than the stated, “*sold to individuals*” This clearly is not a Planned Development.

- Section 7. Written Planned Development Program and Specifications.

Landscaping (18.45.050(2)(g)):

Landscaping is anticipated to be irrigated green spaces around the residential structures with the bulk of open space remaining in natural vegetation. A good portion of the project site has irrigation rights on the MVID ditch and the developer will install infrastructure within the street to distribute this water to each lot which has legal access. Strategic tree planting along the street may be implemented to screen areas such as the water tanks. Disturbed areas will be reseeded with natural vegetation. Since this proposal is for individual residential lots and the Town code does include any landscaping requirements for this type of construction, it is anticipated that it will eventually be approximately the same as the surrounding residential neighborhood.

The proponent states, “*Landscaping is **anticipated...***” In addition, states, “*Strategic tree planting along the street **may be** implemented...*” TMC 18.45.050 (2) states “***there must be a concise and detailed evaluation and information on the following...(2)(g) Landscaping...***”

The proponent has not provided a concise and detailed evaluation or details on landscaping. The proponent suggests and speculates the landscaping, “*is anticipated*” and “*may be implemented*”. This is only speculation and conjecture of what might happen.

Further, the proponent states, “***Town code does include any landscaping requirements for this type of construction***” This is true for normal residential construction, however, this is under a Planned Development. **TMC 18.45.050 (2) (g)** clearly states the performance goal for landscaping. The proponent has failed to address this.

- Section 7. Written Planned Development Program and Specifications.

Recreation (18.45.050(2)(e)):

Palm Investment North, LLC is proposing not to construct any new recreational facilities for this project. This is primarily because the Twisp Public Works has indicated that acceptance of the open space is more appealing to them if it does not bring a maintenance burden with it. However, the proposed development has a walking path along the length of all roads and the open space reserves 40% of the area for hiking of unofficial paths and allows a route to access the high point to enjoy the vista. Currently, the adjacent neighborhood utilizes this property for these hikes without the consent. If the property is subdivided per current zoning these recreational opportunities in all likely hood will go away.

In spite of the fact that the open space will not be improved at this time, there is the potential to have many recreational amenities added as the Town and its citizens define their expectations in the future. Although not developed as a park at this time, it would be a great place for the Painter's Addition area proposed park as delineated in the Twisp Comprehensive Plan.

Proponent states, *"the proposed development has a walking path along the length of all roads and the open space reserves 40%"* The provided maps suggest that the proponent is calling the sidewalks next to the road, "walking paths." This is misleading.

In addition, it is misleading to suggest that there are walking paths along open spaces, when in fact there are only small sections where the sidewalk abuts the open space. The proponent has not satisfied the performance goal: TMC (18.45.050(2)(e) ***"...expansion of existing opportunities or provisions for new and improved community or public recreation opportunities..."***)

Furthermore, there is no public access through the development to the open space to the West.. As show on the proponents map, the only public access to this land is behind lot #23, 24,25,26. The land behind these lots has rock outcroppings, and is extremely steep with some vertical rock faces. This terrain will make the largest open space inaccessible and unusable by those within the PD community and the larger Twisp community. This PD again, does not satisfy the performance goal: TMC (18.45.050(2)(e) ***"...expansion of existing opportunities or provisions for new and improved community or public recreation opportunities..."***)

- Section 7. Written Planned Development Program and Specifications. Air Quality Considerations (18.45.050(2)(j)):

Air Quality Considerations (18.45.050(2)(j)):

This planned development anticipates the air quality impacts to be less than if the parcel was developed as a simple subdivision as allowed by current zoning. Best management practices will be used during construction to limit dust. Fireplaces will be regulated by the Twisp Municipal Code requirements. By providing affordable housing within the Town of Twisp that is closer to groceries, banking, entertainment, etc., the project will result in less miles driven and less automobile emissions. All graded areas will be revegetated after construction to control dust. A dust control plan per best management practices will be utilized during construction.

Proponents states that this development is, *“closer to groceries, banking, entertainment, etc., the project will result in less miles driven and less automobile emissions”*

The proposed development limits alternative green transportation due to its location. There are no paths, trails or sidewalks into town. It is 1.8 (round trip) miles to the nearest public transit and 2.4 miles (round trip) to the major grocery store. With these restrictions, vehicle traffic will be the only feasible option. This PD will diminish air quality due to its challenging location. This development fails to address 18.45.050 (2)(j) Air Quality.

- Section 7. Written Planned Development Program and Specifications.

Public Benefits (18.45.050(2)(m)):

The primary benefits to the public from this proposal are:

1. Increase the number of developable lots within the town, thereby contributing to a more sustainably affordable community.
2. Provide the open space for a park as planned for in the Twisp Comprehensive Plan.
3. Protect the iconic Twisp ridgeline from building.
4. Legitimize the Open Space for hiking and walking for the citizens of Twisp and maintain public access to the highpoint vista of the property.

Proponent states in item (1) *"Increase the number of developable lots within the town, thereby contributing to a more sustainably affordable community."* The word "affordable" is a subjective word that needs to be defined if it is to have any weight or lack of.

Moreover, the Proponent states that they are *"increasing developable lots."* This statement is contradictory and misleading because the proponent also states in their executive summary, *"By Proposing a planned development with only 53 lots there will be less residence in the final build out than is allowed at this time by current R-1 zoning"* Because the proponent has stated contradictory statements, one suggesting less lots is beneficial the other implying more lots are beneficial, it is unclear what the proponent is suggesting. Proponents' statement for item (1) lacks merit.

Item (3) suggests they own the ridgeline. They do not.

Proponent states in item (2) *"Provide the open space for a park as planned for in the Twisp Comprehensive Plan."* The largest open space has very limited access to it. There is no public access through the development, as shown on the proponents map. The only public access to this land is behind lot #23, 24,25,26. The land behind these lots has rock outcroppings, and is extremely steep with some vertical rock faces. This terrain will make the largest open space inaccessible and unusable by those within the PD community and the larger Twisp community.

Proponent states in item (4) See above address to item (2)

Each of these four stated points by the proponent fail to address or meet the performance goal of **18.45.050 (2)(m)**

- Visual Impacts (18.45.050(2)(f)) and (18.45.030 (2)) states that the proposal shall give consideration to views...those views from neighboring properties..” in addition “proposal shall be designed to minimize obstruction... From desirable view from neighboring properties”

My house was oriented to face the northern range. It is the only house with a desirable view that could be obstructed by the proposed development. Without consideration, by the proponent this view could be partially obscured. Despite the proponent stating, *“Palm Investments North has made a concerted effort to minimize the visual impacts that this project will have for the citizens of Twisp and the surrounding areas.”* There are no development plans or documentation that indicates that my view has been considered.

This needs to be addressed per (18.45.030 (2) and (18.45.050(2)(f)).

Sincerely,

Doug Irvine

A handwritten signature in black ink, appearing to be 'Doug Irvine', with a stylized, cursive script.

RECEIVED

FEB 22 2023

TWISP CLERKS OFFICE

Orchard Hills Planned Development Resubmittal Comment Sheet

Town of Twisp Planning Commission
Twisp, Washington
Feb. 22, 2022

The proposed Planned Development as stated, violates basic Comprehensive Plan Page 1., Goals 1. Through 10. See attached highlighted copy.

This Planned Development as presented also violates TMC Chapter 18.05.010 Items 1. Through 11. We feel the most important is 6. "Protecting existing land uses and property values from undue adverse impacts of adjacent developments." If the Planning Commission approves this, you will be "Protecting developers from the undue adverse impacts of existing land uses and property values".

Storm Water Collection and Disposal Plan TMC Chapter 18.45.010 Intent (2) (H).

52 lots at 10,000 square feet each, is being compressed into approximately 300,000 square feet, with maximum lot coverage of 50% as per Table 5. So what the developer is doing is covering approximately 50% of the buildable area with an impermeable surface ie; roofs, concrete and dwellings. The proposal is stating that ALL of the stormwater will be collected either onsite or through their drainage swales. The OHPD is speculating that their calculations are correct. But the downstream Painter's Addition residents are the ones that will ultimately pay the price with destruction and flooding of their private property.

Traffic Circulation Elements. TMC Chapter 18.45.010 Intent (2) (K)

This traffic proposal at best is a fiasco. "The performance goal is to assure a smooth flow of traffic through the development and throughout the town, to avoid traffic congestion and hazardous intersections, mergers or other traffic patterns, and to minimize increased traffic loads". Which is 2. In the Comprehensive Plan, is to lessen traffic congestion and accidents. Estimated 562 additional vehicle trips per day, plus existing Painters Addition vehicle trips per day, plus Lookout Mountain vehicle trips per day, plus all of Twisp River vehicle trips per day, all converging at the intersection and again at SR 20 equals a complete and dangerous situation.

Ordinance 753 18.25 Table 5 Residential Districts R1 Parking. All parking will have to be offsite as per Table 5 Item 3 "Required off street parking is not allowed in required front, side, or rear yard setbacks. "

In addition, we reserve the right to file an appeal in the court of law in Okanogan County.

Mark I. and Leone C. Edson
321 Bigelow St
Twisp, Washington











MARK JOHN EASON
Leone C. Edson

SEE 3 ATTACHMENTS

INTRODUCTION

The comprehensive plan for the Town of Twisp is intended to be a guide for the growth and development within and surrounding the community that is both sensitive to the environment and to the needs of community residents. The plan is intended to guide the community in its development for the foreseeable future, or about the next 10 years. It is intended that this plan be reviewed on a regular basis to insure that it serves the best wishes of the community. This plan should be the guiding element for the decision making process of the Town Council.

This comprehensive plan describes general goals and objectives which Town Officials believe to be consistent with the attitudes of the citizens of Twisp and in the best interest of the community as a whole. The general purpose of the plan is to provide goals for the development of the town which will make it a more convenient, attractive, and orderly place in which to live, shop, work, and play. Goals of the plan are as follows:

1. Encourage the most appropriate use of land throughout the community.
-  → 2. Lessen traffic congestion and accidents. Encourage non-motorized transportation and pedestrian connection of neighborhoods.
-    → 3. Secure safety from fire.
4. Provide adequate light and air, lessen noise & light pollution.
-  → 5. Prevent overcrowding of land. Encourage a broad spectrum of housing through multiple residential zoning types.
6. Balance residential areas with sufficient business and industrial areas to support employment and business growth.
-   → 7. Promote the coordinated development of undeveloped areas.
8. Encourage the formation of neighborhood or community units.
-  → 9. Secure an appropriate allotment of land area in new developments for all the requirements of community life.
-  → 10. Conserve, protect and restore natural beauty and other natural resources.
-  → 11. Facilitate the adequate provision of transportation water, sewerage, and other public uses and requirements.

Chapter 18.05 PURPOSE AND INTENT

Sections:

18.05.010 Purpose.

18.05.020 Authority.

18.05.010 Purpose.

The purposes of this title shall be to promote the public health, safety, general welfare and interest of the town of Twisp, Washington and the citizens thereof by:

- (1) Establishing and retaining a pattern of land use within the town reflective of the needs of the residents thereof and considering the existing land uses, structures, and their associated intensities in residential, commercial, and other use areas;
- (2) Providing for the aesthetic values of the town, recognizing that the location, rivers, views, and the associated environmental qualities are valuable assets to the town and its citizens;
- (3) Achieving public and private land use decisions that are consistent with the goals and policies of the comprehensive plans of the town and that will protect the town's character as the service center of the Methow Valley;
- (4) Encouraging the location and use of structures and land for commerce, industry, residences and recreational opportunities where they are most compatible with existing land uses and identified environmental and aesthetic constraints;
- (5) Providing flexible means to encourage innovative site design and land use patterns responsive to both human and natural environmental needs while maintaining sufficient control to assure compliance with the goals of this title and the comprehensive plans of the town;
- (6) Protecting existing land uses and property values from undue adverse impacts of adjacent development;
- (7) Providing for adequate light, views, open space, air quality, privacy, fire separation, and protection and access for emergency services;
- (8) Ensuring efficient use of public investments in community facilities, roads, and improvements;
- (9) Providing a set of land use regulations to protect the town and its citizens while allowing proper planned growth in conformance with the town's comprehensive land use plan, shoreline master program, critical areas ordinance (when adopted), and any related comprehensive plans;
- (10) Providing a fair, efficient, and effective administrative system for review and approval of proposed projects and developments;
- (11) Encouraging the development of recreational opportunities and support facilities such as trails, parks, and parking areas. (Ord. 620 § 1(1), 2010)

18.05.020 Authority.

The ordinance codified in this title is adopted pursuant to the authority of Chapter 35.63 RCW and the comprehensive plan of the town of Twisp, Washington. (Ord. 620 § 1(2), 2010)

Table 5
– Residential Districts
Lot Size, Coverage, Density, Setback, and Height

	R-1	R-2	R-3
Minimum lot size ¹	10,000 square feet	5,000 square feet, single-family; 7,500 square feet, duplex	5,000 square feet single-family; 1,500 square feet each additional unit
Maximum density, with PD permit	6 d.u./net residential acre	10 d.u./net residential acre	16 d.u./net residential acre
Maximum building coverage ²	35%	50%	50%
Maximum lot coverage ²	50%	65%	80%
Minimum front yard setback ^{2,3}	15 feet	15 feet	15 feet
Minimum side yard setback ^{2,3}	5 feet	5 feet	5 feet
Minimum rear yard setback, main structure ³	15 feet	10 feet	5 feet
Minimum rear yard setback, accessory structure ³	5 feet	5 feet	5 feet
Maximum height, main structure	30 feet	30 feet	30 feet
Maximum height, accessory structure	24 feet	24 feet	24 feet
Minimum lot size with accessory dwelling unit	15,000 square feet	7,500 square feet	6,500 square feet
Minimum primary dwelling unit size	950 square feet	500 square feet	360 square feet
Minimum accessory dwelling unit size ⁴	360 square feet	360 square feet	360 square feet

LEGEND: d.u. = dwelling unit

¹ Minimum lot sizes do not apply to planned developments.

² Maximum lot coverage, front yard setback, and side yard setback apply to all structures, including accessory dwelling units.

³ Required off-street parking is not allowed in required front, side, or rear yard setbacks.

⁴ Limited to detached dwellings.

(Ord. 620 § 5(Table 5), 2010)

REQUIRED "OFFSTREET" PARKING WILL IN FACT
BE REQUIRED "ON STREET"

RECEIVED

FEB 22 2023

TWISP CLERKS OFFICE

February 22, 2023
Orchard Hills Planned Development
SEPA Appeal: TWP PD22-02

My name is Marcia Butchart, and I live on the NW corner of June and Harrison at 515 June Street.

I would like to appeal the SEPA MDNS for the Orchard Hills Planned Development.

STORM WATER

A topographical map of the Orchard Hills Planned Development shows that the 16 acres in question mostly funnel down to my backyard. I have concerns that the disturbance of vegetation on the hillside and the addition of impervious surfaces of roofs, driveways, sidewalks and roads will create a storm water problem on my property.

I expressed this concern in my previous letter. I was glad to see that the developers acknowledged that by including two infiltration ponds on the other side of Harrison. They also called for infiltration ponds or drainage swales on each building site.

I still have a concern about storm water management because the Isabella development had the same requirement for mitigation of storm water, but it was never done. Now, when we have heavy rain or snow melt, the water runs into the property of the downhill neighbors. They complain of property erosion and standing water at times. If this is a problem with the building of 8-9 houses, what will it be with 52+ lots? Who will be responsible and accountable to enforce the installation of these ponds or similar devices such as French drains? This is the issue that uniquely impacts me the most directly. This issue needs further study and requires an environmental impact statement. See TMC 18.06 Protecting existing land use values from impacts of adverse development. See also TMC 18.45.010 (2) (h) Intent: Storm Water.

FIRE SAFETY

One issue that impacts all of us who currently live in the neighborhood is fire safety. This neighborhood is at risk for fire. In recent years, we have been on Level 3 Evacuation notice for fire coming up the Twisp River. In 2015, we were on Level 2 Evacuation notice for fire coming down Balky Hill. The planners have addressed this problem by requiring sprinkler systems in the new construction, but that will not solve fire spread outside the houses. Please refer to the comments on the Fire Codes by Bill Moody. This issue needs further study and requires an environmental impact statement. See TMC 18.06 Protecting existing land use values from impacts of adverse development.

INCREASED TRAFFIC

That leads to the other issue that impacts us all: increased traffic. There is only one way in and out of this neighborhood. This becomes a significant issue in case of fire. With traffic from Lookout Rd. converging with our traffic at the stop sign at Twisp River Rd. and additional traffic from increased construction up the Twisp River road, all this traffic will flow on down to the stop sign at Hwy 20. If we are all trying to flee a fast-moving fire, the congestion from an additional 52+ families would create a

bottleneck which could potentially be deadly. This issue needs further study and requires an environmental impact statement. See TMC 15.05 (4) Fire. See IFC Appendix D, Section 107.1

Thank you for your consideration of these issues.

Respectfully,

Marcia Butchart

Marcia Butchart

515 June St.

Twisp, WA 98856

(509) 429-4837

February 22, 2023

Kurt Danison
Town Planner
P.O. Box 278
townplanner@town of Twisp.com
Twisp, WA 98856

RECEIVED

FEB 22 2023

TWISP CLERKS OFFICE

RE: Orchard Hills Planned Development
TWP PD22-02
SEPA MDNS ; Dated 1/23/23
Notice of Appeal

Kurt Danison:

This is notice of my comment (with the intent to appeal) regarding the SEPA MDNS issued by the Town of Twisp on January 23, 2023, Orchard Hills Planned Development. An Environmental Impact Statement should be required for this Planned Development application as it will have significant environmental impacts. The Town has recognized the need for an additional study and such study should be part of the proponent's EIS. Further, the procedure for giving notice of the public hearing and SEPA MDNS was flawed, therefore, the MDNS should be withdrawn.

1. Notice:

Under SEPA notice on determination of nonsignificance is required pursuant to WAC 197-11-340(1) which provides a specific form for the notice (WAC 197-11-970). For a mitigated determination of nonsignificant, additional notice compliant with WAC 197-11-510 is required. The WAC 197-11-970 notice must be published once a week for two weeks in a legal newspaper of general circulation in the area where the project is located, must be filed with Ecology, and must be posted at the property or mailed to

adjacent property owners. RCW 43.21C.080(c). Here, the Town failed to provide information about the SEPA appeal process in substantially the same format as set forth in WAC 197-11-970. The Town also did not publish the notice once a week for two weeks (it was only published once, on February 1, 2023).

2. The Twisp Municipal Code 16.05.150 adopts WAC 197-11-502 which requires notice of public hearings to be given in compliance with WAC 197-11-510. Historically, the Town has given notice of public hearings by *publishing in the newspaper*. *No notice of the March 8, 2023 public hearing was published in the newspaper*. The only way members of the public or interested agencies could be aware of the public hearing is to have been in attendance at the February 8, 2023 public hearing. Arguably, such notice is not compliant with WAC 197-11-502.
3. SEPA #8: Land and Shoreline
 - a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Proponent: The current undeveloped site is situated adjacent to single family residential properties and one of the Town of Twisp water reservoirs. The proposed development includes single family housing which is consistent with surrounding residential use and zoning.

Appeal: This is not accurate. The surrounding area, as well as Proponent's property, is zoned R1, low density, single family, 10,000 sq/ft minimum lots. There are 45 existing homes in the neighborhood, all on 10,000 sq/ft lots. Proponent is asking for 52 lots, averaging less than 6,000 sq/ft each. *On Proponent's development footprint he could place 31, 10,000 sq/ft lots and comply with the current zoning*. In this high wild-fire risk area Proponent's very dense housing proposal creates

a significant impact and an environmental impact statement is necessary.

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

Proponent: Yes, (i) Potential Aquifer Recharge Area, (ii) Steep Slopes. All storm water will be infiltrated and lots are laid out to avoid steep slopes.

Appeal: Steep slopes are not avoided by lot lay out. Of the 52 lots proposed, only six are on lots flat enough to accommodate traditional foundations. The remaining 46 lots, because of the steep slopes, must be constructed with either daylight basements or tuck under garages. This significant impact needs further study and an environmental impact statement.

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

Proponent: Proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning.

Appeal: See above (a). Also, the density is far greater than the zoning in the area. Zoning requires 10,000 sq/ft lots. Proponent's lots average less than 6,000 sq/ft in size. This has a significant impact on the roads in the neighborhood. It is also a significant impact on the traffic patterns and congestion on the 2nd Street/Twisp River Road intersection with SR 20. These impacts have not been adequately addressed and an environmental impact statement is necessary.

4. SEPA #9: Housing

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

Proponent: Intent of Planned Development is to increase housing by providing smaller high quality lots and a limited number of lots with zero side setback to allow the building of townhouses.

Appeal: Proposal for smaller lots (less than 6,000 sq/ft average) and waiver of side yard requirements creates much more dense housing and exacerbates serious fire safety issue in the neighborhood. There is only one ingress/egress road serving the neighborhood. Proponent and the town acknowledge the problem which Proponent discusses in #34 of his Comments and Responses. Further, the town planner, in comments made to the 90 plus public attendees at the planning commission hearing (2/8/23), acknowledged the long standing single access issue and told the audience it was a "neighborhood problem." This is not a neighborhood problem. The town has responsibility and a duty to address this danger. This issue has a significant impact and must be addressed in an environmental impact statement. See, *Lanzce G. Douglass, Inc v. City of Spokane Valley*, 154 Wn. App. 408 (2010) (a copy of this case is attached to my comment). The Court in *Lanzce* upheld the determination that an EIS was required for a developer in an area prone to wildfires (and with an existing population) because the proposed development created additional fire safety concerns.

5. SEPA #14: Transportation

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

Proponent: Yes, proposal creates driveway access to residential properties, one public road (Mcintosh Lane), connecting to existing Town of Twisp Road network, and pedestrian pathways.

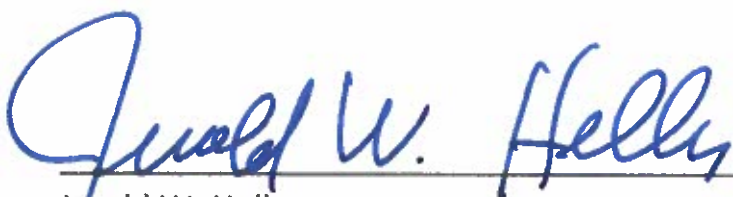
APPEAL: In the site plan Proponent proposes 13 lots that do not have frontage on a town dedicated road. Proponent's "driveway access to residential properties" consists of 20' wide driveways varying in length from 85' to 137' from the 13 isolated properties. Ingress/egress for the lots would be blocked by fire/EMT apparatus/vehicles during an emergency event.

The 13 small lots cramped into the plan are part of the overall high density of the proposal creating fire danger issues.

The 13 lots without abutting road access are a significant impact and an environmental impact statement is necessary.

CONCLUSION

A withdrawal of the Town's SEPA MDNS is necessary because the statutorily required notices of the MDNS and public hearing were flawed. Further, WAC 197-11-340(3)(a) requires a lead agency to withdraw a MDNS if there is significant new information indicating, or on, a proposal's probable significant adverse impacts. Here, the Town has specifically recognized that an additional fire study will provide significant new information. As a result, the Town's MDNS should be withdrawn and an EIS should be required to address the Orchard Hills PD's significant adverse environmental impacts.



Jerold W. Heller
360.708.4320
510B Bridge Street
Twisp, WA 98856

Randy Kilmer, Twisp Town Clerk
Town of Twisp
115 S. Glover Street, Twisp, WA 98856

February 21, 2023

RECEIVED

FEB 22 2023

TWP 22-02 SEPA MDNS Appeal

TWISP CLERKS OFFICE

I, William Moody am commenting on, and intend to appeal the MDNS for TWP PD 22- 02. **An EIS should be required for the Orchard Hills Planned Development in order to address significant environmental impacts related to fire danger and evacuation needs. I provide this comment based on my experience and from working locally and globally on fire safety and suppression since 1956.**

My Background: U S Forest Service wildland firefighter 1956 -1989 including 33 years as a smokejumper/smokejumper Base Manager. Ground operations positions included Division Group Supervisor, Operations Section Chief 2, and Incident Commander 3. From 1974 though 2018 served as an Air Tactical Group Supervisor (Air Attack) supervising over 300 fire air operations throughout the United States. From 2004 to 2018 I was an Air Operations Specialist consultant and Chief of Fire Operations for Evergreen International Airlines/Global Supertanker Inc. - operations in the US/Cal Fire, Israel, Mexico, Chile and Bolivia.

The SEPA Environmental Checklist fails to appropriately contemplate wildland and structural fire issues, in the following Section.

- Item #8 Land and Shoreline Use, Items a and l,
- Item #9 Housing, Items a and c and
- Item #14 Transportation, Items a, d and f

SUMMARY OF COMMENTS

The Orchard Hills Planned Development lies in what is classified as Wildland Urban Interface (WUI) as is much of Okanogan County and the Methow Valley. Okanogan County, including the Methow Valley, has a long history of fast-moving destructive fires i.e. the Carlton Complex and Rising Eagle fires in 2014, the Twisp River Fire in 2015, which resulted in a Level 3 Mandatory Evacuation, the Cedar and Cub 2 fires in 2021.

Under extreme fire behavior, Red Flag conditions, fires originating on lands adjacent to, or with in the Orchard Hills development can explode and spread rapidly to, or through the development, overwhelming Fire District #6 volunteer fireman as they attempt an initial attack. This would trigger an instant chaotic evacuation before a formal Level 3 evacuation could be declared.

As I reviewed the Orchard Hills PD I had several fire related concerns, thus this appeal.

SEPA CHECKLIST Items #8 and 9 promote high density lots/residences which contribute to increased threat of fire spread, property loss and risk to residents, firefighters and adjacent neighborhoods. The PD, as proposed, does not follow basic Wildland Urban Interface

recommendations and lessons learned from research, case studies, and recommendations from fire experts.

In Cal Fire Lessons Learned and conclusions: Alexander Maranghides and others state "Under current standards houses are built 6 to an acre; 10 feet to the property line and only 20 feet between houses. Once one house is ignited, radiant heat could easily spread fire to the next one." Note: the burning structures burn at 2,000-3,500 degrees Fahrenheit. The proposed lot density for Orchard Hills averages 7.29 lots/ houses per acre v. 4 lots per acre under the R1 low density standard of 10,000 sq. foot lots, or 4 lots per acre - a standard that significantly increases structure survivability.

National Institute of Standards and Technology researcher's recommendations also provide: "High- density structure -to-structure spacing in a community should be identified and considered in Wildland Urban Interface fire response plans... a majority of homes destroyed were ignited directly by radiant heat and ember showers coming from other nearby burning residences." Vegetation fuels carried the fire on the ground as well.

Based on observations, the researchers concluded that "structure spatial arrangements in a community must be a major consideration when planning for Wildland Urban Interface fires." I don't believe this has been done.

NIST: Technical Note 1910: A Case Study of a Community Affected by the Waldo Fire
15.1 Primary Technical Findings

Item number 28: "Fire can rapidly ignite multiple structures in high density low structure separation distance communities even when first responders are at peak deployment of resources."

For more detailed information go to: NIST Reports on Waldo Fire Colorado 2012
NIST Technical Note 2205 - Marshal Firer- Colorado 12/30/2021 - WUI Structure
Parcel/Communities, Fire Hazards and Mitigation and
ProPublica - Wildfires in Colorado Are Growing More unpredictable

SEPA Checklist Item #14- Transportation. Associated with the lot density issue is the number of residents and resulting additional vehicle trips generated in the 52 lot Orchard Hills PD - traffic volume, congestion and potential conflict with fire apparatus/resources responding to the fire. I address this in Items a, d and f. Also of concern is access to the units who access their residence via Private Access Corridor - Item #14, d.

SPECIFIC COMMENTS.

Item #8 Land and Shoreline Use

- a. What is the use of the site and adjacent properties. Will the proposal affect current land uses on nearby or adjacent properties?**

Palm response: The current undeveloped site is situated to single family residential properties and one of Town of Twisp water reservoirs. The proposed development included single family housing which is consistent with surrounding residential use and zoning.

My comment: The proposed development is not consistent with the surrounding residential use and zoning. The surrounding zoning is R1 Low density residential - minimum 10,000 sq. ft. lots. The proposed PD lots range from 3,630 sq. f. to 8,903 sq. ft. – averaging 5,972 sq. ft. Smaller lots increase home density, which places structures close together. High density lots/homes greatly increases potential for rapid fire spread from house to house, making them more susceptible to fire ember showers and fire spread - and significantly reducing structure survivability.

As provided in Wildfire Today: Characteristics of structures that burned in the 2018 Camp Fire
“Homes more than 18 meters (59 feet) from a destroyed structure and less than 53% pre-fire overstory canopy within 30-100 meters survived at a substantially higher rate than homes in closer proximity to a destroyed structure...Most fire damage to surviving homes appeared to result from radiant heat from nearby burning structures or flame impingement from the ignition of near - home combustible materials” ...both proximities to neighboring burning structures and surrounding vegetation influences home’s survival with wildfire...”
The proposed 7.29 lots per acre significantly reduces structure survivability while significantly increases probability of ignition.

The National Institute of Standards and Technology states, in NIST Technical Note 2205 Table 3, *Structure and parcel hardening effectiveness: (regarding the Marshall Fire in Colorado, December 30, 2021)*

“For high density interface perimeter and interior probability of structure survivability if neighboring structure ignites is LOW and impact of structure ignition in community is HIGH ”

c. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans.

Palm Response: Proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning.

My Comment: The proposed development lot sizes are well below the Town of Twisp Comprehensive Plan R-1 Standards. Increased density places adjacent structures closer together and more susceptible to ignition house to house via radiant heat and ember showers. Development lots range from 3,630 to 8,903 sq. ft., almost doubling the home density, not lessening it. Traffic will double and cause major traffic congestion during a Level 3 Evacuation and the speed in which people should evacuate.

The development doubles the number of people and vehicles evacuating and leads to traffic congestion, increased possibility of accidents, reduces evacuation time and increases emergency resources mobilization time.

Item #9 Housing

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

Palm Response: 53 lots of single residential lots

My Comment: See 8.a above regarding structure density and fire spread. Higher density of lots/homes significantly increases the probability of home- to- home fire ignition and lessens structure survivability. It may also jeopardizes adjacent communities.

Adding 53 (52) lots also doubles traffic volume to roughly 1,000 evacuees desperately fleeing the fire. 1000 evacuees will severely impact traffic flow and fire resources mobilization time during a Level 3 Mandatory Evacuation. Heavy smoke often reduces visibility, creates poor driving conditions and increases the likelihood of vehicle accidents.

- c._Proposed measures to reduce or control housing impacts. If any.

Palm Response: Intent of Planned Development is to increase housing by providing smaller quality lots and limited number lots with zero side setback to allow the building of townhouses.,

My Comment: Increased density places adjacent structures closer together and more susceptible to ignition house to house via radiant heat and ember showers. Structures burn at 2,000 to 3,500 degrees Fahrenheit emitting extremely high radiant heat. Larger lots (R1 10,000 sq. ft. stand a much higher probability of survivability.

Item #14 Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system.

Palm Response: Public streets and highways serving the site include HWY 20, Harrison Avenue, June Street, Marie Street, and May Street, Additionally, a fire apparatus access road is proposed from Isabella Lane to Macintosh Road generally following the existing water tank access road.

My Comment: As proposed there is only one egress from Orchard Hills to May Street – on the south end of the development via Harrison. What about for a second egress for an expeditious evacuation route for residents living on the north end of the development? If the fire front is approaching from the south Harrison Street may not be viable exit. There needs to be a second egress to evacuate residents to the northeast/east.

The only designated road on the north end of the development is the currently designated city right-away to the water tanks. This road, when improved/replaced will be the fire apparatus access road and the only road exiting the north end of the development. The width must be able to accommodate 9 -10- foot- wide fire engines. Fire engines mobilizing to the development and engines egressing must be able to pass one another.

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

Palm Response: yes, proposal creates driveway access to residential properties, one public road (Macintosh, connection to existing Town of Twisp road network, and pedestrian pathways.

My Comment: The interior lots will be difficult to service with fire apparatus., especially in winter when snow berms reduce the drivable width. The interior residences safety is compromised. For the residents relying on the Private Access Corridors to reach Macintosh and Harrison (residents living on the “uphill side” of Macintosh, Lots 1-14 and Lots 43-45, and other lots) need standard “spec” roads accessing their residence. The corridors are 20 ft. wide and between 85-137 ft. long, (to Lots number 34 and 40.) When responding to the fire the fire engine must back into the corridor in order to service the residence. A 8.5 -10 foot wide fire engine (average large engine is 9.0 feet wide) needs the entire 20 ft. corridor to accommodate the fire engine, provide a safe work space for the fireman and parking for fire support emergency vehicles. Residents, if they have not evacuated, will not be able to evacuate via the corridor when fire apparatus and emergency vehicles are in the corridor.

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

Palm: Response: Study be independent consultant SJC Alliance estimates that there will be 563 new trips per day on May Street and Harrison Street. There is no anticipated commercial traffic.

My Comment: The number of vehicle trips will double when you add in vehicles evacuating from Isabella., Schoolhouse Hill, Painter Addition and Bigelow. Traffic volume and related congestion will slow fire resource ingress mobilization.

A reduction of the number of lots to R1 specs will significantly reduce traffic volume.

A new traffic study is warranted, to include total evacuation of Orchard Hills and adjacent communities. Both ingress of emergency vehicles and egress of evacuating residents should be included. The study should include ingress and egress to May Street, May Street to 2nd Avenue, 2nd Avenue to Highway 20 and after the stop sign on to Highway 20.

CONCLUSION

The Methow Valley and surrounding forests have a long history of catastrophic fires. The likelihood of a major catastrophic fire striking our community is very high. By addressing the issues presented in this appeal, now, when you have the opportunity, will pay great dividends in terms of public safety and reduction of property loss.

Unlike other disasters, wildfire is one of those risks there is much we can do from a mitigation standpoint to put odds at least in favor of that home surviving."

ProPublica - Marshall Fire - article 12/27, 2022 Wildfires in Colorado Are Growing More Unpredictable. Officials Have Ignored the Warnings

Conclusion: The Orchard Hills Planned Development should complete an EIS to fully evaluate the significant adverse environmental impact that wildland and structural fire will have. The Fire Chief and Fire Commissioner Palm's, primary responsibility is public safety with regard to fire. They should be advising the Planning Commission and Town of Twisp government of issues which compromise community/district fire related safety. Industry wide Fire Chiefs consult with elected officials, providing recommendations for protection of life and property in the fire district. They should objectively identify fire related issues and provide direction on major projects.

The Town has already recognized the need for an additional independent fire study for the Orchard Hills Planned Development Application.

Based on my appeal comments regarding Checklist items 8, 9 and 14, I recommend that the proposed development be denied until the appeal issues are fully explored and mitigated via an EIS.

William Moody

Date: 2-22-23

William Moody

Sandra Moody

Date: 2-22-2023

Sandra Moody

RECEIVED

FEB 21 2023

TWISP CLERKS OFFICE

Twisp, Washington

February 20, 2023

Randy Kilmer, Twisp Town Clerk

Re: Notice of Appeal of the SEPA MDNS
Orchard Hills Subdivision
Agency File Number TWP PD22-02

Dear Mr. Kilmer;

Our names are Ken and Virginia Borg, and we are residents of Twisp residing at 5 Isabella Lane. Our phone number is 253-709-4661. Our concern is the impact of increased traffic volume that will be created by the proposed Orchard Hills Subdivision on to May Street, the sole access for ingress and egress for this and the already existing Painters Subdivision.

As submitted, the proposed Subdivision will add 53 households to the present Painters Subdivision which currently has 49 homes and 27 buildable lots. The proposed Subdivision will add about 106 additional vehicles to the road system served by May Street. Combined with the 27 buildable lots in the Painter's Subdivision and the 49 existing homes, there will be a projected 276 vehicles relying on May Street for ingress and egress. In event of a forced evacuation this volume will result in chaos, with emergency vehicles attempting to enter and citizens attempting to exit to safety. Just imagine 276 vehicles with an average length of 18 feet. It would be about 1 mile long.

The Traffic Scoping Analysis presented in the resubmittal does not address the impact of the additional traffic to the only ingress and egress for the entire developments of the hill and is inadequate. There needs to be a **traffic impact analysis** addressing this problem targeting the #6 traffic choke points. These are:

1. **Harrison and May Street** – this is where the traffic from Orchard Hills Subdivision meets May Street, adding 106 vehicles.
2. **Isabella and May Street**, add 24 vehicles.
3. **May Street and Lookout Mountain Road**. Traffic coming from the neighborhoods served by the Lookout Mountain Road converge here, adding 60 vehicles. This is also directly across the road from the Fire Department, an obvious marshalling site for emergency vehicles.
4. **West Second Avenue (Twisp River Road) and May Street/Lookout Mountain Road**. This is a critical junction as traffic merges with all traffic to the West (no traffic estimates available).
5. **West Second Avenue (Twisp River Road) and State Route 20**. This is yet another critical junction as it offers the only way out of harms way. It is a busy highway and a required stop. It is about 200 yards from the junction of May Street/Lookout Mountain Road.
6. In a forced evacuation, the residents served by **Twisp Avenue and State Route 20** would also likely be evacuated, adding exponentially to the bottle neck at State Route 20.

The “Traffic Scoping Analysis” which is part of the Orchard Hills Subdivision revised application, prepared by SCJ Alliance Consulting Services on 9/9/22 serves a limited purpose and states that “traffic operations impact to existing intersections, including May Street at Second Avenue, and an assessment of Pedestrian facilities, can be further addressed if necessary, in a traffic impact analysis”.

International Fire Code calls for two separate points of ingress and egress for any development of over 30 lots. To require interior sprinklers in lieu of and additional egress and to ignore the impact on the entire neighborhood – 129 homes upon build out is irresponsible.

This issue is critical to the safety of the citizens of Twisp living On the West side of SR 20 and requires an in-depth study that should be addressed before the Orchard Hills Subdivision application moves forward.

Clearly an Environmental Impact Statement is required addressing this issue.

Ken Borg
Virginia Borg

February 20, 2023

Randy Kilmer, Twisp Town Clerk
P O Box 278
Twisp, WA. 98856
RE: Orchard Hills Planned Development Project
Agency File Number: TWP PD22-02
SEPA MDNS January 23rd, 2023

We are submitting an appeal of the SEPA MDNS for this project that was issued January 23, 2023. There are several questions of concern that the proponent does not answer in this resubmittal.

Background-Project Description

11. Proponent still is proposing that this is a low impact development not taking into account the amount of increased traffic of 563 additional vehicle trips per day, including ingress and egress issues for fire, and air quality issues with wood burning devices.

B. Environmental Elements.

1. Earth

Proponent states, "Within the approximate 11 acres of development area, excavation and grading will be typical for infrastructure and construction of single and multi-family homes. Select materials will be imported as necessary for infrastructure improvements."

In reply, Earth e. asks for source of fill. Proponent does not state the source of fill. Proponent uses "multi-family homes" in statement. Why is it stated, when the zoning is for single family residences?

2. Air

Proponent states, "After project completion, potential sources of emissions to the air include vehicle and typical home emissions." In reply, With an increase of 563 vehicles per day and the introduction of woodstoves as a heat source, air quality will be compromised.

4. Plants

c. Landscaping

Proponent states "Most landscaping will be installed by individual homeowners of single-family residences and is exempt from TMC landscaping regulations per 18.20.160(2)(a)."

However, for a planned development the TMC also states, "(4) Landscape Plans. Planned development applications shall include a **general landscape plan which shall include plantings for street frontage and interior lot line buffers and parking lot and ornamental landscaping (including light diffusion and site obstruction), and which shall concentrate on low-water-use plantings where feasible.** As a minimum, plantings shall include the landscaping and buffers specified in TMC 18.20.120 for the zoning district in which the planned development is proposed.

The proponent does not show plantings for interior lot line buffers or specify low- water- use plantings. The proponent leaves this up to the lot purchaser. This is where CC&Rs need to be indicated for the lot owners.

6. Energy and Natural Resources

Woodstove use-curtail-need CC & Rs.

7. Environmental Health

What is the mitigation that is required by the Department of Ecology? The "Model Remedies Former Orchards" lists four mitigation types. Please list the types of mitigation that will be done, specifically and in which area.

Proponent states, "High arsenic levels probably of natural origins."

The use of the word **probably** is not reassuring. What is required to know what the probability is?

b. Noise

Proponent states, "Project proposes to reduce and control noise by reducing hard surfaces with minimal width vehicular access and local access roads, and encouraging pedestrian trips by providing trails and walkways. Construction will be limited to normal business hours."

In reply, Increased additional vehicle trips will increase the impact of noise. Minimal width vehicular access roads are not conducive to pedestrian trips.

Land And Shoreline Use

Proponent states "The current undeveloped site is situated adjacent to single family residential properties and one of the Town of Twisp water reservoirs. The proposed development includes single family housing which is consistent with **surrounding** residential use and **zoning**."

In reply, the proposal is not consistent with surrounding residential use and zoning. The current zoning is R1, 10,000 sq. ft. low density single family residential. The proposal will affect current land uses on nearby or adjacent properties with increased density.

Another statement, under Housing, c. proponent states, "Intent of Planned Development is to increase housing by providing smaller high quality lots and a limited number lots with zero side setback to allow the building of townhouses."

In reply, townhouses are totally out of character and are not consistent with the surrounding residential use.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. Proponent answers, "Yes, (i) Potential Aquifer Recharge Area, (ii) Steep Slopes. All water storm water will be infiltrated and lots are laid out to avoid steep slopes."

In reply to part of this statement, "lots are laid out to avoid steep slopes", there are 31 Tuck under garages and 13 daylighted basements required to be able to build on the lots. These features indicate buildings that would be on slopes.

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

Proponent states, "Proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning."

In reply, under Earth above, Proponent states, "Within the approximate 11 acres of development area..." This makes the density of the project greater than the current zoning. There are about 6 acres that are not feasible to build on, due to the very steepness of the slopes.

9. Housing

This section asks how many units would be provided, if any and whether they are high, middle, or low- income housing.

Proponent states there are "53 lots of single residential lots."

In reply, there is no housing provided, only lots being sold for the Planned Development. Proponent does not answer if it is high, middle, or low- income housing because there is none. If no housing is provided, where are the CC&Rs for the lots?

12. Recreation

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

Proponent states, "By putting 40% into open space and maintaining an informal route to the ridge summit, the informal hiking will be legal and maintained into the future."

In reply, this space will be dedicated to the Town and as the Town has stated that it will not be maintained by them.

14. Transportation

The map shown under a. does not show the streets, Isabella Lane, Marie Street or McIntosh Rd.

The Traffic study estimates there will be 563 new vehicle trips per day in addition to the trips already taking place from Painter's Addition. The traffic study does not address the impact on emergency access to and from the May Street neighborhood. With this many added vehicle trips one of the chief hazards is a fire emergency and subsequent evacuation with many vehicles attempting to leave the area while at the same time emergency response vehicles will be attempting to enter the site.

This will create much congestion and jeopardizes the residents of Painter's Addition as well as other nearby residents due to roads converging below the Painter's Addition.

Before an issuance of a SEPA MDNS an environmental impact statement must be prepared, when "significant adverse impacts on the environment are probably, not just when they are inevitable." Per 154 Wn. App. 408 Lanzce G. Douglas Inc. versus City of Spokane Valley.

The above case is cited in that the MDNS fails to address the situation in the Orchard Hills PD plans.

We are requesting that the MDNS be withdrawn and that an EIS be prepared.

Thank you for your time.

Handwritten signatures of Vince Friggione and Nancy Friggione in blue ink. Vince's signature is on the left, and Nancy's is on the right.

Vince Friggione
Nancy Friggione
616 May Street
PO Box 945
Twisp, WA 98856

Randy Kilmer, Twisp Town Clerk
Town of Twisp
115 S. Glover Street Twisp, Wa. 98856

2-16-23

TWP 22-02 SEPA MDNS Appeal

SEPA Checklist Orchard Hills PD

Item 14. Transportation

I am appealing the MDNS for TWP PD22-02 as insufficient in mitigating the impact on emergency access to and from the May Street neighborhood and the proposed development. The traffic study provided by the proponent does not address this issue which was raised in the original SEPA DNS appeal and is included in the Town Planner's letter describing the elements needed to be addressed in issuing the MDNS dated January 23, 2023. See Item 5. Traffic – Volume, road capacity and emergency access.

The proponent's Traffic Study states that, "The specific design requirements to assure accommodations of snow removal and emergency access will be dictated by the Town roadway design standards."

The Traffic study also states, "Traffic operational impacts to existing intersections, including May Street at 2nd Avenue, and an assessment of pedestrian facilities, can be further addressed if necessary in a traffic impact analysis."

The proponent does not address the impact on emergency access to and from the May Street neighborhood nor does proponent address any mitigation measures to assure the safety of both current and future occupants of the May Street neighborhood and the proposed Orchard Hills PD. In the case of a wildland or urban fire emergency requiring evacuation while simultaneously needing access for emergency response vehicles, would the May Street / 2nd Ave. intersection safely handle the traffic? There is no data provided by the proponent to answer the question.

The Methow Valley/ Twisp area have experienced severe wildland fires in 2014, 2015, 2018 and 2021 with Level 3 evacuations required for the Town of Twisp in 2015. It is imperative for the safety of the residents of Twisp, and specifically the May Street neighborhood, that emergency access for both escape and responding emergency vehicles be addressed before issuance of a SEPA MDNS.

Per 154Wn. App. 408 Lanzce G. Douglas Inc. V. City of Spokane Valley, the court affirmed that:

"An environmental impact statement must be prepared whenever significant adverse impacts on the environment are probable, not just when they are inevitable. *King County*, 122 Wn.2d at 663.

Such is the case in the situation with the Orchard Hills PD and the existing May Street neighborhood. The MDNS is ignoring the probability of the impact when another wildland fire occurs in the area. I request that the MDNS be withdrawn until sufficient studies and mitigations are offered by the Orchard Hills PD proponent or an EIS is prepared.

TMC 16.05.120 Mitigated DNS.

(8) If the town's tentative decision on a permit or approval does not include mitigation measures that were incorporated in a mitigated DNS for the proposal, the town should evaluate the threshold determination to assure consistency with WAC 197-11-340(3)(a) (withdrawal of DNS).

Thank you,



Howard Cherrington

P. O. Box 681

Twisp, Wa. 98856

February 16, 2023

Randy Kilmer, Twisp Town Clerk
P O Box 278
Twisp, WA. 98856

RE: Orchard Hills Planned Development Project
Agency File Number: TWP PD22-02
SEPA MDNS January 23rd, 2023

I am submitting an appeal of the SEPA MDNS for this project that was issued January 23, 2023. There are several questions of concern that the proponent does not answer in this resubmittal.

Background-Project Description

11. Proponent still is proposing that this is a low impact development not taking into account the amount of increased traffic of 563 additional vehicle trips per day, including ingress and egress issues for fire, and air quality issues with woodburning devices.

B. Environmental Elements.

1. Earth

Proponent states, "Within the approximate 11 acres of development area, excavation and grading will be typical for infrastructure and construction of single and multi-family homes. Select materials will be imported as necessary for infrastructure improvements."

In reply, Earth e. asks for source of fill. Proponent does not state the source of fill. Proponent uses "multi-family homes" in statement. Why is it stated, when the zoning is for single family residences?

2. Air

Proponent states, "After project completion, potential sources of emissions to the air include vehicle and typical home emissions."

In reply, With an increase of 563 vehicles per day and the introduction of woodstoves as a heat source, air quality will be compromised.

4. Plants

c. Landscaping

Proponent states "Most landscaping will be installed by individual homeowners of single-family residences and is exempt from TMC landscaping regulations per 18.20.160(2)(a)."

However, for a planned development the TMC also states, "(4) Landscape Plans. Planned development applications shall include a general landscape plan which shall include plantings for street frontage and interior lot line buffers and parking lot and ornamental landscaping (including light diffusion and site obstruction), and which shall concentrate on low-water-use plantings where feasible. As a minimum, plantings shall include the landscaping and buffers specified in TMC 18.20.120 for the zoning district in which the planned development is proposed.

The proponent does not show plantings for interior lot line buffers or specify low- water- use plantings. The proponent leaves this up to the lot purchaser. This is where CC&Rs need to be indicated for the lot owners.

6. Energy and Natural Resources

Woodstove use-curtail-need CC & Rs.

7. Environmental Health

What is the mitigation that is required by Department of Ecology? The "Model Remedies Former Orchards" lists four mitigation types. Please list the types of mitigation that will be done, specifically and in which area.

Proponent states, "High arsenic levels probably of natural origins."

The use of the word probably is not reassuring. What is required to know what the probability is?

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Proponent states, "Project proposes to reduce and control noise by reducing hard surfaces with minimal width vehicular access and local access roads, and encouraging pedestrian trips by providing trails and walkways. Construction will be limited to normal business hours."

In reply, Increased additional vehicle trips will increase the impact of noise. Minimal width vehicular access roads is not conducive to pedestrian trips.

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Proponent states "The current undeveloped site is situated adjacent to single family residential properties and one of the Town of Twisp water reservoirs. The proposed development includes single family housing which is consistent with **surrounding** residential use and **zoning**."

In reply, the proposal is not consistent with surrounding residential use and zoning. The current zoning is R1, 10,000 sq. ft. low density single family residential. The proposal will affect current land uses on nearby or adjacent properties with increased density.

Another statement, under **Housing**, c. proponent states, "Intent of Planned Development is to increase housing **by providing smaller high quality lots and a limited number lots with zero side setback to allow the building of townhouses.**"

In reply, townhouses are totally out of character and are not consistent with the surrounding residential use.

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

Proponent answers, "Yes, (i) Potential Aquifer Recharge Area, (ii) Steep Slopes. **All water storm water will be infiltrated and lots are laid out to avoid steep slopes.**"

In reply to part of statement, "lots are laid out to avoid steep slopes", there are 31 Tuck under garages and 13 daylighted basements required to be able to build on the lots. These features indicate buildings that would be on slopes.

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

Proponent states," Proposal is developed pursuant to adopted Town of Twisp regulations. **This is a proposed residential development with less overall density than the current zoning.**"

In reply, under **Earth** above, Proponent states, "Within the approximate 11 acres of development area..." This makes the density of the project greater than the current zoning. There are about 6 acres that are not feasible to build on, due to the very steepness of the slopes.

9. Housing

This section asks how many units would be provided, if any and whether they are high, middle, or low- income housing.

Proponent states there are "53 lots of single residential lots."

In reply, there is no housing provided, only lots being sold for the Planned Development. Proponent does not answer if it is high, middle, or low- income housing because there is none. If no housing is provided, where are the CC&Rs for the lots?

12. Recreation

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

Proponent states, "By putting 40% into open space and maintaining an informal route to the ridge summit, the informal hiking will be legal and maintained into the future."

In reply, this space will be dedicated to the Town and as the Town has stated that it will not be maintained by them.

14. Transportation

The map shown under a. does not show the streets, Isabella Lane, Marie Street or McIntosh Rd.

The Traffic study estimates there will be 563 new vehicle trips per day in addition to the trips already taking place from Painter's Addition. The traffic study does not address the impact on emergency access to and from the May Street neighborhood. With this many added vehicle trips one of the chief hazards is a fire emergency and subsequent evacuation with many vehicles attempting to leave the area while at the same time emergency response vehicles will be attempting to enter the site.

This will create much congestion and jeopardizes the residents of Painter's Addition as well as other nearby residents due to roads converging below the Painter's Addition.

Before an issuance of a SEPA MDNS an environmental impact statement must be prepared, when "significant adverse impacts on the environment are probably, not just when they are inevitable."

Per 154 Wn. App. 408 Lanzce G. Douglas Inc. versus City of Spokane Valley.

The above case is cited in that the MDNS fails to address the situation in the Orchard Hills PD plans.

I am requesting that the MDNS be withdrawn and that an EIS be prepared.

Thank you,

Pearl Cherrington

Pearl Cherrington

PO Box 681

Twisp, Wa. 98856



**TOWN OF TWISP
PLANNED DEVELOPMENT
COMMENT SHEET**

The following permit application may be of interest to you.

PROJECT AND APPLICANT: Orchard Hills Planned Development

NOTICE IS HEREBY GIVEN Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero side yard setback. The proposed planned development is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

Persons wishing to view project information may contact Twisp Town Hall, 118 S. Glover Street, between the hours of 9:00 AM and 5:00 PM Monday through Thursday. A copy of the resubmitted application plans and SEPA checklist are available on the Town's website at townoftwisp.com. Copies of special studies are available for review at Town Hall. Written comments must be submitted to the Town of Twisp, P.O. Box 278, Twisp, WA 98856, no later than 5:00 PM, Wednesday February 8, 2023 with verbal comments accepted at the Planning Commission Public Hearing set for 5:00 pm on February 8, 2023. For further information check the Town of Twisp website or contact Kurt Danison at (509) 997-4081.

APPLICATION: TWP PD22-02

DATE SENT: May 26, 2022

The Town of Twisp has enclosed application materials inclusive of a Land Use Application, Notice of Application, proposed Plat Map other related documents for the application for approval of the Orchard Hills Planned Development. Any comments regarding the impacts of this project are requested along with general comments regarding the proposed development and will be considered in the review of the permit.

Please fill out and return this form to: Town of Twisp – Attention Orchard Hills PD; P.O. Box 278, Twisp, WA 98856

Written comments due: **February 8, 2023**. Comments may also be submitted by email to townplanner@townoftwisp.com.

Commenting Department, Agency, or Individual:

ART TASKER / Barbara Gohl

Comments:

See attached sheets.

(if needed, use reverse side for additional comments)

ART. & Barbara Gohl Signature

Title

2/20/23 Date

February 20, 2023

Randy Kilmer, Twisp Town Clerk

RE: Notice of Appeal of Orchard Hills Planned Development Project

Agency File Number: TWP PD22-02

SEPA DNS January 23, 2023

Dear Mr. Kilmer:

Our names are Art Tasker and Barbara Gohl, husband and wife. We are property owners at 7 Isabella Lane just downhill from the project on School House Hill. Below are our comments. If our comments/concerns are not adequately answered/addressed, we reserve the right to file an appeal.

The answers contained in the SEPA checklist have errors or they fail to address several environment concerns we have. The most important area of concern is the failure to provide adequate emergency egress from the proposed development.

At this time we are requesting that the MDNS be withdrawn and require the proponent to resubmit the SEPA checklist with corrections and an in-depth analysis of the egress issues from the development and how the proposal will affect egress from the entire area accessed by May Street (School House Hill).

Below are comments on each issue that needs attention. Each comment is listed below the number of the specific SEPA question the comment applies to.

B.1.b.

*The proponent indicates the steepest slope within the project is 24%. However the steepest slope is a vertical cliff and other slopes are up to 80 %. The **Instructions for the applicant** state that the **questions apply to all parts of the proposal**. Therefore this inaccurate answer must be intended to apply only to the developed portion of the proposal.*

B.1.c.

The same slope % inaccuracy noted above in B.1.b. is repeated here in the soil map's legend. It indicates soil type 343 only is applicable to slopes up to 45%. Is there another soil type that applies to the slopes over 45%?

B.6.a.

Twisp has some of the worst air quality in the State. Currently "grandfathered" older wood stoves are being replaced with low emission wood stoves through a cooperative program

involving the town. It is very shortsighted to list wood as one of the proposal's encouraged sources of energy. Thus the proposal is contributing to making a very unhealthy situation worse.

B.6.c.

The proposal indicates that it will conserve energy by "reducing paved surfaces and development footprint". This too is inaccurate.

All roads will be built to Town standards which doesn't reduce pavement.

Regarding the footprint, if the area was developed under the current 10,000 square foot zoning there would about 30 households versus the proposal's 52. The additional 22 households will use a significantly greater amount of energy than just 30 under the R1 zoning. This is a significant difference.

B.7.b.3)

To reduce or control noise the proposal says it would do this by "reducing hard surfaces with minimal width vehicular access". This is yet another inaccuracy. Standard width roads are proposed in the current plan.

B.8.a.

The proposal purports to be "consistent with surrounding residential use and zoning". This is a misrepresentation of the facts. The surrounding area is R1 with a minimum of 10,000 square foot lot restriction. The only resemblance to the surrounding area is that it is residential.

B.8.f.

The proposal states "The comprehensive plan also identifies a need for a park in the vicinity". This is misleading by suggesting that the proposal will create a park. It is disingenuous to state that this need is being fulfilled by the dedicated, steep open space that both the Town and the proponent have said they will not develop or maintain. An undeveloped open hillside covered with highly flammable vegetation cannot be considered to be a park.

B.8.i.

Typically each house is expected to have 2.5 residents. Therefore the estimated number of future residents would be 130 not 100.

B.8.l.

The proposal states that this will be a "residential development with less overall density than the current zoning". This again is a misrepresentation of the facts. Instead of 30 houses on

10,000 square foot lots, 52 will be crowded into the same buildable space with lots varying between 3600 sq ft to 8900 sq ft.

The proposal would also create about 16 zero setback lots. In addition, the very small size of some lots likely will leave the new landowners with no alternative but to place their houses at the edge of the five foot, minimum, side setbacks. This means that some houses could be within 10 feet of each other.

B.9.a.

The question was not fully answered. It says there will be 53 lots but doesn't answer whether they **"will be high, middle, or low income housing"**.

The proponent has repeatedly stated that it will be affordable housing which it is not. None of the lots will have any form of subsidy or price cap control that would make them accessible to lower income individuals/families, which is a valley-wide desire.

By the time the lots are put on the market, the smallest lots will likely be at least \$100,000. Building costs are currently \$325/sq ft and interest rates are continuing to rise rapidly. Cost to buy a small lot and build a 1,000 sq ft home, without hardscaping or landscaping, would be at least \$425,000. This reality will leave the people that truly need access to affordable housing standing on the sidelines watching as those with the means buy the lots.

Calling these affordable lots is window dressing to attempt to gain public support for this proposal.

B.9.c.

Instead of saying there will be a **"limited number of lots with a zero side setback"**. It should state what it is, 31% of lots will be townhouses with zero side setbacks. That is nearly one third of all lots.

Attempting to maximize the number of lots on the buildable portion of the ownership will cram houses closer together unacceptably exacerbating the fire hazard within the development.

If a fire becomes established in the development, whether it originates inside or outside the development it could spread quickly from house to house due to the inadequate spacing between houses. Spacing could be as little as 10 feet because of 5 foot property line setbacks. This may be unavoidable due to the very small size of many of the lots. Studies and experience show that structures with less than 20 feet between them can lead to a house fire jumping from one burning house to the neighboring house by radiant heat alone. With high winds this could cause the fast spread of the fire and ignite the entire development as has been experienced in many areas with conditions similar to Twisp's such as Paradise, California and the towns of Malden and Pine city in eastern Washington.

B.11.b.

Light from the development would significantly affect the "dark sky" concept. The view of stars in the night sky would be more difficult to view due to the added light pollution from the development overpowering and obscuring light from the stars. Downward facing exterior lighting would partially mitigate this impact.

B.12.c.

The assertion that an "informal" trail will be available lacks specificity. Will this be open to the public or only to the landowners in the development? Where will the trailhead be located? If not legally dedicated to that use, there are no assurances that it would be available sometime in the future.

B.14.h.

This proposal creates and greatly increases a significant risk of property damage and loss of life during a Level 3 emergency evacuation by negatively impacting the egress of the residents of the proposed development and in addition the existing residents on rest of School House Hill.

As people in the Methow valley know we live in an area with a very high risk of experiencing fast moving, wind driven wildfires. These wildfires have many ignition sources such as lightning, arcing powerlines, debris burning, welding and exhaust sparks, escaped campfires, arson, children playing with matches, car fires, and structure fires spreading to the surrounding undeveloped landscape.

The greatest potential for the most severe impacts relative to property damage and loss of life will occur during periods of high temperatures, low humidity and strong winds. Under these conditions any fire start can lead to a very large, fast moving fire.

The closer the fire start to the proposed development the less time residents will have to gather valuables and evacuate. Residents of the Methow Valley know from experience that a Level 3 order to evacuate could come with very little advance warning and necessitate the evacuation of residents within minutes not hours.

People can experience high stress and panic when faced with a wildfire coming at them sounding like a freight train and with flames up to 20 feet high in tall grass and bitterbrush such as exists around the proposed development. Under these circumstances human behavior can become erratic and irrational: such as delaying evacuation by illogically concentrating on saving an inordinate amount of possessions rather than focusing on a speedy evacuation.

Roads can become clogged by the sheer number of vehicles and frightened residents all trying to get out at the same time. From my experience vehicle accidents can occur due to the panic caused by such a situation.

This can happen because people unwisely try to pass slower or stopped vehicles. To compound the problem firetrucks and other first response vehicles will be trying to enter the development, as will people coming to assist with the evacuation of friends and loved ones. They all will be

driving against the outflow of evacuees. Any bottlenecks or stoppage impeding the egress will increase the panic level and erratic behavior and have a higher chance for vehicle accidents.

This development only has one egress for residents to access the existing roads on the School House Hill and only one ingress for emergency responders. This is clearly not prudent nor is it in compliance with the fire code that requires at least two egresses from a development of more than 30 houses.

The proponent has stated that he would utilize the exception to that code requirement by installing an interior sprinkler system in each house. This alternative of requiring a sprinkler system in all homes is not the answer. A sprinkler system inside a house is designed to extinguish an interior house fire or slow its spread sufficiently to give firefighters time to respond.

All of the current residents of School House Hill also only have one egress if there is a need to evacuate. All evacuees will funnel onto May Street. Next they will converge with the Lookout Mountain road and the Twisp River road immediately across the street from the fire station which would likely be a marshalling point for fire equipment and personnel. This will be an impediment and slow the evacuation.

This has been acknowledged by the Town for years and it has been trying to secure a second egress off the Hill. To date there has been not progress. Whereas this is not a problem the proponent would be required to fix, it would be imprudent to exacerbate the problem by approving this proposal as submitted. Doubling the number of houses, vehicles and people would be turning a blind eye to the situation and its potential significant impact. Relying on hope as the strategy for solving the egress issue is irrational.

The only reasonable mitigation, which still does not solve the evacuation egress problem, would be to increase the lot size. This would reduce the number of lots and result in fewer houses, people and vehicles needing to evacuate.

The following is a court ruling that demonstrates the significance of the need for adequate egress from a housing development in an area of high wildfire risk. So much so it required the preparation of an EIS, not just a SEPA checklist. This proposal also needs that same level of evaluation, preparation of an EIS prior to any final decision.

Douglas v. City of Spokane Valley, 154 Wn. App. 408 (2010) - The court upheld the hearing examiner's decision reversing the city planning department and requiring preparation of an EIS for a proposed housing development to address egress from the area of the proposed development (an area of high fire risk) in the event of a firestorm that would require evacuation of the area. <http://courts.mrsc.org/appellate/154wnapp/154wnapp0408.htm>

February 2, 2023

Dear Planner Danison, Mayor Moody, Twisp Planning Commission, Twisp Town Council, and Palm Investments,

Before addressing two specific issues concerning the proposed Orchard Hills Development, I would like to clarify the perspective from which I have considered both Palm Investments' Resubmittal, and the public documents (town codes, state environmental/stormwater regulations, council meeting minutes) which provide guidance for this planned development.

Clarification of Perspective

Palm Investments is proposing a planned development. In their second submittal, Palm Investments envisions this as an equation:

The planned development proposal put forward by Palm Investments North is straight forward. Palm investments north will dedicate 40% of the lot to open space, keep building off the ridge line and limit the number of lots to 52 if the Town of Twisp agrees to allow smaller lot sizes and a limited number of zero lot line townhouses. (*see Resubmittal, Comments and Responses*)

But when I read the Town of Twisp's intent concerning the planned development process, I understand it as more conversation than equation:

The intent of the planned development permit process is to allow a variety of uses and developments within the town of Twisp while retaining the ability of the town to review and condition those developments...in order to achieve the following objectives.

A list of 10 objectives follows, with the first two being:

- (1) Provide for flexibility in the design of land uses and activities to encourage more creative approaches to development, to result in more efficient, aesthetic, and environmentally responsive use of lands within the town and
- (2) Allow for public input and response by town citizens and interested persons, agencies and groups, to better assure that land uses and development within the town reflect the needs and desires of town citizens and are consistent with the public welfare of the town (*see Town of Twisp Municipal Code, 18.45.101 Intent*).

In other words, a planned development should strive to be **responsive** to the needs and input of the town, **rather than transactional** (trading open space for smaller lots).

One of the ways in which the Town of Twisp code provides for this responsive, conversation-based approach is by outlining 15 specific components of the Development Site Plan that should be included in a Planned Development Permit. **While a number of those components have been included in the Orchard Hills Resubmittal, several important ones are missing, including the following:**

- (c) Areas proposed to be developed *with approximate footprints of proposed buildings* and their nature (e.g., residential, community use, commercial, office, etc.)
- (f) Location, dimensions and schematic design of *off-street parking areas or facilities*, showing points of ingress and egress

(j) Pedestrian and vehicular circulation pattern

(l) Conceptual landscape plan;

(h) *Stormwater collection and disposal plan.* The performance goal is to assure that stormwater runoff after development does not exceed the amount before development, and that stormwater disposal has no negative impact on the water quality of either surface or groundwater of the Methow Valley, and to provide, where feasible, and at the developer's expense, a stormwater management system which can be extended to serve future developments;

(j) *Air quality considerations and mitigation measures,* including dust control measures. The performance goal is to allow no degradation of the air quality of the Twisp area, either from single projects or by cumulative impacts, and to prevent degradation of the ambient air quality by utilizing sufficient dust control measures both during periods of construction, and after project completion. Automobile emissions will be considered, and projects that will have a significant traffic impact will be expected to investigate all possible avenues to minimize motor vehicle usage, including provision for mass transit (such as bus or van runs to or from the project) and pedestrian/bike access. (See *Town of Twisp Municipal Code, 18.45: Planned Development Permit*)

Rather than include detailed planning for these items, Palm Investments refers them to the town code standards, then suggests that it is up to the Town of Twisp to address resulting concerns:

It is Palm Investment North's opinion that if there are concerns about town wide items such as air quality that they should be addressed by modification to the code and apply to all citizens of Twisp equally. (see *Resubmittal, Comments and Responses*)

In fact, part of the purpose of a planned development is to address those concerns through a detailed and mutual planning process, and for the developer to take responsibility for ensuring that the development promotes a greater public good, including aesthetic and environmental outcomes that are better than what the code might otherwise provide. This is particularly important within the Town of Twisp, which does not have a full-time planner, or staff resources to do the level of detailed mitigation planning that is required. Before approval as a planned development, these missing design and mitigation components should be provided by Palm Investments in greater specificity, including for individual lots.

1. Concerning Stormwater Management and Potential for Increased Flooding

The Orchard Hills Resubmittal includes a soils analysis, and concludes that the soils at the development site are both infiltrative and deep enough to support on-site filtration. It states that any excess runoff will drain to the same location as prior to development, and that since the project does not modify that area of the property it will neither solve nor exacerbate the situation.

In fact, this development would add significantly to total excess runoff, because it increases the amount of impervious surface, in the form of a paved road and sidewalks, driveways, houses and outbuildings in the area most suited to handling stormwater. The steep slopes, which have been rightly exempted from development in this proposal, cannot do this work.

As many of you may remember, the Painter's Addition experienced significant flooding in March 2016; this project will concentrate runoff, putting existing homeowners at greater risk of flooding, and potentially requiring further emergency water diversion efforts from Twisp Public

Works. (see "Twisp Pondering Solutions for Painter's Addition Flooding," *Methow Valley News*, December 14, 2017)

Washington State Department of Ecology provides supplemental guidelines that address this situation, which read as follows:

Where no conveyance system exists at the adjacent downgradient property line and the discharge was previously unconcentrated flow or significantly less concentrated flow, measures must be taken to prevent downgradient impacts. Drainage easements from downstream property owners may be needed and should be obtained prior to approval of engineering plans. (see DOE's *Stormwater Management Manual for Eastern WA*, Ch. 2 "Core Elements for New Development and Redevelopment")

Because this is a planned development, it is the responsibility of the developer to include and require design features that will reduce downgradient impacts, including appropriate building footprints that minimize impervious surface, and landscape features such as bioswales, for individual lots. It may also be necessary to obtain drainage easements.

2. Concerning Fire Access and Egress Roads

My husband and I lived in the Rockridge neighborhood of Oakland in 1991, about half a mile from the edge of the catastrophic Oakland Hills Fire. During that fire, in a small neighborhood on Charing Cross Road at the top of the hill, 27 homes burned and 9 people died trying to escape when a single access and egress point narrowed to 12 feet. Like many in the Town of Twisp, we know how important it is for developments to have multiple access and egress points.

The Orchard Hills Resubmittal designates the utilities access corridor (to the water tower) for an alternate fire access road, which would connect to Isabella Lane to the North. This corridor could certainly serve as emergency egress, and also (as described in the resubmittal) as a pedestrian connector. But in order to do so, the developer and the town need to clarify whether further easements are required.

At a Town Council meeting on December 14, 2021, Heide Appel, then owner of the (private) property through which the utilities corridor connects to Isabella Lane, proposed to include easements for Public Works to access the water tower when she sectioned off a portion of her lower lot and deeded the Isabella Lane right of way to the town. According to the minutes,

Council Member Caswell asked if the easement to the water tower was open for public access. Danison replied that it is only for town staff to access for utility purposes. (see *Twisp Town Council Minutes 12-14-2021*)

Because fire safety is of utmost importance, any needed easements across private land must be legally assured by both the town and the developer before designating the current utilities corridor for alternate fire access to Orchard Hills.

Thank you for taking my perspective, and these specific comments, into consideration. I value the opportunity to be part of the conversation.

Ellen Aagaard, ellaag@yahoo.com

RECEIVED

FEB 27 2023

TWISP CLERKS OFFICE

CITY PLANNER
KURT DANISON

2-27-2023

ORCHARD HILL HOUSING

2-27-2023

1.
TOWN COUNCIL
KURT DANISON - CITY PLANNER
ORCHARD HILL

PROBLEM ONE: NO EXIT - ONE WAY IN AND OUT ONLY MAY STREET. THIS HAS BEEN A PROBLEM SINCE 1982, BUT KURT SAID WE HAVE KNOWN SINCE 2014. WHAT ARE YOU LOOKING AT OR NOT DOING. HOUSES HAVE BEEN ALREADY BUILT UP ON THE HILL AND STILL NO EXIT. THE SAFETY OF OUR NEIGHBOR IS IMPORTANT TO ALL OF US WHO LIVE HERE NOW.

PROBLEM TWO: GOES RIGHT ALONG WITH ONE, BECAUSE WE HAVE NO EXIT OTHER THAN MAY ST. FIRES AND WE DO HAVE THEM HERE IN TWISP AND VALLEY. ORCHARD HILL PLANNING IS EVEN CLOSER TO THE TREE LINE WHERE MANY FIRES START. WATER SPRINKLERS IN HOUSES DO NOTHING.

PROBLEM THREE: TOO MANY HOUSES! 10,000 SQ FT AND 30 HOMES WOULD BE ENOUGH. ORCHARD HILL SHOULD BE IN-LINE WITH THE REST OF THE

2.

CITY PLANNER
ORCHARD HILL

NEIGHBORHOOD. IT'S NOT THAT WE IN THE NEIGHBORHOOD DON'T WANT HOUSES, IT'S TOO MANY AND DON'T WANT OUR NEIGHBORHOOD TO LOOK LIKE SOME PLACES ON THE HILL IN CHELAN. THEY HAVE NO PLACE FOR SNOW OR TO PARK CARS. ALSO AGAIN TOO MUCH TRAFFIC FOR MAY ST.

THE PEOPLE WHO LIVE ON THE HILL NOW DO A LOT OF WALKING AND MANY KIDS PLAYING. WE HAVE NO SIDEWALKS FOR SAFETY EITHER. THE OPEN SPACES THEY WANT FOR PARKS IS NO BIG DEAL - WE HAVE NO PARK FOR KIDS TO PLAY OR RUN DOGS IN OUR NEIGHBORHOOD NOW SO NOT A SELLING POINT.

PROBLEM FOUR: THIS IS NOT LOW-INCOME. BY THE TIME YOU BUY PROPERTY AND BUILD ONLY PEOPLE FROM SEATTLE OR OUT OF TOWN COULD AFFORD TO BUILD. THEY MIGHT END UP TO BE RENTALS. WHO CAN RENT THEM - THOSE WITH MONEY.

3.

CITY PLANNER
ORCHARD HILL

SOLUTION:

1. 1030FT LOT - 30 HOMES
2. FIND ANOTHER EXIT - OUT TOWN DO YOUR JOB.

AGAIN WITH ALL THE TRAFFIC COMING IN AND OUT TO PREPARE LAND AND THEN TO BUILD IS GOING TO PUT A LOT OF STRESS ON THE ROAD THAT WAS JUST FIXED ON THE HILL LAST YEAR. WHO IS GOING TO FIX AND REPAIR?

WE UNDERSTAND TO THAT WHEN IT COMES TIME FOR COUNCIL TO VOTE - 3 CANNOT BECAUSE HAVE BEEN INVOLVED WITH PALM'S AND 4TH ONE SHOULD NOT. SHE SAID SHE THOUGHT IT WOULDN'T BE A PROBLEM. GIVE ME A BREAK - SHE THOUGHT.

LARRY - BARBARA SCHABER
618 JUNE STREET

On behalf of the officers and board of directors of the Methow Dark Sky Coalition I want to provide some comments on outdoor lighting for the proposed Orchard Hill Planned development. While the topic of light and glare is acknowledged in section 11 of the SEPA checklist we think that the proposed development can be improved by implementing a dark sky friendly lighting policy. We do appreciate the benefit of locating the residences below the ridge line.

The Methow Valley is blessed with some of the darkest skies in Washington state and the country. We believe this is an attractive feature of the valley along with the natural beauty and clean environment. Unfortunately, the population growth and the attendant need for infrastructure is increasing the amount of light pollution which will wash out the tremendous view of the night sky we enjoy in the Methow Valley. Light pollution also has negative impacts on human health, wildlife and wastes energy and resources.

We did not see any indication that street lights will be installed for the development. However, if streetlights are to be installed they should be dark sky friendly which means the lights should be fully shielded, pointing down, with a color correlated temperature (CCT) of less than 3000 kelvin (aka warmer light) and preferably utilizing smart streetlight technology. Smart streetlights provide the ability to reduce the lumen output during off hours (e.g. midnight to dawn), providing energy savings and reduced maintenance (see city of Tucson: <https://www.darksky.org/nights-over-tucson/>)

We also request that residential dark sky compliant lighting be utilized in the development. Outdoor lighting should follow five principles for outdoor lighting:

- All light should have a clear purpose: Consider how the use of light will impact the area including neighbors, wildlife and environment. Consider using reflective paints or self luminous markers for signs, curbs and steps to reduce the need for permanently installed lighting.
- Light should be directed only where needed: Use shielding and direct lights where needed to avoid light trespass.
- Light should be no brighter than necessary: Use the lowest light level required. Be mindful of surfaces that may reflect more light into the area than intended.
- Light should be used only when useful: use times or motion detectors to ensure light is only used when needed.
- Use warmer colors: use lights with a color correlated temperature of less than 3000 kelvin.

Information on residential outdoor lighting guidelines can be found here: <https://www.darksky.org/our-work/lighting/public-policy/homeowners-associations/>

Dark Sky friendly lighting for residential, commercial and municipal applications can be found at the International Dark Sky Association website: <https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/fsa-products/#!/Search-by-Use/c/19306351> or by contacting the Methow Dark Sky Coalition: <https://www.methowdarksky.org/contact>.

Following the above guidelines will minimize light pollution, provide cost savings on energy, eliminate glare and light trespass, minimize the negative impact of outdoor lighting on wildlife and human health while providing sufficient light for navigation and safety. We believe that a discussion of these benefits can be added to section 11 of the SEPA checklist. We believe that the addition of requirements for dark sky friendly outdoor lighting will increase the attractiveness of the Orchard Hills Planned Development to the town of Twisp and the Methow valley.

D E Kurath

Dean Kurath
Board member: Methow Dark Sky Coalition

RECEIVED

MAR 01 2023

TWISP CLERKS OFFICE

February 2023

My name is Janis Liu, and my husband, Michael, and I have lived on Bigelow St in Painter's Addition for the past 13 years. We are writing to voice our concerns about the proposed Orchard Hills Planned Development project.

- 1) Our main concern is the safety of our neighborhood in the event of an evacuation. The current ingress-egress situation is already problematic for the number of homes in the neighborhood. The Planned Development will double the homes and traffic, making an existing known problem much worse. Until a solution is implemented, the wisest course of action would be a moratorium on new home construction. Do you want to be the one responsible for loss of life because individuals were unable to evacuate safely due to a blocked road? When we were evacuated in 2015, we were able to leave safely because there was adequate warning and there were no emergency vehicles coming up the hill while residents were evacuating. However, in conditions similar to the Carlton Fire (when it ran from Twisp to Pateros in the span of a few hours), the safety margin becomes much narrower. Doubling the number of homes in the neighborhood is irresponsible and would result in a bottleneck at the junction of Lookout Mountain Road, May Street, and West Second Avenue; directly across the road from the fire station where emergency vehicles could be responding from.
- 2) Another concern of ours is the apparent disregard for the R1 zoning. The single family, low-density feel of the neighborhood would be lost if the planned development is approved as is. The proposed "open space" located on the steeper portions of the property is in essence being leveraged to transfer density to smaller lots with zero setbacks in the case of lots targeted for townhomes. It doesn't take a professional planner to figure out the result will not resemble a low-density, single family, residential neighborhood. Packing that many houses together in a Wildland/Urban Interface will also increase the potential for fire spread from house to house. Our neighbors moved here expecting the area to retain the look and feel of R1 zoning. The smaller lot sizes, allowances for townhomes, and narrower roads proposed in the Orchard Hills PD will not meet the stated R1 zoning objective.
- 3) A stated objective of the project proponent is to provide for affordable housing. As clearly articulated during the public meeting, market forces will result in even small lots costing more than what an average wage earner in the valley can afford. It takes very little figuring to determine that these lots will be primarily purchased by people moving into our valley (unless there are mandatory price controls in place). A better way to create housing that is affordable is to have 10,000 sq.ft. lots with an auxiliary building that can be rented. The rent can help the home owner with their payments while also addressing the lack of rentals in the valley for permanent and temporary workers.
- 4) Having lived in the neighborhood for 13 years, we know each year brings different weather conditions. While snow removal, snow storage and storm water runoff are supposed to be addressed through the approval process, we are concerned that they have not been adequately accounted for. In the case of spring runoff, certain years result in rapid snowmelt while the ground is too frozen to allow for adequate infiltration and it has resulted in runoff pooling in both of our neighbors' yards in the past. This problem will only be made worse with the proposed development. The narrower roads will also make it unsafe in heavy snow years when

there isn't adequate snow storage on site. Trucking the snow off site will result in more traffic and other safety concerns associated with the ingress and egress on May Street.

- 5) Finally, as a planned development, we hope adequate consideration is given to maintaining dark skies and preserving air quality given the location of Orchard Hills above the Town of Twisp. As you may know, winter inversions cause smoke to settle into town resulting in poor air quality. Requirements for low emissions from any new wood burning stoves and shielding or directing light downward to reduce light pollution at night should be mandatory. One of the benefits to rural living is to be able to enjoy clean air and see the stars on a clear evening.

Thank you for the opportunity to comment and we trust you will not fail in protecting our neighborhood from development inconsistent with the R1 zoning and safety concerns we have shared.

Michael and Janis Liu
613 Bigelow St

liuchunghow@hotmail.com
janisliu55@yahoo.com

Written Comment for March 8th Orchard Hills Hearing

At the Feb 8th Orchard Hills public hearing, there were several verbal comments from concerned citizens who claimed that Methow Housing Trust staff had told them (at a public housing update the night before) that MHT has “no interest” in the possibility of buying lots and offering permanently affordable housing in the proposed Orchard Hill neighborhood. Those representations were not accurate or true, and I’d like to clarify MHTs interest in this project.

Although the applicants did overstep by stating in their pre-application that MHT is a partner that will likely to buy 10 lots, the applicants did meet with me several times in 2022 to assess MHT’s interest in being a partner, because they are very committed to finding concrete ways for this planned development to be of service to local housing needs. In those informal meetings, I explained to the Palms that MHT might be interested in purchasing some lots from them, but that I could not move at their pace to formalize such an agreement, as it will come down to the size, steepness, location, and price of the lots offered, and just as importantly, whether or not MHT would be able to raise the money to purchase lots in Orchard Hills, weighing that land acquisition opportunity against other important housing projects in the community. I explained that it would not be possible me to make a determination through our board process in time to be included in the application, but that in general, we support their efforts to add to the local housing stock, particularly if they are willing to implement affordability tools through a ground lease (the Community Land Trust approach) or deed restrictions that could ensure that the lots (or future homes) serve people who live and work in our community.

MHT has not said yes or no to a future role in this development, and we are hopeful that we will have an opportunity to consider being a part of it when more details are available to help us assess the opportunity.

Kurt Danison

From: Rudy Miniutti <rminiutti3648@gmail.com>
Sent: Thursday, February 16, 2023 9:02 AM
To: towncouncil.astuden@gmail.com; towncouncil.hsmith@gmail.com;
towncouncil.measton@gmail.com; towncouncilmember.acaswell@gmail.com;
towncouncilkauburn@gmail.com; Soo Ing-Moody; Randy Kilmer; Heather Davis; Kurt
Danison
Cc: rminiutti3648@gmail.com
Subject: Orchard Hill Planned Development

Some people who received this message don't often get email from rminiutti3648@gmail.com. [Learn why this is important](#)

Dear Town Council and Mayor,

We urge you to solve the existing May Street neighborhoods Egress Problem, as stated by Kurt at the public meeting on February 8, 2023, before permitting the planned development at Orchard Hill. Evacuation of the area during any disaster would be difficult with an additional 52 families and the associated vehicles trying to flee the scene. We believe additional planner hours need to be dedicated to the issue for the health and safety of the neighborhoods and the Town of Twisp.

Sincerely,

Rudy and Katrina Miniutti
104 Florence Lane
Twisp WA 98856

Randy Kilmer, Twisp Town Clerk
Town of Twisp
115 S. Glover St.
Twisp, Wa. 98856

February 18, 2023

Attention: Planning Commission, Town Council and Mayor

Re: Orchard Hills SEPA Comments for Feb 22, 2023 Public Hearing

As full time residents of Twisp and members of the valley workforce, we are well aware of the urgent need for affordable housing. However, we are concerned about the sudden explosion of home building proposed for the town. There seems to be no overview of what this growth will mean in terms of traffic, air pollution, water availability, fire evacuation, affordability of the proposed lots and homes, livability, and cost to current residents for things like sewer, parking and other infrastructure upgrades. Who is thinking and planning long term for this expansion?

Air quality: With over 130 plus lots/homes under consideration (plus more building in the works behind Hanks grocery store) how many wood stoves and fireplaces could be added to the ones already contributing to some periods of pretty foul air in town? We in the Methow and especially Twisp are frequently subject to inversions that trap smoky air here. Air quality is worse at night when people damp down their stoves and natural downwind currents bring more smoke from higher elevations down to the main part of town where we live. According to purpleair.com, Twisp at times has the worst winter air in the state. To say nothing of huge summer wildfires and prescribed burns during the shoulder seasons. How about we get ahead of this and eliminate wood burning stoves and fireplaces in all new construction?

Water: It wasn't long ago that Twisp instituted a building moratorium because there wasn't adequate water for new development. An arrangement with MVID solved the problem temporarily. But how much more water will be needed and available here in the arid west as snowpack lessens and climate change makes us even drier? Is the the current Twisp water system capable of handling this expansion?

Sewer: Is the existing sewage treatment plant capable of handling all these planned housing units? If not, who will bear the cost of upgrading it? Will it be the current residents or will the developers bear the cost?



CALDOR FIRE EVACUATION, SOUTH LAKE TAHOE

Traffic: It's hard not to notice there are a lot of people who've recently moved to the Methow. Turning left from any street onto Hwy 20 takes some patience these days. With 529 new trips a day estimated for just one development (Orchard Hills) at buildout, more for the 72 units proposed for Hwy 20 south of town, plus other developments in the works, how much congestion and air pollution does this represent?

Fire Evacuation: What happens when the next big fire crests the hills again

above Twisp? Can everyone evacuate safely with 3 main routes out of the valley and some possibly blocked by fire? Here's a photo from the Caldor Fire in California in 2021. (Four lanes). Are all the implications of this likely scenario being considered?

Affordable Housing: There's a huge demand for affordable housing and we would like to see development go in that direction. Those applying now for a house through the Methow Housing Trust can expect to wait for years. The fabric of this valley changes drastically when people who reside here cannot afford to live even reasonably close to where they work. Businesses are suffering because they can't find help. Do we want a Sun Valley or Aspen here? Long time residents of modest means displaced by the wealthy? Are all of these developments that claim to be portioning some of the land for affordable housing actually providing a feasible plan for them?

PLANNING: It's crazy there is no plan to get ahead of this. Our town planner is paid for 3-4 hours a week! We need a full time planner, someone to spend time imagining what Twisp should look like in 5, 10, 20 years and studying other towns who've dealt with these pressures. Do we run out of water? Are the roads congested? Is the air brown all year long? Can young people afford to live where they grew up? Or is this town and surrounding valley populated only by the well to do? Let's slow this thing down til we have a well thought out and considered plan to deal with all the implications.

Unless the MDNS lists adequate mitigations for the issues we have stated above, please consider this letter an appeal under SEPA. At this time, adequate mitigations are not listed.

Mary Sharman & Jerry Cole
1023 Burton St
Twisp

Appeal of MDNS under SEPA

TWPD 22-02, Orchard Hills Planned Development

Submitted: February 21, 2023

To: Randy Kilmer, Twisp Town Clerk, Town of Twisp, 115 S. Glover Street Twisp, Wa. 98856

From: Isabelle Spohn, 419 N. Methow Valley Highway, Twisp, Wa. 98856. 509-997-4425

Submitted electronically to:

townplanner@townoftwisp.com,

deputyclerk@townoftwisp.com

clerktreasurer@townoftwisp.com

Dear Mr. Kilmer, Mr. Danison, Ms. Davis, and members of the Twisp Planning Commission:

Thank you for this opportunity to comment on the SEPA process for the Orchard Hills development proposal. Please consider this letter an appeal of the MDNS due to concerns that have been previously expressed by the public and have still not been adequately addressed with appropriate mitigations in the MDNS as written.

The MDNS is inadequate since it merely lists issues of concern without listing required specific mitigations for these problems. The MDNS must be withdrawn and revised appropriately, or an EIS should be prepared.

Definition of Mitigation: SEPA handbook, p. 21

"Mitigation is the avoidance, minimization, rectification, compensation, reduction, or elimination of adverse impacts to built and natural elements of the environment. Mitigation may also involve monitoring and a contingency plan for correcting problems if they occur.

When considering the need for mitigation measures, the lead agency should review the environmental checklist and other information available on the proposal, including consultations with other agencies. Mitigation required under existing local, state, and federal rules may not be sufficient to avoid, minimize or compensate for significant impacts. It is important to identify applicable regulations and then analyze and disclose the extent to which they reduce the specific impacts of the specific proposal under SEPA review.

Additional mitigation can be applied to a proposal with the use of SEPA substantive authority, based on identified potential adverse impacts related to the proposal and the agency's adopted SEPA procedures. (See section on Using SEPA in Decision Making) Mitigation conditions must also be reasonable and capable of being accomplished.

It may also be possible to work cooperatively with the proponent to make changes to the proposal that will reduce and eliminate the significant adverse impacts. Voluntary mitigation may sometimes exceed the level that may be required of the applicant under regulatory authority, and produce a much improved and more desirable project. Mitigation conditions must be included in the permit, license or other approval to be binding.

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From my perspective, two specific environmental concerns are especially compelling:

A. Unmitigated impacts of the project upon the public and the environment due to lack of adequate ingress and egress in the case of wildfire.

B. Unmitigated impacts of wood burning devices and resuspended (re-entrained) dust upon the Methow Valley airshed, adversely affecting the Town of Twisp and its residents.

See Details below. Note several references to a court case in our own District 3 Appellate Court Lanzce G. Douglass, Inc. v. City of Spokane Valley, 154 Wn.App. 408 (2010) which may be accessed through this link: <https://casetext.com/case/douglass-v-city-of-spokane-valley>.

A) The MDNS is inadequate because it does not list mitigations that would become conditions of approval, and thus does not mitigate the impact of this development upon ingress and egress in case of wildfire in the proposed development itself, the existing May Street community, nor adjacent intersections. In addition, it does not address the cumulative impacts upon all of these areas. Without being listed, mitigations cannot be included in the permit, license, or other approval as required.

The proponent's Traffic Study, apparently written in answer to residents' concerns over increased traffic, states merely that "The specific design requirements to assure

accommodations of snow removal and emergency access will be dictated by the Town roadway design standards; and “Traffic operational impacts to existing intersections, including May Street at 2nd Avenue, and an assessment of pedestrian facilities, can be further addressed if necessary in a traffic impact analysis.” These statements do not come even close to being considered mitigations. Such statements are known as “kicking the can down the road.” The time for a traffic impact analysis was yesterday, not sometime down the road.

Fire in the area of this development proposal within the next few years, especially in view of ongoing climate change, should be considered at least probable. Consider the words of the court as cited in 154 Wn. App. 408 *Lanzce G. Douglas Inc. V. City of Spokane Valley*, in which the court affirmed that: “An environmental impact statement must be prepared whenever significant adverse impacts on the environment are probable, not just when they are inevitable. *King County*, 122 Wash.2d at 663, 860 P.2d 1024

Probability of Wildfire

Rather than acknowledging the fire situation and requiring mitigations, the MDNS is simply ignoring the probability of another wildland fire occurring in the area - or even starting on the exact properties themselves.

Twisp is an area that is more than familiar with wildfire, as witnessed by the fires of 2014, 2015, 2018, and 2021. In 2015, three young firefighters lost their lives by way of entrapment and lack of adequate egress from wildfire just upriver from Twisp (and the proposed Orchard Hills development) on Woods Canyon Road. Another firefighter was critically burned in the same incident and had his life changed forever. Residents of Twisp were ordered to evacuate at Level 3 during the same fire, during which the fire actually reached the outskirts of Twisp on the opposite side of Twisp River from the proposal. (I live on Highway 20 in Twisp and watched the fire approaching when it was less than 1/4 mile from my house.) Twisp residents have been put at level 2 and 3 evacuations periodically during these recent fires.

Traffic backup probability in the area of the junction of May Street/Lookout Mountain Road/Twisp River Road and Twisp Fire Hall parking lot

Fire in such a densely populated area as the May Street development together with Orchard Hills could result in many more casualties than the three individuals who lost their lives on Woods Canyon Road - considering the existing egress problems of May Street exacerbated by 52 new units of housing plus more vehicles attempting to evacuate at the same time as firefighting units attempt to access the area. Emergency ingress and egress for both developments plus responding emergency vehicles must be addressed in any MDNS for this project. In addition, it seems to be forgotten that the Twisp Fire Hall is very close to the May Street/Twisp River Road/Lookout Mountain intersection. Fire engines and volunteer firefighters will likely be attempting to enter/leave the the Fire Hall parking lot during a

wildfire event at the same time Twisp River residents could be evacuating via Twisp River Road and/or entering May Street and Orchard Hills communities to help friends and relatives evacuate. These issues or mitigations are not addressed in the MDNS.

The Town of Twisp's claims as to a "Pre-existing condition" on May Street

During the recent 2/8/2023 public hearing on the Orchard Hills proposal itself, the Town Planner emphasized that the proponents of this new project did not bear burden of responsibility to solve the lack of ingress/egress situation, since the existing May Street community already has an issue in that regard. However, the very fact that such a situation already exists emphasizes the fact that any further development (Orchard Hills) poses an even greater risk than already exists. It is the "direct, indirect, and cumulative impacts" that are in question. Consider the reasoning in *Lanzce Douglass v. City of Spokane Valley* once again on "pre-existing deficiencies:"

" [14-16] ¶35 Douglass's plat has not been conditioned on improving a preexisting deficiency. The hearing examiner here reversed the mitigated determination of nonsignificance and remanded for preparation of an environmental impact statement to address emergency evacuation. Yes, the hearing examiner refers to evacuation of the entire Ponderosa area and considers evidence that even the current population is inadequately served by the two egress roads. But his decision is not based on preexisting deficiencies. It focuses instead on the cumulative effect of the traffic from the Ponderosa development. An environmental impact statement analyzes the "direct, indirect, and cumulative impacts" of a proposed project. WAC 197-11-060(4)(e)."

¶36 SEPA requires that decision makers consider more than the narrow, limited environmental impact of the current proposal. Cheney v. City of Mountlake Terrace, 87 Wn.2d 338, 344, 552 P.2d 184 (1976). And so the hearing examiner properly considered the impact of adding traffic from the Ponderosa PUD to the current egress roads. He concluded that an environmental impact statement was necessary to address what are probable significant adverse effects of the proposed project on the ability to safely evacuate the area. WAC 197-11-360(1); RCW 43.21C.031; SVMC 21.20.100, .110. That is an appropriate consideration and an appropriate conclusion.

Future Overwhelming of the Community's roads:

Finally, please consider the reasoning of the Court in paragraph 38 regarding roads:

*¶38 Douglass suggests that the approval of several other development projects in the Ponderosa area, including Ponderosa Ridge, requires approval of this project without addressing the probable adverse environmental impacts of the cumulative impact. **But at some point, population growth in an area will overwhelm the roads.** The evidence supports the hearing examiner's findings that the City failed to adequately evaluate emergency evacuation (see CP at 85-86 (Conclusions of Law 18-25)), and those findings*

support the hearings examiner's conclusions that an environmental impact statement is necessary. *University Place*, 144 Wn.2d at 652; *Hilltop Terrace*, 126 Wn.2d at 34.

Questions such as the following should be answered and accompanied with adequate mitigation in a revised MDNS or with the analyses an EIS would provide by focusing upon direct, indirect, and cumulative impacts.

- * During an evacuation scenario, can important nearby intersections such as the intersection of May Rd/ Twisp River Road, Fire Hal and the close-by intersection of Twisp River Road and Highway 20, even be mitigated for such a large development in the proposed location and terrain? If so, what mitigations are necessary, and who will be responsible for carrying them out?
- * Where would necessary egress for Orchard Hills be located, considering that the May street development would already be clogged with traffic seeking to escape (in the case of wildfire) and that the neighbors who own the only possible egress across a field in this difficult terrain have stated they will not be granting an easement?
- * What will be the cumulative impacts of increased traffic at the junction of May Street/ Twisp River Road/Lookout Mtn Rd. combined with the already congested traffic at the junction of Twisp River Road and Highway 20 in an emergency situation?
- * How long would evacuation take for the May Street and proposed Orchard Hills communities, considering that fire-related vehicles could very likely be attempting to use the same narrow roadway for ingress, together with traffic from neighbors or relatives assisting with evacuation?

B) The MDNS is inadequate because it does not list mitigations that would become conditions of approval regarding increased emissions of particulate matter by wood burning devices and increased traffic on sanded roads during the winter. Without being listed, mitigation conditions cannot be included in the permit, license or other approval as required.

The proponent stated in the SEPA documents referring to wood burning devices that "If the Town requests and has good justification for requiring additional limitations" the proponents would entertain adding restrictions to accommodate these requests. In addition, proponents state that if there are concerns about items such as air quality, "they should be addressed by modification to the code and apply to all citizens of Twisp equally." But when Codes change, they normally have provisions to "grandfather in" situations that already exist, in consideration for established residents. Such a bargaining process as is being suggested between the town and the

proponent is not relevant to SEPA. The SEPA procedure is being done in response to the Orchard Hills proposal, not for the whole Town of Twisp.

The importance of Air Quality in our Town related to Health and Aesthetics:

Air quality year-round averages have become an increasing concern as living creatures are now subjected to increasing smoke from wildfires during the summers in addition to smoke from wood-burning devices during inversions in the winter months. The cumulative impact is huge upon human lungs. Not only do these emissions affect our health, but the decrease in visibility has a huge impact upon the aesthetics of our valley.

Impacts of emissions from wood burning devices upon human health:

Emissions from wood burning devices such as wood stoves and fireplaces have a significant impact upon human health, particularly because these emissions contain particulate matter of PM 2.5 or smaller, which enter the lungs and can create severe health conditions. In addition, wood smoke contains highly carcinogenic or otherwise dangerous compounds including, but not limited to:

Carbon monoxide. Wood smoke add to the outdoor levels of carbon monoxide, as well as increasing indoor concentrations

Nitrogen oxides. Nitrogen oxides harm health indoors and outdoors, and helps create particle pollution.

Volatile organic compounds. These gases include harmful pollutants and contribute to creating ozone pollution. Some of these gases are carcinogens, including benzene and formaldehyde.

Climate-related pollution. Wood smoke adds carbon dioxide and methane to the air, two pollutants that contribute significantly to climate change.

Resuspended (Re-entrained) Dust

Recreational areas across the West, particularly those frequented by skiers in the winter, have noted that resuspended dust from automobile traffic (on especially sanded roads) are frequently second only to wood stove emissions in impacts upon both human health and visibility. Vehicles drive over and over the sand particles, crushing them into ever-smaller particles which enter the lungs and are very dangerous to both human health aesthetics

(haze and visibility.) How will this be mitigated in the area in question, which includes steep roads that need to be maintained during icy conditions in this development?

One mitigation used to reduce the impact of re-entrained dust is to require that requirements be placed upon the size of sand being used during winter. The coarser the sand that is used, the less dust winds up in our air and in our lungs.

PURPLE AIR data from the Methow Valley can substantiate the increasing amounts of particular matter residents of the Methow Valley are subjected during all seasons cumulatively these days. However, this data does not include any corrections for smoke from wildfires as opposed to man-made causes.

Two Designations Currently Utilized by the Washington State Department of Ecology to Quantify and Deal with Particulate Matter:

ATTAINMENT VS. NON-ATTAINMENT AREAS: An “attainment area” is an area in which the ambient air quality standards of the Clean Air Act and Washington State have been met. A “non-attainment “ area is an area in which they are not being met for significant periods of time.

Non-attainment areas: There are two ways of being designated “Non attainment.” The measurements require a minimum of 3 years of data by and official monitor (one is located in Twisp.

1) **24-hour average :** An area that averages over 35 PM 2.5 (particulate matter) over 24 hours is considered a non-attainment area.

2) **Annual average:** An area that measure an average of over 12 PM 2.5 (minimum of 3 years of data, with an official monitor) is considered a non- attainment area.

Twisp is currently considered an “attainment area” according to the 24-hour average. However, here’s the problem: WDOE eliminates smoke from wildfire season in their calculations of these averages because WDOE has no regulatory control over wildfire. Thus, we don’t really know the total amount of harmful particulate matter that is typically entering the lungs of our residents over 24 hours, let alone over the course of a year.

“COMMUNITIES OF CONCERN” is a way of looking at 24-hour averages to identify concerns. Under this type of evaluation, we are not looking at violations of the 24-hour average. We are looking at communities that have or have had 24-hour averages over 20 PM 2.5 (which is lower than the standard for non- attainment) and are added to or removed from an official map which is periodically revised (I believe every 3 years.)

Twisp has had 24-hour averages over 20. In our county, Omak and Twisp are of concern to WDOE, resulting in large expenditures to help remedy the situation. Omak is technically a community of concern through 2021.

Twisp, as of last week, was not technically a community of concern, but is of actual concern to Ecology since they know we have been inundated with smoke from wildfire, and it is the cumulative impact of particular matter that damages our lungs. (Not to mention the complications of quantifying and excluding smoke from wildfire in the calculations.) By the end of July, 2022, WDOE had invested \$230,000 in “changeout” of old wood stoves in Okanogan County in Twisp and Omak ; WDOE states that Twisp is a priority, although it is not currently on the map of “communities of concern. “ (If Twisp were not of concern to WDOE, why would the agency spend this amount of money to assist the town?)

(To clarify, check, or update this information, contact Sean Hopkins here:
sean.hopkins@ECY.WA.GOV.)

3) Mitigations typically being utilized in other mountainous communities across the West should be considered:

Twisp is not the only western town suffering from high levels of particulate matter from either (or both) wildfire and emissions from wood-burning devices. Other towns like ours (high mountain valleys with frequent inversions, often tourist- oriented) have been proactive in implementing mitigations such as the below, which not only protect air quality but respect the welfare of long-time residents who have relied upon burning wood:

- *A date of registration for fireplaces and woodstoves.
- *Wood cook stoves exempt for the life of the owner if used for cooking and in place before registration dates.
- *Fireplaces allowed only in lobbies, restaurants, etc. and none allowed in new home construction after a certain date.
- *Rules for storage of fuel for fireplaces and wood stoves to minimize burning wet or green wood. (Even the best certified devices do not function as intended if the wood is green or wet.)
- * One wood stove per structure.
- * Fireplace inserts required after a certain date.
- * Cap-and-trade policies relieving established wood users.
- * Requirements that new wood stoves be EPA-certified.

See Telluride Municipal Code:<https://telluride.municipal.codes/TMC/7-4-30>

See Aspen, Colo. Municipal Code: <https://www.aspen.gov/DocumentCenter/View/588/Fireplace-and-Woodstove-Code-Title-13-PDF?bidId=>

Thank you for this opportunity to engage in the SEPA process.

Sincerely yours,

Isabelle Spohn

Articles regarding the impacts of wood smoke upon those in mountainous areas, the less affluent in these areas, and the residents of Utah

“Wood heating pollutes the air in mountain areas more than previously assumed,” July 25, 2022; <https://phys.org/news/2022-07-wood-pollutes-air-mountain-areas.html>

“The air is cleaner for those living at higher, more expensive elevations,” 1/20/2022.

“The results show clearly what you might call the ‘bowl effect.’ It’s the idea that smog gathers in the valley like soup in a bowl, starting at the bottom and filling from there.”

<https://www.fox13now.com/2020/01/20/the-air-is-cleaner-for-those-living-at-higher-more-expensive-elevations>

“Air pollution costs Utahns billions annually and shortens life expectancy by two years:” <https://attheu.utah.edu/facultystaff/air-pollution-costs-utahns-billions-annually-and-shortens-life-expectancy-by-two-years/>

Other Resources

<https://dec.vermont.gov/air-quality/compliance/open-burning/using-forecasts:>

- **If the forecast is for good levels of PM2.5, this suggests that an open burn will not result in significant air pollution impacts in the neighborhood.** Note, however, that if the wind is forecast to blow from the burn location directly towards a nearby residence, the burn may still produce air pollution problems; but smoke won’t tend to accumulate over time in the neighborhood.

- If the forecast is for moderate levels of PM2.5, this suggests that an open burn may result in significant air pollution impacts in the neighborhood and an open burn is not recommended except during the daytime from 2 hours after sunrise until 1 hour before sunset when the skies are generally clear to partly cloudy.
- If the forecast is for unhealthy for sensitive groups levels of PM2.5 or higher, this suggests that an open burn will result in significant air pollution impacts in the neighborhood both because of the meteorological conditions and the likelihood that other nearby emissions will cause poor air quality, and an open burn is not recommended under these conditions.

Telluride Municipal Code: <https://telluride.municipal.codes/TMC/7-4-30>

Aspen, Colo Municipal Code: <https://www.aspen.gov/DocumentCenter/View/588/Fireplace-and-Woodstove-Code-Title-13-PDF?bidId=>

National Ambient Air Quality Standards (1/3/22) <https://dec.vermont.gov/air-quality/monitoring/naaqs>

Appeal of MDNS under SEPA

TWPD 22-02, Orchard Hills Planned Development

Submitted: February 21, 2023

To: Randy Kilmer, Twisp Town Clerk, Town of Twisp, 115 S. Glover Street Twisp, Wa. 98856

From: Isabelle Spohn, 419 N. Methow Valley Highway, Twisp, Wa. 98856. 509-997-4425

Submitted electronically to:

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Twisp is an area that is more than familiar with wildfire, as witnessed by the fires of 2014, 2015, 2018, and 2021. In 2015, three young firefighters lost their lives by way of entrapment and lack of adequate egress from wildfire just upriver from Twisp (and the proposed Orchard Hills development) on Woods Canyon Road. Another firefighter was critically burned in the same incident and had his life changed forever. Residents of Twisp were ordered to evacuate at Level 3 during the same fire, during which the fire actually reached the outskirts of Twisp on the opposite side of Twisp River from the proposal. (I live on Highway 20 in Twisp and watched the fire approaching when it was less than 1/4 mile from my house.) Twisp residents have been put at level 2 and 3 evacuations periodically during these recent fires.

Traffic backup probability in the area of the junction of May Street/Lookout Mountain Road/Twisp River Road and Twisp Fire Hall parking lot

Fire in such a densely populated area as the May Street development together with Orchard Hills could result in many more casualties than the three individuals who lost their lives on Woods Canyon Road - considering the existing egress problems of May Street exacerbated by 52 new units of housing plus more vehicles attempting to evacuate at the same time as firefighting units attempt to access the area. Emergency ingress and egress for both developments plus responding emergency vehicles must be addressed in any MDNS for this project. In addition, it seems to be forgotten that the Twisp Fire Hall is very close to the May Street/Twisp River Road/Lookout Mountain intersection. Fire engines and volunteer firefighters will likely be attempting to enter/leave the the Fire Hall parking lot during a

wildfire event at the same time Twisp River residents could be evacuating via Twisp River Road and/or entering May Street and Orchard Hills communities to help friends and relatives evacuate. These issues or mitigations are not addressed in the MDNS.

The Town of Twisp's claims as to a "Pre-existing condition" on May Street

During the recent 2/8/2023 public hearing on the Orchard Hills proposal itself, the Town Planner emphasized that the proponents of this new project did not bear burden of responsibility to solve the lack of ingress/egress situation, since the existing May Street community already has an issue in that regard. However, the very fact that such a situation already exists emphasizes the fact that any further development (Orchard Hills) poses an even greater risk than already exists. It is the "direct, indirect, and cumulative impacts" that are in question. Consider the reasoning in *Lanzce Douglass v. City of Spokane Valley* once again on "pre-existing deficiencies:"

" [14-16] ¶35 Douglass's plat has not been conditioned on improving a preexisting deficiency. The hearing examiner here reversed the mitigated determination of nonsignificance and remanded for preparation of an environmental impact statement to address emergency evacuation. Yes, the hearing examiner refers to evacuation of the entire Ponderosa area and considers evidence that even the current population is inadequately served by the two egress roads. But his decision is not based on preexisting deficiencies. It focuses instead on the cumulative effect of the traffic from the Ponderosa development. An environmental impact statement analyzes the "direct, indirect, and cumulative impacts" of a proposed project. WAC 197-11-060(4)(e)."

¶36 SEPA requires that decision makers consider more than the narrow, limited environmental impact of the current proposal. Cheney v. City of Mountlake Terrace, 87 Wn.2d 338, 344, 552 P.2d 184 (1976). And so the hearing examiner properly considered the impact of adding traffic from the Ponderosa PUD to the current egress roads. He concluded that an environmental impact statement was necessary to address what are probable significant adverse effects of the proposed project on the ability to safely evacuate the area. WAC 197-11-360(1); RCW 43.21C.031; SVMC 21.20.100, .110. That is an appropriate consideration and an appropriate conclusion.

Future Overwhelming of the Community's roads:

Finally, please consider the reasoning of the Court in paragraph 38 regarding roads:

*¶38 Douglass suggests that the approval of several other development projects in the Ponderosa area, including Ponderosa Ridge, requires approval of this project without addressing the probable adverse environmental impacts of the cumulative impact. **But at some point, population growth in an area will overwhelm the roads.** The evidence supports the hearing examiner's findings that the City failed to adequately evaluate emergency evacuation (see CP at 85-86 (Conclusions of Law 18-25)), and those findings*

support the hearings examiner's conclusions that an environmental impact statement is necessary. *University Place*, 144 Wn.2d at 652; *Hilltop Terrace*, 126 Wn.2d at 34.

Questions such as the following should be answered and accompanied with adequate mitigation in a revised MDNS or with the analyses an EIS would provide by focusing upon direct, indirect, and cumulative impacts.

- * During an evacuation scenario, can important nearby intersections such as the intersection of May Rd/ Twisp River Road, Fire Hal and the close-by intersection of Twisp River Road and Highway 20, even be mitigated for such a large development in the proposed location and terrain? If so, what mitigations are necessary, and who will be responsible for carrying them out?
- * Where would necessary egress for Orchard Hills be located, considering that the May street development would already be clogged with traffic seeking to escape (in the case of wildfire) and that the neighbors who own the only possible egress across a field in this difficult terrain have stated they will not be granting an easement?
- * What will be the cumulative impacts of increased traffic at the junction of May Street/ Twisp River Road/Lookout Mtn Rd. combined with the already congested traffic at the junction of Twisp River Road and Highway 20 in an emergency situation?
- * How long would evacuation take for the May Street and proposed Orchard Hills communities, considering that fire-related vehicles could very likely be attempting to use the same narrow roadway for ingress, together with traffic from neighbors or relatives assisting with evacuation?

B) The MDNS is inadequate because it does not list mitigations that would become conditions of approval regarding increased emissions of particulate matter by wood burning devices and increased traffic on sanded roads during the winter. Without being listed, mitigation conditions cannot be included in the permit, license or other approval as required.

The proponent stated in the SEPA documents referring to wood burning devices that "If the Town requests and has good justification for requiring additional limitations" the proponents would entertain adding restrictions to accommodate these requests. In addition, proponents state that if there are concerns about items such as air quality, "they should be addressed by modification to the code and apply to all citizens of Twisp equally." But when Codes change, they normally have provisions to "grandfather in" situations that already exist, in consideration for established residents. Such a bargaining process as is being suggested between the town and the

proponent is not relevant to SEPA. The SEPA procedure is being done in response to the Orchard Hills proposal, not for the whole Town of Twisp.

The importance of Air Quality in our Town related to Health and Aesthetics:

Air quality year-round averages have become an increasing concern as living creatures are now subjected to increasing smoke from wildfires during the summers in addition to smoke from wood-burning devices during inversions in the winter months. The cumulative impact is huge upon human lungs. Not only do these emissions affect our health, but the decrease in visibility has a huge impact upon the aesthetics of our valley.

Impacts of emissions from wood burning devices upon human health:

Emissions from wood burning devices such as wood stoves and fireplaces have a significant impact upon human health, particularly because these emissions contain particulate matter of PM 2.5 or smaller, which enter the lungs and can create severe health conditions. In addition, wood smoke contains highly carcinogenic or otherwise dangerous compounds including, but not limited to:

Carbon monoxide. Wood smoke add to the outdoor levels of carbon monoxide, as well as increasing indoor concentrations

Nitrogen oxides. Nitrogen oxides harm health indoors and outdoors, and helps create particle pollution.

Volatile organic compounds. These gases include harmful pollutants and contribute to creating ozone pollution. Some of these gases are carcinogens, including benzene and formaldehyde.

Climate-related pollution. Wood smoke adds carbon dioxide and methane to the air, two pollutants that contribute significantly to climate change.

Resuspended (Re-entrained) Dust

Recreational areas across the West, particularly those frequented by skiers in the winter, have noted that resuspended dust from automobile traffic (on especially sanded roads) are frequently second only to wood stove emissions in impacts upon both human health and visibility. Vehicles drive over and over the sand particles, crushing them into ever-smaller particles which enter the lungs and are very dangerous to both human health aesthetics

(haze and visibility.) How will this be mitigated in the area in question, which includes steep roads that need to be maintained during icy conditions in this development?

One mitigation used to reduce the impact of re-entrained dust is to require that requirements be placed upon the size of sand being used during winter. The coarser the sand that is used, the less dust winds up in our air and in our lungs.

PURPLE AIR data from the Methow Valley can substantiate the increasing amounts of particular matter residents of the Methow Valley are subjected during all seasons cumulatively these days. However, this data does not include any corrections for smoke from wildfires as opposed to man-made causes.

Two Designations Currently Utilized by the Washington State Department of Ecology to Quantify and Deal with Particulate Matter:

ATTAINMENT VS. NON-ATTAINMENT AREAS: An “attainment area” is an area in which the ambient air quality standards of the Clean Air Act and Washington State have been met. A “non-attainment “ area is an area in which they are not being met for significant periods of time.

Non-attainment areas: There are two ways of being designated “Non attainment.” The measurements require a minimum of 3 years of data by and official monitor (one is located in Twisp).

1) 24-hour average : An area that averages over 35 PM 2.5 (particulate matter) over 24 hours is considered a non-attainment area.

2) Annual average: An area that measure an average of over 12 PM 2.5 (minimum of 3 years of data, with an official monitor) is considered a non- attainment area.

Twisp is currently considered an “attainment area” according to the 24-hour average. However, here’s the problem: WDOE eliminates smoke from wildfire season in their calculations of these averages because WDOE has no regulatory control over wildfire. Thus, we don’t really know the total amount of harmful particulate matter that is typically entering the lungs of our residents over 24 hours, let alone over the course of a year.

“COMMUNITIES OF CONCERN” is a way of looking at 24-hour averages to identify concerns. Under this type of evaluation, we are not looking at violations of the 24-hour average. We are looking at communities that have or have had 24-hour averages over 20 PM 2.5 (which is lower than the standard for non- attainment) and are added to or removed from an official map which is periodically revised (I believe every 3 years.)

Twisp **has** had 24-hour averages over 20. In our county, Omak and Twisp are of concern to WDOE, resulting in large expenditures to help remedy the situation. Omak is technically a community of concern through 2021.

Twisp, as of last week, was not technically a community of concern, but is of actual concern to Ecology since they know we have been inundated with smoke from wildfire, and it is the cumulative impact of particular matter that damages our lungs. (Not to mention the complications of quantifying and excluding smoke from wildfire in the calculations.) By the end of July, 2022, WDOE had invested \$230,000 in “changeout” of old wood stoves in Okanogan County in Twisp and Omak ; WDOE states that Twisp is a priority, although it is not currently on the map of “communities of concern. “ (If Twisp were not of concern to WDOE, why would the agency spend this amount of money to assist the town?)

(To clarify, check, or update this information, contact Sean Hopkins here:
sean.hopkins@ECY.WA.GOV.)

3) Mitigations typically being utilized in other mountainous communities across the West should be considered:

Twisp is not the only western town suffering from high levels of particulate matter from either (or both) wildfire and emissions from wood-burning devices. Other towns like ours (high mountain valleys with frequent inversions, often tourist- oriented) have been proactive in implementing mitigations such as the below, which not only protect air quality but respect the welfare of long-time residents who have relied upon burning wood:

- *A date of registration for fireplaces and woodstoves.
- *Wood cook stoves exempt for the life of the owner if used for cooking and in place before registration dates.
- *Fireplaces allowed only in lobbies, restaurants, etc. and none allowed in new home construction after a certain date.
- *Rules for storage of fuel for fireplaces and wood stoves to minimize burning wet or green wood. (Even the best certified devices do not function as intended if the wood is green or wet.)
- * One wood stove per structure.
- * Fireplace inserts required after a certain date.
- * Cap-and-trade policies relieving established wood users.
- * Requirements that new wood stoves be EPA-certified.

See Telluride Municipal Code:<https://telluride.municipal.codes/TMC/7-4-30>

See Aspen, Colo. Municipal Code: <https://www.aspen.gov/DocumentCenter/View/588/Fireplace-and-Woodstove-Code-Title-13-PDF?bidId=>

Thank you for this opportunity to engage in the SEPA process.

Sincerely yours,

Isabelle Spohn

Articles regarding the impacts of wood smoke upon those in mountainous areas, the less affluent in these areas, and the residents of Utah

“Wood heating pollutes the air in mountain areas more than previously assumed,” July 25, 2022; <https://phys.org/news/2022-07-wood-pollutes-air-mountain-areas.html>

“The air is cleaner for those living at higher, more expensive elevations,” 1/20/2022.
“The results show clearly what you might call the ‘bowl effect.’ It’s the idea that smog gathers in the valley like soup in a bowl, starting at the bottom and filling from there.”
<https://www.fox13now.com/2020/01/20/the-air-is-cleaner-for-those-living-at-higher-more-expensive-elevations>

“Air pollution costs Utahns billions annually and shortens life expectancy by two years:” <https://attheu.utah.edu/facultystaff/air-pollution-costs-utahns-billions-annually-and-shortens-life-expectancy-by-two-years/>

Other Resources

<https://dec.vermont.gov/air-quality/compliance/open-burning/using-forecasts:>

- **If the forecast is for good levels of PM2.5, this suggests that an open burn will not result in significant air pollution impacts in the neighborhood.** Note, however, that if the wind is forecast to blow from the burn location directly towards a nearby residence, the burn may still produce air pollution problems; but smoke won’t tend to accumulate over time in the neighborhood.

- If the forecast is for **moderate levels** of PM2.5, this suggests that an open burn may result in significant air pollution impacts in the neighborhood and an open burn is not recommended except during the daytime from 2 hours after sunrise until 1 hour before sunset when the skies are generally clear to partly cloudy.
- If the forecast is for **unhealthy** for sensitive groups levels of PM2.5 or higher, this suggests that an open burn will result in significant air pollution impacts in the neighborhood both because of the meteorological conditions and the likelihood that other nearby emissions will cause poor air quality, and an open burn is not recommended under these conditions.

Telluride Municipal Code:<https://telluride.municipal.codes/TMC/7-4-30>

Aspen, Colo Municipal Code: <https://www.aspen.gov/DocumentCenter/View/588/Fireplace-and-Woodstove-Code-Title-13-PDF?bidId=>

National Ambient Air Quality Standards (1/3/22) <https://dec.vermont.gov/air-quality/monitoring/naaqs>

March 5, 2023

To: The Town of Twisp Planning Commission and Town of Twisp City Council
Re: Orchard Hills Planned Development
Enclosed: Addendum to Comments submitted 2/6/23
From: Barbara Irvine

I spoke at the last public meeting of the Planning Commission on February 8 (see attached).

Respectfully, I was dismayed at the last meeting that Kurt Dannison spoke at such great length about the OHPD. He sounded as if he was a great proponent of the PD and it was a 'done deal'. In fact, my 18 year old grandson, in attendance, asked me if Mr. Dannison was the lawyer for the Palms. I assured him he was not.

Furthermore, when addressing the issue of ingress and egress, Kurt Dannison said that the town was aware of the issue, but that creating a second ingress/egress off of this hill was 'a neighborhood issue' and must be solved by the existing neighborhood. 'Get together', he said, 'be creative' in solving this problem.

The Town of Twisp is, in every way, responsible for all things that that involve roads, improvements, traffic, safety, ingress, or egress. **The Town is responsible for even allowing or creating this 'issue'**. It was the Town that approved Painter's Addition, Isabella Addition, School House Addition, Reid, Short Plat, addition. In so doing, it approved the build out of 65+ homes on this hill. **The 'neighborhood' has nothing to do with creating or solving the ingress/egress problem**. The neighborhood can only be the 'town crier' and sound the alarm to the City Planners and Town Council. Will the Town heed the alarm or choose to ignore it? To ignore it and approve the OHPD is not only irresponsible, but they will have exacerbated a dangerous issue, twofold, and will put 120 families in serious jeopardy.

Surely, the District 6 **FIRE COMMISSIONER**, Jerry Palm, shares the concern of the Hill Residents regarding egress. Fire District 6 is known for teaching about and preaching about SAFETY! He, most of all, is acquainted with the volatile fire behavior of our valley and knows of the 'close encounters' that Schoolhouse Hill has had during recent wildfire incidents. As someone who has worked with fires for many years, he should not only be concerned, but should **also insist** that The Town, provide a second egress off of the entire hill, **before** development begins and the potential buyers and builders of his properties in Orchard Hills are endangered.

Painter's Addition has been approved for development since 1969. There are 8 existing vacant lots in that development. In the existing Isabella and School House developments, there are 6 lots readied for development. In addition, there are 5 vacant lots in the short plated land between Marie and May streets. This brings the vacant lot total to 19 lots. (The 2 large lots at the end of the loop on Isabella, have not even been included in these figures).

The City Planners and Town Council must be reminded that they have already approved of these existing developments and their **first and foremost considerations must be to the best interest of these 19 lots, their safety, and the safety of the entire hill.** To add another 52-60 lots to the existing 65+ homes and vacant lots, is unfathomable! Reason and concern for the safety and the very lives of the residents of School House Hill must prevail. Until a second egress is established, by the TOWN OF TWISP, for the entire hill, approval of the OHPD must be refused.

Respectfully,

A handwritten signature in cursive script that reads "Barbara Irvine".

Barbara Irvine
617 June St., Twisp, Wa
509 997 7284

**Comments spoken at the February 8, 2023 Planning Commission Meeting
By Barbara Irvine**

Ingress and egress are also at the top of my list of concerns... and have been even **before** the Palms purchased Orchard Hills. I know that others will address this issue more fully this evening. Paramount in my mind, is this.....

After build out of the hill, which is both on the lower level and upper Orchard Hill Development. There will be 120 homes. Multiply that x 2 cars that ingress and egress only via May St. connecting with Twisp Av and everyone should share my grave concern.

In the Comment and Response document drafted by the Palms Frequent Comment #34 stated this " May Street is a dead end street and in the case of wild fire will restrict the ability to quickly evacuate all people. Palm Investments North needs to provide a second access." The Palms answered that comment by stating the following: " The Town is aware of this situation and has, for many years, been trying to provide a solution that is feasible both in terms of right of way and financing"

This says to me, that like we residents, the town has known for many years that there is an issue, it still knows there is an issue, and knows there needs to be a solution to this issue

The town has put the cart before the horse. In essence they are saying that we know we have an issue, and we will deal with it, after we approve the creation of an even bigger problem.

I know that development is inevitable, and do not oppose an appropriate development that is congruent with the rest of the neighborhood. Ingress/egress is the bedrock on which the rest of this proposed development rests.

Respectfully, unless or until this paramount 'issue of ingress/egress is solved, the Planning Commission and/or City Council cannot approve a development ,really of any kind, that will exacerbate the known dangers to anyone and everyone on this hill.

Thank you for this opportunity to speak.



Barbara Irvine,
617 June St.
POB355 Twisp, Wa
509 997 7284

March 6, 2023

Twisp Planning Commission
C/O Randy Kilmer, Clerk/Treasurer
P.O. Box 278
clerktreasurer@town of twisp.com
Twisp, WA 98856

RECEIVED
MAR 06 2023
TWISP CLERKS OFFICE

RE: Orchard Hills Planned Development
TWP PD22-02
Continued Planning Commission Hearing
March 8, 2023

Twisp Planning Commission:

The Orchard Hills Planned Development proposal is unprecedented in Twisp in terms of magnitude and complexity. It proposes to put a 52 lot, high density (6,000 sq/ft average lots) subdivision in a neighborhood of 45 low density homes (10,000 sq/ft lots). This comment will address two issues: 1) Failure of the town to deal with fire safety, and 2) Failure of the town to administer its permit code requirements.

I. Failure to Address May Street Fire Safety Issues

The neighborhood is accessed only by one public road, May Street. It has been long acknowledged a second ingress/egress is needed. It is Twisp's stated position that the neighborhood must find the solution. It is unknown whether the council or some other decision maker made the determination. The policy was announced by the town planner to more than 90 people attending the planning commission hearing on February 8, 2023. The audience was told it was a "neighborhood problem" and the residents needed to be "creative" in solving it.

This is an untenable position for the town to take. The current neighborhood, and thus the danger, has been created by the town's own land use approval actions. Development of the May Street neighborhood started 50 years ago with the Painter's Subdivision (1969). Since then, Twisp has approved seven additional short plats/subdivisions, creating the existing

community consisting of 45 low density homes, plus a couple dozen approved, buildable lots. The area is a high wild-fire risk area. It is undisputed that a second ingress/egress is needed for the community. The town has failed to address this critical fire safety issue as it approved the many plats expanding the community and increasing the fire risk.

II. Failure to Meet TMC and RCW Requirements

The town has failed to process the application as required by its municipal code (TMC) and Washington law (RCW).

TMC Chapter 18.45 authorizes a “planned development.” There is no plan for development in this application. It is a subdivision where the proponent’s stated purpose is to create and sell the lots and the 52 lot owners will do their own thing.

TMC 18.45.040(3) requires written minutes to be kept of all preapplication meetings. There are no written minutes.

The TMC and the RCW require notices to be posted. This was not done as required.

The TMC and the RCW require notices to be mailed to the abutting land owners or to landowners within 300 feet of the project, depending on the notice. This was not done as required.

The SEPA MDNS notice (corrected notice) was published only once on February 1, 2023. WAC 197-11-340(1) requires publication twice.

Notice for the March 8, 2023 planning commission hearing was not published.

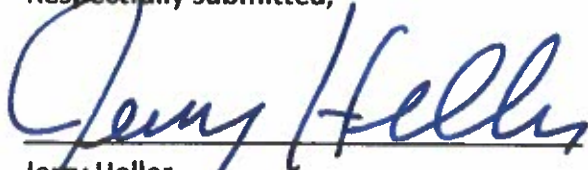
III. Conclusion

Proponent’s Orchard Hills Planned Development application for 52, high density homes must be denied and town staff instructed not to accept a further application until:

1. A viable plan has been developed and initiated to establish a second ingress/egress road for the May Street neighborhood, and

2. Appropriate procedures are developed and implemented to process and manage project permit applications as required by the Twisp code (TMC) and Washington state law (RCW).

Respectfully submitted,



Jerry Heller

P.O. Box 546

510B Bridge Street

Twisp, WA 98856

Randy Kilmer, Town of Twisp Clerk
TOWN OF TWISP
115 S. Glover Street
Twisp, WA 98856

March 8, 2023

RE: Orchard Hills Planned Development
Palm Investments North LLC
Parcel #332218099
Agency File #TWP PD -2202

RECEIVED

MAR 06 2023

TWISP CLERKS OFFICE

Comments by: William D. Moody

The following comments are in regard to the Orchard Hills Planned Development, specifically, fire related issues, a subject of major concern for the property owners adjacent to the development.

As the Planning Commission and Town Council reviews the comments made to the Planning Commission and SEPA appeals I hope you will seriously consider "what's best for Twisp." The proposed development is governed by permits, building codes, fire codes, exceptions to the Comprehensive Plan - but what about "lessons learned" from case studies of major fires by scientist/researchers. Please consider these factors in your deliberations and recommendation to the Town Council.

My concerns are in regard to lot/home density, the issue of egress/ingress, and the issue of traffic volume and traffic flow during an emergency evacuation. I have addressed these issues in detail in my previous comments to the Planning Commission dated January 26, 2023 and SEPA Appeal dated February 21, 2023. The following comments are basically a summary of my key points.

FIRE RELATED FACTS, FINDINGS AND CONCLUSIONS

1. The paramount responsibility of the Town of Twisp and Fire District #6 is to provide for the fire safety of its citizens and firefighters.
2. The Methow has a long history of fast - moving destructive fires, some taking lives of firefighters.
3. The Methow is, and will continue to be, one of the highest fire risk areas in Washington and Oregon.
4. Without warning a fire can ignite from a number of different ignition sources, on any side of the community and spread rapidly in any direction.
5. Sooner or later extreme fire behavior conditions will come together to produce "The Perfect Storm, or the Perfect Fire Conflagration," just as it has done repeatedly in California, Colorado, Oregon and in our state
6. Within seconds the fire can explode and spread at a rate of a1-3 miles per hour, completely overwhelming residents and initial attack fire responders

A Waldo Fire researcher stated: “Unlike other disasters, wildfire is one of those risks where is much we can do from a mitigation standpoint to put odds at least in favor of that home surviving.”


The Fire Chief and Fire Commissioner Palm’s (who is also the developer), primary responsibility is public safety and fire protection. They should be advising the Planning Commission and Town of Twisp government of issues which compromise community/district fire related safety. Industry wide Fire Chiefs consult with elected officials, providing recommendations for protection of life and property in the fire district. They should objectively identify fire related issues and provide direction on major projects. I don’t believe this has been done. If this is the case, why not?


Failure to act now to address these fire issues and related fire safety issues risk only transfers the risk to the greater May Street neighborhood, future development residents and to the fire resources.

The Orchard Hills Planned Development, as proposed, should be denied until the issue of development density and both egress issues have been mitigated.

As the Planning Commission deliberates the fate of Orchard Hills and develops their recommendations to the Town Council, I hope you will seriously consider what’s best for Twisp.

Respectfully,


William D. Moody Date: 3-6-23


Sandra L. Moody Date: 3-6-2023



March 1, 2023

19. Updated Comments and Responses

Orchard Hills Planned Development (PD) - Resubmittal



Palm Investments North LLC
BY NORTH CASCADES ENGINEERING PLLC

Updated Comments and Responses - Orchard Hills PD

Page | 1

This document has been updated with the comments and responses that have been received since the December 7 resubmittal. Most of the comments were consistent with the original comments addressed in this document so Palm Investment has augmented the original comments and responses document to clarify earlier responses and add new responses. The changes to the original document have been inserted in italics and blue.

First, we have read and contemplated all of your comments from the first submittal of the Orchard Hills Development. This review highlighted some deficiencies in both design and communications that we hope we have mitigated with this submittal.

It was at times difficult to make concise responses to comments because a good portion of them were “SEPA comments” but related to Twisp code and preliminary design. The purpose of the SEPA checklist is “to help determine whether the environmental impacts of your proposal are significant.”

The SEPA has been updated with additional information that we have acquired since the original submittal but only within the scope of the SEPA process, for current design and compliance to codes please refer to the design drawings.

Some of the comments are confusing the issue at hand. The planned development proposal put forward by Palm Investments North is straight forward. Palm investments north will dedicate 40% of the lot to open space, keep building off the ridge line and limit the number of lots to 52 if the Town of Twisp agrees to allow smaller lot sizes and a limited number of zero lot line townhouses (not to exceed two residences per townhouse). Palm investment north is not proposing limitations in addition to the town’s existing codes for residential construction be imposed on the future owners of lots within the development. In theory and in general, since this proposal is not exceeding the overall density allowed by R-1 zoning and the zoning process has already undergone the SEPA process the additional environmental impact is anticipated to be very small if residences are built in accordance with the Town of Twisp’s codes and regulations. Additional mitigations should only be needed if there are environmental concerns that have not already been mitigated by the requirements of the codes and standards. It is Palm Investment North’s opinion that if there are concerns about town wide items such as air quality that they should be addressed by modification to the code and apply to all citizens of Twisp equally. However, if the Town requests and has good justification for requiring additional construction limitations Palm Investments will entertain adding Plat and/or deed restriction to accommodate these requests.

There was a considerable overlap in the comments that were received, in fact they are surprisingly similar, so the 37 most frequent comments have been identified and responded to below instead of over and over again in the individual comment sheets.

Updated Comments and Responses - Orchard Hills PD

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*The Frequent Comment List below has been added to help in navigating to the responses (those with * indicate that information has been added or the comment and response is new):*

Frequent Comment #1: *The project density is too great and 53 lots is too many.*

Frequent Comment #2: *Storm water runoff is going to run off the site and negatively affect Painters Addition.*

Frequent Comment #3: *The roads proposed are not adequate in width for safety and snow plowing.*

***Frequent Comment #4:** *The proposed development does not meet the fire code requirement for two accesses for developments with over 30 residences.*

Frequent Comment #5: *The submittal states that trails and pedestrian access are ideals that are aspired to but they seem to be inadequate and there should be a trail to town.*

Frequent Comment #6: *Minimum house size of 700sqft is too small.*

Frequent Comment #7: *Does the town of Twisp have the resources needed to maintain the new roads and open space dedicated to them in this proposal.*

Frequent Comment #8: *Pedestrian trails should take priority.*

Frequent Comment #9: *Energy source for heat should be limited and not include propane or wood.*

Frequent Comment #10: *The painters addition citizens have been hiking and recreating on this property and these recreational opportunities need to be maintained.*

Frequent Comment #11: *The project is proposed within critical areas (aquifer recharge, and steep slopes) as identified by the Town of Twisp that have not been addressed.*

Frequent Comment #12: *This development is not low impact.*

Frequent Comment #13: *Soil map is not legible.*

***Frequent Comment #14:** *How will the storm water be collected, treated and infiltrated.*

Frequent Comment #15: *May and Harrison Street do not have enough capacity.*

Frequent Comment #16: *Parking is not adequately addressed.*

Frequent Comment #17: *The roads shown in the submittal are not compatible with snow removal.*

***Frequent Comment #18:** *There was historical Native American use of the property that would preclude it or part of it from development.*

***Frequent Comment #19:** *How does the development make sure the houses will be affordable.*

Frequent Comment #20: *Wood burning stoves should not be allowed.*

Updated Comments and Responses - Orchard Hills PD

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Frequent Comment #21: Distance to the closest public transit.

Frequent Comment #22: Not enough detail is given in relation to landscaping.

Frequent Comment #23: The development will have a negative impact on aquifer recharge.

Frequent Comment #24: More detail is needed on what grading will be required on the site.

Frequent Comment #25: Does the town of Twisp water and Sewer infrastructure have the capacity to service 53 new lots?

Frequent Comment #26: Are the streets included in the open space.

Frequent Comment #27: Are the adjacent lots going to be developed

Frequent Comment #28: The property was an old orchard and should be tested for arsenic

Frequent Comment #29: The total estimated impervious area stated as 30% is incorrect.

Frequent Comment #30: Our kids play in the street and we wish them to be able to continue to do so.

Frequent Comment #31: May and Harrison Street should be improved as part of this project.

Frequent Comment #32: The development will cause slope instability and erosion.

Frequent Comment #33: The development will make the seasonal flooding of Painters addition worse.

***Frequent Comment #34:** May Street is a dead-end street and in the case of wild fire will restrict the ability to quickly evacuate all people. Palm Investments North needs to provide a second access.

Frequent Comment #35: Lights in the development will cause glare and light pollution and need special controls in addition those in the Twisp Municipal Code.

Frequent Comment #36: The area with seasonal flows is also a wetland and setbacks apply.

Frequent Comment #37: How will dust be controlled during construction.

***Frequent Comment #38:** Ridge line not protected; the property does not extend over the top of ridge in all areas.

***Frequent Comment #39:** A decision on whether to have an alternate fire apparatus access road or utilize residential fire sprinklers needs to be made before project can get preliminary approval.

***Frequent Comment #40:** The Town should not accept the land dedication.

***Frequent Comment #41:** The Orchard Hills Planned development has extreme wildfire risks.

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Comments and Responses:

Frequent Comment #1: The project density is too great and 53 lots is too many.

Response: The actual density of this project is less than the overall density allowed by R-1 zoning. Palm Investment North, LLC has spent a considerable effort in determining what the best lot layout would be to meet the project goals and a good balance in terms of density. The starting point for this calculation was the number of lots that would be allowed if a subdivision per the R1 zoning was executed. The parcel encompasses 16.81 acres or 732244sqft so if 18% is removed for infrastructure (the area of the road right of way as currently designed) that leaves 600440 sqft remaining for lots. Which equates to 60 ten thousand square foot lots. By proposing a planned development with only 52 lots there will be less residences in final build out than is allowed at this time by R-1 zoning and they will be concentrated on smaller lots that are below the ridge line and preserve a large portion of lot (40%) as public open space. Since this area is proposed to be dedicated to the town the citizens could work with the Town to utilize it in ways that are consistent with the Town's open space policy. Because it was important to Palm Investment North the open space was selected so that a route for hiking to the high point of the property was maintained. Additionally, the smaller lot sizes will be more affordable furthering the project goal of helping to provide affordable housing. The TMC states that minimum lot sizes do not apply to planned developments.

Frequent Comment #2: Storm water runoff is going to run off the site and negatively affect Painter's Addition.

Response: The preliminary design of the storm water system has been completed in accordance with the Storm Water Management Manual for Eastern Washington. Like almost all jurisdictions in eastern Washington Twisp has adopted this manual as the basis for its storm water management standards because it defines the best management practices that are applicable. Onsite Infiltration is the preferred method of disposing of stormwater runoff and this site is especially well suited. Palm Investments North hired Aspect Consulting to analyze the soil and geomorphology to verify the feasibility of this approach. Their conclusion is that the soils are highly infiltrative and deep enough to support a storm water infiltration system more than adequate to meet the maximum design storm water flows. The report has been included in our resubmittal. What does this mean? It means that the storm water system for this development will collect, treat and infiltrate all of the storm water for a design storm frequency of 10yrs(Twisp standard) and any runoff in excess of this will be directed to the location it would have drained to prior to the development. There are comments alluding to an existing problem of seasonal water flow crossing the property at the south end and flowing into Painter's Addition. This project will not modify this area of the property and therefore will not solve or exacerbate the situation. Also, to be clear, each residence when built will collect treat and infiltrate their storm water as well.

Updated Comments and Responses - Orchard Hills PD

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Frequent Comment #3: The roads proposed are not adequate in width for safety and snow plowing.

Response: Twisp public works also had this concern. The ask for a variance from town standard has been dropped and the roads have been redesigned to meet Town of Twisp standards.

Frequent Comment #4: The proposed development does not meet the fire code requirement for two accesses for developments with over 30 residences.

Response: An alternate fire apparatus access road has been designed into the project that drops down to Issabella Lane to the North. *If easement for this access is unattainable then all Orchard Hills Planned Development residences will be equipped with residential fire sprinkler systems in accordance with the International fire code. Both having residential fire sprinklers or having an alternate fire apparatus access road clearly meet the requirements of the town code and the requirements as specified by the Local Fire District 6 and should therefore have no bearing on the preliminary approval of the project.*

Frequent Comment #5: The submittal states that trails and pedestrian access are ideals that are aspired to but they seem to be inadequate and their should be a trail to town.

Response: Palm Investments North has no control of trail development off of their site. 5' paved side walks have been included adjacent to the roadways within the development and the open spaces is situated to allow for a hiking trails within them. It seems that a likely pattern of town walking access will develop, (contingent on adjacent land owners) that would include walking down the north fire access to Issabella Lane, continuing east across May Street and using the existing path down to the Twisp Community Center.

Frequent Comment #6: Minimum house size of 700sqft is too small.

Response: This request for variance has been dropped from the proposal.

Frequent Comment #7: Does the town of Twisp have the resources needed to maintain the new roads and open space dedicated to them in this proposal.

Response: Palm Investments North cannot speak directly to the resources that the town of Twisp has but in consulting with Twisp public works this has been one of their concerns. The current design has consolidated the road and utility system onto less road length while making them wider and easier to maintain. Further development of the open spaces has been removed from the project because it was indicated that it would be more appealing to not have the additional infrastructure to maintain at this time.

Frequent Comment #8: Pedestrian trails should take priority.

Response: 5' paved sidewalks have been included adjacent to the roadways within the development and the open space maintains the opportunity for hiking by accessing the ridge line off of Harrison and hiking north or accessing the open space off of Harrison to the south.

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Frequent Comment #9: Energy source for heat should be limited and not include propane or wood.

Response: Palm Investments North in general agrees with these concerns but does not believe that restricting the emissions from heating equipment more than the requirements of the TMC would further the primary goal of providing affordable housing. The current requirements of the TMC are "All uses that produce emissions shall comply with the requirements of the Environmental Protection Agency and/or the Washington Department of Ecology."

Frequent Comment #10: The painters addition citizens have been hiking and recreating on this property and these recreational opportunities need to be maintained.

Response: First Palm Investments North would like to remind commentors that they do not have any right to enter the private property of others without their consent. However, a fundamental design parameter for this development was to layout the open space to accommodate public access to these opportunities. If the open space is acquired by the Town it will then become public property after which it is assumed that this access would be reserved into the future.

Frequent Comment #11: The project is proposed within critical areas (aquifer recharge, and steep slopes) as identified by the Town of Twisp that have not been addressed.

Response: The proposed project will have no negative impacts related to the critical areas criteria. The development will treat and infiltrate storm water as required by the town codes. All surface water, except in extreme storms, will be infiltrated and go towards recharging the aquifer. Steep slopes have been avoided within the developed lots and the Geotech report has not identified any areas of concern. The Geotech has cleared road cuts and graded slopes with 1:2 slopes as long as basic stabilization measures are implemented such as jute matts and hydroseeding. The specification of this will be included in the final design. See the preliminary grading plan that has been included in the resubmittal for an idea of how this will be implemented.

Frequent Comment #12: This development is not low impact.

Response: By consolidating the improvements and infrastructure onto 60% of the property and limiting the residences to 52 instead of 60 this project has much less impact than the alternatives. Some impact is unavoidable and further impact reduction is not feasible due to the requirements of the Twisp public works and the applicable codes.

Frequent Comment #13: Soil map is not legible.

Response: This map should be legible in this submittal. Since the last submittal we have hired the services of a Geotechnical Engineer that has verified that the soils present on site are all conducive to the proposed development. See included geotechnical report.

Frequent Comment #14: How will the storm water be collected, treated and infiltrated.

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Response: The storm water system for this development will collect, treat and infiltrate all of the storm water for a design storm frequency of 10yrs(Twisp standard) and any runoff in excess of this will be directed to the location it would have drained to prior to the development. Palm Investments North hired Aspect Consulting to analyze the soil and geomorphology to verify the feasibility of this approach. Their conclusion is that the soils are highly infiltrative and deep enough to support a storm water infiltration system more than adequate to meet the maximum design storm water flows. The report has been included in our resubmittal. *It is required that the storm water system meet the requirements of the Stormwater Manual for Eastern Washington. This is based on the best management strategies for storm water systems for Eastern Washington. The system will be approved by and inspected by the city before occupancy.*

Frequent Comment #15: May and Harrison Street do not have enough capacity.

Response: Palm Investments North has hired SCJ to do a preliminary traffic study to determine the probable traffic that will result from the project. This report has been included in the resubmittal. They anticipated that both May and Harrison streets will see a peak hourly increase of 55 trips and an additional 563 daily trips. Although these are an increase in traffic flows, they do not represent an excessive traffic volume for the types of streets involved. The report has been made available to the Town and no request for additional information has been made.

Frequent Comment #16: Parking is not adequately addressed.

Response: Twisp code requires that each residence have 2 off street parking stalls per residence and Palm Investment is not requesting a variance from this. In addition, Twisp Public Works has requested that an 8' gravel parking strip be installed on both sides of the roads and this has been incorporated into the resubmittal.

Frequent Comment #17: The roads shown in the submittal are not compatible with snow removal.

Response: Twisp Public works agreed with this comment and after meeting with them they requested the current street section that includes (2) 11-foot paved lanes and (2) 8 parking lanes which in their opinion gave ample room to clear snow.

Frequent Comment #18: There was historical Native American use of the property that would preclude it or part of it from development.

Response: The Methow Artifacts Research Project has no record of any artifact being found on the property and known locations of native American settlements were all along the Twisp and Methow rivers. Camping upon this property was unlikely due to the lack of a reliable water source. It is probable that many of the peoples on the surrounding areas hiked to the top of the property to enjoy the vista much as many of the residents of Twisp do today. The high points of the property are all proposed to be protected from further development.

Palm Investments North has reached out to the Colville Tribe and is awaiting their return call.

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Frequent Comment #19: How does the development make sure the houses will be affordable.

Response: Palm Investments North has been in direct communications with The Methow Housing Trust and, although an agreement has not been finalized, we are hopeful that they will be procuring 10 of the lots to construct housing upon. Additionally, the cost of smaller lots and the ability to build smaller houses should both hold the cost down. By adding to the inventory of buildable lots within Twisp it should help to keep prices affordable.

Just committing to selling lots at under market value is not an option to control cost because this would just cause speculation buying. Winthrop has just done a housing analysis and determined that the largest driver of housing cost is supply. This project will represent more than a fivefold increase in the number of buildable lots and these lots will have guaranteed water and sewer.

Smaller lots do cost less. There is a reason that the first question when getting a lot appraised is the area. Tax appraisal is based on sqft. Lots sale by the square footage. The base price is set by the area and then modified up or down to represent the value or lack of value of other futures.

Frequent Comment #20: Wood burning stoves should not be allowed.

Response: Palm Investments North in general agrees with these concerns but does not believe that restricting the emissions from heating equipment more than the requirements of the TMC would further the primary goal of providing affordable housing. The current requirements of the TMC are "All uses that produce emissions shall comply with the requirements of the Environmental Protection Agency and/or the Washington Department of Ecology."

Frequent Comment #21: Distance to the closest public transit.

Response: The closest public transit stop is the intersection of Glover St. and Twisp Ave which is approx. 2000 feet as the crow flies from the proposed development.

Frequent Comment #22: Not enough detail is given in relation to landscaping.

Response: The bulk of the landscaping will be up to the individual lot owners the same as the adjacent Painters Addition and the open space will be unmodified from its natural state. The property has water rights on the MVID ditch that will be available to land owners if their lots are within the area served by the ditch. The location of landscaping along the road right of way can be seen in the landscaping plan and at when building permits are obtained from the Town of Twisp for the building of structure, they will be required to meet the towns minimum standards. Additionally, please note that this is a single-family residential development and TMC 18.20.160 (2)(1) states " In no case shall landscaping regulations apply to single family residences."

Frequent Comment #23: The development will have a negative impact on aquifer recharge.

Response: By collecting and infiltrating all of the storm water up to the 10yr storm no perceivable negative impact to aquifer recharge will occur.

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Frequent Comment #24: More detail is needed on what grading will be required on the site.

Response: In general, the design minimizes grading for road and utility installation. For further information on this see the preliminary grading plan included with the resubmittal.

Frequent Comment #25: Does the town of Twisp water and Sewer infrastructure have the capacity to service 53 new lots?

Response: Palm Investments North has been assured by Twisp public work that the water and sewer systems have the needed capacity for this development. *Additionally, a good portion of the lots have water rights on MVID and this will remove irrigation flows for those lots from the Town water system.*

Frequent Comment #26: Are the streets included in the open space.

Response: As required by the Town of Twisp the area of streets and their associated right of ways are not included when calculating the open space.

Frequent Comment #27: Are the adjacent lots going to be developed.

Response: Palm Investments North has no control over whether adjacent lots are developed or not but the Town of Twisp development standards assume that eventually all lots will be developed. Palm Investments North owns no other properties in the vicinity of this development.

Frequent Comment #28: The property was an old orchard and should be tested for arsenic.

Response: This was a good recommendation and Palm Investment North has had the property tested for arsenic. Arsenic was found to be present but not primarily in the location of the old orchard and at depth that are not consistent with pesticide application. The arsenic found is highest in concentration the higher you go and closer to the rock outcropping and seems to be natural background arsenic. Palm Investments North will coordinate with the Department of Ecology on any mitigation required. The types of mitigation that is usually done is outlined the Department of Ecology's "Model Remedies for Former Orchards".

Frequent Comment #29: The total estimated impervious area stated as 30% is incorrect.

Response: This is the basis of the estimated impervious area. The current design has 1945 ft of roads with 22 ft width of paved lanes, 16 ft width gravel parking and 5 ft width of paved walkway which equate to 83635 sqft, 6180 sqft for fire apparatus access road, 14800 sqft for private access corridors, 300 sqft per lot allotment for parking and driveways (15,600 sqft total) and 1800 sqft per lot of structure (93,600sqft total) giving a total estimated impervious area of 213,815 sqft . The total sqft of the parcel being developed is 732,243 sqft. After dividing the total square footage into the estimated impervious area you get .292 or 29.2%.

Frequent Comment #30: Our kids play in the street and we wish them to be able to continue to do so.

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Response: Palm Investment North would never recommend that kids play in any street. It would be much safer for these kids to play in the open spaces provided by this project.

Frequent Comment #31: May and Harrison Street should be improved as part of this project.

Response: Palm investment has hired the outside consultant SJC to approximate the additional traffic that will be the result of this project and evaluate the traffic impacts. The additional 563 trips per day are not anticipated to exceed the capacity of the existing roads and trigger road improvements.

Frequent Comment #32: The development will cause slope instability and erosion.

Response: Palm Investment North's geotechnical consultant Aspect Consulting has determined that slopes 1:2 rise to run can be easily stabilize with hydro seeding and jute mats with the soil types that are found on the site. The preliminary grading plan has been developed with this as a design constraint. The Geotech report has been included in this resubmittal.

Frequent Comment #33: The development will make the seasonal flooding of Painters addition worse.

Response: As described by the commentors there is a problem with water crossing the area of the development proposed as open space at the south end. This area of the development is the natural drainage path for water that originates offsite. This drainage path will not be modified and therefore will not solve or exacerbate the situation.

Frequent Comment #34: May Street is a dead-end street and in the case of wild fire will restrict the ability to quickly evacuate all people. Palm Investments North needs to provide a second access.

Response: The Town is aware of this situation and has for many years been trying to provide a solution that is feasible both in terms of right of way and financing. The town and Palm Investments spent a considerable amount of time and effort trying to work together to find a feasible alternate access to May Street and Palm investments was willing to assist in the construction of this access. However, as most of Painter's Addition residents are probably aware, just finding a feasible route is extremely difficult. To make a long story short the Town of Twisp agreed that the burden of an alternate access shouldn't be the responsibility of Palm Investments North and this should not be a limiting factor for the planned development. The Town has pledged to keep trying to find a solution to this issue and Palm Investments North agreed to assist as much as possible. The development as a whole should reduce the overall wild fire risk to Painter Addition by providing a buffer of fire hydrants and irrigation sources to the West.

A large number of the Orchard Hill second round comments further emphasize the wildfire concerns of the Twisp residents. Palm investments heard these concerns , and made a concerted effort to identify the state of the art measures to adequately address them.

*After extensive investigation the code that best addresses and mitigates the risks presented by wildfire is the 2018 International Wildland Urban interface code. This code has been compiled in coordination with the International Associations of Fire Chiefs and the National Association of State Fire Marshals. "It is founded on Palm Investments North LLC
28 Longhill Rd, Winthrop, WA 98862*

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data collected from tests and fire incidents, technical reports and mitigation strategies from around the world". Washington state has adopted portions of this code but did not adopt the sections on water supply and access requirements.

Palm investments north proposes going above and beyond the state code using CC&Rs and requiring building within Orchard Hills meet the requirements of the 2018 International Wildland Urban Interface code including those items not adopted by the State.

Palm Investments North believes that all neighborhoods should have an evacuation plan that are updated regularly.

Frequent Comment #35: Lights in the development will cause glare and light pollution and need special controls in addition those in the Twisp Municipal Code.

Response: Palm Investments North does not believe this to be the case primarily because when looking up from Twisp proper the houses in Painter's Addition will be in the line of site of most of the houses that will be constructed within the development. The Painter Addition houses have no additional lighting constraints and to our knowledge there has been no glare or light pollution complaints directed toward them. Additionally, TMC has requirements related to glare in the general provisions that must be met before issuance of a residential building permits.

Frequent Comment #36: The area with seasonal flows is also a wetland and setbacks apply.

Response: Palm investments North hired an outside environmental consultant, Grette and Associates, LLC, to determine if any wetlands were present on the site and delineate them if they were present. No wetlands were found. Grette and Associates' report has been attached to the resubmittal.

Frequent Comment #37: How will dust be controlled during construction.

Response: The Department of Ecology publication "Methods for Dust Control" 2016 will be utilized to prepare a dust control plan in accordance with the town of Twisp's codes and regulations. This will be finalized prior to the final permit application.

***Frequent Comment #38:** Ridge line not protected, the property does not extend over the top of ridge in all areas.*

***Response:** The property to the west is in Okanogan Co. and has a 25' set back, therefore no buildings can be constructed within 25' of property line. Additionally, the owner of the property to the west has testified that looking out 50yrs there are no plans to develop their property and they are generally averse to having the property developed at all.*

****Frequent Comment #39:** A decision on whether a to have an alternate fire apparatus access road or utilize residential fire sprinklers needs to be made before project can get preliminary approval.*

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***Response:** Both having residential fire sprinklers or having an alternate fire apparatus access road clearly meet the requirements of the town code and the requirements as specified by the Local Fire District 6 and should therefore have no bearing on the preliminary approval of the project.*

****Frequent Comment #40:** The Town should not accept the land dedication.*

The comprehensive plan indicates that a park is desired in the Painter's Addition neighborhood and this dedication provides the property on which to this park could be located. The dedication of this land to the town allows the Town of Twisp and its citizens to control its future and assures that the citizens have access to it. If the Town determines that this acquisition is unappealing to them Palm Investments north is willing to entertain the formation of a home owners association to manage it. It is worth noting that this land would be owned by the members of the HOA and public access to it would be at their discretion.

***Frequent Comment #41:** The Orchard Hills Planned development has extreme wildfire risks.*

The International Wildland Urban Interface Code has a fire hazard severity form that can be used to quantify the relative fire risk that a development or neighborhood has. We have filled out this form below for the Orchard Hills Planned Development. This process of determining fire risks highlights how the overall risk is the combination of multiple factors. There are much more efficient means of lowering fire risk than adding additional accesses. Note these are meant to be filled out by the fire authority and should be verified by the towns fire authority.

Proposed Conditions of Approval

11. CC&R's will be provided for review with the Final Plat that all homes meet the 2018 International Wildland-urban interface code and that all homes be equipped with fire sprinklers. A note on the final plat will also be required referencing the requirement that all homes meet the 2018 International Wildland-Urban Interface code and fire sprinklers be provided.

12. A note on the final plat map shall state that areas of the site the is served by Methow Valley Irrigation District shall have automatic irrigation systems installed to aid with fire protection.

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Orchard Hills Planned Development Fire Risk:

A. Subdivision Design Points

	Assoc. Points	Allotted Points
1. Ingress/Egress		
Two or more primary roads	1	
One Road	3	3
One-way road in, one-way road out	5	
2. Width of Primary Road		
20 feet or more	1	1
less than 20 feet	3	
3. Accessibility		
Road Grade 5% or less	1	
Road Grade more than 5%	3	3
4. Secondary Road Terminus		
Loop roads, cul-de-sacs with an outside turning radius of 45 feet or greater	1	
Cul-de-sac turnaround	2	
Dead-end roads 200 feet or less in length	3	3
Dead-end roads greater than 200 feet in length	5	
5. Street Signs		
Present	1	1
Not present	3	
B. Vegetation as defined by the International Wildland Urban Interface Code.		
1. Fuel Types		
Light	1	
Meduim	5	5
Heavy	10	
2. Defensible Space		
70% or more of site	1	
30% or more, but less than 70% of site	10	10
Less than 30% of site	20	
C. Topography		
8% or less	1	
More than 8% but less than 20%	4	
20% or more but less than 30%	7	7
30% or more	10	
D. Roofing Material		
Class A Fire Rated	1	1
Class B Fire Rated	5	
Class C Fire Rated	10	
Notrated	20	
E. Fire Protection-Water Source		
500 gpm hydrant within 1000ft	1	1
Hydrant farther than 1000 ft	2	
Water source 20 min or less round trip	5	
Water source farther than 20 min and 45 min or less round trip	7	
Water source farther than 45 min. round trip	10	
F. Existing Building Consruction Materials		
Noncombustible siding /deck	1	
Noncombustible siding /combustible deck	5	5
Combustible siding and deck	10	
G. Utilities (gas and electric)		
All underground utilities	1	1
One underground utility	3	
All above ground	5	
Summation of Points		41

Moderate hazard = 40-59 points

High hazard = 60-74 points

Extreme hazard = 75+ points

Palm Investments North LLC
28 Longhill Rd, Winthrop, WA 98862

March 7, 2023

Dear Twisp Planning Commission,

As you consider whether to recommend preliminary approval of the Orchard Hills Planned Development, you may also be considering whether to recommend that the Town Council accept ownership of and responsibility for the 6.8 acres of open space that Palm Investments North proposes to dedicate to the Town of Twisp.

This open space is included in the Parks and Recreation Comprehensive Plan, and described as follows:

4d. Schoolhouse Bluff Overlook

The rocky outcrop overlooking town above the Isabella Ridge development provides great views of Twisp, the Methow Valley, and the Sawtooth and Cascade Ranges. It is entirely on private land. Development pressure of neighboring sub-divisions is high. Though no current action is recommended, the landowner has expressed openness to potentially developing, though not in the immediate future, a low-impact public overlook and access trail.

(See 2022 Town of Twisp Comprehensive Parks and Recreation Plan, page 25).

The proposed Orchard Hills open space is characterized by steep slopes, erosion-prone soil, prominent views, and a shrub steppe ecosystem; **the 6.8 acres should absolutely be excluded from development for both ecological and aesthetic reasons.**

But I am genuinely uncertain as to whether the Town of Twisp is the right recipient of this open space, at this time. Below are three main reasons for my uncertainty, in the form of questions.

Question 1.

Is there adequate area, either on or adjacent to the 6.8 acres of open space, to provide ADA accessible parking so that all citizens have access to this open space, particularly when it (eventually) includes an “official” trail and other park-like amenities such as interpretive signage or an overlook?

Question 2.

Does the Town of Twisp have the resources and the partnerships in place to make sure that trails across the open space are sustainable and maintainable? Currently several “social trails” cross the property, but if the hillside experiences more public use, a planned trail system will need to be built, in order to prevent erosion and rutting, and preserve the shrub steppe plants from over-trampling.

Question 3.

Are there other options for preserving the 6.8 acres of open space (e.g., retaining the open space within the development, but with a conservation easement)? If so, would public access to the open space be allowed, and who would maintain trails and care for the land?

Thank you for listening to and considering the many thoughtful public questions, concerns, and comments that have been shared in response to the proposed Orchard Hills development.

Ellen Aagaard

Written Comment for March 8th Orchard Hills Hearing

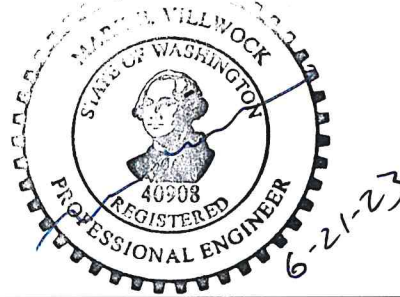
At the Feb 8th Orchard Hills public hearing, there were several verbal comments from concerned citizens who claimed that Methow Housing Trust staff had told them (at a public housing update the night before) that MHT has “no interest” in the possibility of buying lots and offering permanently affordable housing in the proposed Orchard Hill neighborhood. Those representations were not accurate or true, and I’d like to clarify MHTs interest in this project.

Although the applicants did overstep by stating in their pre-application that MHT is a partner that will likely to buy 10 lots, the applicants did meet with me several times in 2022 to assess MHT’s interest in being a partner, because they are very committed to finding concrete ways for this planned development to be of service to local housing needs. In those informal meetings, I explained to the Palms that MHT might be interested in purchasing some lots from them, but that I could not move at their pace to formalize such an agreement, as it will come down to the size, steepness, location, and price of the lots offered, and just as importantly, whether or not MHT would be able to raise the money to purchase lots in Orchard Hills, weighing that land acquisition opportunity against other important housing projects in the community. I explained that it would not be possible me to make a determination through our board process in time to be included in the application, but that in general, we support their efforts to add to the local housing stock, particularly if they are willing to implement affordability tools through a ground lease (the Community Land Trust approach) or deed restrictions that could ensure that the lots (or future homes) serve people who live and work in our community.

MHT has not said yes or no to a future role in this development, and we are hopeful that we will have an opportunity to consider being a part of it when more details are available to help us assess the opportunity.

Memo

To: Kurt E. Danison, Town Planner Via Email: townplanner@townoftwisp.com
 From: Mark Villwock, PE
 CC: Duana Kolouskova
 Date: June 21, 2023
 Re: Orchard Hills Project Access



Following is our review of condition number 7 of the final staff report for the Orchard Hills Planned Development dated 5/17/23. This condition is in regards to the number of access points as follows:

7. The proposed second access from the proposed development to Isabella Lane be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval.

This secondary access to Isabella Lane requires construction offsite. There is an existing easement recording number 3269852 that in our reading of the easement would not allow the applicant to use the area as a fire access road. The easement is limited to maintenance access and nonmotorized public access. There was a public ROW in this area but it was vacated in exchange for the easement. As discussed throughout the hearing process with the planning commission there is an option in the fire code for sprinklers to be implemented instead of the secondary access. This requirement can be found in Appendix D of the International Fire Code as follows:

SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads.

Exceptions:

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

Please note that this appendix has not been adopted by the Town but referencing these standards as guidance as best practices. In the listed exceptions the code requires either exception as an option. In this case if the applicant can't obtain the offsite easement they are proposing to utilize exception 1

to provide automatic fire sprinklers in accordance with the Fire Code. All homes in this development are proposed to have automatic fire sprinklers if the secondary access is not provided. Therefore, the condition should be amended to allow this exception.

RECOMMENDATION

It is our recommendation that condition number 7 be amended as follows:

7. If feasible, the proposed second access from the proposed development to Isabella Lane be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval. If this or other secondary access is not available prior to approval of the first building permit, all homes within the development will be provided with automatic fire sprinkler systems meeting the most current code at the time of building permit submittal.

Via E-Mail: townplanner@townoftwisp.com

Kurt E. Danison, Town Planner
Town of Twisp
P.O. Box 278
Twisp, WA 98856

June 23, 2023

Re: Comments on MDNS and proposed conditions of approval
Project File Number PD22-02

Dear Mr. Danison:

As you are aware, we represent Palm Investments North, LLC, with respect to their Orchard Hills Planned Development. Contained in this letter as well as the attached submittal materials, we provide our comments regarding the MDNS mitigation measures/project conditions of approval as well as concerns regarding the Town Council's review of the project.

As a procedural matter, we are very concerned about the Town's process leading up to the Council meeting on June 27, 2023. The Town reissued the SEPA threshold determination twice earlier in the year in order to accommodate the general public's ability to comment and provide testimony. The most recent version of the MDNS provides for a comment deadline of June 23rd and appeal deadline of July 19, 2023. No further explanation is provided for this appeal deadline, which does not appear to readily correlate to any state or town regulation.

Staff then advised the applicant that the Town Council would hear a presentation from staff on June 13 and vote on the project at its regular meeting on June 27th. The applicant did not receive any other, earlier notice of those dates. The applicant promptly let staff know that its planner and legal counsel could not attend the June 27th meeting so as to provide its comments on the project and proposed conditions of approval. The applicant requested the project be placed on the next regular Town Council meeting, July 11th. However, staff advised that the schedule was set based on the published MDNS (despite there being no information therein about these dates). This situation prejudices the applicant as it does not have the ability to advocate for its project as it would in any other application review process in other jurisdictions.

Despite our objection, we understand the Council will proceed with its action on June 27th. In doing so, we ask the Council ensure it follows the procedures set forth in TMC 18.45.060(5). More specifically, the Town Council can either vote summarily to approve the recommendation of the planning commission, i.e. to approve the Planned Development, or take other action. In the event of any other action, the Town Council must then set a date for public hearing. We believe the project is appropriately approved, albeit with the following conditions removed or modified as requested.

With respect to the substantive SEPA mitigation and proposed conditions of approval, we generally support these conditions and certainly project approval with exception to the following conditions for the reasons stated herein and in the attached materials.

The use of a mitigated determination of non-significance (MDNS) has been viewed very favorably by the Washington courts. *See, Hayden v. City of Port Townsend*, 93 Wn.2d 870, 880, 613 P.2d 1164 (1980) (overruled on other grounds); *SANE v. Seattle*, 101 Wn.2d 280, 676 P.2d 1006 (1984). The MDNS process accomplishes efficient, cooperative reduction or avoidance of adverse environmental impacts: “The mitigated DNS provision in WAC 197–11–350 is intended to encourage applicants and agencies to work together early in the SEPA process to modify the project and eliminate significant adverse impacts.” *Anderson v. Pierce County*, 86 Wn. App. 290, 304.

It is very important to bear in mind that SEPA “does not require that all adverse impacts be eliminated; if it did, no change in land use would ever be possible.” *Maranatha Mining, Inc. v. Pierce County*, 59 Wash. App. 795, 804, 801 P.2d 985 (1990). Instead, SEPA and the use of mitigation measures are used to achieve balance and control rather than to preclude development. *Cougar Mountain Associates v. King County*, 111 Wn.2d 742, 753, 765 P.2d 264 (1988).

By statute, cities may condition project approvals to mitigate a “direct impact that has been identified as a consequence of a proposed development, subdivision, or plat.” RCW 82.02.020. However, the Town has the duty to establish that exaction (whether restricting the use of land through a buffer or requirement that the applicant construct infrastructure) is “reasonably necessary as a direct result of the proposed development or plat.” *Id*; *See e.g. United Development Corp. v. City of Mill Creek*, 106 Wn. App. 681, 698, 26 P.3d 943 (2001).

It is essential that the Council carefully consider the actual evidence in evaluating this project rather than on general fears or unsupported concerns. Washington courts have long explained that a Council should not make decisions based only on public perceptions, such as general discontent over adding housing, is not lawful. *Maranatha Mining, Inc. v. Pierce County*, 59 Wn. App. 795, 805, 801 P.2d 985 (1990) (the Court scolded the Pierce County Council for basing its decision “on community displeasure and not on reasons backed by policies and standards as the law requires”). Instead, the Council can and should carefully consider the evidence in the record and issue its decision based on that information. In doing so, we are confident that the Council will find the project is well designed and supported by expert evidence, consistent with the Town’s adopted regulations and policies.

Our comments and requests regarding the following conditions of approval/mitigation measures are based on the previously submitted expert consultant reports as well as the attached materials from LDC and Aegis Engineering, a well-known fire protection engineering firm. They have based their evaluation on the most conservative assumptions reasonable for the project. Even with those assumptions, Aegis does not find that certain conditions, including Conditions 16 and 18, are warranted.

Condition 7. “The proposed second access from the proposed development to Isabella Lane be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval.”

The applicant does not have easement rights to build this access within the Town easement. In the Amended Easement, recording number 3269852, the Town relinquished its prior right of way for a very narrow easement limited to Public Works access to the water tanks and public, nonmotorized recreational use. Because the Town relinquished its right of way, the Town’s actions have unilaterally operated to limit access. As a result, the applicant volunteered to provide fire sprinklers in the homes, standard mitigation where secondary access is not available. *See attached materials.*

The applicant will voluntarily work further with the Town to accomplish secondary access, if feasible but this should not operate as a condition of approval. We respectfully request the Council either remove this condition from its approval or amend the condition as follows:

If feasible, the proposed second access from the proposed development to Isabella Lane should be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval. If this or other secondary access is not available prior to approval of the first building permit, all homes within the development will be provided with automatic fire sprinkler systems meeting the most current code at the time of building permit submittal.

Condition 8. “That a traffic study be completed analyzing the impacts of the development on the capacity of the intersections of May Street and Second Avenue and Second Avenue and SR 20 during emergencies. Potential mitigation measures required of the applicant for addressing identified impacts on intersection capacity shall be as determined by the analysis.”

The identified intersections currently operate at levels of service A and B during peak hours, i.e. the best level of service possible for this type of intersection. The traffic engineering for the project projects LOS A for the intersection of 2nd Avenue and May Street in 2028 with or without this project. As the expert traffic engineers concluded: “An evaluation of the existing 2023 and projected 2028 horizon year with and without the project traffic was performed. All of the study area intersections are projected to operate at LOS B or better. This indicates that even during high traffic events, including emergency situations that might funnel additional traffic through the study area, the intersections should operate with an acceptable level of service.”

We respectfully request the Council remove this condition from its approval.

Condition 12. “That prior to final approval the applicant participates with the Town in the amendment of the adopted Comprehensive Emergency Response Plan that sets forth a plan for traffic control in the event of a wildfire or other emergency that necessitates evacuation of the May Street neighborhood.”

This condition requires action that is beyond the applicant’s control. The applicant is certainly prepared to participate with the Town on an amendment as described if the Town does proceed with any such work. While this could result in voluntary actions from the applicant, depending on

the timing of the Town's amendment, this condition cannot and does not purport to make the project approval on future, unknown conditions.

We respectfully request the Council remove this condition from its approval. The applicant will voluntarily participate with the Town if the Town takes action to amend the Emergency Response Plan, but this should not operate as a condition of approval.

Condition 15. "That the Town amend its Capital Facilities Plan and Six Year Transportation Improvement Plan to add a second point of access from the May Street neighborhood to the Twisp Carlton Road with the intent of completing the project within 5 years."

This condition does not relate to the project or set forth actions that would be within the applicant's control. The applicant wholly supports a second point of access from the neighborhood to the Twisp-Carlton Road. However, as written, this would not condition the project per se, nor would the Town have authority to impose such a condition as it requires action on the part of the Town, potentially including condemnation, rather than the applicant.

We respectfully request the Council remove this condition from its approval. The applicant will voluntarily coordinate with the Town whenever the Town takes action to add a second point of access to the May Street neighborhood, but this should not operate as a condition of approval.

Condition 16. "That a 100-foot-wide buffer as per Fire Marshall recommendation be created along the western boundary of the development from the western property line to Harrison Street. Such buffer shall be gravel, irrigated grass or other acceptable fire-resistant vegetation and must be completed prior to deeding of open space to Town."

As a prefatory note, the Town has not adopted the Wildlife-Urban Interface Code (WUI Code) which consists of a set of model regulations and solutions that cities and counties can, but are not required to, adopt. Nonetheless, the project consultants have reviewed the project under that WUI Code, including the project rating standards and find this condition is not warranted. *See attached materials.*

The applicant objects to this condition as exceeding what the WUI Code outlines, particularly for the rating of this project thereunder. The WUI Code does not recommend any buffer, let alone 100-feet in width, for projects such as that proposed. The City has no regulation or policy supporting this buffer, nor any best management, engineering or scientific basis to impose such buffer. Instead, the applicant has volunteered to develop a fire hazard reduction plan to be implemented as outlined in condition 17 and Appendix B of the WUI code.

We respectfully request the Council remove this condition from its approval.

Condition 18. "That the PD be redesigned to eliminate proposed townhomes and modify lot sizes that ensure that there is a minimum of 30 feet of clear space between the eave line of structures."

As discussed in the attached materials, under the WUI Code, where the overall project is protected, the individual homes do not each need their own defensible space based on the low fire risk resulting from the type of construction.

We respectfully request the Council remove this condition from its approval.

Condition 29. “Covenants, Conditions and Restrictions must be developed and provided to the Town that address the following items:

Maintenance of private access and utility easements

Landscape standards for individual lots

Limitation of one wood burning device for each home

Design criteria and standards for new homes and accessory buildings

Exterior lighting standards (dark sky compliant)”

These provisions are common for plat restriction notes on a final plat rather than being imposed through CC&Rs. We do recognize that the project would have some CC&Rs based on applicable state law, but limiting the extent of those will reduce immediate and long-term homeowner costs and financing burdens. We request the Town modify Condition 29 to state “~~Covenants, Conditions and Restrictions~~ Final plat notes must be developed....”

With the foregoing in mind, we respectfully request the Town Council approve the project. We request the Council remove Conditions 8, 12, 15, 16, and 18 as not appropriate conditions imposed on the project. As discussed above, the applicant desires to voluntarily work with the Town on future planning. As also discussed, the applicant has voluntarily upgraded the project in various ways to comport with the WUI Code recommendations and provide a community that will be a very positive addition to the community. With respect to Conditions 7 and 29, we request the Council modify said conditions as stated above.

Sincerely,



Duana T. Koloušková

Direct Tel: (425) 467-9966

Email: kolouskova@jmmklaw.com

Attachments:

LDC Memo, June 21, 2023

Aegis Fire Protection Summary, June 22, 2023 with attachment

Appeal of MDNS (Dated May 24, 2023 under SEPA) and MDNS/Project Comments

TWPD 22-02, Orchard Hills Planned Development

Submitted: June 23, 2023

From: Isabelle Spohn, 419 N. Methow Valley Highway, Twisp, Wa. 98856. 509-997-4425.

Submitted electronically to: townplanner@townoftwisp.com,

deputyclerk@townoftwisp.com

clerktreasurer@townoftwisp.com

To: Kurt Danison, Town of Twisp Planner

Randy Kilmer, Town Clerk and Treasurer

Heather Davis, Deputy Clerk and Planning Commission

Dear Mr. Danison, Ms. Davis, and members of the Twisp Planning Commission:

Thank you for this opportunity to comment on the SEPA process for the Orchard Hills development proposal and on the project itself. Please consider this letter an appeal of the MDNS due to concerns that have been previously expressed by the public and have still not been adequately addressed with appropriate mitigations in the MDNS as written.

In addition, I am incorporating by reference any and all comments and appeals I previously submitted for:

DNS dated 6/26/22;

MDNS dated 1/ 5/23;

MDNS dated 2/1/23

A. PROCEDURAL CONCERNS:

***The Threshold Determination was not available to the Planning Commission** during its review and discussion on May 10th and May 17th. The SEPA process was not complete at the time of the deliberations of the Planning Commission, including Findings of Fact and Proposed Conditions. It is required by Twisp Municipal Code that the Threshold Determination and Findings of Fact be available at the time the Planning Commission reviews the project. The current description of the project being presented to the Town Council is out of date.

*I am filing this appeal electronically in a timely fashion by the end of the business day today. Hopefully they will be accepted. **However, since the Town's offices are closed on Friday, this presents a complication for others who do not file such documents electronically.**

***While public comments are due today, there is no up-to-date map of revisions to the last proposal/DNS.** Thus it is not possible for the public to comment in a knowledgeable manner by today. Due to numerous changes and re-written documents over the time this development has been under discussion, there is confusion as to how this proposal will look as currently planned with no updated site plan containing revised housing density, egress in case of wildfire, etc. Numerous changes and suggested (or delayed) changes need to be incorporated into a fresh and accurate application, Threshold Determination/MDNS, and site plan for the public to review.

***Published deadline of July 19th for appeal to Superior Court is not clear** in relation to the deadlines in Code.

***There is no way the Planning Commission can logically recommend approval of such a project before existing adequate egress in regards to fire actually exists** - which it clearly does not. Possibilities for adequate egress have been discussed, but nothing has been confirmed in regards to legal access, enforcement of this access and the conditions required. In fact, it appears more than likely that such egress will not materialize.

In conclusion, neither can the Planning Commission pass on an adequate recommendation to the Town Council as to SEPA, the MDNS or comment on the project itself without a revised application, revised site plan, and adequate map that can be clearly understood by the Commission and the commenting public.

B. SUBSTANTIVE ENVIRONMENTAL ISSUES IN RELATION TO THE MDNS, REQUIRING AN EIS OR UPDATED MDNS FOR THE PLANNING COMMISSION.

1) MDNS and Traffic backup probability in the area of the junction of May Street/ Lookout Mountain Road/Twisp River Road and Twisp Fire Hall parking lot

Fire in such a densely populated area as the May Street development together with Orchard Hills could result in many more casualties than the three individuals who lost their lives on Woods Canyon Road - considering the existing egress problems of May Street exacerbated by 52 new units (now changed? But still a considerable impact) plus more vehicles attempting to evacuate at the same time as firefighting units attempt to access the area.

Emergency ingress and egress for both developments plus responding emergency vehicles must be addressed adequately in any MDNS for this project.

In addition, it seems to be forgotten that the Twisp Fire Hall is very close to the May Street/ Twisp River Road/Lookout Mountain intersection. Fire engines and volunteer firefighters will likely be attempting to enter/leave the Fire Hall parking lot during a wildfire event at the same time Twisp River residents could be evacuating via Twisp River Road and/or

entering May Street and Orchard Hills communities to help friends and relatives evacuate. In addition, attempted evacuation of livestock from the White farm should be considered.

These issues or mitigations are not addressed in the MDNS except to say that an egress route has to be completed within 5 years. This is not adequate. What will happen if the egress road possibility does not materialize? What kind of obligations will the town have incurred? And what position will the developer be in at that point, having spent time and money up to that point only to find that no egress can be established?

The Town of Twisp's claims as to a "Pre-existing condition" on May Street:

An EIS must be issued, addressing the cumulative impacts of all units and new traffic expected to exist upon build-out. Without updated maps, without any confirmed additional egress, without updated traffic estimates, and without other important updated factors, the public is unable to comment effectively and the Planning Commission is unable to deliver a realistic recommendation to the Town Council

During the recent 2/8/2023 public hearing on the Orchard Hills proposal itself, the Town Planner emphasized that the proponents of this new project did not bear burden of responsibility to solve the lack of ingress/egress situation, since the existing May Street community already has an issue in that regard. However, the very fact that such a situation already exists emphasizes the fact that any further development (Orchard Hills) poses an even greater risk than already exists. **It is the "direct, indirect, and cumulative impacts" that are in question. Consider the reasoning in *Lanzce Douglass v. City of Spokane Valley* once again on "pre-existing deficiencies:"**

" [14-16] ¶35 Douglass's plat has not been conditioned on improving a preexisting deficiency. The hearing examiner here reversed the mitigated determination of nonsignificance and remanded for preparation of an environmental impact statement to address emergency evacuation. Yes, the hearing examiner refers to evacuation of the entire Ponderosa area and considers evidence that even the current population is inadequately served by the two egress roads. But his decision is not based on preexisting deficiencies. It focuses instead on the cumulative effect of the traffic from the Ponderosa development. An environmental impact statement analyzes the "direct, indirect, and cumulative impacts" of a proposed project. WAC 197-11-060(4)(e)."

*¶36 SEPA requires that decision makers consider more than the narrow, limited environmental impact of the current proposal. *Cheney v. City of Mountlake Terrace*, 87 *Wn.2d* 338, 344, 552 P.2d 184 (1976). And so the hearing examiner properly considered the impact of adding traffic from the Ponderosa PUD to the current egress roads. He concluded that an environmental impact statement was necessary to address what are probable significant adverse effects of the proposed project on the ability to safely evacuate the area.*

WAC 197-11-360(1); RCW 43.21C.031; SVMC 21.20.100, .110. That is an appropriate consideration and an appropriate conclusion.

2) Future Overwhelming of the Community's roads at :

1) The intersection of May Street/Lookout Mt Road, Twisp River Road and the existing fire hall. How long would evacuation take for the May Street and proposed Orchard Hills communities, considering that fire-related vehicles could very likely be attempting to use the same narrow roadway for ingress, together with traffic from neighbors or relatives assisting with evacuation?

2) At the intersection of Twisp River Road and Highway 20. This includes possible (or likely) increase in evacuation traffic coming from the north from both Twisp residents and residents outside the town limits. This intersection is already causing traffic problems that would only increase in case of wildfire.

The proposed mitigation of a traffic director is inadequate. The efficacy of putting a traffic director at the intersection of Twisp River Road and Highway 20 in the event of evacuations and fire traffic has not been analyzed and, especially in a worse case scenario, could be tragic. Such a scenario, considering the current wildfire situation, is not speculative, but actually quite likely in the case of wildfire evacuations.

Please consider the reasoning of the Court in *Lanzce Douglass v. City of Spokane Valley* in paragraph 38 regarding roads:

¶38 Douglass suggests that the approval of several other development projects in the Ponderosa area, including Ponderosa Ridge, requires approval of this project without addressing the probable adverse environmental impacts of the cumulative impact. **But at some point, the population growth in an area will overwhelm the roads.** The evidence supports the hearing examiner's findings that the **City failed to adequately evaluate emergency evacuation** (see CP at 85-86 (Conclusions of Law 18-25)), and those findings support the hearings examiner's conclusions that **an environmental impact statement is necessary**. *University Place*, 144 Wn.2d at 652; *Hilltop Terrace*, 126 Wn.2d at 34.

Questions such as the following should be answered and accompanied with adequate mitigation in a revised checklist and MDNS (with map) or with the analysis an EIS would provide by focusing upon direct, indirect, and cumulative impacts.

* During an evacuation scenario, can important nearby intersections (such as the intersection of May Rd/ Twisp River Road, Fire Hall **and** the close-by intersection of Highway 20 and Twisp River Road,) even be mitigated for such a large development in the proposed location and terrain?) Is this development proposal in the wrong location?

- * What mitigations are necessary, and who will be responsible for carrying them out at these intersections? If a new (and unlikely) egress is obtained , what will be the impact of the egress upon the school bus parking areas and the Twisp-Carlton road where this prospective egress joins that road? How about the junction of Twisp-Carlton road and Highway 20? There has been no analysis of these vague egress plans by a qualified Fire Marshal.

C. ADDITIONAL COMMENTS:

The town needs to consider the extent of obligations it is taking on if this proposal proceeds now without further analysis. This means that the tax burden on taxpayers also needs to be considered. The following items are of concern to me, as a resident of Twisp. A town that can't even afford \$2.50 increased taxes for each parcel for Firewise services by the Conservation District needs to reconsider the much larger cost that will be incurred by approval of this project as currently designed.

I am concerned about these items, although it is not an exhaustive list. The impacts upon humans, such as increased taxes, are an environmental concern.

- *Maintenance of storm water management system.
- *Enforcement of the International Fire Code requirements.
- *Maintenance of the proposed 20 foot emergency access road from Isabella Lane and enforcement of no barricade.
- *Adoption of the 2018 International WUI Code as of July, 2023 and enforcement of that Code .
- * Cost of obtaining services for ongoing information and review of on the International WUI Code when review of all permit applications, to ensure compliance.
- * Amending of capital facilities plan and Transportation Plan along with proposed second point of access to May Street to Twisp-Carlton road.
- * Adequate maintenance of the 100 ' fire buffer along the westerly edge of Orchard Hills.
- * Establishment,, implementation, and maintenance of a fire hazard and reduction plan for the opens space planned south of Harrison St. by a professional.
- * Amending the town building code to comply with the mitigations on air quality.

- * Escalation in real estate taxes and demand for services. Town residents.
- * Enforcement of all Code as a result of this development, in the face of no Town police force, a Planner who is contracted for 3 hours a week, and no enforcement by the County.

Sincerely yours,

Isabelle Spohn

Orchard Hills Comment Matrix				
Written Comments				
Commentor	Address	Comments	Action?	
1	Fire District #6	Winthrop	Fire apparatus access roads should “be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities.”	Require as condition of approval
	"	"	The required turning radius of a fire apparatus access road shall be determined by the fire code official.” OCFD6 recommends a 28ft radius.	Require as condition of approval
	"	"	Dead-end fire apparatus access roads in excess of 150ft in length shall be provided with an approved area for turning around fire apparatus.	Require as condition of approval
	"	"	Approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.” Where and when applicable, both sides of each fire apparatus access road need to be signed as a Fire Lane.	Require as condition of approval
	"	"	Fire apparatus access roads should “not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.	Require as condition of approval
	"	"	Developments of one- or two-family dwellings where the number of dwelling units exceed 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements in Section D104.3. OCFD6 does NOT recommend a gated access for an emergency use only road for this kind of Development that will also share an access with other developments	Require second access to Isabella Lane or sprinkle all units
	"	"	Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.	Require second access to Isabella Lane or sprinkle all units
	"	"	New and existing buildings should “have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches.	Each lot will have an E911 Address assigned at PD approval

	"	"	Fire hydrant systems should “be subject to periodic tests” as required by Washington State Rating Bureau (WSRB). Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards.	Require as condition of approval
	"	"	Posts, fences, vehicles, growth, trash, storage and other materials or objects should “not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. “The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.” This includes snow.	Require as condition of approval
	"	"	A 3 ft clear space should “be maintained around the circumference of fire hydrants except as otherwise required or approved.	Require as condition of approval
	"	"	Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means should comply with Section 312	Require as condition of approval
	"	"	All fire hydrants servicing these parcels meet or exceed the standards found in IFC	Require as condition of approval
	"	"	All fire hydrants servicing these parcel, newly installed and existing, be equipped with a 5 inch Storz fitting with a tethered cap on the large diameter port prior to occupancy being granted. These fittings shall be approved by the OCFD6 prior to installation. This fitting is required to connect to OCFD6 fire hose.	Require as condition of approval
2	Scott Demergue	501 June Street, Twisp	Fire and emergency access	Will meet or exceed 2018 Urban Wildland Interface building standards and International Fire Code for access
			Pedestrian safety	The public road serving the development will have a sidewalk or similar pedestrian facility
			Concerned about density	Density is compliant with zoning
3	Isabelle Spohn - written and oral testimony and SEPA appeal	Twisp	Air quality - wood burning devices	All wood burning devices will have to meet and/or exceed state and EPA standards and be required to obtain a permit prior to installation.
4	Barbara Gohl - oral and written testimony, SEPA Appeal	7 Isabella Lane, Twisp	Does not believe the homes will be affordable	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.
	"	"	Not enough water - need to complete valley-wide study	Town has sufficient water for the development
5	Ellen Aagaard - oral and written testimony	Twisp	Areas proposed to be developed <i>with approximate footprints of proposed buildings</i> and their nature (e.g., residential, community use, commercial, office, etc.)	Require as condition of approval

	"	"	Location, dimensions and schematic design of <i>off-street parking areas or facilities</i> , showing points of ingress and egress	Require as condition of approval
	"	"	Pedestrian and vehicular circulation pattern	Require as condition of approval
	"	"	Conceptual landscape plan	Require as a condition of approval
	"	"	Stormwater collection and disposal plan.	Require as condition of approval
	"	"	Air quality considerations and mitigation measures, including dust control measures.	Require all wood burning devices to meet and/or exceed state and EPA standards and be required to obtain a permit prior to installation. Require dust control during construction
	"	"	Fire Access	Will meet or exceed 2018 Urban Wildland Interface building standards and International Fire Code for access
6	Mark and Leone Edson - written and oral testimony	321 Bigelow, Twisp	Not consistent with zoning	Minimum lot sizes do not apply to Planned Developments - see Table 5, Title 18 TMC
	"	"	noise	Will have to comply with Town nuisance regulations, no different than existing residential area
	"	"	overcrowding	?
	"	"	traffic	Traffic study found that existing road network has capacity for proposed development
	"	"	private accesses	Private access permitted by Town regulations and meeting IFC requirements. CC&R's will detail maintenance of such accesses
	"	"	generally disagree with all aspects and facts and figures	?
7	Mary Bean and Jo and Dennis Doyle - written and oral testimony	409 Bigelow, Twisp	Fire access	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
	"	"	Snow removal	Road standards include space for snow removal and storage
	"	"	private accesses	Private access permitted by Town regulations and meeting IFC requirements. CC&R's will detail maintenance of such accesses
			too much density	Density is compliant with zoning
8	Arthur Tasker - written and oral testimony, SEPA Appeal	7 Isabella Lane, Twisp	Wildfire and access	Will meet or exceed 2018 Urban Wildland Interface building standards and International Fire Code for access
			Increase lot sizes	Minimum lot sizes do not apply to Planned Developments - see Table 5, Title 18 TMC
9	Sarah Schrock	413 Bigelow, Twisp	Does not meet intent of PD	Conditions of approval require to address PD intent
	"	"	Areas proposed to be developed <i>with approximate footprints of proposed buildings</i> and their nature setbacks, parking, trails, common spaces	Require as condition of approval
	"	"	too high of density	Density is compliant with zoning
	"	"	views	Landscape plan and photo representations of views

	"	"	Traffic	Will be conditioned to meet or exceed IFC standards, good idea for LID
10	Kasey Ketterling, Ardurra	Consulting Engineer	Plans sufficient for preliminary review	
11	Doug Irvine - written and oral testimony	612 June St, Twisp	does not control the ridgeline	TRUE
	"	"	topography and density figures miscalculated	Have to rely on licensed surveyor for data
	"	"	no benefit from open space	Proposed to be given to Town
	"	"	limit to R1 zoning, no PD	PD is allowed under zoning
	"	"	too far from services	true for existing neighborhood and other parts of community
	"	"	no pedestrian features	PD does include sidewalk
12	Barbara Irvine	612 June St, Twisp	not affordable	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.
	"	"	access	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
	"	"	consistency with neighborhood	single family residences, interpretation
13	CB Thomas	43 Lost River Airport, Mazama	supports development	
14	Ina Clark	501 Highway 20, Winthrop	supports development	
15	Diane Childs	70 McLean Hill, Winthrop	supports development	
16	Roger and Anna Stull	105 Florance Lane, Twisp	fire safety and access	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
	"	"	Traffic	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
	"	"	too much density	Density is compliant with zoning
17	Ross and Marti Darling	Twisp	supports development	
18	Bill Bates	Twisp	limit number of homes	Density is compliant with zoning
	"	"	snow removal	Road standards include space for snow removal and storage
	"	"	fire lanes	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
19	Ken and Virginia Borg - written and oral testimony, SEPA Appeal	Isabella Lane Twisp	emergency access, fire safety	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
	"	"	stormwater	Stormwater management plan required - all stormwater generated on-site must be handled on-site

			density	Density is compliant with zoning
			water	Town has ample water resources to serve development, developer responsible for engineering and construction improvements needed to meet town and IFC standards
			construction dust	Best management practices required during construction
			affordability	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.
			snow removal	Road standards include space for snow removal and storage
			access to open space	Open space proposed to be given to town, if public land access would be
20	Dean Kurath, Dark Sky	Winthrop	Dark sky compliant lighting plan	require as condition of approval
21	Larry and Barbara Schaber	618 June Street	parking	require two off-street parking spaces on each lot plus parking lanes on both sides of road.
			snow removal	Road standards include space for snow removal and storage
			traffic	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
			density	Density is compliant with zoning
			affordability	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.
22	Mark and Leone Edson	321 Bigelow, Twisp	inconsistent with comp plan and zoning	interpretation
			stormwater runoff	Stormwater management plan required - all stormwater generated on-site must be handled on-site
			traffic circulation	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Seond and SR 20 being completed
23	Bill and Sandy Moody - oral and written testimony, SEPA Appeal	Twisp	access and fire safety issues	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
			density	Density is compliant with zoning
			parking	require two off-street parking spaces on each lot plus parking lanes on both sides of road.
			private access corridors	Private access permitted by Town regulations and meeting IFC requirements. CC&R's will detail maintenance of such accesses
			residential sprinklers won't help	

24	Methow Housing Trust	Winthrop	misinformation - the Trust has no made any commitment one way or the other as far as potentially purchasing lots in the proposed PD	Still a possibility
25	Rudy and Katrina Miniutti	104 Florance Lane	solve second access before approval	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
26	Mary Sharman and Jerry Cole	1023 Burton Street	air quality	All wood burning devices will have to meet and/or exceed state and EPA standards and be required to obtain a permit prior to installation.
	"	"	water and sewer capacity	Town has ample water and sewer capacity, developer responsible for engineering and constructing improvements to town standards
	"	"	traffic - fire access	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
	"	"	affordable housing	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.
	"	"	need more planning	yes, but have to live with codes we have until amended
27	Janice Liu	613 Bigelow St, Twisp	emergency ingress/egress,	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
	"	"	inconsistent with R1 zoning	Density is compliant with zoning
	"	"	not affordable,	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.
	"	"	stormwater	Town has ample water and sewer capacity, developer responsible for engineering and constructing improvements to town standards
	"	"	dark skies	require in CC&Rs
28	Doug Irvine - written and oral testimony	612 June St, Twisp	does not satisfy requirements for PD Chapter 18.45 TMC	Conditions of approval require to address PD intent
	"	"	light and glare not addressed	require in CC&Rs
	"	"	no aesthetics considered	Conditions of approval require to address PD intent
	"	"	no landscaping	Conditions of approval require to address PD intent
	"	"	ownership pattern (open space)	Proposed to give to Town
	"	"	not a planned development	interpretation
	"	"	no recreation improvements included	Conditions of approval require to address PD intent

	"	"	air quality	All wood burning devices will have to meet and/or exceed state and EPA standards and be required to obtain a permit prior to installation.
	"	"	traffic distance to services	similar conditions throughout community
	"	"	no public benefit	will provide for new, much needed, housing opportunities
29	Barbara Irvine	612 June St., Twisp	Access - town's responsibility, fire safety,	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
30	Jerry Heller - oral and written testimony, SEPA Appeal	510B Bridge Street Twisp	failure to address access and permit requirements	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
	"	"	fire safety	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
31	Delores Barnard	507 Bigelow St Twisp	second access, no plan	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
	"	"	affordability	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.
32	Marie Tracy - written and oral testimony	Isabelle Lane Twisp	existing regulations insufficient	true but must following regulations in place, not ones we'd like to have
	"	"	reduce density to 30 units	Density is compliant with zoning
	"	"	second access	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
	"	"	snow removal	Road standards include space for snow removal and storage
	"	"	wood stoves, no alternative energy	All wood burning devices will have to meet and/or exceed state and EPA standards and be required to obtain a permit prior to installation.
	"	"	pedestrian access	The public road serving the development will have a sidewalk or similar pedestrian facility
	"	"	affordability	Town does not have the ability to set price standards, affordability is an important issue, proponent is attempting to increase affordability by increasing density and clustering homes.

33	Dave Hopkins and Susan Speir	605 Lookout Place Twisp	access	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
	"	"	fire safety	Will meet or exceed 2018 Urban Wildland Interface building standards and International Fire Code for access
34	Robert Thorpe	Mercer Island	supports development	
35	Suellen White - written and oral testimony	Lookout Mt. Rd Twisp	emergency access, fire safety	Access must comply with IFC standards, traffic analysis of intersections of May and Second and Second and SR 20 being completed
	"	"	snow removal	Road standards include space for snow removal and storage
SEPA APPEALS				
1	Art Tasker/Barbara Gohl	Twisp	Access, inaccurate information in checklist regarding slopes, energy requirements, noise, density, affordability lack of mitigation for air quality, not consistent with comprehensive plan	
2	Pearl Cherrington	Twisp	objects to characterization as low impact - traffic, air quality fire. No source of fill indicated, increase in vehicles and wood stoves will affect air quality, no landscape plan as required by code, potential arsenic/lead issues, noise, compatibility to neighborhood, no housing being provided steep slopes impacted by development, no housing being provided, access	
3	Howard Cherrington	Twisp	Traffic study, fire access	
4	Vince and Nancy Friggione	Twisp	objects to characterization as low impact - traffic, air quality fire. No source of fill indicated, increase in vehicles and wood stoves will affect air quality, no landscape plan as required by code, potential arsenic/lead issues, noise, compatibility to neighborhood, no housing being provided steep slopes impacted by development, no housing being provided, access, just do 25 or 30 lots and everyone would be happy	
5	Ken and Virginia Borg	5 Isabella Lane	traffic, emergency access	
6	Bill and Sandy Moody	620 Moody Lane Twisp	interior lots difficult access	
	"	"	high density development contributes to fire risk	
	"	"	lack of standards meeting Cal Fire recommendations	
	"	"	not consistent with neighborhood and existing zoning	
7	Jerry Heller	510B Bridge Street Twisp	MDNS not published as required, March 8th hearing not advertised, inconsistent with zoning, lots contain steep slopes, density - fire safety, private accesses	
8	Marcia Butchart	515 June Street	stormwater runoff, fire safety, increased traffic, no housing trust purchasers, not affordable	

9	Isabelle Spohn	419 N. Methow Valley Highway	mitigation in MDNS inadequate for access and air quality. Needs to provide specific mitigation measures. Call for new regulations and change in materials used for sanding roads, need to increase planner time	
Sign-In Sheets from Public Hearing				
1	Marcia Butchart	515 June Street Twisp	who is responsible for stormwater, enforce mitigation, SEPA Appeal, no housing trust purchasers, not affordable	
2	Ellen Aagaard	1 Isabella Lane Twisp	Need pedestrian and cycling facilities, fire insurance issues, increasing costs due to potential number of new homes, prioritizing highest needs - market rate rentals, see written comments	
3	Barbara Gohl	7 Isabella Lane Twisp	do not oppose, application in complete, not going to be affordable - deceitful, not enough water, need valley wide water availability study, need moratorium on development until town has updated plans, see written comments, SEPA Appeal	
4	Art Tasker	7 Isabella Lane Twisp	fire issues and evacuation, second access not sufficient as it is for emergency vehicles, lots to small, houses to close together, sprinkling houses don't address this issue, see written comments, SEPA Appeal	
5	Marie Tracy	8 Isabella Lane Twisp	no solar or alternative energy requirements, do need housing but does not think this development will be affordable, no assurance will be affordable, air quality issues, see written comments, SEPA Appeal	
6	Barbara Irvine	617 June Street Twisp	ingress and egress, concerned before development proposed, second access besides May Street needs to be provided before development can be approved, see written comments	
7	Leone Edson	321 Bigelow Street Twisp	objected to Jasmine, but not clear, that she needed to step down, see written comments	
8	Mark Edson (3)	321 Bigelow Street Twisp	does not agree with townhouses, sees them as doubling density of some lots, issue about open space, make them 10,000 sq ft lots eliminate need for sprinklers and second access, neighbors feelings and issues don't count, see written comments, 18.15.020 conflicts - stricter applies... 18.15.010 - protect existing development over new development	
9	Bill Moody (3)	620 Moody Lane Twisp	Fire issues, ingress and egress, several examples of fires that destroyed communities, low density, larger lots, greater setbacks, responded to new fire code - what is above and beyond and BMPs?, who will be responsible for enforcing fire code? see written comments, SEPA Appeal	
10	Carrie Port	Twisp	Need housing, not sure will be affordable, can't afford a home in Twisp, wants to see more option for "middle class" people	
11	Emalie Ricco	Twisp	hard to think about staying in the valley due to housing shortage, need housing options	

12	Howard Cherrington	Twisp	Codes and ordinance are intended to provide consistency between existing and planned uses, character and density must be considered, code does not support planned developed, conflicts with existing code and plans, town must uphold the investments of those already there see written comments, SEPA Appeal	
13	Barry Stromberger	316 Bugar Street Twisp	concerns have already been brought up	
14	Russ Thomas (3)	Twisp	a lot of concerns shared, supports the Palms, however, concerned about fire, stormwater flooding, development below concerning, should require 10,000 sq ft lots, 4 unincorporated landowners need ingress and egress during development (is there an easement), questions about who builds second access	
15	Scott Domergue	501 June Street Twisp	shares many concerns, appreciates PD process, walks ridge and wants to continue to be able to, , need to widen Harrison and May to add sidewalks, not safe in winter, question affordability, not a good place due to single access, 40 acres due west in town limits, could be another 100 homes, need second access besides May street, see written comments	
16	Ken Borg	Isabella Lane	fireissues, too much density, small lots, emergency ingress/egress, need to provide study of May/Second and Second/SR 20 capacity, sprinkler systems a joke, not affordable, lots too small, no park, will set dangerous precedent, need to revise rules, see written comments, SEPA Appeal	
17	Lucy Reid	Carlton	not enough water based on previous 1990's study, has town purchased water rights, should not allow use of town property/easement for second access, town should not accept open space, should not allow woodstoves - impacts on people, traffic impacts - overly optimistic, will need traffic light or circle, booster station creates more maintenance by town	
18	Doug Irvine (4)	612 June Street Twisp	does not think development in the right place, does not own ridgeline so cant' promise no development, nothing makes this a planned development, does not meet the intent of code or have park, will only provide housing for Seattle people, not affordable, proponents provide misleading information, does not require information required by code, ownership pattern, e.g. landscaping, need to define affordable, see written comments	
19	Jerry Heller (3)	510 B Bridge Street Twisp	project has significant impact on neighborhood, does not meet requirements of planned development, subdivision under guise of PD, will open the door to bad development, should only be 30 lots at 10,000 sq ft, access need to be decided, see written comments, SEPA Appeal, does not agree with SEPA process, needs an EIS	
20	Deb Barnard	507 Bigelow Street Twisp	not affordable, see written comments	
21	Jocelyn Murray	249 Twisp River Rd Twisp	no comments	

22	Lisa (Doran) Marshall	302 Canyon Street Twisp	mom lives on May St. Excited about more housing, too dense, not affordable, cut number of lots in half	
23	Scott Domergue	501 June Street Twisp	Does a long plat require a SEPA Checklist, questions whether impact of proposed PD are the same as a long plat.... Proposed second access	
24	Suellen White	Lookout Mt Road	owns property to the west, irrigated 40 acres, no intention of selling, not willing to provide access easement, but folks can certainly evacuate to the fields in an emergency, see written comments	
25	Mark Edson (2)	321 Bigelow Street Twisp	claims it 66 lots, confusing town homes and open space question, quoted from comp plan, conflicts, zero setbacks promote fires, will need blasting, too dense, not coordinated, tearing community apart, does not protect existing development - protecting developers from existing land uses, see written comments.	
26	Ellen Aagaard (4)	1 Isabella Lane Twisp	town accept open space but require improvements - ADA parking, access, trails, does the town have the ability to construction and maintain improvements, other options for preserving open space, opens spaces not connected, part of open space has porton of road - should not be there, stormwater inflitaton ponds should not be in open space, does not really adhere to a planned development - especially the open space and lack of public amentities, see written comments	
27	Brian McAuliffe (3)	610 May Street Twisp	stormwater management, will flood his property, not opposed to development, don't add to existing issues, fire code access - width of streets, enforcement, inadequate	
28	Lorah Super	980 Twisp Carlton Rd Twisp	MVCC - growth needs to be planned for the Towns to protect the valley, does not necessarily provide affordable housing, wildfire safety, ingress/egress, - not full responsibility of developer, however, something needs to be done before approval, need to involve the tribes, need to delay approval of new developments until HAP is done	
29	Paula Mackrow	515 Twisp Ave Twisp	hold open for comment until issues are resolved, agree with all other comments, SEPA appeal - adverse impacts to natural and built environment must be addressed, MDNS does not provide specific mitigation measures, issue can be resolved by withdrawing the MDNS and new one with specific mitigation	
30	Dennis Doyle	409 Bigelow Street Twisp	see written comments	
31	Isabelle Spohn (3)	419 N. Methow	cart before the horse with several large developments coming, are this many homes needed? MDNS issue from spokane county re: emergency access, air quality, Ecology concerned about Twisp air quality, woodstove upgrade program, concerned that town is only doing bare minimum on air quality, nothing about resuspended dust during winter, see written comments	

32	Lisa (Doran) Marshall	North Methow Valley Highway	Thoughts on four way stops at Second/SR 20? Traffic, may st inadequate, who is responsible for maintaining roadways, not affordable	
33	Katrina Menudy?		How can move forward without egress and stormwater not addressed	
34	Sarah Schrock (2)	Bigelow	In her professional opinion the project does not meet the intent of the PD process, open space not adequately addressed, Parks Committee wants it dedicated	

June 23, 2023

To the Mayor, Council, City Clerk and Town Planner
Town of Twisp
PO Box 278
118 Glover Street
Twisp, Washington 98856

RE: Orchard Hills Development
SEPA MDNS: Dated May 24, 2023 Application: 22-02
Dated May 24, 2023
Published May 31 & June 7, 2023
Comment/Appeal Deadline, June 23, 2023

Please accept this written notice of my comments and appeal of SEPA MDNS described above, we also reserve the right to appeal this MDNS in Superior Court.

-The Comprehensive Plan and the Zoning Ordinance MUST be consistent with each other and they are not. In the mitigating conditions set forth in the Mitigation Plan supporting the Mitigated Determination of Non-Significance attached to the MDNS on Page 5 openly admits the Town's Comprehensive Plan contains some contradictory goals and principles.

Example would be Ordinance 753 in the District Use Chart Appendix A, on page 10, Subdivisions are allowed in an R1 and a Planned Development is not mentioned, but allowed in R3 as a mixed use development (PD), is prohibited in R1. Nowhere in the District Use Chart does it state that a Planned Development is allowed in R1 zone.

-Nowhere in definitions in the Zoning Ordinance does it truly list the definitions and requirements of a Planned Development, we only have what the Planner has stated.

-Nowhere in definitions in the Zoning Ordinance does it truly list the definitions and requirements of a Subdivision, we only have what the Planner has stated.

-The biggest problem at this time is that this is not a Planned Development, this is a ~~56~~ lot Subdivision. If this was truly a Planned Development, the three Open Space Tracts would come under the authority of an HOA. And those Open Spaces would be retained and maintained by the HOA.

55 INCLUDES
open space

-As it is being proposed, they're asking that the Town accept these three Open Spaces with all the financial burdens that come with the ownership, effectively removing ownership of the 52 lot Planned Development, requiring 40% Open Space, required to effectively be a PD.

- A financial burden to consider for this project, there will be approximately an addition of \$1450 dollars in fees to Methow Valley Irrigation District for the Open Space Tracts that the Town will encumber.

-In Recreation on page 7, the statement that it will open the area for hiking, is untrue, the developer does not own the property to the summit and is promoting trespassing.

-The statement that was made publicly at a Planning Commission meeting, but not listed as a condition was removing the word "footprints" and adding the word "envelope". TMC 18.45.050 Primary Development Plan Application (1) (C) states areas proposed to be developed with approximate footprints of proposed buildings and their nature (e.g., residential, community use, commercial, office, etc.) the Planning Commission has effectively altered the TMC without due process of law.

-In our review of the TMC Title 18, requirements of a Planned Development, we would suggest that the council thoroughly read and identify all of the failures of this Planned Development based on the requirements of TMC Title 18. Title proves a number of failures of the developer to include requirements shown in Title 18.

If the Town Council follows the recommendation of the Fire Marshal and requires the developer to "eliminate the proposed Townhouses and modify the lot sizes to ensure that there is a minimum of 30 feet of clear space between the eave line of structures", then the need for a proposed plan development (actually a subdivision trying to sell itself as a PD), is eliminated. No where in the Comprehensive Plan nor the Zoning ordinance is a planned development allowed outright, to stand on its own, in a R-1 zone. The ONLY thing the developer is doing is selling lots of property. No future plans have been made available to the Planning Commission or to the Town, or of the neighborhood residents about building homes, senior care centers, any commercial activities, etc.

Again, I've said it before, and it needs to be shouted out, this proposal is simply a subdivision of property, under the guise of a Planned development, and it our hope that the Council will see the light of this issue, and "Protect existing land uses and properties from the undue adverse impacts of adjacent developments.

Mark I and Leone C Edson
Residents of 321 Bigelow Street
Twisp, Washington

MARK IVAN EDSON
Leone C. Edson

Chapter 18.25
RESIDENTIAL ZONING DISTRICTS

18.25.030 Low-density residential single-family (R-1) district.

(1) Intent. The low-density residential single-family district is intended to reserve areas primarily for family living in single-family dwellings on large lots, characterized by privacy, an atmosphere conducive to sleep and repose, and living environments that promote the enjoyment of residential and neighborhood life. Certain community and commercial uses that are compatible with residential uses and consistent with the character of single-family neighborhoods should be allowed. Approved accessory dwelling units should be allowed.

(2) Uses Allowed.

(a) Uses allowed in the R-1 district are shown in the district use chart in Appendix A of this title.

WHICH APPENDIX "A"

(b) Approved accessory dwelling units may be allowed in R-1 zoning districts. The following standards shall apply:

THERE ARE
2 OF THIS TITLE

(i) Minimum lot size: 15,000 square feet.

(ii) In R-1 zoning districts, an accessory dwelling unit may be located in a separate accessory structure or incorporated within the principal dwelling. See definition in TMC 18.20.060.

(iii) Accessory dwelling units in R-1 zoning districts must be sited so that they will conform with all applicable regulations, including all setback requirements, if the parcel is to be divided.

(3) Dimensional Requirements. Lot sizes, minimum dwelling unit sizes, allowable densities, lot coverage, height and setbacks shall be as set forth in Table 5. (Ord. 620 § 5(3), 2010)

18.25.040 High-density residential single-family (R-2) district.

Appendix A
DISTRICT USE CHART

Uses of land in Twisp are regulated based on the primary or principal use of the land and/or structures occupying the land. In commercial and light industrial zones (excluding airport industrial) uses incidental, secondary, accessory or appurtenant to the primary or principal use of the land and/or structure do not have to be listed in the Use Chart as an allowed use in order to be allowed providing such uses do not represent a significant (greater than 30%) percentage or portion of use or activity and do not alter the appearance and overall use of the land and/or structure. Such uses must complete an Impact Assessment Checklist and may be conditioned by the Administrator to mitigate potential noise, dust and other impacts to adjoining properties.

Uses not listed: uses not listed in the district use chart may be allowed if they comply with the general and specific performance standards and with any special regulations that apply to the zoning district in which the use is proposed. The district use chart is not a prescriptive list of all allowed or disallowed uses, but a comprehensive list of examples.

LEGEND:

A = Allowed Use

P = Prohibited Use

AP = Allowed; Administrative Permit Required

PD = Planned Development Permit Required

CUP = Conditional Use Permit Required

BSP = Binding Site Plan

	R-1	R-2	R-3	C-1	C-2	C-3	C-R	I	AIR	PU ¹
General										
Accessory structures or uses ²	A	A	A	A	A	A	A	A	P	A
Accessory utilities	A	A	A	A	A	A	A	A	A	A
Data mining operations, server farms	P	P	P	P	P	P	P	CUP	CUP	P
Essential Public Facilities										

¹ - The Methow Valley School District property, formerly the Twisp High School and currently zoned PU, shall be allowed to include uses compatible with the C-1 district under the issuance of an administrative permit.

² - All accessory uses and structures (except for accessory dwelling units) shall be subject to the provisions of 18.20.050 TMC.

SUBDIVISIONS ALLOWED
PD ARE NOT MENTIONED

TOWN OF TWISP

	R-1	R-2	R-3	C-1	C-2	C-3	C-R	I	AIR	PU ¹
Fuel, oil, and coal distribution (wholesale)	P	P	P	P	P	AP	P	A	P ³	P
Garbage dumps, garbage, offal, dead animal reduction and/or disposal facilities	P	P	P	P	P	P	P	P	P	P
Mixed use development	P	P	PD	A	A	A	A	BSP ⁴	P	P
Municipal uses	AP	AP	A	A	A	A	A	A	A	A
Parking facilities	A ⁵	A ⁵	A ⁵	A	A	A	A	A	A ⁵	A
Primary utilities	A	A	A	A	A	A	A	A	A	A
Storage Containers	P	P	P	AP	AP	AP	AP	A	A	P
Subdivisions	A	A	A	A	A	A	A	A	A	A
Commercial uses										
Adult entertainment facilities -- as regulated in TMC 18.20.110	P	P	P	P	AP	AP	P	P	P	P
Automobile, boat, truck, trailer, motorcycle sales, service, display, rental or storage businesses	P	P	P	CUP	CUP	A	CUP	A	P	P
Automobile, truck, or other motor vehicle repairs shops	P	P	P	CUP	CUP	A	CUP	A	P	P
Car washes	P	P	P	P	AP	A	AP	A	P	P
Carpenter, cabinet or glass shops (retail)	P	P	P	A	A	A	A	A	P	P
Drive-in restaurants	P	P	P	P	A	A	A	P	P	P
Eating and drinking establishments	P	P	P	A	A	A	A	P	P	P
Electric, plumbing, or heating shops (retail)	P	P	P	AP	AP	A	A	A	P	P
Feed, grain and farm supplies	P	P	P	A	P	A	P	A	P	P

³ - Sale of aircraft fuel incidental to an airport is permitted in the AIR district.

⁴ - Limited to commercial and industrial uses.

⁵ - Limited to facilities accessory to a permitted use.

June 22, 2023

To the Mayor and Council
Town of Twisp
PO Box 278
118 Glover Street
Twisp, Washington
98862

RE: Orchard Hills Development
Town of Twisp
Application: PD 22-02

Responsibilities Assumed by Town

This paper is written to address the Town's obligations created by the proposed Orchard Hills subdivision and the resulting administrative and financial burdens which must be assumed by the town. It is always appropriate, timely and relevant for a Twisp resident to communicate financial and administrative concerns to the town's governing body.

This is based on the Proposed Conditions from the planning commission as set forth in the staff report dated May 17, 2023. It focuses on governance, that is, what the town must deal with if the subdivision is approved and built out. There will be management responsibility, cost burdens and exposure to liability. The town will be required to:

1. Maintain the Orchard Hills storm water management system, including the infiltration ponds which (according to the original site plan) appear to be in the open space. (#2)

2. Ensure that all access and fire flow requirements of the International Fire Code ((TMC 15.05.010(4)) are constructed prior to granting final approval. (#10)
3. Maintain, on a year-round basis, the 20' emergency access road servicing the subdivision from Isabella Lane. It will be located on about 350' of town right-of- way, about 125' of privately owned tax parcel #7290000201. It cannot be barricaded. (#11)
4. Adopt, as town code, the 2018 International Wildland-Urban Interface Code (as amended, new updates effective July, 2023). This must be done in order to give the town enforcement authority for the code. (#13)
5. Obtain the ongoing services of a qualified professional, knowledgeable in the International Wildland-Urban Interface code to act as the building official to review all construction permit applications in the subdivision to ensure compliance with the Wildland-Urban Interface code. (#13)
6. Amend its capital Facilities Plan and Six Year Transportation Improvement Plan and complete within 5 years a second point of access from the May Street neighborhood to the Twisp Carlton Road. (#15)
7. Maintain a 100' fire buffer (estimated to be about 2.5 acres) of gravel, irrigated grass or other acceptable fire-resistant vegetation along the westerly edge of the subdivision. (#16)
8. Establish, implement and maintain a fire hazard reduction plan for the proposed open space south of Harrison Street to be prepared by a qualified professional. (#17)
9. Amend the town building code to limit each home in the subdivision to one wood burning device and prohibit fireplaces. (#20)

Please, consider that Proponent must provide a 100' fire buffer (estimated 2.5 acres) and the infiltration ponds (estimated 7,000 – 8,000 s/f) which are required facilities for the permitting and long term operation of the project. They are essential and integral to the subdivision. They should be included within the boundary of the subdivision plat and not be located in the open space. Further, the town should not assume maintenance responsibility for these facilities.

The hype for “growth” is strong in communities. It must be balanced with the town’s administrative and financial resources capabilities. Twisp’s current population is 1,000-1,100 people. As proposed, the Orchard Hills subdivision would create 52 new homes. With a typical ratio of 2.5 persons per household the town’s population would increase by about 12% in a very short period of time.

Twisp’s tax levy is \$1.37 per \$1,000 valuation. Using \$400,000 as an average assessment, 52 homes would generate about \$28,500/yr in real estate taxes. This is not a significant amount considering the town’s annual budget of \$4.3 million. Yet, the demand for town public services would increase by 12%. The town must have the administrative and financial resources to satisfy such demand. Further, the town should not accept ownership of any of the open space. Doing so would forfeit the tax base associated with the 6.5, plus, acres.

Presently, Twisp has no code enforcement official. This has been mentioned in a number of recent council and planning commission meetings. The building official is contracted with Okanogan County and code enforcement is specifically excluded from his duties. The contracted town planner is swamped with ongoing planning activities with no time for code enforcement. The town is currently without a police force and receives limited services via contract with Okanogan County.

One example of deficient code enforcement is in the very neighborhood of the Orchard Hills proposal. The most recent subdivision is The School House Plat (2019). It contains a fire response hammer head. According to Fire District 6 specifications, the paved road is to be 26*’ wide; the fire hydrant on the south

side of Florence Lane is to have an adjacent pad so a response unit can be positioned next to it and not block other emergency units; and the hammerhead extensions are to total 120' in length. A recent on site visit established the pavement was 23' 3" wide, there was a ditch between the south side of the road and the hydrant which would not allow an emergency vehicle to pull alongside it and the hammerhead was only 100' long, 20' short of the standard. In addition, two vehicles were parked on the fire lane. Given the importance of fire safety in the Orchard Hills proposal, there is much concern about code enforcement, both during design and construction and thereafter. Of particular concern is snow removal on the proposed emergency vehicle access road from Isabella Lane to the subdivision.

The complexities of this subdivision application present an array of new code enforcement obligations including a high demand for building permits, compliance with the special provisions of the Wildland/Urban Interface code, special wood stove/fireplace rules, street parking issues in a dense residential area, snow removal and storage and others. It is necessary for the council members to consider these issues as they consider the Orchard Hills permit request.

Respectfully submitted,

/s/ Jerry Heller

Jerry Heller

PO Box 546

510 B Bridge Street

Twisp, WA 98856

jwheller70@yahoo.com

360.708.4320

To the Town of Twisp
MDNS Comments/Appeal

RECEIVED
JUN 22 2023
TWISP CLERKS OFFICE

June 22, 2023

Attention: Kurt Danison, Town Planner
Randy Kilmer, Town Clerk/Treasurer

RE: Orchard Hills Project

Application: 22-02

SEPA MDNS: Dated May 24, 2023

Published May 31 & June 7, 2023

Comment/appeal deadline, June 23, 2023

Please, consider this notice of my comments and appeal of SEPA MDNA described above. The May 24, 2023 SEPA MDNS and the SEPA review for the project are flawed and cannot support further review or any approval decision by the town of Twisp regarding the project.

This is the fourth SEPA notice given on this project. Three previous notices were issued and withdrawn: DNS dated 6/26/22; MDNS dated 1/ 5/23; and MDNS dated 2/1/23. I have commented/appealed regarding each of those preceding notices. All of those preceding comments/appeals are incorporated herein by this reference

The current MDNS and the SEPA review fail to meet Washington's environmental review standards for at least the following reasons:

1. The SEPA process was not completed prior to the planning commission's deliberations on the permit application. The MDNS was published after it issued its Proposed Conditions and Findings of Fact.

The Twisp Municipal Code (TMC) requires the MDNS to be concluded before the planning commission reviews a permit application and creates its Proposed Conditions and Findings of Fact. The code says:

"The planning commission shall consider ... environmental information including review of the SEPA environmental checklist and the threshold determination thereon made by the responsible official...." See TMC 18.45.060(2).

In this case the "threshold determination" is the MDNS. There was no threshold determination in place when the planning commission met on May 10, 2023 and May 17, 2023. It had been withdrawn on March 28, 2023 and the planning commission was advised it would be reissued after their Proposed Conditions and Findings of Fact were finalized. The new MDNS was issued on May 24, 2023. Thus, the planning was unable to perform its duty under the code because it could not consider the "... threshold determination thereon...", which was not available as is required by the code as part of its review.

2. The MDNS states the deadline for filing comments/appeals is June 23, 2023. That is a Friday and Twisp town hall's posted schedule says the town offices and town hall are closed on Fridays. It is not possible for a person to file a comment/appeal at town hall on the stated deadline date.
3. The MDNS states the appeal deadline to appeal the MDNS to superior court is July 19, 2023. The basis for this deadline is unknown. It doesn't fit with known required appeal deadlines. There is little clarity in the town code regarding the appeal process. Appeals under the Land Use Petition

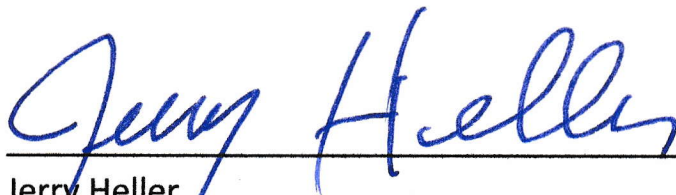
Act (LUPA; RCW Chapter 36.70C) must be filed within 21 days of the decision.

4. The description of the project in the MDNS is grossly inaccurate when compared to the project being presented to the council for consideration.
 - a. It describes a 52 unit subdivision, which is not accurate given the requirements of the fire marshal's report.
 - b. Bullet point four, "Wildfire," discusses "...fire sprinklers be provided if a second access isn't provided." The planning commission clearly required a second emergency access route from the subdivision to Isabella Lane and eliminated "sprinkled homes" as a fire protection alternative.
 - c. Bullet point nine, "Wildfire," requires the plan to be redesigned to provide a "...minimum of 30 feet clear space between the eave line of structures." This requirement will significantly change the layout and character of the subdivision; it is essential to the project and a revised site plan must be part of the SEPA public review.
5. Fire safety requirements mandate a 100' buffer strip along the west side of the subdivision. Comparing this to the outdated site plan it appears Lots 13, 22, 23, 24 and 25 encroach on the buffer area.
6. The 100' fire buffer strip is a necessary and integral part of the development which has not been depicted on the site plan. This area should be contained within the subdivision boundary and not be a part of the "open space."

Conclusion: The SEPA review and analysis, as required by state law and the Twisp Municipal Code, has not been met and cannot be completed without a new permit application and a revised site plan. In its current form both the application

and the site plan are incomplete and confusing to the extent it is not possible for the public to understand and make informed comments about it. Neither is it possible for the council to know what the project will look like when all recommended revisions are completed. The matter must be returned to staff with instructions to: 1) start over with clean, understandable documents; 2) require a new and fresh SEPA Checklist and new and fresh permit application; 3) include an updated site plan; and, 4) consider the recommendations of the planning commission

Respectfully, submitted this 22 day of June, 2023.



Jerry Heller

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Mill Creek, WA 98012-6366
www.AEGISengineering.com
phone 425.745.4700

**ORCHARD HILLS
TWISP, WASHINGTON
FIRE PROTECTION SUMMARY**

June 22, 2023

for:

PALM INVESTMENTS NORTH, LLC
PO Box 322
Winthrop, WA 98862

**Fire Protection ▪ Building Code
Consult ▪ Design ▪ Engineer**

INTRODUCTION

AEGIS Engineering has been retained by Palm Investments North, LLC to prepare a Fire Protection Code Summary report for the Orchard Hills project, a Planned Development (PD) proposed in Twisp, Washington (Parcel Number 3322180099).

This project is subject to the 2018 IFC (International Fire Code, as adopted and amended by the State of Washington and Town of Twisp), enforced in accordance with 19.27.050 RCW (Revised Code of Washington). Reference to the IFC as amended by State of Washington is found in Section 15.15.010 of the Twisp Municipal Code (TMC).

Additionally, pursuant to 19.27.560(3) RCW, enforcement of the 2018 International Wildland Urban Interface Code (IWUIC) must **not** result in criteria which exceed the minimum performance standards and requirements contained in the published model code.

Written comments have been provided June 13, 2023 by Twisp Planning Commission, May 9, 2023 by Chelan County Fire Marshal, and Town of Twisp Staff Report dated May 17, 2023. Select comments related to fire protection items are addressed below and provided with section headings and numbers corresponding to those present in the Staff Report. For context, comments are shown in *italics* followed by our response.

UTILITIES AND TRANSPORTATION

7. *The proposed second access from the proposed development to Isabella Lane be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval.*

Comment 7 appears to reference Section 503.1.2 of the model International Fire Code, presented below:

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

This provision of the International Fire Code is **not** adopted by State of Washington or Town of Twisp.

Further, consistent with Exception 1 as referenced on the Orchard Hills PD site plan, subject secondary emergency access is not required when all homes are equipped with automatic sprinklers per Section 903.3.1.3 (NFPA 13D). This is supported by NFSA (National Fire Sprinkler Association) statistics that sprinklers control 96% of fires, achieve 93% reduction in property damage, and in 22 years have resulted in zero fire deaths in sprinklered homes.

Therefore, secondary access should not be required at Orchard Hills. The absence of secondary access is accounted for in Item A.4 of the Fire Hazard Severity Assessment provided in Attachment A.

8. *That a traffic study be completed analyzing the impacts of the development on the capacity of the intersections of May Street and Second Avenue and Second Avenue and SR 20 during emergencies. Potential mitigation measures required of the applicant for addressing identified impacts on intersection capacity shall be as determined by the analysis.*

The April 2023 Traffic Impact Analysis (TIA) completed for Orchard Hills evaluates the Level of Service (LOS) for both subject intersections. Sections 6.3.1 and 6.3.2 state that the current LOS provided at each of the intersections during peak demand was found to be unchanged in the projected 2028 horizon with the Orchard Hills development. With these findings, the TIA concludes:

[E]ven during high traffic events, **including emergency situations** that might funnel additional traffic through the study area, the intersections should operate with an acceptable level of service. [**emphasis added**]

Therefore, the subject analysis finds no required mitigation measures.

FIRE/EMERGENCY

10. *That all provisions of the International Fire Code related to access and fire flow be included in project designs and be built prior to granting of final approval of the PD.*

Section 503.1 of the IFC states:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards.

This project will be in accordance with locally adopted street, road, and access standards of TMC Section 17.40.030. Other provisions of Section 503 “Fire Apparatus Access Roads” are not adopted by State of Washington or Town of Twisp.

Section 507.3 of the IFC provides for use of IWUIC fire flow provisions. Orchard Hills will be provided with a conforming water supply per IWUIC Section 404 and TMC Section 17.35.110.

11. *That the planned emergency access road cannot be barricaded and must be maintained year-round.*

In accordance with IFC Section 503.1, maintenance of provided fire apparatus access roads must be in accordance with locally adopted street, road, and access standards. This project will be in accordance with locally adopted street, road, and access standards of TMC Section 17.40.030.

However, consistent with Exception 1, as identified on the Orchard Hills PD site plan secondary emergency access is not required when all homes are equipped with automatic sprinklers per Section 903.3.1.3 (NFPA 13D).

- 12. That prior to final approval the applicant participates with the Town in the amendment of the adopted Comprehensive Emergency Response Plan that sets forth a plan for traffic control in the event of a wildfire or other emergency that necessitates evacuation of the May Street neighborhood.*

Consistent with IFC Section 503.1, the PD should only be subject to already adopted street, road, and access standards. As stated with Comment 8, the TIA concludes:

[E]ven during high traffic events, **including emergency situations** that might funnel additional traffic through the study area, the intersections should operate with an acceptable level of service. [**emphasis** added]

Based on the analysis for the PD, no such mitigation measures are warranted.

- 13. That all construction be completed in compliance with applicable requirements of the International Building Code and all homes meet the 2018 International Wildland-Urban interface code A note on the final plat will also be required referencing the requirement that all homes meet the 2018 International Wildland-Urban Interface code [sic]*

This seems a reasonable and prudent condition of approval. More specifically, based on the lowest hazard rating determined as presented in Attachment A, with a conforming water supply and a defensible space between homes and some property lines which may be less than 30 feet, the homes are to be of Class 2 Ignition-Resistant Construction (IR2) in accordance with IWUIC Section 505. As an added level of safety, we understand the roofs will be metal or Class A, which exceeds IR2 criteria and is accounted for in Attachment A.

- 14. That each lot be labeled with an E911 address prior to filing and recording of PD Plat.*

Each home must be labeled with its address for Premises Identification per IFC Section 505.1. If addresses are not assigned until the time a building permit is sought, for the purposes of Comment 14, it should be sufficient for each lot to be identified with its number shown on the PD plan.

- 15. That the Town amend its Capital Facilities Plan and Six Year Transportation Improvement Plan to add a second point of access from the May Street neighborhood to the Twisp Carlton Road with the intent of completing the project within 5 years.*

Consistent with IFC Section 503.1, the PD should only be subject to already adopted street, road, and access standards. As identified with Comment 11, subject secondary emergency access is not required when all homes in Orchard Hills PD are equipped with automatic sprinklers per Section 903.3.1.3 (NFPA 13D).

- 16. That a 100-foot-wide buffer as per Fire Marshall [sic] recommendation be created along the western boundary of the development from the western property line to Harrison Street. Such buffer shall be gravel, irrigated grass or other acceptable fire-resistant vegetation and must be completed prior to deeding of open space to Town.*

The basis for this finding is unclear and the stipulated distance extends beyond the parcel boundary upon which the Orchard Hills PD site exists. The area of the subject buffer would occupy nearly 2.4 acres of land set-aside by the PD to be preserved as undisturbed open space and represents an increase of over 23% to the footprint of the development.

With ignition resistant construction, including noncombustible exterior walls and decks, metal or Class A roofs, the presence of defensible space maintained on each lot around the homes per IWUIC Sections 603.2.1 and 604, and installation of automatic fire sprinklers in each home, the subject buffer is unnecessary.

With the area indicated generally involving land sloping up away from the development, the concern appears to consider a fire in a home an exposure to the open space. NFPA (National Fire Protection Association) approved American National Standard 80A, *Recommended Practice for Protection of Buildings from Exterior Exposure Fires*, addresses an exposing building in Section 5.6.3:

5.6.3 Exposing Building. Where the exposing building or structure is protected throughout by an approved, properly maintained automatic sprinkler system or other approved automatic fire suppression system of adequate design for the hazard involved, no exposure hazard should be considered to exist.

As indicated in this NFPA standard, no exposure hazard should be considered to exist

from the homes in Orchard Hills PD equipped with automatic fire sprinkler systems. Further, the assignment of IR2 construction from IWUIC Table 503.1 and the fire hazard severity assessment presented in Attachment A account for defensible space present only between the homes and their property lines.

Therefore, no buffer should be required when all homes are of IR2 construction, provided with metal or Class A roofs, and equipped with automatic fire sprinkler systems in accordance with IBC/IFC Section 903.3.1.3 (NFPA 13D).

- 17. That a fire hazard reduction plan prepared by a qualified professional be prepared, approved by the Town and implemented in the proposed open space area south of Harrison Street be completed prior to deeding of open space to Town.*

This stipulation is accounted for in the fire hazard assessment in Attachment A which is based on a “medium fuel” condition. IWUIC Section 202 considers defines this as vegetation consisting of round wood ¼ to 3 inches in diameter and references Fuel Models B, H, and T from the 1978 USDA Forest Service General Technical Report INT-39 National Fire Danger Rating System. These fuel models are excerpted and summarized below as examples of contemplated “Medium Fuel” conditions.

- Fuel Model B accounts for mature, dense fields of brush 6 feet or more in height. “One-fourth or more of the aerial fuel in such stands is dead. Foliage burns readily.”
- Fuel Model H contemplates a healthy stand of short-needled conifers (white pines, spruces, larches and firs) with sparse undergrowth and a thin layer of ground fuels.
- Fuel Model T includes sagebrush-grass types of the Great Basin and Intermountain West with shrubs which burn easily, and can also represent immature scrub oak and desert shrub associations of the West.

- 18. That the PD be redesigned to eliminate proposed townhomes and modify lot sizes that ensure that there is a minimum of 30 feet of clear space between the eave line of structures.*

This is unnecessary and contradicts Comment 13 which relies upon construction in accordance with the IWUIC. As a PD, all homes will be of appropriate ignition-resistant construction (IR2). Accordingly, the defensible space around each home should be acceptable as submitted, as provided for in IWUIC Section 603.2 excerpted below:

The fuel modification distance shall be not less than 30 feet or to the lot line, whichever is less.

Where the structure is less than 30 feet from a lot line, IR2 ignition-resistant

construction addresses the applicable criteria given in the top row of IWUIC Table 503.1.

CONCLUSION

AEGIS Engineering has prepared this Fire Protection Summary for Orchard Hills PD based upon review of select Town of Twisp Staff Report comments and applicable code provisions, including from the 2018 IWUIC.

Considering the findings of the project's April 2023 Traffic Impact Analysis, our fire hazard severity assessment, the commitment for installation of sprinklers in accordance with NFPA 13D, and compliance with 2018 IWUIC criteria, including the use of Class 2 Ignition-Resistant construction with metal or Class A roofs, Orchard Hills PD meets or exceeds the level of safety prescribed by the code.

Please contact me at 425-745-4700 or BrianT@AEGISengineering.com with any questions or for clarification of the information presented in this report.

Prepared by:

AEGIS ENGINEERING



Brian C. Thompson, P.E.

Reviewed By:

AEGIS ENGINEERING



Grant Lilly, EIT-MD



Digitally signed by Brian C Thompson
DN: cn=Brian C Thompson, o=AEGIS
Engineering, ou=Principal,
email=briant@aegisengineering.com, c=US
Date: 2023.06.22 15:07:44 -07'00'

Attachment

ATTACHMENT A

**INTERNATIONAL WILDLAND-URBAN INTERFACE CODE
FIRE HAZARD SEVERITY ASSESSMENT**

The following table illustrates the various site features addressed by the Fire Hazard Severity Form of the IWUIC and the corresponding assessment and explanation for each category score assigned to the Orchard Hills Planned Development in Twisp.

CATEGORY	POINTS		COMMENTS
	Form	Site	

A. SUBDIVISION DESIGN

1. Ingress/Egress			
Two or more primary roads	1	3	Harrison Street and McIntosh Lane represent a single access route through development.
One road	3		
One-way road in/out	5		
2. Width of Primary Road			
20 feet or more	1	1	Harrison Street and McIntosh Lane provide minimum 20-foot wide roadway.
Less than 20 feet	3		
3. Accessibility			
Road grade 5% or less	1	3	Varying road grades with portions exceeding 5%.
Road grade more than 5%	3		
4. Secondary Road Terminus			
Loop roads, cul-de-sacs	1	5	Harrison Street and McIntosh Lane each exceed 200 feet.
Dead-end road, max. 200'	3		
Dead-end road >200'	5		
5. Street signs			
Present	1	1	Street signs will be present.
Not present	3		

B. VEGETATION (WUIC DEFINITION)

1. Fuel Types			
Light	1	5	Ref. Section 202 for Fuel Model T per App. D.IV.B.2.a, conservatively accounting for woody brush on up to 2/3 of the site. If brush were less than 1/3 of the site, Fuel Model A would apply for grasses and score would reduce to 1.
Medium	5		
Heavy	10		
2. Defensible Space			
70% or more of site	1	10	Each lot needs only about 635 sq.ft. of defensible space for site to have at least 30%; each lot anticipated to have more, contributing to site total of over 50%.
30% to 70%	10		
Less than 30% of site	20		

C. TOPOGRAPHY

8% or less	1	10	Topography varies, generally does not exceed 30% in area of development, but hill with slopes steeper than 30% rises from west side of site.
8% to 20%	4		
20% to 30%	7		
30% or more	10		

CATEGORY	POINTS		COMMENTS
	<i>Form</i>	Site	

D. ROOFING MATERIAL

Class A	1	1	While IR2 construction only requires Class B roof per IWUIC Section 505.2, Orchard Hills will require roofs to be metal or Class A.
Class B	5		
Class C	10		
Nonrated	20		

E. FIRE PROTECTION – WATER SOURCE

500gpm hydrant w/in 1,000ft	1	1	New fire hydrants in accordance with Twisp standards will be installed along roadways and support required fire flow.
Hydrant >1,000ft	2		
Water <20 min. roundtrip	5		
Water 20 to 45 min. roundtrip	7		
Water >45min. roundtrip	10		

F. BUILDING CONSTRUCTION MATERIALS

Noncombustible siding/deck	1	1	Construction will meet IR2, equivalent to noncombustible siding and decks per IWUIC Sections 505.5 and 505.7.
NC siding/combustible deck	5		
Combustible siding and deck	10		

G. UTILITIES (GAS AND/OR ELECTRIC)

All underground utilities	1	3	Electric utilities underground; conservatively provides for above-ground gas service (i.e. propane tanks).
One underground, one above	3		
All aboveground	5		

TOTAL		44	Orchard Hills PD scores within the lowest identified hazard category based on use of IR2 construction for the homes and defensible space only between the homes and their property lines (<30'). Additionally, this score does not account for the increased level of safety present with all homes equipped with automatic fire sprinkler systems per NFPA 13D.
<i>Moderate Hazard</i>	(40-59)		
<i>High Hazard</i>	(60-74)		
<i>Extreme Hazard</i>	(>75)		

TOWN OF TWISP
STAFF REPORT
ORCHARD HILLS PLANNED DEVELOPMENT

TO: PLANNING COMMISSION
FROM: KURT DANISON, TOWN PLANNER
SUBJECT: FINAL PLANNING COMMISSION STAFF REPORT
DATE: 5/17/23
CC: PALM INVESTMENTS NORTH LLC – PD22-02

Applicant: Palm Investments North LLC

Parcel #: 3322170391

Project Description:

Palm Investments North LLC proposes, through a Planned Development (“PD”) permit (Chapter 18.45 TMC), to divide a 16.81acre site (parcel number 3322180099), located west of the Painters Addition to Twisp in the western half of the Town of Twisp, into 52 individual single-family residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. The applicant proposes engineering and installation of water, sewer, stormwater, irrigation and street infrastructure compliant with the Town’s Development Standards and installation of power and telecommunication infrastructure engineered and installed to the appropriate entities (Town, PUD, MVID, telecom) requirements.

Chronology:

Representatives of the Palm Investments North, LLC (“LLC”) contacted the Town in late 2021 with discussions centered on land use regulations and processes and public utility availability and capacities. Over the following year, the LLC begin detailed planning and discussions with Town Staff on code requirements. Several pre-application conferences were held during the winter of 2021/22 with an application submitted in May 2022 that was declared complete by the Town on May 26, 2022.

A public hearing before the Planning Commission was set for July 13, 2022 with a Notice of Application (published in Methow Valley News on June 1, 2022 and posted on the project site). A SEPA Determination of Non-Significance (DNS) was published on June 1, 2022 as well.

During the public review process prior to the July 13th planned hearing the Town received numerous comments on the PD application and 3 appeals of the SEPA DNS. As a result of the scope and scale of the comments, the Town withdrew the SEPA DNS, requested that the applicant prepare a revised application and SEPA Checklist and postponed the public hearing until August, that was subsequently postponed until September then postponed indefinitely until the revised application and SEPA checklist were submitted and accepted as complete.

The revised application, SEPA checklist and numerous special studies were submitted in late December of 2022 and accepted as complete by the Town on January 5, 2023. A Mitigated Determination of Non-Significance was signed by the Town on January 23, 2023 with a comment/appeal period ending on February 22. The Town received letters from 9 individuals who labeled their comments as a SEPA Appeal.

A public hearing before the Town's Planning Commission was set for February 8, 2023 which was continued until March 8 due to the comment/appeal period for SEPA not ending until February 22, and then to April 12 for the same reason.

Role of the Planning Commission:

The Planning Commission's role in the review process for a Planned Development is to hold the single open record public hearing as required by 14.05 TMC. The Commission's task is to review written or oral comments received during the public review process, interpret the comprehensive plan and zoning regulation, and prepare a recommendation to the Town Council on whether to grant preliminary approval of the PD, approval with conditions or deny the request.

18.45.060(4) provides the following guidance for the Commission once the public hearing is closed:

(4) Planning Commission Recommendation. Within 30 days after conclusion of the hearing on a preliminary development plan application (including any continued hearing), the planning commission shall recommend approval, conditional approval, or disapproval of the application. The recommendation of the planning commission shall be in writing, with all conditions of approval (if any) precisely stated, and shall be accompanied by findings of fact to justify such recommendation. Conditions may include, but shall not be limited to, change of types of uses, limitations on density, change in locations of improvements or uses, provision for pedestrian trails, conveyance of land, money or other property to the town for the purpose of providing public facilities, services or other mitigation needed, and/or the monitoring of development proposed or specific impacts therefrom. The planning commission may recommend disapproval of the application if, in the opinion of the commission, impacts from the proposed project cannot be mitigated sufficiently to assure maintenance of the public health, safety and welfare, or if the comprehensive planning goals and/or the policies and objectives stated in this title are not met. When the application calls for construction or alteration of roads, utilities, or other improvements for which public agencies would have responsibility for completion should the developer fail to complete them adequately, or when the application or the recommendation of the planning commission conditions the project on improvements or changes to mitigate anticipated adverse impacts from construction, and when such required improvements will not be completed at the time of final approval of the plan, the planning commission shall recommend to the town council that a bond or other acceptable security be required of the developer in an amount equal to at least 120 percent of the estimated cost of the required improvements. If the development is to be done in stages, the planning commission shall ensure that open spaces and facilities proposed for the entire development be developed or committed in proportion to the impact and needs of each phase of construction of the development.

Applicable Codes and Town Standards:

Preliminary approval of a Planned Development Permit is a Type IV action. The application,

contents, review process, timelines and public hearing for the proposed PD is required by Chapters 18.45 and 14.05 of the Twisp Municipal Code. The following excerpts from the Comprehensive Plan and Zoning Code provide the planning goals and regulations that govern the PD process.

It is important to note that the Town has to use and follow the adopted plans and regulations that are in place at the time an application is accepted as complete, not what folks believe what the plans and regulations should be. There is a formal process for amending the Town's Comprehensive Plan and implementing regulations which can be pursued in a variety of ways, but any such changes will not impact this development.

Comprehensive Plan - Property is designated as R-1 Low Density Residential

Land Use Goals: The Twisp Comprehensive Plans provides the following overall land use goals:

1. Encourage the growth of the community that will ensure the general health, safety and welfare of the citizens of Twisp while protecting individual choice and the integrity of the natural environment. Promote the concentration of urban life within the town and promote the "rural" residential character of the town.
2. Coordinate land use with circulation routes and public facilities in promoting the convenience, efficiency, health, and welfare of the town. Provide for pedestrian connection of neighborhoods.
3. Protect and help develop desirable public and private investments in land and improvements.
4. Maintain and enhance the composition of the town as a vibrant tourist, commercial, and residential center.
5. Preserve open space. Both public and private lands can be considered open space, including, parks, farmlands, playing fields, forested hills, wetlands, and public right-of-ways. These special features contribute to Twisp's small-town atmosphere, offer visual relief and separation from urbanized areas, and serve as natural systems which protect surface and ground water, and air quality. Also, open space provides and maintains valuable wildlife habitat.
6. Promote the Methow and Twisp River frontages as a valuable economic and recreation source.
7. Provide safe and convenient access for differently-abled people, pedestrians, and bicyclists.

General Principles for Development:

1. Residential Areas – Residential areas should be varied in density, dwelling types, and design to provide a maximum range of choice to meet the needs of diverse family sizes, age groups, and income levels.
5. Resource Lands, Critical Areas and Shorelines – Critical areas should be designated where natural features such as wetlands, floodplains, steep slopes and other critical areas preclude or require special considerations for residential, commercial or industrial development.

6. Recreation – Twisp has an opportunity to obtain a strong recreation base comprised of parks and trail systems. It will be important to acquire new properties for recreation, open space and to establish new programs to accommodate growth and changing needs. Refer to the Parks and Recreation Element of this comprehensive plan.

General Goals for Residential Development:

- a. Residential areas should be located within close proximity of institutional facilities such as schools, parks, and churches.
- d. Future residential development should have sufficient street right-of-way to provide curbs, paving of two driving lanes, at least one parking lane, sidewalks and other pedestrian walkways.
- e. Future high-density residential development should occur in such a manner as to allow maximum utilization of the land while retaining adequate open space for recreational and aesthetic values.

Land Use Designation - Single Family Low Density Residential (R-1)

The purpose of the single-family residential designation is to provide for areas of town where low-density residential uses will be provided for. For the purposes of this comprehensive plan, low density shall mean from 1 to 4 dwelling units per acre of land, or a minimum of 10,000 ft. sq. lot size

Planned Development – Planned development regulations are intended to provide an alternative method for land development which:

- a. Encourages flexibility in the design of land use activities so that they are conducive to a more creative approach to development which will result in a more efficient, aesthetic and environmentally responsive use of the land.
- b. Permits creativity in the design and placement of buildings, use of required open spaces, provision of on-site circulation facilities, off-street parking, and other site design elements that better utilize the potential of special features, such as geography, topography, vegetation, drainage, and property size and shape.
- c. Facilitates the provision of economical and adequate public improvements, such as, sewer, water, and streets.
- d. Minimize and/or mitigate the impacts of development on valuable natural resources and unique natural features such as agricultural lands, steep slopes, and floodplain and shoreline areas.

Planned development regulations may be incorporated into the Town's zoning ordinance or developed as a separate ordinance. It is also possible for the Town to use the planned development process for certain uses which due to their nature may be more appropriately reviewed under such regulations.

Comprehensive Plan – Analysis:

The Town's Comprehensive Plan contains some contradictory goals and principals. Some support the type of development planned for Orchard Hills others seem to discourage such development. The provisions related to Planned Development support the proposed Orchard

Hills planned development. The Planning Commission will have to determine whether recommending approval of the planned development, as conditioned, is consistent with the comprehensive plan.

Zoning Code: Property is Zoned R-1

18.25.030 Low-density residential single-family (R-1) district.

- (1) Intent. The low-density residential single-family district is intended to reserve areas primarily for family living in single-family dwellings on large lots, characterized by privacy, an atmosphere conducive to sleep and repose, and living environments that promote the enjoyment of residential and neighborhood life. Certain community and commercial uses that are compatible with residential uses and consistent with the character of single-family neighborhoods should be allowed. Approved accessory dwelling units should be allowed.
- (2) Uses Allowed.
 - (a) Uses allowed in the R-1 district are shown in the district use chart in Appendix A of this title.
 - (b) Approved accessory dwelling units may be allowed in R-1 zoning districts. The following standards shall apply:
 - (i) Minimum lot size: 10,000 square feet.
 - (ii) In R-1 zoning districts, an accessory dwelling unit may be located in a separate accessory structure or incorporated within the principal dwelling. See definition in TMC 18.20.060.
 - (iii) Accessory dwelling units in R-1 zoning districts must be sited so that they will conform with all applicable regulations, including all setback requirements, if the parcel is to be divided.
- (3) Dimensional Requirements. Lot sizes, minimum dwelling unit sizes, allowable densities, lot coverage, height and setbacks shall be as set forth in Table 5. (Ord. 753 § 3 (Exh. C), 2019; Ord. 620 § 5(3), 2010)

The District Use Chart, Appendix A provides for the following uses:

LEGEND:

A = Allowed Use

P = Prohibited Use

AP = Allowed; Administrative Permit Required PD = Planned Development Permit Required

CUP = Conditional Use Permit Required

BSP = Binding Site Plan

	R-1	R-2	R-3	C-1	C-2	C-3	C-R	I	AIR	PU*
Residential uses	I									
Accessory dwellings	I	A	A	AP	AP	P	PD	P	P	P
Accessory structures	I	A	A	A	A	A	A	A	P	A
Adult family homes	I	A	A	PD	PD	CUP	PD	P	P	P
Assisted living facility	CUP	CUP	AP	PD	PD	CUP	PD	P	P	P
Bed and breakfasts	I	AP ¹³	A ¹³	P**	P**	P**	P**	P	P	P
Boarding homes	CUP	CUP	AP	PD	PD	CUP	PD	P	P	P
Boarding houses	CUP	CUP	A	A	A	A	A	P	P	P
Condominiums, residential	PD	PD	PD	PD	PD	P	PD	P	P	P
Convalescent	CUP	CUP	AP	PD	PD	CUP	PD	P	P	P
Duplexes	I	A	A	AP ¹⁴	AP ¹⁴	P	PD	P	P	P
Dwellings, multifamily	I	P	A	AP ¹⁴	AP ¹⁴	P	PD	P	P	P
Dwellings, single-family	I	A	A	AP ¹⁴	AP ¹⁴	P	P	P	P	P

Table 5 provides dimensional and density standards for residential development:

**Table 5 – Residential Districts
Lot Size, Coverage, Density, Setback, and Height**

	R-1	R-2	R-3
Minimum lot size ¹	10,000 square feet	5,000 square feet, single-family; 7,500 square feet, duplex	5,000 square feet single-family; 1,500 square feet each additional unit
Maximum density, with PD permit	6 d.u./net residential acre	10 d.u./net residential acre	16 d.u./net residential acre
Maximum building coverage ²	35%	50%	50%
Maximum lot coverage ²	50%	65%	80%
Minimum front yard setback ^{2,3}	15 feet	15 feet	15 feet
Minimum side yard setback ^{2,3}	5 feet	5 feet	5 feet
Minimum rear yard setback, main structure ³	15 feet	10 feet	5 feet
Minimum rear yard setback, accessory structure ³	5 feet	5 feet	5 feet
Maximum height, main structure	30 feet	30 feet	30 feet
Maximum height, accessory structure	24 feet	24 feet	24 feet
Minimum lot size with accessory dwelling unit	15,000 square feet	7,500 square feet	6,500 square feet
Minimum primary dwelling unit size	950 square feet	500 square feet	360 square feet
Minimum accessory dwelling unit size ⁴	360 square feet	360 square feet	360 square feet

LEGEND: d.u. = dwelling unit

¹ Minimum lot sizes do not apply to planned developments.

² Maximum lot coverage, front yard setback, and side yard setback apply to all structures, including accessory dwelling units.

³ Required off-street parking is not allowed in required front, side, or rear yard setbacks.

⁴ Limited to detached dwellings.

Planned Developments: 18.45 Twisp Municipal Code

18.45.010 Intent.

The intent of the planned development permit process is to allow a variety of uses and developments within the town of Twisp while retaining the ability of the town to review and condition those developments that might without restriction infringe on other uses in the district or threaten the environmental or aesthetic attributes of the town. The planned development permit process allows review and the implementation of restrictions or

conditions on a development by the town, pursuant to identified issues and standards, in order to achieve the following objectives:

- (1) Provide for flexibility in the design of land uses and activities to encourage more creative approaches to development, to result in more efficient, aesthetic, and environmentally responsive use of lands within the town;
- (2) Allow for public input and response by town citizens and interested persons, agencies and groups, to better assure that land uses and development within the town reflect the needs and desires of town citizens and are consistent with the public welfare of the town;
- (3) Permit creativity in design and placement of buildings, use of required open spaces, provision for on-site circulation plans, off-street parking and other site design elements that better utilize the potentials of special features of the property, including location, geography, topography, vegetation, size or shape, and scenic views;
- (4) Facilitate the provision of economical and adequate public improvements, including streets and utilities;
- (5) Minimize and/or mitigate the impacts of development on valuable natural resources and unique natural or existing features including but not limited to key wildlife habitats, riparian habitats, floodplain and other wetlands, mature tree stands, steep slopes, unique or aesthetically important views and vistas, and similar resources and features;
- (6) Minimize and/or mitigate the impacts of development on the public health, safety, welfare, aesthetic values, and other interests of the town;
- (7) Require the incorporation of public access to recreational opportunities, including trail systems, as a part of development activities;
- (8) Allow areas to be combined together for development that would otherwise be developed on a lot-by-lot basis, and to develop the area jointly with clustered or common features and structures and shared roads and utilities for more economic use of the land and better utilization of limited land and natural resources and maintenance of open space areas;
- (9) Assure that aesthetic values are considered in the architectural design of structures and in the overall development plans, and are a part of the review process of significant developments within the town;
- (10) Provide regulations for the planned development permit process which will give notice to developers of pertinent issues, concerns and limitations in planning of projects. (Ord. 620 § 9(1), 2010)

18.45.030 Additional planned development permit regulations.

- (1) Utilities. All electrical lines, telephone lines, and other wiring conduits and similar facilities in planned developments shall be placed underground by the developer, unless this requirement is waived by the planning commission and the town council. Waiver of this requirement must be based upon the physical constraints of the site and/or technical difficulties with such underground installations that are unique to the lot or parcel, and shall not be based upon financial considerations alone. Waiver shall not be permitted when it would be in violation of the requirements of this or other town ordinances or regulations for the zone in which the planned development is located. When a planned development includes utility extensions that are to be dedicated to and become the

responsibility of the town upon completion and acceptance thereof, the developer shall provide to the town a one-year maintenance bond for such utility extension to cover all necessary maintenance and repairs of the utility extension during the covered period.

The developer may be required to increase the one-year term when special considerations or unique circumstances make a longer term advisable for the protection and welfare of the town, and upon order for such increased bond period by the town council; provided, that in no event shall the one-year term for the maintenance bond be reduced. Water and sewer line extensions shall be properly engineered with plans approved by the town and shall meet all applicable town, state, and federal requirements.

- (2) Views. Planned development proposals shall give consideration to views, both those available from the subject lot(s) or parcel in orientation of the development, and those views from neighboring properties and roadways that might be obscured or obstructed by the development. Proposals shall be designed to minimize obstruction of river views and of other desirable views from neighboring properties, including usage of more stringent height limitations, view corridors, and building orientation and location restrictions where feasible and appropriate.
- (3) Trails and Recreation Facilities. As additional consideration for increased densities and development approval on riverfront parcels, developers may be required to dedicate a public nonmotorized trail along the river (in such location as shall be determined by the developer with approval of the administrator and in consultation with town departments and resource agencies). Residential planned developments shall consider additional trail systems in their development plans to promote both nonmotorized recreational opportunities and pedestrian circulation. Commercial planned developments shall consider and provide for pedestrian access to and through the development where practical. Multifamily residential planned developments or larger-scale residential planned developments shall consider other recreational areas and facilities, such as community parks, picnic areas and play areas, in the design of the development.
- (4) Landscape Plans. Planned development applications shall include a general landscape plan which shall include plantings for street frontage and interior lot line buffers and parking lot and ornamental landscaping (including light diffusion and site obstruction), and which shall concentrate on low-water-use plantings where feasible. As a minimum, plantings shall include the landscaping and buffers specified in TMC [18.20.120](#) for the zoning district in which the planned development is proposed. Timed irrigation systems will generally be required in planned developments to minimize irrigation water needs.
- (5) Additional Areas of Regulation. Those areas of concern set forth in TMC 18.45.050(2) as planned development program items shall be reviewed by the town and may be subject to regulation to meet the specified performance goal for each item where appropriate. (Ord. 620 § 9(3), 2010)

Zoning Code – Analysis: There is a conflict between the intent of the R1 zoning district and the regulations which provides for the reduction of minimum lot sizes through the PD process. There is also a conflict with the comprehensive plan which calls for a maximum density of 4 units per acre rather than the 6 permitted under zoning. However, as the zoning code has been adopted by ordinance, the zoning provisions prevail. The proposed use is considered allowed as it consists of single-family residences and falls within the allowable zoning density providing it follows the

requirements for a planned development.

SEPA and Critical Areas:

Preliminary approval of a Planned Development Permit, which can only be granted by the Town Council, is subject to review under the State Environmental Policy Act (SEPA) and review for potential impacts to designated critical areas (Chapter 18.60 TMC).

The applicant submitted a SEPA Checklist as part of the original application materials accepted as complete on May 26, 2022. The SEPA Administrator issued a Determination of Non-Significance (DNS) on May 26, 2022, which was published in the Methow Valley News (MVN) on June 1, 2022, with the required appeal period ending on June 28, 2022. This DNS was appealed and drew numerous comments. As a result, the Town withdrew the DNS and provided the applicant with a list of items that needed to be addressed in a revised SEPA Checklist and PD application.

A revised SEPA Checklist with a revised PD application and numerous special studies intended to address the comments and concerns was submitted during the preliminary review process. The revised SEPA Checklist and related information resulted in the Town issuing a Mitigated Determination of Non-Significance (MDNS) on January 5, 2023 which was published in the Methow News on January 11, 2023. The MDNS drew comments from the Department of Ecology noting the MDNS form was incorrect and that more detailed information on the proposed mitigation needed to be included.

The Town reissued the MDNS on the correct form with reference to the issues the Town required be addressed in the revised SEPA Checklist and references to the revised SEPA Checklist and special studies that provide information on impacts and proposed mitigation measures. The reissued MDNS was circulated to commenting agencies and individuals on January 26 and was published in the Methow Valley News on February 1, 2023 with comments or appeals due on February 22, 2023.

Nine letters were received on or before February 22, 2023 stating that the letters were appeals of the MDNS. While the “appeals” were generally more comments on the proposed development, than suggestions for specific mitigation measures, the result was a review of the comments, concerns and questions raised. As a result of the review, how the appeals would be handled in light of conflicting requirements between appeals of land use actions and SEPA determinations and the timing thereof, as well as a procedural issue raised in one of the appeals, the MDNS had to be withdrawn again on March 28, 2023.

As there will be no decision made by the Planning Commission and the decision to grant preliminary approval is vested with the Town Council, the MDNS will not be reissued until the Planning Commission has made its recommendation to Council.

A new MDNS will be issued on May 19, 2023.

Critical Areas/Environmental Concerns:

A review of the Town’s geologic hazard areas designation maps finds that portions of the subject property lie within areas with steep slopes. Compliance with the geologically hazardous areas standards in Chapter 18.60 TMC requires specific geotechnical evaluations of development. The applicant provided a soils report which shows that the majority of the area to be developed avoids steep slopes. The project site is also within a designated critical aquifer recharge area

which requires all stormwater runoff to be retained and treated on-site in compliance with the provisions of the Eastern Washington Stormwater Management Manual. The applicant provided a preliminary Stormwater Management Plan that addresses the regulations. The report will need to be finalized, design completed and infrastructure be built, inspected and/or bonded prior to final approval.

Other environmental concerns raised through the public comment period included the potential presence of wetlands and possible soil contamination due to former use as an orchard. The applicant provided a study which found the subject property contains no wetlands. The applicant also provided an analysis of the soils looking for arsenic/lead contamination. The results found that there are low levels, well below minimums, present in the soils with the highest concentrations closest to the rock outcrops, rather than the former orchard ground.

The applicant also completed a traffic study which found the existing road network has the capacity for the increased traffic. This report is being updated to include an analysis of the capacity of the intersections of May St and Second and SR 20 in the event of emergencies.

The Town has received a review of the plans from a qualified Fire Marshall.

Planning Commission Public Hearing:

The Town of Twisp Planning Commission held an open record public hearing on February 8, 2023 which was continued to March 8, 2023 and continued again until April 12, 2023 then again until April 26th. The hearing was closed on April 26th and the Planning Commission began discussing potential conditions until the end of the meeting. The Planning Commission continued discussions at its May 10th meeting and came to an agreement on conditions to recommend to the Town Council. Staff was directed to revise the Staff Report to amend and add to the conditions to be recommended to the Town Council for preliminary approval of the Orchard Hills Planned Development. The Commission held a special meeting at 5:30 p.m. on May 17, 2023.

Comments Received:

The application and related materials were mailed or e-mailed to commenting agencies (see list in project file) and a notice provided to adjoining landowners on January 2023. Written comments were received from 35 individuals and couples and another 34 individuals (some also provided written comments) commented during the public hearing process (see list of commenters, comments and responses in Attachment A) Copies of all written comments are contained in the project file.

Recommendation by Staff:

Staff recommends that the Planning Commission make the following motion:

Move “to recommend preliminary approval of the Orchard Hills Planned Development to the Town Council subject to the conditions and findings contained in the May 17, 2023 Staff Report and that all conditions be satisfactorily addressed prior to any granting of final approval”

Proposed Conditions:

Utilities and Transportation -

1. That the water and sewer systems required to serve the development be designed and engineered to Town standards, subject to review and comment by the Town’s engineer,

approved by the Town and either be built or bonded prior to final approval. Said utilities must be inspected during construction, any system development fees paid, and accepted by the Town prior to final approval.

2. A stormwater management plan compliant with Town standards and the Eastern Washington Stormwater Management Manual has to be prepared by a licensed engineer and approved by the Town and required improvements constructed to ensure that stormwater runoff from the development is retained, treated and dispersed within the project boundaries.
3. That other utilities be engineered in accordance with specifications provided by the Okanogan County PUD, Methow Valley Irrigation District and/or telecommunications provider, said plans must approved in writing by appropriate entity, any fees paid, improvements constructed and inspected by the appropriate entity in compliance with approved plans.
4. All utility lines shall be placed underground.
5. A note must be placed on the face of the plat of the PD as follows: “The Town has no responsibility for maintenance, included plowing, of the identified private utility and access easements”
6. That plans and specifications meeting Town standards for street and pedestrian improvements be provided to the Town for review and approval prior to construction and that any pavement on Harrison Street, May Street, or Isabella Lane disturbed during construction be repaired and approved by the Town of Twisp Public Works Director prior to granting of final approval.
7. The proposed second access from the proposed development to Isabella Lane be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval.
8. That a traffic study be completed analyzing the impacts of the development on the capacity of the intersections of May Street and Second Avenue and Second Avenue and SR 20 during emergencies. Potential mitigation measures required of the applicant for addressing identified impacts on intersection capacity shall be as determined by the analysis.
9. Any proposed bond for incomplete utility extensions must comply with TMC 18.45.030(1), and be approved prior to final development plan approval;

Fire/Emergency -

10. That all provisions of the International Fire Code related to access and fire flow be included in project designs and be built prior to granting of final approval of the PD.
11. That the planned emergency access road cannot be barricaded and must be maintained year-round.
12. That prior to final approval the applicant participates with the Town in the amendment of the adopted Comprehensive Emergency Response Plan that sets forth a plan for traffic control in the event of a wildfire or other emergency that necessitates evacuation of the May Street neighborhood.
13. That all construction be completed in compliance with applicable requirements of the

International Building Code and all homes meet the 2018 International Wildland-Urban interface code A note on the final plat will also be required referencing the requirement that all homes meet the 2018 International Wildland-Urban Interface code

14. That each lot be labeled with an E911 address prior to filing and recording of PD Plat.
15. That the Town amend its Capital Facilities Plan and Six Year Transportation Improvement Plan to add a second point of access from the May Street neighborhood to the Twisp Carlton Road with the intent of completing the project within 5 years.
16. That a 100-foot-wide buffer as per Fire Marshall recommendation be created along the western boundary of the development from the western property line to Harrison Street. Such buffer shall be gravel, irrigated grass or other acceptable fire-resistant vegetation and must be completed prior to deeding of open space to Town.
17. That a fire hazard reduction plan prepared by a qualified professional be prepared, approved by the Town and implemented in the proposed open space area south of Harrison Street be completed prior to deeding of open space to Town.
18. That the PD be redesigned to eliminate proposed townhomes and modify lot sizes that ensure that there is a minimum of 30 feet of clear space between the eave line of structures.

Environmental -

19. That Best Management Practices shall be used during all construction activities to minimize dust, runoff, noise and associated environmental impacts.
20. That only one wood burning device is permitted per home, requires a building permit and shall meet or exceed Washington State and federal Environmental Protection Agency standards. No fireplaces are permitted.
21. That all mitigation measures in the SEPA checklist submitted with the application and as set forth in the Mitigated Determination of Non-Significance are implemented and maintained for the life of the project.
22. That construction of improvements and development of parcels that contain steep slopes shall be required to follow the regulations contained in 18.60.180 TMC.

General/Land Use -

23. That the three open space parcels be deeded to the Town as proposed with the value of the land calculated as a donation for use as a match for future grant requests.
24. That building envelopes be shown on each lot on the final plat of the PD.
25. That improvements and other aspects of the project described in the Project Narrative submitted with the application be supplemented with greater detail and the means of implementing the improvements described.
26. That all requirements for final plat stated in TMC 17.25.020 be completed.
27. That any subsequent development/use of said parcel must comply with the regulations for the zoning district applied to the property.
28. Open space percentage, must be at least 40% per TMC, needs to be recalculated without proposed roads/access and infrastructure improvements.

29. Covenants, Conditions and Restrictions must be developed and provided to the Town that address the following items:
- a. Maintenance of private access and utility easements
 - b. Landscape standards for individual lots
 - c. Limitation of one wood burning device for each home
 - d. Design criteria and standards for new homes and accessory buildings
 - e. Exterior lighting standards (dark sky compliant)

Findings of Fact:

The following Findings of Fact support the recommended approval and conditions placed thereon.

The Planning Commission finds the following:

1. Palm Investments North LLC is the legal owner of the property.
2. There is a need for housing in the community and the Methow Valley as a whole; the proposal addresses that need.
3. Adequate urban services (water, sewer, power and telecommunication) are available.
4. The subject property is constrained by topographic features (critical area) limiting traditional development options.
5. The development proposal of single-family homes is consistent with the uses allowed by zoning for the subject property.
6. Development through the PD Permit will create approximately 10 acres of developable land and approximately 6.8 acres of permanent open space.
7. At least 40% of the project site will be dedicated to permanent open space. The open space is to be deeded to the Town for future recreation/wildlife use.
8. Long-term maintenance of private accesses, stormwater facilities and other private improvements will be subject to CC&Rs administered through a homeowner's association and will not burden the Town.
9. No additional development of the property is permitted.
10. Development of the property will not displace public recreation opportunities. The potential exists for a future public access to the open space parcels.
12. The proposal will not adversely affect wildlife habitat identified in the comprehensive plan for special consideration.
13. Development of the property is subject to Town and State requirements for stormwater management.
14. The development will create additional impervious surfaces. A stormwater management plan compliant with Town standards and the Eastern Washington Stormwater Management Manual will be prepared by a licensed engineer and approved by the Town and required improvements constructed to ensure that stormwater runoff from the development is retained, treated and dispersed within

the project boundaries.

15. The proposal includes on-site pedestrian facilities.
16. The applicant demonstrated through a preliminary utility plan that the development will be adequately served by water, sewer and electrical service.
17. The property has access to Town water and sewer.
18. The project is consistent with the requirements of Chapter 18, Zoning Code.
19. All requirements for processing a Type IV Permit stated in Chapter 14 TMC were followed.
20. That a public notice of the application was published in the Methow Valley News on June 1, 2022
21. That a determination of non-significance was published in the Methow Valley News on June 1, 2022.
22. A notice of the public hearing scheduled for July 13 was published in the Methow Valley News on June 1, 2022.
23. That the original notice of application, notice of hearing and DNS were withdrawn in September, 2022.
24. That the applicant resubmitted the application and a revised SEPA Checklist on January 5, 2023.
25. The application was determined to be complete on January 5, 2023.
26. That a public notice of the application was published in the Methow Valley News on January 11 and 18, 2023
27. That the applicant posted the property on January 11, 2023.
28. That a Mitigated Determination of Non-Significance (MDNS) was issued on January 5, 2023 which was published in the Methow News on January 11, 2023, which was subsequently withdrawn.
29. That a new MDNS was published in the Methow Valley News on February 1, 2023 with a comment/appeal period ending on February 22, 2023.
30. That a notice of the February 8, 2023 public hearing was published in the Methow Valley News on January 25 and February 1, 2023.
31. That the public hearing was continued to March 8, 2023, continued to April 12, 2023 then April 26th when the hearing was closed.
32. That 9 comments and appeals were received on the MDNS, which resulted in its withdrawal on March 23, 2023.
33. That the requirements for increasing the distance between planned structures, providing a buffer along the development's western boundary, implementation of the latest Urban/Wildland Fire Code and fire reduction plan for the area south of Harrison Street are based on the recommendations of a professional Fire Marshall to address reduce the potential wildfire impacts.

34. The proposed conditions are intended to address the comments and concerns raised during the public review process.

STATE ENVIRONMENTAL POLICY ACT
**Withdrawal of
Mitigated Determination of Non-Significance**

June 29, 2023

Town of Twisp

Agency Contact: *Randy Kilmer. clerktreasurer@townoftwisp.com, 509 997 4081*

Agency File Number: *PD22-02*

Project:

Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero-side yard setback. The proposed planned development, which proposed streets, water and stormwater utilities built to Town standards, is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

Applicant: *Palm Investments LLC
PO Box 322
Winthrop, WA 98862*

The Town of Twisp Town Council took action on June 27, 2023: that the Mitigated Determination of Non-Significance issued by the Administrator on May 24th, 2023 is inadequate and is withdrawn pending modifications to the conditions for preliminary approval of the Orchard Hills Planned Development recommended by the Planning Commission and the mitigation measures contained in the MDNS.

STATE ENVIRONMENTAL POLICY ACT
**CORRECTED Notice of Withdrawal of
Mitigated Determination of Non-Significance**

July 31, 2023

Town of Twisp

Agency Contact: *Randy Kilmer, clerktreasurer@townoftwisp.com, 509 997 4081*

Agency File Number: *PD22-02*

Project:

Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero-side yard setback. The proposed planned development, which proposed streets, water and stormwater utilities built to Town standards, is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

Applicant: *Palm Investments LLC
PO Box 322
Winthrop, WA 98862*

On June 29, 2023, the SEPA Responsible Official issued a Notice of Withdrawal of the May 24, 2023 Mitigated Determination of Non-Significance (MDNS) in accordance with WAC 197-11-340(3)(a)(ii) and TMC 16.05.120(8). Due to a clerical error, an incorrect Notice of Withdrawal was issued and published. This Corrected Notice is issued to replace the previously incorrect Notice of Withdrawal.

The basis for the Withdrawal is that during the 15-day Comment Period on the May 24, 2023 MDNS, new information was provided which indicated the potential for significant adverse environmental impacts. As a result, the SEPA Responsible Official withdrew the MDNS dated May 24, 2023. An updated MDNS will be issued with a new 15-day comment period prior to further action on the referenced application.



Town of Twisp

118 S. Glover Street • Box 278 • Twisp, WA 98856 • 509-997-4081 • F-509-997-9204

STATE ENVIRONMENTAL POLICY ACT **Mitigated Determination of Non-Significance**

August 14, 2023

Lead Agency: Town of Twisp

Agency Contact: Kurt Danison. townplanner@townoftwisp.com, 509 997 4081

Agency File Number: PD22-02

Description of Proposal:

Palm Investments North LLC/Jerry and Julie Palm of Winthrop, Washington have submitted a revised application for preliminary approval of a 52 lot Planned Development to the Town of Twisp. The proposal entails development of Parcel No. 3322180099 with 52 residential lots ranging in size from 3,630 sq ft to 8,903 sq.ft. with 3 open space tracts of 8,390 sq.ft., 116,669 sq.ft. and 171,156 sq ft. As a planned development the application requests that interior lots have a zero-side yard setback.

Location of Proposal:

The proposed planned development, which proposed streets, water and stormwater utilities built to Town standards, is located west of the Painters Addition to Twisp with access from Harrison Street and proposed emergency access to Isabella Lane within the Town's reservoir access easement, within Section 18, Township 33 N., Range 22 E.W.M.

Applicant: Palm Investments LLC
PO Box 322
Winthrop, WA 98862
Palmci1@gmail.com
509 322 3032

The Town of Twisp has determined that this proposal will not have a probable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3), the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030. The necessary mitigation measures are listed below, the Environmental Checklist is attached, and the application, special studies and related materials are

available at: townoftwisp.com

This determination is based on the following findings and conclusions:

The application for the proposed planned development underwent a preliminary review process wherein a Determination of Non-Significance (“DNS”) was issued by the Town and was subject to numerous comments and several appeals. As a result, the Town withdrew the DNS and provided the applicant with a list of items to address in a revised SEPA Checklist and application for the planned development (“PD”). The Town issued a Mitigated Determination of Non-Significance (“MDNS”) on January 5, 2023, which was withdrawn as it was on the wrong form, then a new MDNS was issued on February 1, 2023, which was also withdrawn on March 23, 2023, when a commentor correctly pointed out that the notice provided did not meet the requirements of state statute.

The Planning Commission completed the required Public Hearing process on April 26, 2023, then began discussion of the conditions to be placed on the recommendation for preliminary approval of the PD. The hearing process entailed the Planning Commission completing its discussion of the proposed conditions on May 10, 2023, with the conditions primarily intended to address the issues brought up via the written comments from 35 individuals and couples, another 34 individuals (some also provided written comments) commenting during the public hearing process and the 9 comments (some incorrectly labeled “appeals”) were submitted on the February 1, 2023, MDNS.

A new MDNS was prepared and issued on May 24, 2023. As a result of comments on that MDNS, the SEPA Responsible Official withdrew the MDNS in accordance with WAC 197-11-340(3)(a)(ii) and TMC 16.05.120(8). Due to a clerical error, an incorrect Notice of Withdrawal was issued and published. A Corrected Notice was issued on July 31, 2023 to replace the previously incorrect Notice of Withdrawal.

Many of the comments received on the original DNS and subsequent MDNS (withdrawn) mirrored the comments submitted on the PD application itself and were more about the Town’s land use plans, codes, and regulations, however, the following items have been addressed in the revised SEPA Checklist and the conditions of preliminary approval recommended by the Planning Commission:

1. Air Quality
2. Glare and light pollution
3. Critical Areas and Wetlands
4. Design Standards
5. Density
6. Traffic – volume, road capacity and emergency access
7. Stormwater – how will it be handled
8. Consistency with Comprehensive Plan
9. Consistency with Zoning Code
10. Wildfire Risk
11. Contamination from previous agricultural use

The mitigating conditions set forth in the Mitigation Plan supporting this Mitigated Determination of Non-Significance attached hereto are requirements of approval of the PD.

This MDNS is issued under WAC 197-11-350 and the comment period will end on **August 29, 2023**. Comments can be submitted to Kurt Danison, Town Planner, townplanner@townoftwisp.com, P.O. Box 278, Twisp, WA 98856 509 997 4081

Signature Kurt E. Danison
(electronic signature or name of signor is sufficient)

Date August 14, 2023

Appeal process:

You may appeal this determination to:

Okanogan County Superior Court

149 3rd Ave. South

Okanogan, WA 98840

There are no administrative appeals for this MDNS because the decision on the underlying permit is being made by the Town Council. TMC 16.05.200(5). Therefore, in accordance with RCW 43.21C.075(6)(c) and TMC 14.05.070(6), any appeals of this MDNS may be taken to Okanogan County Superior Court in conjunction with the underlying decision by the Town Council. Such appeal must be filed no later than 21 days following issuance of the Town Council's decision on the PD in accordance with the deadlines contained in Chapter 36.70C RCW.

Orchard Hills Planned Development Mitigation Plan

One of the conditions for preliminary approval of the PD requires that all mitigation measures set forth in the revised SEPA Checklist and any addendums thereto are required to be implemented and maintained throughout the life of the project.

1. Air Quality.

The applicant notes in the SEPA Checklist that all woodstoves must meet current state and federal standards and that the Department of Ecology publication “Methods for Dust Control” 2016 will be utilized to prepare a dust control plan in accordance with the Town of Twisp’s codes and regulations and best management practices.

Mitigation conditions for preliminary approval of the PD should require that the final approval contain either Plat Conditions and Restrictions limiting each dwelling unit to one wood burning apparatus with no wood-burning fireplaces allowed or, in the alternative, that the applicant record Covenants, Conditions and Restrictions on all the lots containing this restriction.

The issue of re-suspended dust from winter sanding operations is a Town issue that is not the responsibility of the developer.

2. Glare and light pollution.

The applicant notes in the SEPA Checklist that the project will adhere to current Town lighting standards and will limit all building sites to at least 30’ below the ridgeline. Demonstrated compliance with Town lighting standards in effect at the time of building permit application(s) (including standards provided in TMC 18.15.070) will be adequate to mitigate light and glare. The conditions for preliminary approval of the PD should require that no building site be developed that is not at least 30’ below the nearest ridgeline. The applicant will demonstrate compliance with this condition prior to issuance of approval of the Final PD.

3. Critical Areas and Wetlands.

Portions of the project site have been designated as Geological Hazardous Areas and Critical Aquifer Recharge Areas in the Town’s Comprehensive Plan. The applicant submitted the following reports prepared by qualified professionals: Geotechnical Report, a Limited Environmental Investigation, Wetlands Determination and Delineation, Habitat Assessment, and Lead and Arsenic Testing report. The studies provided data on the soils, topography, soil permeability and potential contamination from historic use of portions of the site as a commercial orchard. In general, the Geotechnical Report found the site suitable for the type of development being proposed and contained recommendations for measures to reduce potential impacts. The mitigation measures contained in the reports prepared by qualified professionals and submitted by the applicant should be made conditions of approval of the Final PD. The Limited Environmental Investigation did find evidence arsenic in the soils on the project site and made the following recommendation:

Because arsenic was detected in soil above the MTCA Method A cleanup level at the

Subject Property, Ecology requires additional environmental investigation and/or cleanup to meet the requirements of MTCA and Ecology's Model Remedies for Cleanup of Former Orchard Properties in Central and Eastern Washington (July 2021, Publication No. 21-09-006). The highest concentrations of arsenic were measured in soil samples collected at depths of 8 and 10 feet bgs from test pits located nearest the bedrock ridge in the western portion of the Subject Property. It is possible that naturally occurring arsenic in the bedrock is a source of arsenic to soil at the Subject Property. However, because the Subject Property was historically used as orchard land, Ecology will likely require a background study of naturally occurring arsenic, completed in accordance with WAC 173-340-709, to establish area soil background concentrations and evaluate future cleanup requirements for the Subject Property.

The applicant notes in the SEPA checklist that temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site. NPDES Construction Storm Water Permit from DOE will be obtained, and an associated plan implemented. All land disturbed during construction will be stabilized and revegetated. Measures to reduce or control erosion include stormwater management and dedication of permanent open space.

The applicant provided a Wetlands Assessment conducted by a qualified professional. The Assessment found no wetlands on the subject property.

4. Design Standards.

As the applicant notes in the SEPA Checklist, the project will be required to comply with the Town design standards for public and private infrastructure and for the individual dwelling units. The applicant will adhere to such standards as are in effect at the time of the submittal of building or development permits. In addition, the applicant will be subject to the development standards contained in Chapter 18.45 TMC.

5. Density.

The proposed PD includes 52 individual single-family residential lots ranging in size from 3,630 sq ft to 8,903 sq. ft. with 3 open space tracts of 8,390 sq. ft., 116,669 sq. ft. and 171,156 sq. ft. The PD was determined to meet the density standards set forth in the Twisp Zoning Code (Title 18, Table 5). While the proposed development is in an area zoned R1, with a minimum lot size of 10,000 sq ft, Table 5 contains a footnote indicating that the minimum lot size does not apply to a PD. Comprehensive Plan and Zoning regulations encourage PDs as a means to protect open space and critical areas by allowing flexibility in design, which includes clustering of dwellings on smaller lots. Preservation of the open space in perpetuity will off-set the clustered density proposed in the application.

6. Traffic.

The applicant notes in the SEPA Checklist that a study by independent consultant SJC Alliance estimates that there will be 563 new trips per day on May St and Harrison Ave. The study noted that

the existing street network has the capacity to handle the increased traffic, The applicant also provided a supplemental traffic study that examined the current and projected capacity of the intersections of May Street and Second Avenue and Second Avenue and S.R. 20. The supplement found that both intersections have the capacity to address existing as well as projected traffic volumes from this project.

Two accesses to the development are required. If feasible, the applicant shall construct a secondary access road from the PD to Isabella Lane within the Town's reservoir access easement. In the alternative, the applicant shall construct the secondary access road for ingress and egress to the project in another location subject to approval by the Public Works Director. Any such secondary access road may not be barricaded and must be maintained year-round by the applicant or successor HOA, unless made public.

Public and private roads that do not have wide radius turn arounds have been shown to create issues with snow clearing and storage which can impede emergency access. Any public or private dead-end streets and lanes shall meet all applicable codes. Private roads and access ways shall include design for snow clearing and storage in order to not impede emergency access and which does not result in snow being pushed onto the public street.

In the event of an emergency, evacuation of the PD and adjoining neighborhood will occur consistent with the Town's Emergency Response Plan, as it may be amended from time to time.

7. Stormwater.

The applicant states in the SEPA Checklist and a preliminary Stormwater Management Plan that stormwater runoff will result from developed hardscape areas including buildings, roadways, pedestrian paths, and parking areas. These areas will be directed via sloped surfaces and conveyance piping to water quality and infiltration swales or dry wells designed and sized to meet the requirements of the DOE Stormwater Manual for Eastern Washington 2019.

A stormwater management plan compliant with Town standards and the Eastern Washington Stormwater Management Manual must be prepared by a licensed engineer and approved by the Town prior to final approval of the PD. The stormwater plan will ensure that stormwater runoff from the development is retained, treated, and dispersed within the project boundaries. In addition, the stormwater plan improvements must be constructed or bonded prior to final approval of the PD.

The stormwater system may not be located in the preserved open space.

8. Consistency with Comprehensive Plan.

The applicant states in the SEPA Checklist that the proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning. The PD will be consistent with the Town's comprehensive plan.

9. Consistency with Zoning Code.

The applicant states in the SEPA Checklist that the proposal is developed pursuant to adopted Town of Twisp regulations. This is a proposed residential development with less overall density than the current zoning.

The Staff Report prepared for the Planning Commission noted that there are conflicts between the Comprehensive Planning and Zoning code: “There is a conflict between the intent of the R1 zoning district and the regulations which provides for the reduction of minimum lot sizes through the PD process. There is also a conflict with the comprehensive plan which calls for a maximum density of 4 units per acre rather than the 6 permitted under zoning. However, as the zoning code has been adopted by ordinance, the zoning provisions prevail. The proposed use is considered allowed as it consists of single-family residences and falls within the allowable zoning density providing it follows the requirements for a planned development.”

The PD may be conditioned to create consistency with the Town’s zoning code.

10. Wildfire Risk.

One of the key issues raised during the public review process was wildfire risk and the impact the number of new dwellings would have on traffic in the event of an emergency and the small lots limiting the space between structures thus contributing to fire spread in the event of a wildfire.

The Town retained a professional Fire Marshal who visited the site, reviewed the plans, and provided recommendations that addressed both issues. The applicant also provided a professional report on wildfire risk and mitigation measures that were reviewed by the City’s retained professional Fire Marshal. In order to mitigate the risk of harm to people, animals, property, and the environment, the following mitigation measures should be implemented prior to final approval of the PD:

- That all provisions of the International Fire Code related to fire flow be included in project designs and be built or bonded prior to granting of final approval of the PD. In addition, prior to final PD approval, the applicant shall provide a report by a qualified professional that demonstrates that the water system has adequate fire flow for the project, including having adequate capacity to serve the required fire sprinklers in every home. Such report is subject to the review and approval by the Town Engineer. If fire flow is not shown to be adequate, then the applicant shall be required to make improvements to the water system serving the PD to ensure adequate fire flow. Such improvements shall be built or bonded prior to final PD approval.
- Two accesses to the development are required. If feasible, the applicant shall construct a secondary access road from the PD to Isabella Lane within the Town’s reservoir access easement. In the alternative, the applicant shall construct the secondary access road for ingress and egress to the project in another location subject to approval by the Public Works Director. Any such secondary access road may not be barricaded and must be maintained year-round by the applicant or successor HOA, unless made public.

- Public and private roads that do not have wide radius turn arounds have been shown to create issues with snow clearing and storage which can impede emergency access. Any public or private dead-end streets and lanes shall meet all applicable codes. Private roads and access ways shall include design for snow clearing and storage in order to not impede emergency access and which does not result in snow being pushed onto the public street.
- In the event of an emergency, evacuation of the PD and adjoining neighborhood will occur consistent with the Town's Emergency Response Plan, as it may be amended from time to time.
- That all construction will be completed in compliance with applicable requirements of the International Building Code and all homes meet the 2018 International Wildland-Urban interface code, including being constructed using Class 2 Ignition-Resistant construction methods and materials. This requirement shall be recorded either as a note on the final plat, or this requirement shall be recorded as part of Covenants, Conditions, and Restrictions for the development prior to approval of the Final PD.
- In addition, all home(s) shall be equipped with NFPA 13D fire sprinkler systems. This requirement shall be recorded either as a note on the final plat, or this requirement shall be recorded as part of Covenants, Conditions, and Restrictions for the development prior to approval of the Final PD.
- That each lot shall be labeled with an E911 address prior to filing and recording of PD Plat.
- That the applicant have a fire hazard reduction plan prepared by a qualified professional, which is subject to approval by the Town. The applicant must implement said approved plan in the proposed open space area south of Harrison Street prior to final approval of the PD.

11. Contamination from previous agricultural use.

Portions of the project site have been designated as Geological Hazardous Areas and Critical Aquifer Recharge Areas in the Town's Comprehensive Plan. The applicant submitted a Geotechnical Report and a Limited Environmental Investigation prepared by qualified professionals. The studies provided data on the soils, topography, soil permeability and potential contamination from historic use of portions of the site as a commercial orchard. In general, the Geotechnical Report found the site suitable for the type of development being proposed and contained recommendations for measures to reduce potential impacts. The Limited Environmental Investigation did find evidence arsenic in the soils on the project site and made the following recommendation:

Because arsenic was detected in soil above the MTCA Method A cleanup level at the Subject Property, Ecology requires additional environmental investigation and/or cleanup to meet the requirements of MTCA and Ecology's Model Remedies for Cleanup of Former Orchard Properties in Central and Eastern Washington (July 2021, Publication No. 21-09-006). The highest concentrations of arsenic were measured in

soil samples collected at depths of 8 and 10 feet bgs from test pits located nearest the bedrock ridge in the western portion of the Subject Property. It is possible that naturally occurring arsenic in the bedrock is a source of arsenic to soil at the Subject Property. However, because the Subject Property was historically used as orchard land, Ecology will likely require a background study of naturally occurring arsenic, completed in accordance with WAC 173-340-709, to establish area soil background concentrations and evaluate future cleanup requirements for the Subject Property.

The applicant will address the contamination consistent with Ecology's requirements prior to Final PD.

The applicant notes in the SEPA Checklist that temporary sediment/erosion control measures will be incorporated during construction to prevent sediment transport off site. NPDES Construction Storm Water Permit from DOE will be obtained, and an associated plan implemented. All land disturbed during construction will be promptly stabilized and revegetated following such activities. Measures to reduce or control erosion include stormwater management and dedication of permanent open space.

12. Recreation.

The applicant states in the SEPA Checklist that currently residents of Painter's Addition use the land without permission for hiking. The applicant further states that by putting 40% into open space and maintaining an informal route to the ridge summit and the informal hiking will be legal and maintained into the future. Such open space must be kept as undeveloped open space in perpetuity by one of the following methods: (1) deeding it to the Town, (2) by including such requirement in the Plat Notes, or (3) by recording Covenants, Conditions, and Restrictions against the property that require such open space to remain undeveloped in perpetuity. If the open space is not deeded to the Town, it shall be managed in perpetuity by the HOA.

JohnsMonroe MitsunagaKoloušková PLLC

Darrell S. Mitsunaga
Duana T. Koloušková
Vicki E. Orrico
Dean Williams
Patricia M. Army
Mary Joy Dingler

Via E-Mail: townplanner@townoftwisp.com

Kurt E. Danison, Town Planner
Town of Twisp
P.O. Box 278
Twisp, WA 98856

August 29, 2023

Re: Comments on Revised 8-14-2023 MDNS and proposed conditions of approval
Project File Number PD22-02

Dear Mr. Danison:

As you are aware, we represent Palm Investments North, LLC, with respect to their Orchard Hills Planned Development. The applicant has submitted significant material to support the application, as well as comments regarding prior MDNS threshold determinations under SEPA. Most recently, the applicant provided comments in June, 2023 regarding that version of the MDNS. We maintain those comments and incorporate those with this letter, along with the consultant information that was attached, as if set forth in full.

In particular, we understand the MDNS retains the secondary access provision. As we commented previously, the applicant does not have easement rights to build this access within the Town easement. In the Amended Easement, recording number 3269852, the Town relinquished its prior right of way for a very narrow easement limited to Public Works access to the water tanks and public, nonmotorized recreational use. Because the Town relinquished its right of way, the Town's actions have unilaterally operated to limit access. No other feasible, second access route exists for the site. As a result, the applicant has volunteered to provide fire sprinklers in the homes, standard mitigation where secondary access is not available and consistent with other approved, equivalent projects.

The applicant will voluntarily work further with the Town to accomplish secondary access, if feasible but this should not operate as a condition of approval. As provided in our June letter, we respectfully request the Council either remove this condition from its approval or amend the condition as follows:


If feasible, the proposed second access from the proposed development to Isabella Lane should be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval. If this or other secondary access is not available prior to approval of the first building permit, all homes within the development will be provided with automatic fire sprinkler systems meeting the most current code at the time of building permit submittal.

With all our comments in mind, we respectfully request the Town Council approve the project with the foregoing revised, proposed condition. The applicant maintains its intention to voluntarily

Kurt E. Danison, Town Planner
August 29, 2023
P a g e | 2

work with the Town on future planning. As also previously discussed, the applicant has voluntarily upgraded the project in various ways to comport with the WUI Code recommendations and provide a community that will be a very positive addition to the community.

Sincerely,



Duana T. Koloušková

Direct Tel: (425) 467-9966
Email: kolouskova@jmmklaw.com

Cc: Jennifer Robertson

2023-08-29 Ltr Re SEPA comment 1699-001.docx



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

August 25, 2023

Kurt Danison
Town of Twisp
PO Box 278
Twisp, WA 98856

RE: 202303900; TWP PD22-02

Dear Kurt Danison:

Thank you for the opportunity to comment during the Mitigated Determination of Non Significance process for the Orchard Hills Planned Development. The Department of Ecology (Ecology) has the following comments.

Water Resources

If you plan to use water for dust suppression at your project site, be sure that you have a legal right. In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, up to 5,000 gallons per day used for industrial purposes, stock watering, and for the irrigation of up to one-half acre of non-commercial lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances, water may need to be obtained from a different area and hauled in or from an existing water right holder. If you have any questions or would like to respond to these Water Resources comments, please contact Christopher Kossik at 509-379-1826 or email at christopher.kossik@ecy.wa.gov.

Sincerely,

Joy Espinoza
SEPA Coordinator
Central Regional Office
509-379-3967
crosepacoordinator@ecy.wa.gov


Comments concerning the Orchard Hills, 8/14/23 MDNS.

Aug 28, 2023

Our town faces a significant wildfire risk, as evidenced by recent fires like Carlton Complex, Twisp River, Cedar Creek, and Cub Creek fires. It's important to emphasize that the recommendations provided by the Fire Marshal and Planning Commission are not arbitrary; they are the result of thorough expert analysis. To prioritize the safety of our community, it is imperative that we diligently implement these recommendations.

However, there is a notable concern regarding the omission of the 30' separation recommendation from the Mitigated Determination of Non-Significance (MDNS) document. This omission is worrisome, as the 30' separation guideline is crucial for reducing the risk of wildfires and safeguarding both properties and lives. To ensure our town/community is fully aligned with these essential recommendations, we should address this oversight/omission..

Sincerely, Doug Irvine. 612 June St Twisp

A handwritten signature in black ink, appearing to be 'Doug Irvine', with a stylized, cursive script.

August 28th, 2023

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To the Mayor, Town Council, City Clerk, nwoT rennaIP
Town of Twisp
PO Box 278
118 Glover Street
Twisp, Washington 98856

RE: Orchard Hills Development

SEPA MDNS: Dated August 14th, 2023, Application: PD22-02
Dated May 24, 2023
Published on the 16th and 23rd of August 2023
Comment/Appeal Deadline, August 29th, 2023

Please accept this written notice of my comments and appeal of the current SEPA MDNS described above, and we respectfully reserve the right to appeal this MDNS in Superior Court.

Our main objection of this SEPA MDNS goes back to day one (1) when it should have **NEVER** been classified as a Planned Development. This entire SEPA MDNS application is a violation of State Statutes. A SEPA for a simple Subdivision would probably have never been questioned. Period !

-Nowhere in definitions in the Zoning Ordinance does it truly list the definitions and requirements of a Planned Development, we only have what the rennaIP has stated. See MRSC definitions

-Nowhere in definitions in the Zoning Ordinance does it truly list the definitions and requirements of a Subdivision, we only have what the rennaIP has stated. See RCW's, State of Washington

-The biggest problem is that this is not a Planned Development, this is a 56 lot Subdivision. If this was truly a Planned Development, the three Open Space Tracts would come under the authority of an HOA. And those Open Spaces would be retained and maintained by the HOA. Property taxes and fees for maintenance of the HOA development. This proposal makes the Town of Twisp, in effect, the HOA, and requires that the town be financially responsible for the maintenance of the open spaces, instead of receiving tax revenues from the properties.

Please refer to the attached examples of RCW definitions, RCW 58.17.020(1), and compare that to the definition of a "planned development", and then answer the following. Is this a "Subdivision or is this a Planned development. The nwoT rennaIP says it's a "Planned Development" while the RCW's state it is clearly a "Subdivision of properties for sale, lease or transfer of ownership." That is the ONLY thing that the development is planning to do. If it looks like a subdivision, acts like a subdivision, is planned out as a subdivision, why is the rennaIP

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calling it a Planned Development?? Financial gain for somebody??? Definitions from MRSC clearly state the requirements of, and the duties of a Planned Development.

-As it is being proposed, the Developer is asking that the Town accept these three Open Spaces with all the financial burdens that come with the ownership, effectively removing ownership of the 52 lot Planned Development 40% Open Space, from the new property owners, which is required for this to truly be a Planned Development.

Again, I've said it before, and it needs to be shouted out, this proposal is simply a subdivision of property, under the guise of a Planned development, and it our hope that the Town Council will see the light of this issue, and "Protect **existing land uses** and properties from the undue adverse impacts of adjacent developments.

Instead, it appears that the Town Council is going to protect the "Developer" from the undue adverse impacts of existing developments (Tax paying, home owning residents)

Again, I respectfully reserve the right to appeal any decision that continues to classify this action as a "Planned Development".

As a "Subdivision" of properties, 60 Lots (or whatever is actually buildable) with 10,000 sq ft for each subdivision lot, with each lot having a **DEFENSABLE SETBACK** for fire prevention, please proceed without any delay..

Mark I and Leone C Edson
Residents of 321 Bigelow Street
Twisp, Washington

See Attachments A,B,C,D, and E, RCW definitions and definitions from MRSC

A final thought. If you pass this petition as a planned development, you have cast in stone the future of all planning in the Town of Twisp. No more subdivisions in the Town will be applied for. Everyone will jump on the band wagon as a Planned Development, to gain access to the special privileges that a PD has. And the Town will be required to accept ALL of the 40% open spaces of ALL of the future land transactions, without exception. You cast favor to one individual, you are required to give the same considerations to ALL future land transactions.

2,830,000 Results

ATTACHMENT H

Any time ▾

📍 Results near Twisp, Washington · [Change](#)

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Planned Unit Development (PUD) requirements 1 2 3 4 5:

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- A homeowner association that holds either title in fee or a lease of prescribed length on the common area.
- Mandatory membership of all unit owners (or units) in the association.
- The unit owners (homeowners) own both their residence (the structure) and their lot (the land).
- An HOA owns and maintains common amenities that all unit owners may use.
- The homeowners' membership in the HOA is mandatory.
- The homeowner must pay dues and assessments levied by the association to maintain the common amenities.
- The PUD needs to meet certain requirements, like having enough reserves saved up, proper insurance coverage, and reputation for collecting dues on time. If the PUD does not meet their requirements, you could be rejected for a loan 1.

Learn more:

[1. redfin.com](#)

[2. hud.gov](#)

[3. zillow.com](#)

[4. forbes.com](#)

[+1 more](#)



See more



Overview

ATTACHMENT B

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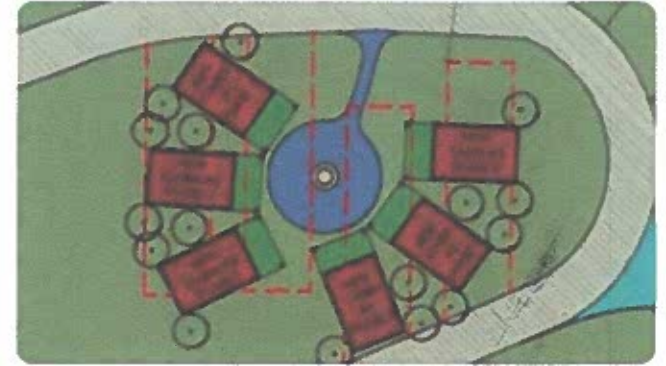
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The subdivision of land into lots is governed in Washington State by [chapter 58.17 RCW](#) and by city and county ordinances adopted under that chapter's authority. The following is a list of key terms defined by these statutes.

- **Subdivisions** are defined in [RCW 58.17.020\(1\)](#) as the "division or redivision of land into five or more lots, tracts, or parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership."
- **Short subdivisions** are defined in [RCW 58.17.020\(6\)](#) as the "division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership." Any city or town may increase the number of lots that can be regulated as short subdivisions up to a maximum of nine. Counties planning under the [Growth Management Act](#) may do the same with respect to unincorporated land within an urban growth area.
- **Plats and short plats** are defined in [RCW 58.17.020\(2\)](#) as the maps or representations of subdivisions and short subdivisions respectively that show the division of land into lots and the streets, alleys, dedications, easements, etc.
- **A Binding Site Plan** is an alternative method of land division authorized by [RCW 58.17.035](#). For more information, see [Site Plans and Binding Site Plans](#) or [Exemptions](#) section below.

ATTACHMENT C

A planned unit development (PUD) is a **type of building development and also a regulatory process** ¹. It is a **community of homes that can include both residential and commercial units, and have varied and compatible land uses** ^{1 2 3 4}. PUDs are **not subject to the standard zoning requirements**, but work with the local government to develop criteria for common areas, private areas and building guidelines ^{1 5}. PUD homeowners belong to a homeowners association (HOA) ^{2 3 4}.



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ATTACHMENT D



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AUG 30 2023

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A planned unit development (PUD) is a community of homes that could look like single-family residences, townhomes or condos, and can include both residential and commercial units, but on paper, they're most similar to condos. Every homeowner belongs to a homeowners association (HOA) which is responsible for maintaining the common areas and enforcing the rules and regulations of the development. The HOA fees are typically higher than those for a single-family home because they cover the cost of maintaining the common areas. PUDs are governed by a set of rules and restrictions specific to each community. There isn't a specific set of rules that governs all PUDs, so if you're buying a home in a PUD, you need to review all of the HOA documents that are part of that PUD, including: Budget Bylaws Covenants, Conditions and Restrictions (sometimes called CC&Rs or declarations) Articles of incorporation Anything else related to PUD noted on title report [1](#) [2](#) [3](#).



ATTACHMENT 2



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AUG 30 2023

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A planned unit development (PUD) is a community of single-family homes, and sometimes condos or townhomes, where every homeowner belongs to a homeowners association (HOA). For a project to qualify as a PUD, all of the following requirements must be met ¹:

1. Each unit owner's membership in the HOA must be automatic and nonseverable.
2. The payment of assessments related to the unit must be mandatory.
3. Common property and improvements must be owned and maintained by an HOA for the benefit and use of the unit owners.
4. The subject unit must not be part of a condo or co-op project.

I hope this helps! Let me know if you have any other questions.

From: [Kurt Danison](#)
To: [Scott Detro](#); jrobertson@insleebest.com; [Soo Ing-Moody](#); [Hans Smith](#); [Randy Kilmer](#)
Subject: FW: MDNS Comments
Date: Thursday, August 24, 2023 11:48:35 AM

From: Howard Cherrington <howard.idc@gmail.com>
Sent: Thursday, August 24, 2023 11:19 AM
To: Kurt Danison <townplanner@townoftwisp.com>
Subject: MDNS Comments

You don't often get email from howard.idc@gmail.com. [Learn why this is important](#)

Sir: In reviewing the published MDNS for Orchard Hills published in the MVN on 8/23/23, there are significant differences between the above mentioned MDNS and the MDNS released on 5/24/23. The elimination of several requirements stated as necessary for the approval of the Orchard Hills PD in the 5/24/23 MDNS differ from the MDNS published on 8/23/23. Among the differences are: under "Air Quality", "Another condition is that the PD be redesigned so that there is at least 30 feet of clear space between structures, which will result in a reduction of the number of lots thus reducing the number of potential wood burning devices". Under "Density", "As a result of the recommendations provided by a professional Fire Marshall, preliminary approval is conditioned on a redesign of the PD to ensure at least 30 feet between all structure envelopes. This will result in a reduction of the density in the final PD as lots will have to be combined and/or enlarged to address this requirement." These differences dramatically change the original MDNS published on 5/24/23 and the MDNS published on 8/23/23. It would appear that these changes are to the benefit of the developer and have a negative impact on the intent of the original MDNS to protect the environment and mitigate those potential environmental impacts. I would appreciate some response to address the changes to the MDNS of 5/24/23 and the MDNS of 8/23/23 and the reasoning behind and authorization of those changes. Additionally, I request some comments as to the legality of revising the latest MDNS without further public comment and authorization or approval by the Town Council. Thank you.
Howard Cherrington

August 26th, 2023

Kurt Danison, Town Planner

Orchard Hills MDNS Comments

I would like to address number 10, Wildfire Risk in the MDNS, with regard to spacing between houses.

The 30' was specifically addressed in paragraph 18 of the 5/17/23 staff report and in paragraph 1.a. of the 6/13/23 planning commission report.

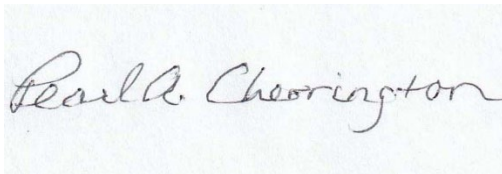
This is of great concern from an environmental and safety aspect. Sprinkler systems alone cannot prevent houses from burning down but spacing between houses can help. Once one house catches on fire, if there is not adequate spacing, it is much easier for a house much closer than 30' to catch on fire.

The Planning Commission also recommended that the PD be redesigned to eliminate the proposed townhomes and to modify lot sizes to ensure this 30' clear space.

Also, Density, number 5 indicates that there is reliance on open space that will off-set the clustered density. Again houses clustered together closely does not mitigate fire risk.

I would like to see these two items above be addressed and put back into the final plan.

Thank you,

A handwritten signature in cursive script, reading "Pearl A. Cherrington", written in dark ink on a light-colored, slightly textured background.

Pearl Cherrington

Twisp, Wa.

RECEIVED

AUG 28 2023

TWISP CLERKS OFFICE

August 28, 2023

To the Town of Twisp
HAND DELIVERED

Attention: Kurt Danison, Town Planner
Randy Kilmer, Town Clerk/Treasurer

RE: Orchard Hills Project

Application: 22-02

SEPA MDNS: Dated: August 14, 2023

Publication dates: August 16 & August 23, 2023

Comment deadline: August 29, 2023

Please, consider this notice of my comments regarding the SEPA MDNS described above. The SEPA review and the MDNS dated August 14, 2023 (first published on August 16, 2023) are flawed because:

1. SEPA NOTICE: The MDNS stated comment period does not comply with Washington law or Twisp ordinances. See: WAC 197-11-340; TMC 16.05.120(6).
2. PLANNING COMMISSION MITIGATION: A current MDNS was not presented to the Planning commission for review during its deliberations. The Town Planner stated this was because its recommendations were needed and would be incorporated into the final MDNS. In fact, the August 14, 2023 MDNS is not an accurate description or a complete presentation of the project mitigation measures the Planning Commission detailed in its June 13, 2023 report. Further, the MDNS eliminates mitigation measures contained in the earlier MDNS (5/24/23) which were consistent with those recommended by planning staff and the Planning Commission.

SEPA NOTICE

This is the fifth SEPA notice given on this project. Four previous notices were issued and withdrawn: DNS dated 6/26/22; MDNS dated 1/5/23; MDNS dated 2/1/23; and MDNS dated 5/24/23. I have commented regarding each of those preceding notices. All of those preceding comments are incorporated herein by this reference.

The first notice of the current MDNS was published on August 16, 2023, with comments due by August 29, 2023, which provided a 13 day comment period. The comment period fails to meet the required time frames set forth in WAC 197-11-340, 14 days, and TMC 16.05.120(6), 15 days.

INCOMPLETE DESCRIPTION OF PLANNING COMMISSION MITIGATION MEASURES

The Planning Commission, after six public meetings and much verbal and written public input, identified very specific mitigation measures in its recommendations to the council. Fire safety for the residents and homes in the area is one of the most significant environmental impacts of the project. They were identified in a report (5/9/23) commissioned by the Town of Twisp and produced by Stephen Rinaldi, Chelan County Fire Marshal (copy attached).

Based on this information the town planner, Kurt Danison, made the following "Proposed Conditions" in his **FINAL** PLANNING COMMISSION STAFF REPORT, 5/17/23:

"7. The proposed second access from the proposed development to Isabella Lane be built to International Fire Code standards for an emergency fire apparatus access and be signed as such prior to final approval."

"11. That the planned emergency access road cannot be barricaded and must be maintained year-round."

"13. That all construction be completed in compliance with applicable requirements of the International Building Code and all homes meet the 2018 International Wildland-Urban Interface code. A note on the final plat will also be required referencing the requirement that all homes meet the 2018 International Wildland-Urban Interface code." **[Note: This section will require the town to adopt the Wildland-Urban Interface Code to ensure enforcement.]**

"16. That a 100-foot-wide buffer as per Fire Marshal recommendation be created along the western boundary of the development from the western property line to Harrison Street. Such buffer shall be gravel, irrigated grass or other acceptable fire-resistant vegetation and must be completed prior to deeding of open space to Town."

"18. That the PD be redesigned to eliminate proposed townhomes and modify lot sizes that ensure that there is a minimum of 30 feet of clear space between the eave line of structures."

Based on the Fire Marshal's report and the town planner's proposed conditions, the first two recommendations in the Twisp Planning Commission's June 13, 2023 report were:

"1. Overwhelmingly, the greatest public concerns were related to fire danger, in 2 specific areas: 1. Fire spread between houses and 2. A second road [for] inhabitants to flee and access for the fire department in the event of a fire.

These public's concerns were supported by the recommendations from the Chelan County Fire Marshal, who reviewed the plans and the site (see copy of his comments in project file).

"a. In response to the concerns of fire spread, the commission supports the fire marshal's recommendation that structures are spaced at least 30' apart and a 100' wide defensible space of limited vegetation is installed in the proposed open space along the west edge of the development and the planned open space south of Harrison be subject to a fuels reduction project. The applicant has voluntarily agreed to meeting building code requirements that meet or exceed new Washington State Urban Wildland Interface codes that all exterior building materials are fire-resistant.

"b. In response to the concerns for egress and access, the commission recommends that a secondary emergency access, meeting IFC requirements is installed before the final permit approval (which would be before any building permits were issued). This road could not be barricaded and would be maintained. This egress path would extend to May Street, and prior to final approval, the developer and town must develop an amendment to the adopted Emergency Response Plan that sets forth a plan for traffic control and evacuation from the May Street neighborhood. Additionally, the commission recommends that the town amend its Capital Facilities Plan and 6 year transportation improvement plan with the intent of completing a link from the May street neighborhood to the Twisp Carlton road within 5 years."

"2. Another repeated concern was that of density. The commission believes that the recommendation of the 30' between structures, the 100' defensible space and fuels reduction project will reduce the density materially."

Consistent with the staff's proposed conditions and the Planning Commission's recommendations regarding the second emergency road to Isabella Lane, the 8/14/23 MDNS, paragraph 10 (bullet 2), Wildfire Risk, says: "Two accesses are required."

Inconsistent with the staff's proposed conditions and the Planning Commission's recommendations, the 8/14/23 MDNS left out the 30' clear space between structures and 100' fire buffer along the west side of the plat.

This omission is of particular concern because both of those mitigation measures were included in the 5/24/23 MDNS, which said:

1. Wildfire, bullet 7: "That a 100-foot-wide buffer as Fire Marshall recommended be created along the western boundary of the development...."
2. Wildfire, bullet 9: "That the PD be redesigned to eliminate townhomes and modify lot sizes to insure there is a minimum of 30 feet of clear space between the eave line of structures."

SUMMARY

Adequate mitigation for this project must include the following mitigation measures recommended by the town planner and the Planning Commission:

1. An emergency access road from the north end of the project to Isabella Lane in the existing location of the Town's reservoir access road.
2. Reconfigured lots to allow 30' distance between structures, eave line to eave line.
3. A 100' gravel or irrigated and mowed grass lawn along the entire westerly boundary of the westerly lots.

The Town Council should accept the Planning Commission's recommendations without further public hearings. If the Council seeks to change the Planning Commission's recommendations it must set a date for a public hearing. See: TMC 18.45.060(5).

Respectfully, submitted this 28th day of August, 2023.



Jerry Heller

PO Box 546, 510 B Bridge Street

Twisp, WA 98856

360.708.4320, jwheller70@yahoo.com



Fire Prevention and Investigation
CHELAN COUNTY
STATE OF WASHINGTON

Stephen Rinaldi, Fire Marshal
stephen.rinaldi@co.chelan.wa.us
CELL (509) 630-9259

May 9, 2023

Kurt Danison
Town Planner
Town of Twisp
118 S. Glover St,
Twisp, WA 98856

Re: Orchard Hills Planned Development

Dear Mr. Danison:

The following review was initiated for the proposed Orchard Hills Planned Development, per the Interlocal Agreement between the Town of Twisp and Chelan County for plan review services. Based on that agreement, I conducted a site visit of the development today and was accompanied by you. I have also performed a review of the site plan and drawings documentation dated November 9, 2022 you provided, as presented to the Town by Palm Investments North LLC from North Cascades Engineering PLLC.

The review performed followed fire and life safety requirements as adopted by RCW 19.27.110, International Fire Code 2018 (IFC 2018). However, the Washington Standard Building Code Council has recently developed rules, which are all effective July 1, 2023 and adopt under Chapter 51-51 WAC the 2021 International Residential Code First Edition, and under Chapter 51-54A the 2021 Edition Washington State Amendments to the 2021 International Fire Code (IFC) as well as the 2021 Washington Wildland-Urban Interface (WUI) Code under Chapter 51-55 WAC First Edition. These newly developed codes would most likely be effective at the time of application for building permits within this development.

The development as proposed and shown on the provided plans and drawings has some issues that would require provision of additional information to the Town of Twisp or a modification to better meet the fire and life safety requirements of the aforementioned documents. The list below outlines items that are recommended for modification or consideration of additional mitigation actions.

1. The proposed fire access road alternative route utilizing the existing road leading the town water tank reservoir site would require improvement to accommodate a minimum of a 20-foot-wide stabilized fire access road (Fire access roads are to be provided and maintained as

required by locally adopted street, road, and access standards to include easement width and road surface requirements). *See figure 1*

2. Fire hydrants shall be provided and maintained as required by locally adopted standards. To include spacing and location coordinated with the fire district and water purveyor.
3. The open space area on the south end the development shown as Tract 999 Open Space should have a mitigation project undertaken to accomplish fuels reduction. *See figure 1*
4. The overall development is proposed with 52 lots with all lots under 10,000 sq. ft. and several lots well below 5000 sq. ft. in size. This development would be classified under the WUI Code as being within the Wildland Urban Interface. While zoning may allow side setbacks of only 10 feet from eave to eave between structures the recommended defensible space around a structure based on the WUI code is 30 feet for moderate wildland urban interface areas. The project density as proposed should be modified to increase the size of the lots to accomplish a reduction in the number and density of the structures. Even though, this reduction still may not meet the specified distance it would better align with the intent of the WUI Code regarding the defensible space requirement.
5. Due to the excessive grade (> 12%) of the road from 2nd Ave. southeast on May St. delays may occur in emergency services response for fires particularly in inclement weather during the winter. Therefore, it is recommended that all homes be required to have an automatic fire sprinkler system to provide greater protection and time for residents to evacuate the structure during an interior fire.
6. All structures shall meet the minimum construction requirements of the WUI Code in place at the time of permitting.
7. The lots (1-14 & 22-26) on the western side of the development are recommended to be provided with a minimum of a 100-foot-wide defensible space with the adjoining open space. This area would be void of the shrub step vegetation and could be covered with gravel or maintained with a watered and mowed grass lawn. *See Figure 1*

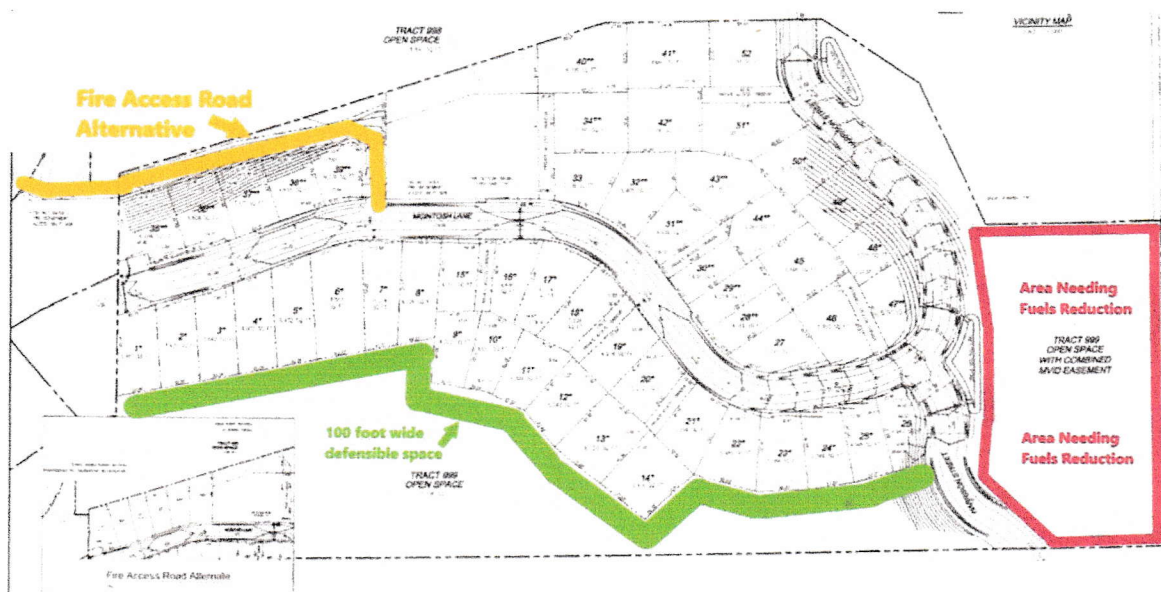


Figure 1

8. The development is located within a neighborhood of existing homes and some currently being constructed. The area will almost double in density of structures and therefore in population also. Based on the traffic study the area will realize a significant increase in additional daily trips, which relates to an increase of vehicles involved during emergency situations requiring an evacuation. The evacuation would only use May St. leading to the intersection at 2nd Ave., which if obstructed during an evacuation would trap many people in a potentially vulnerable area. The recommendation is that in conjunction with this development the Town of Twisp work to develop a plan to establish a second egress point even if for emergencies purposes only that would travel from Bigelow St. to the southeast to Twisp Carlton Rd. See Figure 2

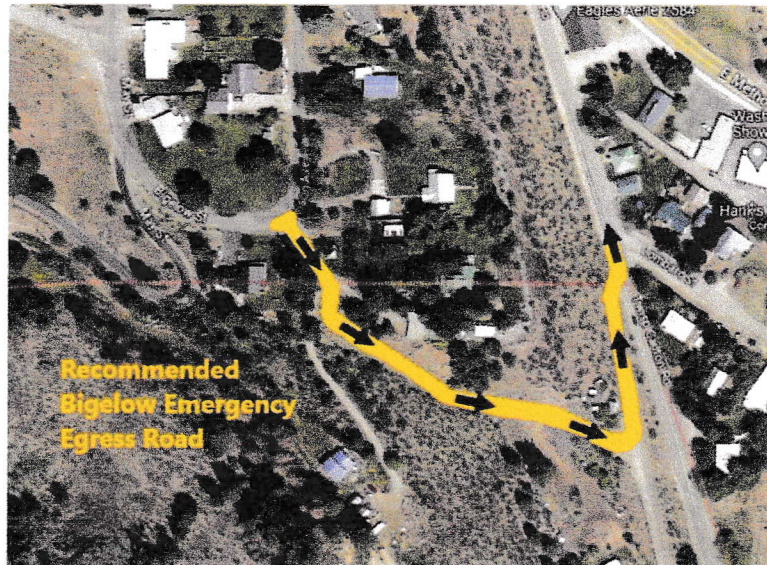


Figure 2

This review and associated recommendations offered are based on the information provided and the site visit conducted on May 9, 2023 regarding the Orchard Hills Planned Development. The reviewer reserves the right to modify these recommendations should additional information become available or the design/scope of the project changes.

Respectfully,

Stephen P. Rinaldi, MA, EFO, FM, CFPS
Chelan County Fire Marshal
Department of Fire Prevention and Investigation



August 29, 2023

Attention: Kurt Danison, Town Planner
Randy Kilmer, Town Clerk/Treasurer

RE Orchard Hills proposal, Application 22-01

Public Comment due August 29, 2023

I wish to restrict my comments to Air Quality at this time. I hereby incorporate by reference all of my comments submitted several times for the Orchard Hills development proposals, with an emphasis upon air quality.

I find it incredible that with all the woodsmoke the residents of the Methow Valley breathe in during the course of each year these days with our inversions, woodsmoke from wildfires, and woodsmoke from wood burning devices in the winter, the Town of Twisp and the proponents of this development are not willing to go further in mitigating this situation than is reflected in this proposal.

Adding 52 more woodturning devices in our situation should not even be a consideration. It will not only be a detriment to the town's residents, but it will set a terrible precedent for future developments, of which a number are in the planning process.

For some reason, it appears that the mitigation measure of restricting each home to one wood-burning device has been modified in a manner that is very difficult to understand. At least it was at first a plain and simple mitigation. It is very likely that more than one woodburning device is forbidden by statute anyway - and then in this case, restricting each dwelling to one woodturning device wouldn't really be a mitigation anyway - simply complying with the law.

I agree with the restriction preventing fireplaces. These devices are more polluting than wood stoves and also less efficient in producing heat. The purpose is primarily for pleasure and relaxation. We can no longer afford such luxuries in consideration of the current year-round air quality situation for residents of Twisp and the Methow Valley.

It is the annual average we should be concerned about, since both the summer (wildfire) and the winter (woodburning devices) contribute heavily to health issues in the Methow as well as in other mountainous towns in the state of Washington.

Please visit the website of the Washington Lung Association here in order to learn more:
<https://www.lung.org/research/sota/city-rankings/states/washington/okanogan>

Okanogan Populations At Risk Learn More

Total Population: 42,634 Children Under 18: 9,791 Adults 65 & Over: 9,722
Pediatric Asthma: 716 Adult Asthma: 3,404 COPD: 1,976 Lung Cancer: 21
Cardiovascular Disease: 2,753 Pregnancy: 367 Poverty Estimate: 6,748
People of Color: 15,313

The analysis and mitigation regarding air quality is unsatisfactory and does not protect the citizens of the Town of Twisp.

Thank you for this opportunity to comment.

Isabelle Spohn
419 N. Methow Valley Highway
Twisp, WA 98856

Twisp Planning Commission

Schedule for Evaluation of Short-Term Rental Units (STVR's)

Draft Schedule and Plan of Aug 11, 2023

Aug 9 Meeting – Review components of the current code and discuss the revisions to be made, based on the data gained from other like towns.

Aug 23 Meeting – Finalize draft recommendations for code revisions to be sent to the town council with staff report before Sept 1.

Town Council will have to provide written comments to the planning commission by Sept 13.

September 13 – Planning commission reviews council comments, votes on any revisions and initiates the Public Review process (30 days min). Includes SEPA evaluation.

September 27 – Planning commission continues review and discussion of comments and prepares for the public hearing.

October 11 – Planning commission reviews council comments, votes on any revisions, returns the recommendation to town council by Oct 16.

October 16 – Public Review process begins (30 days), during which time a public hearing can be scheduled.

Oct 25 – Planning commission holds public hearing and prepares recommendations to the council.

November 8 – Optional - Planning commission finalizes recommendation to council.

November 14 – Council takes action on planning commission recommendations.

Nov 9, 2023 moratorium expires.

Plan for Preparing Revisions:

1. Review and revise definitions (18.10.190)
2. Review and revise District Use Chart (Appendix A)
3. Review and revise the administrative permit requirements (18.50.080)
4. Prepare a pamphlet of rules for owner and tenants to sign in agreement.
5. Prepare introduction and explanation of the revisions to council.

Twisp Planning Commission

Evaluation of Short Term Rental Housing

Draft of Aug 28, 2023

I. Introduction:

The Twisp Planning Commission (PC) has completed its initial evaluation of the short-term rental a.k.a short-term vacation rental (STVR) housing in Twisp and has prepared the attached documents:

1. List of STVR Problems and Benefits
2. Inventory of STVR's in Twisp
3. List of other similar towns researched.
4. Link to table of research information (Google Docs)
5. Schedule for the Evaluation of STVR's and Code Amendments
6. Twisp Municipal Codes and District Use Chart with proposed changes underlined in red.

As a result of the discussion and development of the above documents, the PC recommends several changes to the current town municipal code. In general, here follows the list of proposed changes, a further explanation of each change can be found below.

- A. Prohibit STVR's in town residential zones. Currently, this is an allowed use and there are currently 2 of these in operation. These 2 uses could continue or be sunset when permit expires or property changes hands. (to be verified by town attorney).
- B. For the STVR's in other zones:
 - a. Increase permit fees and streamline permit requirements.
 - b. Expand the list of owner and guest obligations to add more transparency and increase their understanding and accountability.
- C. Enhance Enforcement and Accountability for Violators.

II. The Process of Evaluation:

On May 9 the town council directed the PC to evaluate the STVR situation and make recommendations for any changes before the moratorium expires on November 9th. Discussion of STVR's began in the flowing PC meeting on May 24, and with one exception has continued bi-weekly for the last 3 months.

As part of the council's direction, the planning commission (PC) was asked to include resident volunteers to form a task force for the research into STVR provisions in other 'like towns'. The data from this research has been largely gathered and organized by categories for a library of information. This library gave the PC options to consider as well as patterns to reinforce changes in Twisp.

One of the first things discussed in the meetings was the list of problems, grievances and concerns of the town members who had negative experiences with STVR's in their neighborhood.

This discussion generated a list of the specific problems (#1 above) and focused our efforts on recommendations that would mitigate these specific problems. The most important concern was the STVR's impact on the availability and affordability of local housing.

Currently, in the town of Twisp, there are 2 STVR units permitted and operating in residential zones and 3 units are permitted and operational in commercial zones (see Inventory # 2 above). One unit is operating in a commercial zone without a permit. There are currently 441 Housing units in Twisp (per HUD), so the percentage of STVR's of the total housing stock is exceedingly small (~1%), and significantly smaller than any of the other towns evaluated. Recognizing that commercial zones allow hotels, motels and multi-family housing, the PC saw no reason to prohibit STVR's in commercial zones. Therefore, the focus of this evaluation has been on whether or not to prohibit STVR's in residential zones (as well as to consider ways to improve the permitting and regulations for all STVR's).

As the research data into other town 's regulations were being developed and loaded into the Town google docs website (thank you Heather!) the meeting discussions focused on the following topics:

- A. The definition of the STVR's to be regulated. It is important to understand that the STVR's do not include hotels, motels, or B&B's, as those uses are regulated separately. Also, STVR's only include rental housing for 30 consecutive days or less. Eventually we agreed to not distinguish between owner-occupied units and non-owner-occupied units to simplify the code and enforcement. So both these uses fall under this same code.
- B. The benefits of STVR's (#1) are real and potentially valuable to seasonal workers, tourists, and visitors, as well as the owners and their families use and financial gain. In discussing these benefits, we considered several points:
 - a. The economic benefit to the town of 2 units (in residential zones) 5 units overall is quite limited in terms of tax, most \$ benefits accrue to the owners.
 - b. Another question considered was if guests would not find other accessible housing if STVR's were prohibited in residential zones. In checking with Kathleen Jordan (Methow Valley Reservations), we learned that most rentals to visitors are near trails. Guests who are seasonal workers usually stay more than 30 days, thus outside the STVR regulations. Firefighters often stay in tents at the SJB or in campgrounds (KOA). In Twisp, lodging is generally less expensive than Winthrop and with few dates excepting, there is ample housing in a range of different types of accommodation in Twisp. In other words, if STVR's were prohibited in residential areas, it would have little impact on housing availability and guest's choices.

- C. The PC recommends the following enhanced list of requirements for STVR owners and guests.
- a. Increase Permit fees as follows:
 - i. Town Permit at \$75, add an endorsement for STVR's for \$250 (In the range of fees in other towns.
 - ii. State Permit leave as is at ~ \$50.
 - b. Review use of the Twisp Land Use Application for an Administrative Permit for operation of a STVR and consider a new endorsement for STVR's which could add fees and other requirements.
 - c. Add or enhanced requirements for owners and their guests. This list grew out of the discussion of the specific problems as well as the learnings from other towns. In general, these provisions fall into the following categories:
 - i. Owner / Manager accessible and available on short notice. Owner agreement to require contact information on guests and vehicles.
 - ii. Guests are required to sign an agreement to comply with a list of general living provisions.

III. Strategies for Enforcement:

Recognizing that Twisp law enforcement is currently constrained, we recommend two ways of monitoring the operation of STVR's.

- One way is to require a site inspection by building and fire officials as a part of the permit review.
- Another way is for the deputy clerk to search the web monthly for rental posts and record the ones with permits and not. This record would be submitted to the council monthly. A series of letters with progressively larger fines could be developed. We have several examples of other towns' notice letters.

IV. Schedule for Evaluation and Resolution of Code Changes

The attached schedule shows the steps to this process more clearly, but the next step is for the council to review and return comments to the PC prior to the PV meeting on Sept 13. At this meeting, the PC will review council's comments and vote on any revisions and initiate the 30-day Public Review and SEPA process. A public hearing must be held, and this is planned on October 16.

On November 14th the PC will issue its final recommendation and on November 14 the council could take action. the moratorium expires on November 9, 2023.

Kathleen Jardin of Methow Valley Reservations has provided information on the current STVR market and she has offered to attend a council meeting and answer questions.

Twisp Planning Commission
Nightly Rental (STVR) Housing Study and Evaluation
Problems and Benefits

Draft for 8.23.23

Specific Problems/ Impacts

- 1 Increased traffic
- 2 Congestion from additional parked
- 3 Noise from tenants
- 4 additional garbage
- 5 Lack of property management
contacts and availability
- 6 Lack of info on occupants
Negative impacts to neighborhood
- 7 - disruptions and lack of
community continuity
- 8 Ownership and use of nightly
rentals reduces the availability of
rental units and home ownership
for local residents

Specific Benefits

- 1 Housing for tourists
- 2 Housing for seasonal workers & firefighters
- 3 Income, local spending and taxes from visitors

Questions

1. Would the prohibition of STVR's in residential zones limit housing for
visitors or seasonal workers?
2. What is the amount of income, tax and expenses significant for all
STVR's in residential zones? Is it material ?

Twisp Planning Commission

Similar Towns Who Have Addressed Short Term Vacation Rentals

Draft of Aug 10, 2023

1. How do we define “similar” towns?
 - a. Similar size (1000-10,000) population
 - b. Similar economy (Recreational tourism including seasonal employees, agriculture)
 - c. Rural Character, and distant from closest metropolitan area

2. Initial List of similar towns:
 - a. Twisp – John
 - b. Winthrop-Jerry
 - c. Cashmere-Susan
 - d. Langley-John
 - e. Leavenworth-Susan
 - f. San Juan county-Jenn
 - g. San Juan Islands (Orcas, San Juan, Lopez)-Jenn
 - h. Chelan Town/County-Mark
 - i. Aspen-Carolee
 - j. Joseph-Carolee
 - k. Sisters-Morgan
 - l. Packwood – Morgan
 - m. Port Townsend – Morgan

Twisp Nightly Rentals / STVR's Inventory and Status

23-Aug-23

	Permit Number	Received date	Approved date	Name	Address	Zoning	Online?	Current		
								Business License	Active	Comment
1	18-02	6/11/2012	2/14/2018	River Pine Cottage	604 Second Ave	R-2	N	Y	Y	small cottage
2	19-01	2/17/2018	10/16/2019	Ravens Nest	101 N. Glover	C-1	Y	Y	Y	Apartment above 1908 BBQ
3	18-01	1/4/2018	2/8/2018	Twisp Pub House	135 W. Twisp Ave	C-1	Y	Y	Y	House on corner of Twisp and Johnson owners use as vacation home
5	22-01		9//9/22	Peruzzi Nightly Rental	510 W Twisp Ave	R-3	N	Y	?	Renting primarily to friends and family when visiting
	N/A	N/A	N/A	Lauren Linnell	919 E. Methow Valley Highway	C-3	Y	N	Y	Have sent two enforcement letters

STRV'S In Commerial Zones 2

STVR's In Residential Zones 3

Total STVR's 5

Twisp Planning Commission

Proposed Revisions to Twisp Codes for Short Term Rental Units

Draft from Meeting on Aug 23, 2023

Black text is the existing code, underlined and red text indicates proposed changes.

18.10.140 “N” definitions.

~~“Nightly rental” means tourist accommodation in guest houses, recreational homes or cabins, or part-time residential homes; see also TMC 18.10.150 “Overnight accommodation” and “Overnight rental.”~~

18.10.150 “O” definitions.

~~“Overnight accommodation” means a single family residential dwelling unit or portion thereof, other than approved hotels, motels, inns or bed and breakfasts, rented on a nightly, weekly, or other basis less than month to month rental. Such uses may be within a single family home, an accessory dwelling unit, condominium, multifamily or mixed/commercial use building and generally have an owner/occupant, on-site management or contact.~~

~~“Overnight rental” means a single family residential dwelling unit on an individual lot, other than approved hotels, motels, inns or bed and breakfasts, rented on a nightly, weekly, or other basis less than month to month rental. Such uses may be within a single family home, an accessory dwelling unit, condominium, and multifamily or mixed use/commercial building. Such uses are usually booked through a service or direct contact with owner and do not have on-site management. (Ord. 669 § 1, 2013; Ord. 632 § 1, 2011; Ord. 620 § 2(15), 2010)~~

18.10.190 “S” definitions.

“Short-term vacation rental” (STVR) describes a single-family residential dwelling unit on an individual lot, (not including approved hotels, motels, inns or bed and breakfasts, which have life safety standards), and which is rented on a nightly, weekly, or other basis for less than 30 continuous days. Such uses may be within a single-family home, an accessory dwelling unit, a condominium, an apartment, a room in a home or a multifamily or mixed use/commercial building. Such uses are usually booked through a service, an internet site or direct contact with the owner and may or may not have on-site management.

Appendix A District Use Chart

Uses of land in Twisp are regulated based on the primary or principal use of the land and/or structures occupying the land. In commercial and light industrial zones (excluding airport industrial) uses incidental, secondary, accessory or appurtenant to the primary or principal use of the land and/or structure do not have to be listed in the use chart as an allowed use in order to be allowed providing such uses do not represent a significant (greater than 30 percent) percentage or portion of use or activity and do not alter the appearance and overall use of the land and/or structure. Such uses must complete an impact assessment checklist and may be conditioned by the administrator to mitigate potential noise, dust and other impacts to adjoining properties.

Uses not listed: uses not listed in the district use chart may be allowed if they comply with the general and specific performance standards and with any special regulations that apply to the zoning district in which the use is proposed. The district use chart is not a prescriptive list of all allowed or disallowed uses, but a comprehensive list of examples.

LEGEND:

A = Allowed Use

P = Prohibited Use

AP = Allowed; ~~Administrative~~ Permits Required PD = Planned Development Permit Required CUP =

Conditional Use Permit Required

BSP = Binding Site Plan

	R-1	R-2	R-3	C-1	C-2	C-3	C-R	I	AIR	PU
Overnight accommodations	AP	AP	AP	AP	AP	AP	AP	P	P	P
Overnight Short-term vacation rentals (STVR's) (Previously AP)	P	P	P	AP	AP	AP	AP	P	P	P

18.50.080 Administrative permits.

(4) Conditions of Approval. In order to mitigate anticipated impacts of a proposed use or support a finding of fact or prevent and abate public nuisances associated with any project for which an administrative permit is requested, the administrator shall have the authority to require compliance with conditions and safeguards deemed necessary to mitigate the anticipated impacts of a proposed use, based on the findings of fact (per subsection (3)(b) of this section). Such conditions may be imposed that could increase requirements in the standards, criteria, or regulations of this title or other town legislation or adopted policies. Project proponents may submit plans for proposed alternative means of mitigation impacts for review by the town. No administrative permit shall require, as a condition, the dedication of land for any purpose not reasonably related to the use of property for which the administrative permit is requested, nor posting of a bond to guarantee installation of public improvements are reasonably related to the use of property for which the administrative permit is requested.

The following conditions must be met prior to approval of an administrative permit for ~~overnight accommodation and overnight short-term vacation~~ rentals. Compliance with said conditions is required on an annual basis. Noncompliance may result in revocation of permit.

Requirements for Property Owners for Approval of Administrative Permit:

1. Town business license
2. State business license
3. Okanogan County Health District permit as appropriate
4. Annual license renewal
5. Owner shall identify location of advertising (Airbnb, etc.) on permit application.
6. STVR permits are not transferable with the property.
7. Any lapse in business license (annual) may (will) result in revocation of administrative permit.
8. Health and safety inspections of the residence are required by building and fire officials.
9. Adequate parking space must be provided for guests on the premises. No parking is allowed on public right-of-way.
10. Name and contact info for the local owner or site manager must be posted on-site in an accessible area.
11. The owner or site manager must be available 24 hours a day 7 days a week and must be available to respond to complaints and emergencies and arrive at the STVR within 20 minutes at all times during the rental period.
12. The owner shall require all guests to provide the owner/manager with names and contact information for each guest, and vehicle license(s).
13. A sign for an STVR shall be no larger than 2 sq. ft., wall mounted with indirect down lighting that does not interfere with neighboring residents.
14. Repeated violations of these requirements will result in the loss of the license.
15. By signature below, the owner agrees to these terms and agrees to enforce the following general living provisions. By signature, the owner also agrees to require each guest to sign an agreement to comply with these provisions.

Signed by Owner -----

General Living Provisions for Guests:

1. Outside amplified sound shall not be allowed at any time associated with the STVR
2. No outdoor fires are permitted (exceptions would be propane-fired fire rings).
3. Small, informal noncommercial gatherings of family and friends of STVR guests are permitted, provided the gatherings are not a disturbance to the surrounding neighborhood.
4. Guests shall be subject to Town of Twisp Health and Safety Municipal Code 8.05 which governs nuisances, noise, garbage and pets' management.

Signed by guests _____



Local Parks Maintenance Program Applicant Authorization and Electronic Signature

Organization Name (sponsor) _____

Resolution No. or Document Name _____

Project Number and Name _____

This resolution/authorization authorizes the person(s) identified below (in Section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS grant assistance is requested by our organization to aid in financing the cost of the Project referenced above;

NOW, THEREFORE, BE IT RESOLVED that:

1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project."
2. Our organization authorizes the following persons or persons holding specified titles/positions (and subsequent holders of those titles/positions) to execute the following documents binding our organization on the above projects:

Grant Document	Routing Order	Name of Signatory and Title of Person Authorized to Sign	Email Address
Grant application (submission thereof)			
Project contact (day-to-day administering of the grant and communicating with the RCO)			
Agreement/amendment approver ¹			
Agreement/amendment approver			
Agreement/amendment approver			
Agreement/amendment approver			
RCO Grant Agreement signer ²			
Agreement amendments signer ²			

The above persons are considered an "authorized representative(s)/agent(s)" for purposes of the documents indicated. Our organization shall comply with a request from the RCO to provide updated documentation of authorized signers, if needed.

3. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative(s)/agent(s) have full legal authority to act and sign on behalf of the organization for their assigned role/document.
4. Grant assistance is contingent on a signed Agreement. Entering into any Agreement with the Office is purely voluntary on our part.
5. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the Agreement, the characteristics of the project, and the characteristics of our organization.
6. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
7. Our organization acknowledges that the grant will only be used for maintenance of local park property owned by our organization.
8. This resolution/authorization is deemed to be part of the formal grant application to the Office.
9. Our organization warrants and certifies that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises, and obligations set forth herein.

This resolution/authorization is signed and approved on behalf of the resolving body of our organization by the following authorized member(s):

Signed _____

Title _____ Date _____

On File at: _____

This Applicant Resolution/Authorization was adopted by our organization during the meeting held:

Location: _____ Date: _____

¹ **Agreement/Amendment Approver:** refers to an individual or several individuals who review and approve the electronic document and contacts RCO if corrections are needed. The approver does not sign the document. You may add more than one approver but please designate the order for routing purposes.

² **RCO Grant Agreement/Agreement Amendments Signer:** refers to the individual who must officially sign the document with an electronic signature and may be required to enter data such as title, date, agency name, etc. into fields. The signer of Agreements may differ from the individual who is delegated to sign Amendment documents, but we can only accept one signature per document.

WARRANT/CHECK REGISTER

Town Of Twisp

Time: 12:29:36 Date: 09/12/2023

08/23/2023 To: 09/12/2023

Page: 1

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
1864	08/25/2023	Claims	1	EFT	ST of WA Dept. Revenue	7,269.07	
1971	09/12/2023	Claims	1	38052	Alpine Welding and Equipment Inc.	238.14	
1972	09/12/2023	Claims	1	38053	Cascade Pipe & Feed Supply, Inc	892.20	
1973	09/12/2023	Claims	1	38054	CenturyLink Communications, LLC	400.84	
1974	09/12/2023	Claims	1	38055	Code Publishing Company, Inc.	53.27	
1975	09/12/2023	Claims	1	38056	Columbia Cascade Plumbing Inc	3,097.95	
1976	09/12/2023	Claims	1	38057	Correct Equipment	5,759.36	
1977	09/12/2023	Claims	1	38058	Kurt E. Danison	1,970.01	
1978	09/12/2023	Claims	1	38059	Lindsey Darby	50.00	
1979	09/12/2023	Claims	1	38060	Department of Ecology	2,302.00	
1980	09/12/2023	Claims	1	38061	EcoPlan & Design	725.00	
1981	09/12/2023	Claims	1	38062	Eurofins Cascade Analytical	745.00	
1982	09/12/2023	Claims	1	38063	H.D. Fowler, Inc.	1,426.36	
1983	09/12/2023	Claims	1	38064	Hank's Market	89.98	
1984	09/12/2023	Claims	1	38065	Kaley & Tyler Johnsen	50.00	
1985	09/12/2023	Claims	1	38066	Angela Layne	50.00	
1986	09/12/2023	Claims	1	38067	Methow Conservancy	50.00	
1987	09/12/2023	Claims	1	38068	Methow Valley News Publishing LLC	2,598.23	
1988	09/12/2023	Claims	1	38069	Methownet.com	447.00	
1989	09/12/2023	Claims	1	38070	PUD No 1 of Okanogan County	6,001.19	
1990	09/12/2023	Claims	1	38071	Planet Turf	1,222.88	
1991	09/12/2023	Claims	1	38072	Quality Lube Corporation	221.99	
1992	09/12/2023	Claims	1	38073	Quill	81.18	
1993	09/12/2023	Claims	1	38074	RC Delivery, Inc.	150.00	
1994	09/12/2023	Claims	1	38075	RRRaceway Auto/Locksmith	1,214.08	
1995	09/12/2023	Claims	1	38076	Dave Rodriguez	500.00	
1996	09/12/2023	Claims	1	38077	Theresa A Ruggiero	328.15	
1997	09/12/2023	Claims	1	38078	Securitas Electronic Security, Inc.	479.37	
1998	09/12/2023	Claims	1	38079	Shred-it	49.01	
1999	09/12/2023	Claims	1	38080	Twisp Auto Parts	26.14	
2000	09/12/2023	Claims	1	38081	US Bank	837.67	
2001	09/12/2023	Claims	1	38082	Valley Hardware Do It Center	516.96	
2002	09/12/2023	Claims	1	38083	Varela & Associates, Inc	550,609.59	
2003	09/12/2023	Claims	1	38084	Verizon Wireless	665.69	
2004	09/12/2023	Claims	1	38085	W. Scott DeTro	4,505.30	
2005	09/12/2023	Claims	1	38086	WasteWise Methow	872.02	
2006	09/12/2023	Claims	1	38087	Weinstein Beverage Corp	734.73	
2007	09/12/2023	Claims	1	38088	Wilson Engineering	355.50	
001 General Fund						17,505.97	
101 Street Fund						904.78	
102 Transportation Benefit District						14.96	
103 Tourism 2%						611.90	
401 Water Fund						15,943.00	
404 Sewer Fund						11,995.66	
407 Collection System Improvements						550,609.59	
* Transaction Has Mixed Revenue And Expense Accounts						597,585.86	
							Claims: 597,585.86

WARRANT/CHECK REGISTER

Town Of Twisp

Time: 12:29:36 Date: 09/12/2023

08/23/2023 To: 09/12/2023

Page: 2

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
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CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described and that the claim is a due and unpaid obligation against the Town of Twisp and that I am authorized to authenticate and certify to said claim.

Clerk/Treasurer _____ **Date:** _____

Council Signatures:

Hans Smith _____

Mark Easton _____

Alan Caswell _____

Aaron Studen _____

Katrina Auburn _____

61,227.79 Payroll:	61,227.79
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WARRANT/CHECK REGISTER

Town Of Twisp

Time: 12:29:06 Date: 09/12/2023

08/23/2023 To: 09/12/2023

Page: 2

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
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CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described and that the claim is a due and unpaid obligation against the Town of Twisp and that I am authorized to authenticate and certify to said claim.

Clerk/Treasurer _____ **Date:** _____

Council Signatures:

Hans Smith _____

Mark Easton _____

Alan Caswell _____

Aaron Studen _____

Katrina Auburn _____

Town of Twisp

Council Minutes – 04/10/23

Mayor Ing-Moody called the meeting to order at 5:31 pm.

Council Members present: Mayor Ing-Moody
Alan Caswell
Katrin Auburn
Hans Smith
Mark Easton

Council Member absent: Aaron Studen

Pledge of Allegiance

Council Member Smith led the Pledge of Allegiance.

Request for Additions or Deletions to the Agenda

Public Comment Period: Up to Three Minutes

Morgan Sicilia –

Ms. Sicilia thanked everyone on the huge amount of work being done regarding housing. She commented that these are the last few months to think about nightly rentals. She urged the Council to act before the Housing Action Plan comes out. Ms. Sicilia stated that she is worried that if some action is not taken, the moratorium will expire and just go away. She mentioned that there is a lot of housing in the works, and she does not want it to turn into nightly rentals. Ms. Sicilia said that this needs action and a thoughtful approach. She said that she has a lot of questions about the HAP but will be holding comments until she knows more.

Barry Stromberger-

Mr. Stromberger apologized for not doing more homework, but stated that he is frustrated that we can't give any comment after the HAP is ready. Mr. Stromberger stated that two years ago residents on Burgar street submitted comments against nightly rentals on that street and a moratorium was passed. When it was going to expire it was extended for another 6 months, but no action has been taken on that issue since. He stated that it is a concern that we have no concrete policy and the second moratorium is going to expire before the HAP is in place. Mr. Stromberger asked the Town to find the funding for more planner hours, and the funding should also include expanding staff.

Mayor Ing-Moody responded that there will be public comment period and this is just the first presentation to the public. There will be two meetings and you can attend both of those meetings. One is for Twisp, and one is for Winthrop.

Virtual Comments:

Isabelle Spohn –

* I have two concerns tonight: First, on the Nightly Rental moratorium, and then details of how the general public will be included in the HAP Public Survey and Public hearing,. Regarding the moratorium:
* I'M CONCERNED THAT THE TWISP NIGHTLY RENTAL MORATORIUM expires on May 22 or 23, which is before the date we've heard the Housing Action Plan might be implemented. Should that occur, much of the good this HAP creates could be quickly erased. Should the numerous housing developments listed in Appendix C materialize - and a portion of these homes be bought for the purpose of nightly rentals - not only would neighborhoods lose their integrity, but taxes could skyrocket for current residents, causing homes to be sold by residents who can no longer afford to live here...defeating the whole purpose of the Housing Action Plan . I urge the Town Council to immediately formulate a plan on the nightly rental issue to be implemented before the moratorium expires. This could require deliberations, hearings, and legal notice deadline..... and time is very short, 5-6 weeks. However, according to MRSC, the more probable case is that the moratorium **can** be extended. In quoting RCW 36.70A. 390, MRSC states that: **" A moratorium/interim zoning regulation may be effective for no longer than six months or up to a year if a work plan is delayed for related studies. It can also be renewed in additional six-month periods as long as a subsequent public hearing is held prior to each renewal."** I urge the town to immediately **determine whether or not the moratorium can be extended.** And if it can't be extended, there's nothing keeping the town from using the information gathered so far to pass an appropriate ordinance at this point. I'd also appreciate information on how the public will be included I the public surveys and the pubic hearings. * How will participants receiving the Twisp survey be identified? * Will tenants in addition to landowners be able to participate? *Will the public hearings for Twisp and Winthrop be separate? If so, how will residents outside the towns be included in either the pubic hearing or the public survey? * Will the public have a chance to ask questions before the public hearing is held? * Finally, the public needs some dates soon in order to be sure we're able to participate in all these activities. Thanks for your time.

Presentation: Housing Action Plan – Tom Beckwith, Beckwith Consultants-

Tom Beckwith gave a presentation on the Housing Action Plan. The presentation is available upon request at Town Hall.

Mayor Ing-Moody:

Can you walk us through the next steps? Do you have any recommendations on overcoming the lack of investor interest in multifamily homes?

Mr. Beckwith responded that the next steps would be finalizing the HAP which will end up being 120 pages. The HAP will list every task that can be considered, and it will include an analysis of the financial incentive programs. It will be done, or at least be a draft, by the end of April. There will be an Open House sometime during May, as well as a survey that will be sent out slightly before the Open House. The survey will take about three weeks to complete as it is being mailed out. Everything should be complete formally by the beginning of June. Mr. Beckwith stated that developers usually operate in a

comfortable niche and do not operate outside of that niche unless they have reassurance that they will make a reasonable profit, so to get more investor interest in multifamily homes in town the Town would need to give that reassurance.

Council Member Easton:

Would the open house help the survey participants by having more information? Will the HAP address immediate needs or will it address future needs and how far in the future would it go? Would the action plan address nightly rentals and what has been your experience with the impact of nightly rentals in other towns? Would there be changes to R1 zones as well as to R2 and R3 zones? In your experience with a Town our size, who in the Town government does all the work?

Mr. Beckwith responded there is an advantage to having an open house before a survey as it does give more information, but he would like to start the survey shortly before the open house to get the word out about it. He plans to mail out the surveys slightly before the open house. Mr. Beckwith stated that the Hap will address both the immediate needs and future needs. The HAP is being created to back up the housing element of the comprehensive plan which looks twenty years out, so the HAP will do the same. The HAP would and would not address nightly rentals. Mr. Beckwith stated that to properly address nightly rentals he would need to get data from Roomone, as they were working on a study, and other single night rental agencies within the valley, such as Airbnb. Nightly rentals do take certain products off the rental market. So, if the nightly rentals are inside of town, it can negatively affect the market, but if they are on the outskirts of town there is not a huge impact. Mr. Beckwith stated that the HAP will identify each zone and see what could be changed for the better. As for who does the work, Mr. Beckwith said that usually the Town Planner would. He also said that we are the highest funded town our size.

Council Member Smith:

Who is the loan with that funded the HAP?

Mr. Beckwith responded that the loan was through the DOC and the Housing Finance Commission, but the Town would be the granted agency.

Adjournment

There being no further business to come before the Council, Mayor Soo Ing-Moody adjourned the meeting at 7:21 pm.

APPROVED:

Mayor Soo Ing-Moody

ATTEST:

Clerk/Treasurer Randy Kilmer

Town of Twisp

Council Minutes – 04/11/23

Mayor Ing-Moody called the meeting to order at 5:32 pm.

Council Members present: Mayor Ing-Moody
Aaron Studen
Alan Caswell - Remote
Katrin Auburn
Hans Smith
Mark Easton

Council Member absent: NONE

Pledge of Allegiance

Council Member Studen led the Pledge of Allegiance.

Request for Additions or Deletions to the Agenda

- **Discussion/Action: Resolution #23-704 – USDA Loan Resolution Civic Building**
- **Discussion/Action: Arbor Day Proclamation 2023**
- **Discussion: Nightly Rentals**

Public Comment Period: Up to Three Minutes

Mark Edson:

Mr. Edson commented that he had overheard a conversation at the end of the last council meeting, whereby he claims a member of staff tried to get the Council's position on something and was concerned by the cavalier response. Mr. Edson expressed his opinion that that the Councilmember did not represent the Town well; he is concerned especially with the important decisions facing the council. He asked the Council if they would be listening to the people and respond accordingly moving forward.

Virtual Comments

Ellen Aagaard:

Ms. Aagaard commented that she has several ideas following the HAP presentation and that she had learned about a lot of different types of housing and the importance of housing to meet the various needs. She called upon the council to address the town's highest priorities, which she stated are long term rentals, affordable housing, ADUs, as well as retaining and maintain existing housing stock. She also addressed the importance of hearing from everyone. This includes those who own and live in single family residences. When making decisions about zoning and development she stated that it is important to hear from all the voices. She encouraged the Council to create discussion formats that invite participation from everyone, including outlying communities.

Mayor's Report

Mayor Ing-Moody did not give a report as she would speak as things arise in the agenda items.

Staff Reports

Director Denham reported that he has received an application for the Pool Manager position and will be setting up an interview soon as the deadline for being able to open the pool is closing very soon. FOP will be doing the training for lifeguard positions. There will be a chipping drive on May 1st and May 2nd that will be advertised in the paper to get the word out. Director Denham stated that Public Works will be trading in the John Deer tractor and purchasing a new one as the costs of repairs has gone up in recent years. He also reported that there has been more trash, and vandalism at the park this year as people are dumping their garbage into the cans. He believes the park has turned into an unofficial off leash dog park and people are not being picking up after the pets as they should. Director Denham said that the Town wants people to enjoy the park and urges the community to self-regulate.

Mayor Ing-Moody added that the Town is asking the community to pick up after their dogs at the park as this has always been expected of dog owners but has become an issue. She noted that young children play at the park and that it is not okay for the park to be treated as a litter box.

Commission/Committee/Board Reports

No reports were given.

OLD/NEW BUSINESS

Discussion/Action: Resolution #23-703- Personnel Policy Revision- Sick Leave Sharing

Clerk Kilmer said that this is a revision request for sick leave sharing. He noted that there have been times when employees have had no sick leave available to them when a medical emergency arises and this change would enable an employee to benefit from enabling another employee to donate sick leave.

Council Member Smith made a motion to approve Resolution #23-703, Council Member Easton seconded the motion. The motion passed unanimously.

Discussion/Action: Fire District 6/Town of Twisp- Interlocal Agreement for Annexation

The Public Safety Committee has been working on this agreement for a long time. He shared that Fire Commissioners approved the agreement last night and that legal counsel has reviewed it as well. The agreement does require both agencies to pass it for it to go onto the ballot.

Council Member Smith made a motion to approve the agreement and proceed to voters for approval of annexation, Council Member Studen seconded the motion. The motion passed unanimously.

Discussion/Action: Resolution #23-704 –USDA Loan Resolution Civic Building

Clerk Kilmer stated that as he was wrapping up the funding paperwork and it was brought to his attention that this resolution should have already been passed. He noted that the Town is not obligated to anything more or less than what was already agreed to and that this is simply paperwork needed to complete the closeout; closeout meaning to receive final reimbursement.

Council Member Smith made a motion to adopt Resolution #23-704, Council Member Auburn seconded the motion. The motion passed unanimously.

Discussion/Action: Arbor Day Proclamation 2023

Clerk Kilmer stated that this is an annual proclamation that the Town makes since Twisp is an Arbor Tree City.

Council Member Caswell made a motion to approve Arbor Day Proclamation, Council Member Auburn seconded the motion. The motion passed unanimously.

Discussion: Nightly rentals

Council Member Easton said that he has questions about where the Town is in regard to nightly rentals. After the presentation from Tom Beckwith, he understood that the HAP would not address them with a definitive answer. Council Member Easton stated that the moratorium runs out in a month, and asked what next steps and options might look like. He wanted the community to know and have their voices heard, including potentially extending the moratorium. He mentioned that statistics generally show that seven percent of housing stock as rentals is generally considered healthy and that the Town appears to be lower, possibly at four percent. He questioned whether this number should be higher before action is taken to properly assess between nightly and long-term rentals.

Mayor Ing-Moody responded stating that the HAP recommendation will not address nightly rentals fully. For that reason, and due to current public sentiment on the matter, it does warrant further conversation with the Council since it has been expressed that the moratorium could be extended for another 6 months, and it would be prudent to verify if that is an option. Mayor Ing-Moody stated that the Town will provide another time, possibly at the next meeting, for community members to speak on this issue, but that this opportunity is being presented to begin council conversation on the matter.

Council Member Studen stated that he does not think abandoning nightly rentals completely is the way to go. Transient accommodation provides economic viability, but he does think there needs to be a limit put on it. This limit should combine where they are located and how many can be there. Council Member Studen said that the topic should be given to the Planning Commission so they can have brainstorming sessions to generate a starting point. He also stated that what he has been hearing from people is that they are concerned about keeping the neighborhood feeling.

Council Member Auburn stated that when this first became an issue last year the main concern was zoning. In his presentation last night, Beckwith mentioned looking at and rezoning Twisp because things have changed. She stated her belief that nightly rentals should be allowed in commercially zoned areas. She stated that another issue of owner present versus owner occupied as there is currently exclusion of owner-occupied nightly rentals in the moratorium.

Council Member Smith stated that he is thinking about the issues procedurally. The questions and ideas the Council has he believes are good and that there is a lot of work to be done prior to adopting a policy rather than a moratorium and noted that the Council planned on reengaging with the Planning Commission as it has been six months since the meeting in October where they shared what they would be working on for the year. He stated the importance for the Council not to overstep the Planning Commission. He also stated that he does not think the Town will be prepared before the expiration of the moratorium to decide, and suggested extending it first then proceed once the work is done. If that cannot be done the Town should come up with an interim policy. He stated he supports continuing the moratorium if the Town is legally able to, but at the next council meeting he would like to see what the options are.

Council Member Caswell asked if there was an inventory of nightly rentals.

Mayor Ing-Moody responded that there is an inventory provided by the planner and will have it available for Council at the next meeting. Staff will also research the legality of extending the moratorium. She asked Council Members to let her know if they would like any other information before the next meeting so staff can compile it in advance. She stated the importance of being fully informed of all the facts before making any decisions and that this matter will be continued at the next Council meeting.

Consent Agenda

- Accounts Payable/Payroll

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the Town Council. The following voucher/checks are approved for payment by a majority vote on this 14th day of March 2023.

Accounts Payable	Checks #37743-37777	\$83,300.77	04/11/23
Payroll	EFT Trans 651-674	\$69,384.45	04/11/23

Council Member Caswell moved to approve the consent agenda as presented. The motion was seconded by Council Smith and passed unanimously.

Adjournment

There being no further business to come before the Council, Mayor Ing-Moody adjourned the meeting at 6:18 pm.

APPROVED:

Mayor Soo Ing-Moody

ATTEST:

Clerk/Treasurer Randy Kilmer

Town of Twisp

Council Minutes – 05/09/23

Mayor Ing-Moody called the meeting to order at 5:33 pm.

Council Members present: Mayor Ing-Moody
Mark Easton
Alan Caswell
Katrina Auburn
Hans Smith
Aaron Studen

Council Members absent: none

Pledge of Allegiance

Council Member Smith led the Pledge of Allegiance.

Request for Additions or Deletions to the Agenda

- Discussion/Action: Resolution #23-707 – Aviation Grant Match
- Discussion/Action: TranGo Ground Lease

Public Comment Period: Up to Three Minutes

Paula Mackrow:

Commented on the matter of short-term rentals. She believes that the Housing Action Plan (HAP) was supposed to address nightly rentals but is now understanding that the consultant is not focusing on this item. She believes this is a required element of the grant that has not been addressed and is wondering what staff or committee is managing this grant/project. She also feels that the “unhoused” in the Methow valley are not being given adequate opportunities to participate in the HAP.

Isabelle Spohn:

Believes that the public participation portions of the HAP, specifically the survey, should include both Carlton and Methow zip codes. She referenced a document she requested be sent to the council with Commerce guidance to develop anti-displacement strategies. She continued that it has been a year since the public asked council to create a “board” to deal with the “housing crisis” and urged the council to not waste time to accept offers of help. She feels the Town is overloaded and understaffed and needs to find funding for a full-time planner.

Barry Stromberger:

Commented that he had submitted a volunteer application to the Town and shared some of the items from his cover letter. He encouraged the council to pass a motion to create a citizen’s committee or “citizen’s focus group” per HAP guidance language. This group would help in whatever town deems as urgent areas of concern. He thanked Council for their time and devotion to the Town.

Mayor Ing-Moody noted that the Town has committees in place; and that they are fully staffed at this time. She suggested that if the Commission would like to further engage volunteers that this could be done in a more timely manner by creating a short-term special task force to address the particular issue instead of developing a new committee.

Mayor's Report

Mayor Ing-Moody reported that the Town and Okanogan County Sheriff's Office has approved an agreement for police coverage in Twisp. In the interim, the town continues to seek viable candidates for the Police Chief position and has spoken to a number of Police Chiefs to seek their guidance in attracting an appropriate candidate.

Staff Reports

Clerk Kilmer reported that it may be necessary to hold a special meeting the following week to approve an ordinance to finalize the Civic Building interim financing. He has worked with USDA and North Cascades bank to find an agreeable solution in closing the interim financing after the set maturity date; he will work to set up a special meeting next week, if needed.

Sheriff Budrow reported that the Okanogan County Sheriff's Office (OCSO) is in an unprecedented rebuilding phase both with officers and corrections staff. He reported that Twisp calls will be handled by a call-by-call basis, and residents are directed to call 911 for emergencies, and the OCSO non-emergency line for any other needs. OCSO and Twisp have been working together to work out logistics for this interim period.

Director Denham reported that subsequent funding for the Collection Systems Improvement project through USDA appears to be very favorable. Twisp staff are working with USDA to provide anything they might need to complete the funding application. He had spent quite a bit of time last week dealing with the high water in the Twisp and Methow rivers, preparing a flood prevention operation staged on Maygers street to protect the mobile home park if flooding were to have begun. Pool repairs are being completed by public works staff. New Pool Manager, Thor Tyson, is doing an excellent job and working with the Friends of the Pool to get the lifeguard staff ready for pool opening. Public works staff will begin work with Winthrop public works on the joint chip seal project starting next week. The chipping drive was a huge success with more volume and participation than in previous years. Given this large turnout, public works staff will allot more time for next year's drive.

Commission/Committee/Board Reports

Council Member Caswell reported that Planning Commission Chair, John Battle, was present to give an update to the council on Planning Commission progress and priorities.

Council Member Caswell reported that he had attended OCOG's meeting where countywide flooding was discussed as well as progress on the regional transportation plan.

Council Member Auburn thanked Sheriff Budrow for attending the meeting and for OCSO's quick work to aid Twisp. She attended the Twisp Airport Advisory Board (TAAB) meeting wherein, runway chip sealing, snowblower repairs, and the pancake fly in breakfast scheduled for 07/09/23 were discussed.

Public Hearings

Ordinance #799 – Milltown LLC Annexation

Mayor Ing- Moody opened the public hearing at 6:10pm to discuss Ordinance #799 Milltown Annexation.

Mayor Ing-Moody requested any comments or discussion from the Town Council

Council Member Smith reported that the Finance Committee had discussed the ordinance in their meeting today and that they had concerns it did not correctly reference what was agreed to in the executed pre-annexation agreement. They directed legal counsel to investigate it and make any changes as needed. For that reason, he requested the council not take action on this item tonight and bring it back at a subsequent meeting.

Mayor Ing-Moody asked if anyone from the public would like to provide comment.

Ellen Aagaard provided the following comment in writing in advance of the meeting:
Hello Mayor Moody and Twisp Town Council,

The following is a brief summary of my comments regarding the proposed Milltown Annexation:

I am in favor of approving this annexation request for the following reasons:

1. The proposed Milltown development has genuine potential to help meet genuine housing needs in Twisp (and for Methow Valley residents more generally) because it:

- Prioritizes building market-rate, long-term rental units, with a focus on one-bedrooms, which is currently the greatest housing need in the Methow Valley (and in Okanogan County more generally)
- Will be built by a single developer, allowing for greater affordability due to economies of scale
- Includes cost-saving measures such as partial off-site manufacturing and energy efficient building materials, allowing for greater affordability of the end product.

2. The proposed Milltown annexation is appropriately zoned R-3 because it:

- Is in alignment with adjacent properties also zoned R-3
- Allows for some (potentially) more affordable "middle housing" options such as duplexes and triplexes
- Allows for services, such as child care and assisted living, that can be beneficially integrated with other housing needs, such as senior housing and housing for young families
- Allows for multi-family dwellings, which can provide more flexible housing options for seniors, seasonal workers, and new residents

And I have the following concern about this annexation request:

The proposed Milltown development is dense, and would be on the edge (or future edge) of town, further away from services such as the library, post office, community center, Room One, Twisp Works. Milltown would also be further away from most parks and public green spaces in Twisp; access to parks and green spaces is particularly important for denser developments.

Currently, most neighborhoods in Twisp are within a half mile of some park, trail or green space such as Twisp Park, Twisp Commons Park, or the Salmon Rearing Ponds. The one exception to this is the Burton-Riverside neighborhood, which is almost exactly a mile from Twisp Park, via Burton Street, Highway 20, and Canyon Street; this is also a very pleasant walk due to a good crossing at Highway 20 and low-traffic neighborhood streets.

The nearest existing park facility to the proposed Milltown development, the Sportsfield Complex, is almost exactly a mile away, but it can only (currently) be accessed via Airport Road, which is not a pleasant road for walking.

In order to ensure that future Milltown Residents also have access to parks and green spaces, and pleasant places to walk and bike, I urge you to consider the following:

1. Prioritize new park facilities that will serve neighborhoods at the south end of town, including the Burton-Riverside neighborhood and the potential Milltown development. One such opportunity that exists right now, and could be developed using town funds, is the Burton Street End River Access Point. Please include development of the Burton Street End River Access Point as a near-term (2023/24) priority in the updated Facilities Plan.
2. Make sure that the park facilities and green spaces included in the Milltown development proposal are truly usable and maintainable, whether they are held within the development or dedicated to the Town of Twisp.
3. If a trail connecting the end of Riverside to the Sportsfield complex is not a realistic project, logistically and/or financially, explore the possibility of making Airport Road a safer and more comfortable place to walk and bike through the addition of wider graveled shoulders, or dedicated bike lanes.
4. Reduce speed limits within the Town of Twisp to 25 mph for all areas, increasing safety for all users and making it more pleasant and comfortable to walk and bike on all streets.

Thank you for taking the time to listen to my public comments, and, as always, for your thoughtful and forward-looking decision making.

Best,

Ellen Aagaard
1 Isabella (in Twisp)
206-375-9083

After everyone had apparently been heard, mayor Ing-Moody closed the public hearing at 6:14 PM.

Ordinance #800 – Renewal Nightly Rental Moratorium

Mayor Ing- Moody opened the public hearing at 6:15pm to discuss Ordinance #800 Renewal Nightly Rental Moratorium.

Mayor Ing-Moody requested any comments or discussion from the Town Council.

There being no comments from the Council, Mayor Ing-Moody opened the hearing to the public for comments.

Paula Mackrow commented that Planner Danison's report on current permits and status was very helpful, but she was unclear on what was being suggested or proposed in the redlines in that report. She hopes the council is not adopting anything implied in that report and that the Planning Commission does not use it as a starting point. She is concerned with generalized zoning overlays for nightly rental zoning. She is willing to volunteer to assist in researching this issue.

Barry Stromberger is concerned that it's been a year since the moratorium was put into place and nothing has happened. He said that he has stepped forward to make himself available as a volunteer to aid the Planning Commission. He feels the info is out there and that they don't need to "reinvent the wheel". He is concerned that six months is not enough time to adequately address the issue.

Isabelle Spohn expressed that she is frustrated that the community has offered their volunteer assistance but has not been taken up on their offer. She had been told that the Housing Action Plan will address the nightly rental issues but has since learned that the Housing Action Plan will not specifically address this matter. She feels there is no other option but to extend the moratorium to give time for appropriate policies to be adopted. She hopes the Council has heard the public offers to assist and looks forward to future discussions and public input.

After all commenters had apparently been heard, Mayor Ing-Moody requested for a council motion.

Council Member Easton motioned to approve Ordinance #800 – Renewal Nightly Rental Moratorium. The Motion was seconded by Council Member Caswell and passed unanimously.

Mayor Ing-Moody closed the public hearing at 6:24 PM

Resolution #23-705 – 2024-29 Capital Facilities Plan

Mayor Ing- Moody opened the public hearing at 6:24pm to discuss Resolution #23-705 – 2024-29 Capital Facilities Plan.

Mayor Ing-Moody requested any comments or discussion from the Town Council.

There being no comments from the Council, Mayor Ing-Moody opened the hearing to the public for comments.

Paula Mackrow asked Director Denham to clarify the population assumptions for the Wastewater Treatment Plant expansion.

Director Denham explained that it's not designed to an exact number, but rather estimated to consider a 20-year buildout at 2.5% annual population increase. He stated that in reality the population growth has been slower than that, so the facility will likely outlive 20-year growth projections.

After all commenters had apparently been heard, Mayor Ing-Moody requested for a council motion.

Council Member Smith motioned to approve Resolution #23-705 – 2024-29 Capital Facilities Plan. The Motion was seconded by Council Member Studen and passed unanimously.

Mayor Ing-Moody closed the public hearing at 6:28 PM.

OLD/NEW BUSINESS

Discussion/Action: Planning Commission Update – John Battle, Planning Commission Chairman

The Council invited Planning Commission (PC) Chairman John Battle to give an update on PC progress and priorities.

Chairman Battle related that the PC's priorities are to evaluate permits that require public process. The PC is aware of some projects to be submitted that will require their attention and has been working on the Orchard Hills Planned Development for some time. These items are difficult to plan for and have regulated timelines once they are submitted. When completed, the PC will return to their work on the Shoreline Master Program update to comply with State regulations. This is due by the end of June in order to remain in compliance. The next task would be to work on the Land Use Element of the Comprehensive Plan. Chairman Battle made it clear that the PC had NOT been asked by the council to look at the nightly rental topic but would be willing to if requested.

Council Member Smith referenced his notes from the last PC check in to the council about six months prior. He noted that at that time the PC and Town Council were getting numerous comments on the nightly rental topic, and that the PC might be asked to assist with the wider housing topic. At that time the Council had requested the PC might assist with the revision of the Twisp PDA overlay but did not suggest where that might land on the priority list. He mentioned the proposed sign code revisions but noted that this matter was in the Council's court at this time. He continued that there had been multiple calls for an ad hoc group to aid the planning department, and that ad hoc committees can be useful, but there needs to be unity with the Council and PC on proposed code changes to avoid creating more confusion.

Chairman Battle responded that for the housing issues, starting with the Land Use element of the Comp Plan makes the most sense. He stated that the PC was given the impression that the nightly rental issue would be addressed by the Housing Action Plan (HAP), but now understands that may not be the case. He is open to the idea of an additional committee or task force to assist the PC especially in gathering information on how other Towns have addressed these issues.

Council Member Smith responded that the HAP's relevance is still forthcoming for the Town's housing and planning needs, and that it is not yet a complete product until the public participation portions are completed. He is hopeful that it has merit for Town planning purposes.

Council Member Easton echoed the comments of Council Member Smith and added that he'd like to see a sub-committee work on the nightly rental issue, especially given that there are capable and willing volunteers available. He'd like to have PC concentrate on other issues and use a subcommittee to assist them. He'd like to see a solution in the next six months, and not "kick the can" again.

Mayor Ing-Moody posited that it will be important to ensure diversity within any subcommittee and to get balanced and diverse representation reflective of the whole Town. She cautioned that it is often easy to get passionate and vocal community members to participate, but a group formed just of such individuals would not be representative of the community as a whole. She continued that if this is the direction the council wants to proceed that she could direct staff to do some research on guidelines for ad hoc committees and task forces. She asked if the Council would like to see this as a future agenda item for further discussion.

Council Member Smith responded that conceptually this could be useful in aiding the PC. He'd like the PC to have support to address current issues and not to restack the priorities given the time constraints of some of the items.

Chairman Battle requested that next steps/priorities be laid out for the PC beyond the obvious priorities of the Orchard Hills PD and the SMP update. He questions if the TwispWorks Master Plan/Overlay would be next.

Council Member Smith responded that he'd put that item at the bottom of the list given that TwispWorks staff had reported it was in progress and a priority of theirs.

Mayor Ing-Moody requested that Clerk Kilmer reach out to TwispWorks for a status update on the project. She also noted that the Sign Code is currently being looked at by TERC and awaiting their feedback.

Chairman Battle offered that a planning commissioner would be willing to join TERC and present their work on the Sign code in order to help accelerate learning/education to bring the matter to conclusion.

Mayor Ing-Moody provided a summary of the Planning Commission priorities.:

1. Shoreline Master Plan Update
2. Comprehensive Plan – Land Use, Housing Component
3. Sign Code
4. Nightly Rentals
5. TwispWorks Overlay and Masterplan

Council Member Smith noted that in the future he'd like to see the PC undertake code review on wildfire prevention as it relates to zoning and building standards.

The Council thanked Chairman Battle and all the PC Commissioners, noting that the job they do is largely thankless but that the Town council appreciates the time and effort they put into it and the quality work they produce.

Discussion/Action: Public Event Application – Spring Art Walk

Council Member Smith motioned to the Spring Art Walk Public Event application as presented with the modifications submitted by Director Denham. The Motion was seconded by Council Member Easton and passed unanimously.

Discussion/Action: Resolution #23-706 – Salary Scale

Council Member Smith reported that thus far the Town has had no success in recruiting a Police Chief at the currently advertised salary range and have received feedback that the pay range is an issue. The finance committee looked at pay scales in similar positions around the state and put forward an adjustment to the Salary Scale to attract qualified applicants. He noted that with no current police chief or officers, the wages allocated for a three-person department in 2023 might be reallocated to cover the increase in the PD Chief range. The concept would ideally result in the hire of a Chief first, and then one officer. An additional officer can be looked at in the 2024 budget.

Council Member Smith made a motion to adopt Resolution #23-706 as presented. The Motion was seconded by Council Member Easton and passed unanimously.

Discussion/Action: Resolution #23-707 – Aviation Grant Match

Council Member Smith motioned to adopt Resolution #23-707 as presented. The Motion was seconded by Council Member Easton and passed unanimously.

Discussion/Action: TranGo Ground Lease

Mayor Ing-Moody gave an overview of the lease, noting that it has been in existence since 2016 and the rate has not been updated since its inception.

Council Member Smith gave rationale for the increase, noting increased needs in the Town's transportation fund, and considerations for that land as it can be used for Town snow storage. The Town has been offered a lease with a private citizen to store snow on a similar sized lot for \$1,000 per month, so offering the lot to TranGo for \$500 a month is very fair.

Council Member Caswell motioned to approve the TranGo Ground Lease as presented. The Motion was seconded by Council Member Auburn and passed unanimously.

Consent Agenda

- Accounts Payable/Payroll
- Minutes

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the Town Council. The following voucher/checks are approved for payment by a majority vote on this 25th day of April 2023.

Accounts Payable	EFT Trans 855	\$57.78	05/09/23
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Accounts Payable	Checks #37806-37835	\$95,857.57	05/09/23
Payroll	EFT Trans 890-1, 896-912, 934-36, CK #37805	\$68,966.18	05/09/23

Council Member Caswell moved to approve the consent agenda as presented. The motion was seconded by Council Auburn and passed unanimously.

Adjournment

There being no further business to come before the Council, Mayor Ing-Moody adjourned the meeting at 7:18 pm.

APPROVED:

Mayor Soo Ing-Moody

ATTEST:

Clerk/Treasurer Randy Kilmer

Town of Twisp

Council Minutes – 05/23/23

Mayor Ing-Moody called the meeting to order at 5:32 pm.

Council Members present: Mayor Ing-Moody
Mark Easton
Alan Caswell
Katrina Auburn
Hans Smith
Aaron Studen

Council Members absent: None

Pledge of Allegiance

Council Member Auburn led the Pledge of Allegiance.

Request for Additions or Deletions to the Agenda

Additions:

- Discussion/Action: TIB Overlay Award – Bid Authorization End
- Discussion/Action: Nightly Rental Task Force, John Battle – Planning Commission Chair

Public Comment Period: Up to Three Minutes

None

Mayor's Report

The Town continues to seek candidates to fill the vacant Police Chief position and will be working with the Washington Association of Sheriffs and Police Chiefs to attract and fill the position.

The Association of Washington Cities will be holding their annual conference in Spokane at the end of June. The Mayor, Clerk Kilmer, and Director Denham will be attending. All elected officials are also invited, and the Mayor has also received special allowance from AWC to invite the three new unopposed council members.

Staff Reports

Director Denham reported that new funding is available through the Public Works Board, and that he anticipates submitting three separate applications for a Glover Street Water Project, Painter's Addition Emergency Egress, and Water Systems Plan update. All three grants would be from different programs and would not compete against each other.

The joint Crack Seal project between Twisp and Winthrop is progressing well despite some equipment issues. The crew should be finishing up in Winthrop this week and moving on to Twisp. The crew has

experienced some negative interactions with “hostile motorists”, and Director Denham requests that motorists consider the safety of the crew and exercise care and patience even when inconvenienced.

Commission/Committee/Board Reports

Council Member Caswell reported on the Planning Commission meeting. The lone agenda item was Orchard Hills PD. The PC will work on a staff report and letter of transmittal to the council. A Mitigated Determination of Non-Significance still needs to be issued, and SEPA needs to be resolved before a final decision can be made.

Council Member Smith reported on the Public Works committee meeting. He shared that the grant opportunities discussed by Director Denham were reviewed by the committee and are fully supported.

Council Member Smith reported on the Finance Committee meeting. The Committee is working on the Milltown Annexation item to resolve the timeline for submission of a Planned Development and subsequent annexation.

OLD/NEW BUSINESS

Discussion/Action: Trango Ground Lease – Brent Timm, TranGo

As a follow-up to the action taken at the last council meeting regarding the TranGo Ground lease, Brent Timm, TranGo director, was present to give feedback on the agreement. Mr. Timm noted that the TranGo board agrees with extending the lease to a two-year term but would like further explanation for the rate increase. He shared photos, showing the approximately 200'x200' lot, and the portions of it that TranGo uses. He stated that four buses are parked there in addition to a porta-potty, taking up less than a third of the leased lot. On behalf of the TranGo board he asked if the Twisp Council will reconsider the amount of the increase.

Council Member Auburn noted that historically the rate had never increased since the first instance of the lease. The Town does have increased transportation expenses since the lease's inception, and there is a premium on vacant land in Twisp.

Council Member Smith added that in looking at general inflation, the proposed increase is not out of character. He also noted that the Town experienced issues with snow storage this past winter and has been offered a lease from a private landowner for double the rate that the Town has proposed to TranGo.

Mr. Timm responded that he is not aware of any snow storage currently on the leased lot, and that although he does understand the increase in land value over the past few years, the TranGo board has a hard time stomaching a 100% increase on the rate. He continued that TranGo has a lease in Tonasket for \$150 a month that includes heated storage, security cameras, all behind a locked gate. Now that TranGo is being asked to pay double the previous rate for a comparably lesser site, the board really needs justification to proceed. He asked again if the Town Council would consider a lesser rate.

Council Member Smith stated he'd be willing to hear a counter and made it clear that Twisp is not trying to "squeeze" TranGo as they appreciate the service to the community and as another local government agency.

Mr. Timm stated that the TranGo board had given him permission to approve a lease up to the amount of \$300 per month.

Council Member Smith asked the council if they'd like to discuss it here, or to push it back to the Finance Committee?

The Council decided to have the Finance Committee look again at the lease rate and bring back another proposal. This item will be on a subsequent agenda.

Presentation: Proposed Methow Aquatic District – Miles Milliken

Miles Milliken gave a presentation to the Town Council as a representative of a committee formed to get a "Methow Aquatic District" item on the ballot to support construction and operation of a new Aquatic Facility to replace the Wagner Memorial Pool and offer year-round indoor service to the Methow Valley. A copy of the presentation is available upon request.

The Council thanked Miles and the other committee members for their hard work in putting this together. Discussions included the form in which the Twisp Council's support might be requested. This item will be back on the agenda at a future meeting as more information becomes available.

Discussion/Action: Nightly Rental Task Force, John Battle – Planning Commission Chair

Planning Commission Chairman, John Battle, joined the Town Council to request support of a Nightly Rental Task Force to aid the Planning Commission in researching how other comparable jurisdictions deal with nightly rentals.

The Town Council gave permission to the Planning Commission to use community volunteers for research as a "Nightly Rental Task Force".

Discussion/Action: Twisp/OCSO Agreement Proposed Amendment

Council Member Smith made a motion to adopt the amendments to the Twisp/OCSO Agreement as presented. The Motion was seconded by Council Member Auburn and passed unanimously.

Discussion/Action: TIB Overlay Award – Bid Authorization

Council Member Smith made a motion to approve the TIB Overlay Award – Bid Authorization as presented. The Motion was seconded by Council Member Auburn and passed unanimously.

Consent Agenda

- Accounts Payable/Payroll
- Minutes

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the Town Council. The following voucher/checks are approved for payment by a majority vote on this 23rd day of May 2023.

Accounts Payable	EFT Trans 811	\$2,691.06	05/23/23
Accounts Payable	Checks #37836-37861	\$40,803.20	05/23/23
Payroll	EFT Trans 990-998	\$11,178.47	05/23/23

Council Member Caswell moved to approve the consent agenda as presented. The motion was seconded by Council Easton and passed unanimously.

Adjournment

There being no further business to come before the Council, Mayor Ing-Moody adjourned the meeting at 6:44 pm.

APPROVED:

Mayor Soo Ing-Moody

ATTEST:

Clerk/Treasurer Randy Kilmer

Town of Twisp

Council Minutes – 06/13/23

Mayor Ing-Moody called the meeting to order at 5:34 pm.

Council Members present: Mayor Ing-Moody
Mark Easton
Alan Caswell
Katrina Auburn
Hans Smith
Aaron Studen

Council Members absent:

Pledge of Allegiance

Council Member Easton led the Pledge of Allegiance.

Request for Additions or Deletions to the Agenda

Additions:

- **Discussion/Action: Contract Award – Collection System Improvements**
- **Discussion/Action: WA Arts Commission Grant**

Public Comment Period: Up to Three Minutes

Mr. Tom Doran requested that Town find a solution to speeders in Town. Specifically on W 2nd Ave. He stated that it is not safe, and he understands that resources are limited but the speeding is progressively getting worse. He also stated that if there is anything that he or his neighbors can do to please ask them.

Mrs. Leone Edson commented on Orchard Hills Planned Development and how the Planning Commission deliberated recusal. She stated her belief that recusal is done due to the potential of personal bias or interest. Mrs. Edson stated that Council Member Auburn has made ex parte communications as well as Council Member Easton and Council Member Caswell. She stated that Mayor Ing-Moody and Council Member Smith live in the neighborhood and she is not sure that they can be impartial. She said that they should let everyone know of those things and to recuse themselves.

Mr. Mark Edson commented on Orchard Hills Planned Development and the Planning Commission's recommendation of adding another road in the development. He said that the Town should investigate the lay of the land and whose property would be taken using eminent domain. He stated that the property owners are not interested in a new road. He said that Town should limit the number of houses to thirty which would eliminate the need for a new road. He urged the Town to think about what he has said and to go out and talk to the community members.

Mr. Doug Irvine commented that he has read through the planned development code and stated that he wonders if he is reading it wrong as he believes there is a loophole being used with the Orchard Hills Planned Development, namely that the proponent has asked that the wording be changed from footprints to envelopes which deviates even further from being a planned development per the code. He asked the council to not change it from what the Town Code states.

Ms. Erin commented on her concern for the abundance of speeders in Town. Specifically on Twisp River Road. She said that she has a child that plays on that road and there are others as well. She stated that while she does not have a solution right now, she wanted to bring it to the Council's attention that it has been getting worse year after year.

Public Hearing:

- **Resolution #23-708 – Capital Facilities Plan 2024-2029**

The public hearing opened at 5:47PM. The public was asked for comment and none were presented. The public hearing closed at 5:49PM. The public hearing was recorded and is available on request at Town Hall

Council Member Smith asked if the grant priorities are driving the changes in this version of the Capital Facilities Plan. He also asked if the changes to the Parks and Recreation portion were made after a review with the Parks and Recreation Commission. Council Member Smith asked if there have been any requests for turning the pool into a skate park.

Director Denham responded that grant priorities drove the changes specifically pertaining to the transportation element. He also said that the changes were made after taking into consideration the commissions top six priorities, with the exception of one. Director Denham stated that at the moment there is too much unknown about the future of the pool so it did not make sense to put it into the Capital Facilities Plan, but stated that since it is annually updated changes can always be added at a later time.

Council Member Auburn asked about the emergency exit at the end of Riverside next to the Public Works shop. She inquired as to the status of the connector trail with the County and the Methow Housing Trust. She voiced concern about moving the SR 20 and Glover Street roundabout project from sixth priority to being ninth.

Director Denham responded that as the development progresses a road can be made into an emergency egress. Regarding the trail, he stated that the county is not in agreement yet but Methow Housing Trust has been talking to them about designating a five foot area and that the County would also add five feet to make a ten foot wide trail; a fence would be part of the requirement. Director Denham said that there is a grant available for a trail and fence. Director Denham stated that while the construction of the roundabout was moved to ninth place, the engineering and design phase of the roundabout is in

seventh place; he noted that the year for construction of the roundabout has not changed, but the priorities listed before it did.

Council Member Studen asked about the emergency egress consideration from May Street down to Twisp Carlton Road.

Director Denham responded that construction is set for 2025-2026 due to the Public Works Board grant now being open. He stated that by putting in for the grant money now the Town can figure out the details of the route as there are currently three potential options.

Council Member Smith made a motion to adopt Resolution #23-708 – Capital Facilities Plan 2024-2029 as presented. Council Member Easton seconded the motion. The motion passed unanimously.

- **Resolution #23-709 – Transportation Improvement Plan 2024-2029**

The public hearing was opened at 6:01PM. The public hearing was closed at 6:02PM. The public hearing was recorded and is available upon request at Town Hall.

Council Member Smith made a motion to adopt Resolution #23-709 -Transportation Improvement Plan 2024-2029 as presented. Council Member Auburn seconded the motion. The motion passed unanimously.

Mayor's Report

Mayor Ing-Moody reported that Town has been very busy. She stated that the Town has talked to Washington Association of Sheriffs and Police Chiefs (WASPC) who has offered to assist us if needed in hiring a police chief. She shared that there is a cost associated with their services, depending on the extent of help required from them. She had a meeting with Clerk Treasurer Kilmer and Police Clerk Ruggiero to discuss the process of communicating with the Sheriff's office regarding any law enforcement needs.

Council Member Easton asked Mayor Ing-Moody if the Town has considered doing a dry run of switching the council room to an emergency operations center.

Mayor Ing-Moody responded that Town has scheduled a walkthrough with the county sheriff as well as Fire District 6 staff and Okanogan County Emergency Management to review procedures and needs to activate an Emergency Operating Center. Avidex will also be contacted as they are our technical provider.

Staff Reports

Clerk Kilmer reported that there will be an open house on Monday the 26th for the housing action plan. He also reported that the annual report has been submitted and the Town will have a federal audit in August due to having federal expenses. They will be doing the regular bi-annual audit at the same time.

Director Denham reported that the crack seal project wrapped up two days early and they used less product than ordered; Winthrop used five pallets and Twisp used five. There was a total of seven miles in Twisp and three miles in Winthrop sealed. TIB paid for everything. Per TIB requirements the crack sealing had to be done a year prior to applying for maintenance on roads. He also reported that the Town had a contractor cut open the pool deck and repair a line that was broken and flooded the deck. He shared that the pool is now leaking as much as it was before the shell was replaced. Director Denham stated that he believes the underground drainage system to be the issue. Public Works will be inspecting the area every day to ensure its safety. Director Denham also reported that he looked at the band shell and believes that it's repair would most likely be a successful project for the RCO grant.

Commission/Committee/Board Reports

Council Member Caswell attended the Okanogan Council of Governments (OCOG) meeting. He shared that there is a county wide burn ban from June 15th through October 15th. There was a fire in Okanogan by the airport that was caused by a roof that was blown off a hanger and hit a power line. The fire reached fourteen acres in size. He also reported that they approved the 2040 Transportation Plan which will be submitted to WSDOT. OCOG also approved the purchasing and contracting policy. Their part-time RTPD administrative position was filled. More TranGo drivers will also be hired for the public transportation system.

Council Member Studen added that TranGo did hire more drivers and increased their hours of operation. He clarified that the burn ban is for outdoor burn piles, while campfires and BBQs are still allowed.

Council Member Auburn asked what the hours of the public restrooms are in Twisp as she said someone camped out in the bathrooms overnight, stating he was waiting on the bus. Director Denham responded that the hours are 7:00AM to just before 3:00PM as the crew will be working until 4:00PM now.

Council Member Smith reported that the finance committee met to discuss the annexation for the Milltown project. After the discussion, it is believed that an agreement with Okanogan County is necessary to have approval from the County pending town SEPA review of the project, since the project is located outside of Town's jurisdiction. The review will be completed once the planned development proposal is presented. The committee talked about the impact on the Town's budget if a rec district were to be created. Additionally, the recommendation is to do a RFQ and interview contractors to potentially hire a planner.

Council Member Easton said that there is an online survey available for the housing action plan and that he hopes a lot of people turn out for the open house. He asked when the Town's fireworks ban is on; Mayor Ing-Moody answered that they are only allowed at New Years and banned at all other times.

OLD/NEW BUSINESS

Discussion/Action: Orchard Hills Planned Development

Mayor Ing-Moody said that this meeting, the Council is to acknowledge receipt of the recommendations by Planning Commission and set a date for deciding on the Orchard Hills Planned Development. The Town will follow all legal requirements and Town codes during the process. The date that has been set for deliberations and a possible action is June 27th.

Commissioner Battle commented that for the last five months, the Twisp Planning Commission has evaluated the application from Palm Investments North LLC for the Orchard Hills planned development permit. One public hearing was held on February 8th and continued to March 8th and April 12th, followed by the commissioner's discussions in public meetings on April 26th, May 10th, and May 17th; a total of six public meetings. He said that over this period, dozens of written comments were received, and dozens of citizens gave public testimony with these letters and comments being overwhelmingly negative with several notable repeated major concerns. He began to briefly summarize each concern along with conditions that the planning commission recommends to mitigate these concerns.

He stated the following:

But before I begin, let me explain the codes involved and how the SEPA process influences the commission's review. I think this will address some of the questions that have repeatedly come up. Within the municipal code, there is the comprehensive plan that sets out goals and provides the guidelines for the zoning code. The comprehensive plan is visionary, and the zoning code is specific, and in the event of conflicts between the two, the zoning code governs.

This planned development meets many, but not all of the comprehensive plan's goals, but seldom does any project meet all these goals. This planned development application could potentially meet all the zoning codes if it were properly developed in the application process. However, the SEPA process identifies conditions in a development which are or could have a significant adverse impact on the environment, and if these conditions are 'findings of fact', the town council may add conditions to the permit approval in order to mitigate these dangers, regardless if these conditions are not within the zoning code.

1. Overwhelmingly, the greatest public concerns were related to fire danger, in 2 specific areas: 1. Fire spread between houses and 2. A second road inhabitants to flee and access for the fire department in the event of a fire. a. In response to the concerns of fire spread, the commission supports the fire marshal's recommendation that structures are spaced at least 30' apart and a 100' wide defensible space of limited vegetation is installed in the proposed open space along the west edge of the development and the planned open space south of Harrison be subject to a fuels reduction project. The

applicant has voluntarily agreed to meeting building code requirements that meet or exceed new Washington State Urban Wildland Interface codes that all exterior building materials are fire-resistant.

b. In response to the concerns for egress and access, the commission recommends that a secondary emergency access, meeting IFC requirements is installed before the final permit approval (which would be before any building permits were issued). This road could not be barricaded and would be maintained. This egress path would extend to May Street, and prior to final approval, the developer and town must develop an amendment to the adopted Emergency Response Plan that sets forth a plan for traffic.

These public's concerns were supported by the recommendations from the Chelan County Fire Marshal, who reviewed the plans and the site.

control and evacuation from the May Street neighborhood. Additionally, the commission recommends that the town amend its Capital Facilities Plan and 6-year transportation improvement plan with the intent of completing a link from the May street neighborhood to the Twisp Carlton road within 5 years.

2. Another repeated concern was that of density. The commission believes that the recommendation of 30' between structures, the 100' defensible space and fuels reduction project will reduce the density materially.

3. Another repeated concern was that of wood-fire smoke. For this, the commission recommends that fireplaces be prohibited, and only 1 wood burning device (per EPA standards) be allowed per home.

4. There were concerns over increased traffic. The developers' engineers have determined that the increase in traffic is within the allowable limits for the roads and intersections involved.

5. There were concerns over storm water run-off, which is currently a problem in the down-slope residents. The developer will be required to provide adequate flood control and infiltration to prevent run-off from this property contributing to this existing problem. For both the traffic and storm water engineering, the town will rely on licensed engineer's evaluation, and the town will have it's engineering firm review and provide comments on the developer's plans and calculations at the developer's expense. The Town cannot grant final approval until all public improvements are built or bonded.

6. There were concerns for access to some lots as well as snow storage and removal, a condition which will be alleviated by the increased house spacing and the defensible space.

7. There were concerns over quality, inspections, and the potential for the construction to not comply with the codes or these additional measures. The commission recommends that the town hire licensed 3rd party inspectors at the developer's expense to supplement the town's inspections to assure construction compliance for the utilities, roads, and drainage.

8. There were concerns that the application did not meet the form and substance of the planned development codes. The commissioners believe that these codes will be met as the application

proceeds. Not much information is required at this point in the process, but there are many more requirements to be met as the application proceeds.

9. The commission recommends that the town take ownership of the 40% open space in order that this space will always be open to the public. The developer would improve the space to meet town standards.

10. Lastly, there were appeals and remaining concerns about the way the SEPA process was conducted. The staff report addresses the process and how certain steps were repeated in order to ultimately comply with this code. At the end of the day, I understand that the town attorney believes the process met the spirit of the SEPA statutes.

I would add that during the public hearing process the developer's designers provided timely and thorough written responses to the public's concerns. There has been a strong, healthy dialogue and significant refinements during the application review. If the town incorporates these recommendations in its approvals, we hope that the developer will move forward and modify the plans and designs accordingly to create a development that is safe, vibrant and enjoyed by its inhabitants, and generally acceptable to the neighbors and the town community.

We know that housing is urgently needed in the valley, and this is a large and exciting opportunity for the town of Twisp. The developer initially asserted that the housing was affordable, and although that could not be substantiated, housing that does not qualify as "affordable" is not a bad thing. In fact, it is a very good thing for Twisp commerce and property tax receipts.

In my personal view, small towns like Twisp are either growing or dying. Growth requires change, which is difficult but if managed well, it is healthy. It is my personal hope that the town and developer can work together to make this project an example of healthy growth for Twisp.

Mayor Soo-Ing Moody thanked Commissioner Battle and the Planning commission for all the hard work they have done; she also thanked community members for commenting and being present at the meetings and acknowledged that there is currently a vacant position on the Planning Commission.

Council Member Smith asked if Commissioner Battle would be able to attend the next council meeting on June 27th. Commissioner Battle stated that he will be present.

Council Member Smith made a motion to add Orchard Hills Planned Development and any SEPA items to the agenda for the June 27th council meeting. Council Member Auburn seconded the motion. The motion passed unanimously.

Discussion/Action: Contract Award – Collection System Improvements

Director Denham stated that though this item was expected to be on the agenda for the next council meeting, the Town did get the award this afternoon. If approved, this would allow the contractor to start a couple weeks earlier. He stated that the funding is from USDA and two motions are needed: the first is a motion that the Council agrees with the engineer's recommendations to award the bid, the second is a motion to award the collections system improvement project contingent on funding. The funding package comes with \$1.6 million in grant monies and \$734,000 in a loan which comes out to \$18,000 annually that would be added to the sewer debt.

Council Member Smith made a motion to accept the engineer's recommendation to award the Collection System Improvements contract. Council Member Easton seconded the motion and it passed unanimously.

Council Member Smith made a motion to award the Collection System Improvements contract to POW Contracting in the amount of \$1,928,283.65 contingent upon the execution of the funding Letter of Conditions through USDA RD. Council Member Easton seconded the motion and it passed unanimously.

Discussion/Action: 4th of July Parade

Mayor Ing-Moody stated that there has been one major change to this year's 4th of July parade and that is the route is going backwards this year due to the ArtsFest taking place at TwispWorks instead of at the park. For this reason, staging will happen at the park and the route will end at TwispWorks. This will cause tighter parking and the Mayor recommended carpooling or walking to the parade, if possible. Council participation is requested, but they are not required to stay for the function after the parade.

Council Members Studen, Smith, Auburn, and Caswell stated they would be there. Council Member Easton stated that he was not certain that he could attend.

Discussion/Action: TranGo Ground Lease Agreement

Mayor Ing-Moody stated that at the last Council meeting there was a request to increase the lease rate for TranGo and that TranGo's executive director was in attendance stating that he did not have the authority to approve the increase to \$335 a month and would need to bring it to the board. In anticipation that they may accept the proposal, this item has been added to preemptively have the council approve the increase prior to sending it to the TranGo Board.

Council Member Smith made a motion to approve the TranGo Ground Lease Agreement. Council Member Easton seconded the motion. Council Member Studen abstained from voting. The motion was passed.

Discussion/Action: AWC Voting Delegate Appointment

Mayor Ing-Moody stated that the AWC conference is next week, and this would be her last one conference as Twisp Mayor. She stated that the Town is needing to have up to three voting delegates appointed before going to the conference to enable participation at the annual business meeting in which new officials are elected into leadership positions for the Association. Mayor Ing-Moody, Council Member Auburn, and Clerk Treasurer Kilmer will be present and can be those delegates.

Council Member Studen made a motion to have Mayor Ing-Moody, Council Member Auburn, and Clerk Treasurer Kilmer be the voting delegates at the AWC conference. Council Member Auburn seconded the motion. The motion passed unanimously.

Discussion/Action: WA Arts Commission Grant

Mayor Ing-Moody said that there is a \$3,000 grant that requires Council approval in order to have ArtsFest expenditures be reimbursed.

Council Member Smith made a motion to accept the WA Arts Commission Grant. Council Member Auburn seconded the motion. The motion passed unanimously.

Consent Agenda

- Accounts Payable/Payroll

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the Town Council. The following voucher/checks are approved for payment by a majority vote on this 23rd day of May 2023.

Accounts Payable	EFT Trans 1150	\$21,955.90	06/13/23
Accounts Payable	Checks #37863-37901	\$88,874.92	06/13/23
Payroll	EFT Trans 1094-1107, 1109-1113	\$36,479.88	06/13/23
Payroll	Checks #37862	\$103.00	06/13/23

Council Member Easton moved to approve the consent agenda as presented. The motion was seconded by Council Caswell and passed unanimously.

Adjournment

There being no further business to come before the Council, Mayor Ing-Moody adjourned the meeting at 7:15 pm.

APPROVED:

Mayor Soo Ing-Moody

ATTEST:

Clerk/Treasurer Randy Kilmer