

SHORELINE MANAGEMENT PERMIT

ACTION SHEET

Application #: SDP 2019-012/SCUP 2019-014/SCUP 2019-015
Administering Agency Chelan County Department of Community Development

Type of Permits: ■ Shoreline Substantial Development Permit
■ Shoreline Conditional Use Permits (x2)
Action: ■ Approved □ Denied

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Date of Action: January 13, 2020

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Date Mailed to DOE/AG

CHELAN COUNTY
COMMUNITY DEVELOPMENT

Pursuant to Chapter 90.58 RCW and the Shoreline Master Program of Chelan County, the following permit is hereby approved:

Adams Tri-Cities Enterprises Inc.
Lee Adams - President
6515 W. Clearwater Ave #214
Kennewick, WA 99336

This is an application for a shoreline substantial development permit and shoreline conditional use permits, for the modification of the existing community dock, stabilization of the shoreline, extension of the existing sewer line laterals, install seven (7) boatlifts, install seven (7) mooring buoys and remove man-made debris/rip rap. The approximate footprint of the boatlifts are 10 ft. x 12.5 ft. each and would be installed on the downlake side of the dock at the approximate water depth 6.5 ft. to 12 ft. The mooring buoys would be located approximately 210 ft. to 260 ft. from the OHWM at water depth of approximately 14 ft. to 19 ft.

Upon the following property: 18 Awesome Lane, Chelan, WA 98816

Within 200 feet of Lake Chelan and/or its associated wetlands.

The project would be within a shoreline of statewide significance (RCW 90.58.030). The project will be located within an urban shoreline environment designation.

The following Shoreline Master Program provisions are applicable to this development: Sections 7, 9, 11, 16, 21, 27 and 29.

All conditions imposed herein shall be binding on the "Applicant," which terms shall include the owner or owners of the property, heirs, assigns, and successors.

CONDITIONS OF APPROVAL

All conditions imposed by this decision shall be binding on the applicant, which includes the owner or owners of the properties, heirs, assigns, and successors.

1. Pursuant to WAC 173-27-150 and RCW 90.58.130(2), prior to commencement of this development, the applicant shall obtain any necessary aquatic permits from agencies with jurisdiction which may include, but is not limited to, the Washington State Department of Fish and Wildlife, the Army Corps of Engineers, the Washington State Department of Ecology, Chelan County PUD, Chelan County Building Department and the Washington Department of Natural Resources.
 - 1.1. Provide a copy of the Chelan County PUD license agreement.
2. Pursuant to Chelan County Shoreline Master Program Section 30.3.5 and 30.3.6, this shoreline permit shall be valid for the activities described within the JARPA and shown on the site plan of record, date stamped May 13, 2019, except as modified by this decision or other jurisdictional agencies.
3. Pursuant to Chelan County Shoreline Master Program Section 5.7, the applicant may use emergency actions if necessary to protect life, property, or unique historical or archaeological sites from imminent danger.
4. Pursuant to Chelan County Shoreline Master Program Section 21.A.6.4, the proposed modification to the existing community dock shall be setback a minimum of ten (10) feet from side property lines EXCEPT that it may be located on the shared property line when mutually agreed to by contract/covenant with the owners of the adjacent property, a copy of which must be recorded with the County Auditor.
 - 4.1. Prior to submittal of a building permit for the modification of the community dock, the applicant shall provide a copy of a recorded contract/covenant with the adjacent property owner.
5. Pursuant to RCW 27.53.020, and CCSMP Section 27, if the applicant or their agents discover previously unknown historic or archaeological remains/artifacts while conducting the development activities authorized by this permit, the applicant/ agent shall immediately notify the appropriate tribal and state representatives and the Chelan County Department of Community Development of the finding for local, state and tribal coordination. A cultural resources survey may be required.
6. Pursuant to Chelan County Shoreline Master Program Section 30.3.10, substantial progress toward construction for which a permit has been granted must be accomplished within two (2) years for the granting of the permit.
7. Pursuant to Chelan County Shoreline Master Program Section 30.3.11, a development which has been granted a permit shall be completed within five (5) years of the issuance of a permit. The Administrative authority may extend the permit for one additional year.

FINDINGS OF FACT

1. The applicants are Adams Tri-Cities Enterprises Inc., Lee Adams – President, 6515 W. Clearwater Ave #214, Kennewick, WA 99336.
2. The agent for applicants is Anne Hessburg, Grette Associates, LLC., 151 S. Worthen St., Suite 101, Wenatchee, WA 98801.

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3. The project location is 18 Awesome Lane, Chelan, WA 98816.
4. The parcel numbers for the subject property are 27-22-16-220-300, 27-22-16-220-360 and 27-22-16-220-363.
5. The legal description for the subject properties are: Lot 1 of SP 2011-282; Lot 3 of SP 2011-183; Lot 4 of SP 2011-1836.
6. The subject properties are located in Chelan County, not within an urban growth area.
7. The Comprehensive Plan designation and zoning for the subject properties are Rural Waterfront (RW).
8. As stated in the JARPA, question 5(o), the subject property contains the following structures:
 - 8.1 27-22-16-220-300 – No structures on properties.
 - 8.2 27-22-16-220-360 – Seawall, stairs into lake and majority of community dock.
 - 8.3 27-22-16-220-363 – Seawall and a small portion of community dock.
9. As stated in the JARPA, question 5(l), the properties are waterfront lots with little upland development, other than the recent development of Awesome Lane, residential infrastructure (waterlines, sewer lines, power lines, fiber lines, etc.) and storm water infrastructure. The shoreline along 1 ½ lots contains a seawall in disrepair. The remaining shoreline along 1 ½ lots is actively eroding. The shoreline along the lake has historically experienced eroding. The shoreline along the lake has historically experienced erosion due to the annual rise and fall of the lake level together with wave action of the lake. Portions of the seawall and shoreline have been armored and stabilized in the past with rock, as a result. Much of the rock along the portions of the shoreline that are not protected with the seawall, have rolled into the lake over time, diminishing shoreline protection, and erosion has caused the loss of several feet of property along the shoreline over the past decade. Just landward of the shoreline there are several mature trees whose limbs overhang the lake. Most of the tree's roots are exposed on the lakeside due to erosion, and are at risk of mortality if they aren't protected. Below the OHWM, habitat consists of moderately sloping, unvegetated rock and cobble.
10. The property to the north of the subject property is Lake Chelan.
11. The property to the south of the subject property is residential and recreational use and is zoned Rural Waterfront (RW).
12. The property to the east of the subject property is in residential and recreational use and is zoned Rural Waterfront (RW).
13. The property to west of the subject property is in residential and recreational use and is zoned Rural Waterfront (RW).
14. Construction would begin upon receipt of all permits and end approximately one month from start date.
15. Access is provided by a private road off of South Lakeshore Road.

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16. Similar to other residential and recreational uses, construction noise during demolition of the existing dock and installation of the new pier and boatlift. The development is required to comply with CCC, Chapter 7.35, Noise Control.
17. Minor visual impacts would be from the water and surrounding properties. Adjacent properties include dock and boatlifts, so visual impacts would be similar to what currently exists in the area.
18. The Notice of Application was referred to surrounding property owners within 300 feet (excluding 60 feet right-of-way), jurisdictional agencies and departments of the County. These agencies and surrounding property owners were notified on June 7, 2019, with comments due July 8, 2019. Agency comments are considered in the staff report and, when appropriate, associated recommended Conditions of Approval. The following is a list of Agencies who received notice and the date comments were received:
 - 18.1 Chelan County PUD – no comments;
 - 18.2 WA State Department of Natural Resources – no comments;
 - 18.3 WA State Department of Ecology – no comments;
 - 18.4 WA State Department of Fish & Wildlife – no comments;
 - 18.5 US Army Corps of Engineers – no comments;
 - 18.6 Department of Archaeology & Historic Preservation – no comments;
 - 18.7 Yakama Nation – no comments;
 - 18.8 Confederated Tribes of the Colville Reservation – June 3, 2019.
19. Public comments were received from Patrick and Mary Welch – June 28, 2019.
20. The application materials were submitted on May 13, 2019.
21. A Determination of Completeness was issued on May 28, 2019.
22. The Notice of Application was provided on May 31, 2019.
23. The Notice of Public Hearing was provided on December 26, 2019.
24. The applicant submitted an Environmental Checklist. Pursuant to WAC 197-11 and RCW 43.21C of the State Environmental Policy Act (SEPA), environmental review and a threshold determination was completed, and a Determination of Non-Significance (DNS) was issued on October July 19, 2019. The SEPA Checklist and DNS are included within the file of record and adopted by reference.
25. The Comprehensive Plan has been reviewed. Specifically the goals and policies related to the Rural Waterfront land use designation for consistency with proposed recreational land uses.
 - 25.1 The Comprehensive Plan states that the purpose of the Rural Waterfront Designation is to *provide the opportunity for the development, redevelopment and infill of existing intensely developed shoreline areas for residential, and water related/water dependent recreational and tourist development consistent with the rural character and rural development provisions outlined in the goals and policies of this comprehensive plan.*
 - 25.2 The Hearing Examiner finds that the project, as conditioned, is consistent with the Comprehensive Plan.
26. CCC, Section 11.04.020 District Use Chart - A community dock is a permitted use in the RW zoning district. The boatlifts, mooring buoys, stabilization of the shoreline and the removal of the man-made debris/rip rap are considered an accessory to the dock. Accessory structures are permitted in the RW zoning district.

- 26.1 The proposed development is permitted.
27. Fish and Habitat: According to the Washington State Department of Fish and Wildlife, Priority Habitat and Species Maps, the subject property does not contain protected habitat species or plants but is located within the riparian shoreline.
28. Floodplain: According to the Federal Emergency Management Agency, FIRM panel # 5300150225A, there is no floodplain on the subject parcel; the waterbody is a controlled reservoir.
29. Geologically Hazardous Area: According to the Chelan County GIS mapping, the property is not located within a geologically hazardous area. CCC, Chapter 11.86, Geologically Hazardous Overlay District, does not apply to the subject property.
30. Wetlands: According to the National Wetlands Inventory Map prepared by the US Department of Fish and Wildlife Services, the subject property does not contain wetlands.
31. This property is located along Lake Chelan within the ‘urban’ shoreline designation and is classified as a Shoreline of Statewide Significance, pursuant to WAC 173-20-100.
32. The proposed community dock, boatlifts, mooring buoys and stabilization of the shoreline are water-dependent uses and “Shoreline Works and Structures.” These uses are permitted within the shoreline buffer and waterward of the OHWM.
33. The development is consistent with Goal E, Goal for Shoreline Use Element: *Assure an appropriate pattern of sound development in suitable location without diminishing the quality of environment along the shorelines.*
34. The project is consistent with the following SWS policies:
- 34.1 SWS should be located and constructed in such a manner which will result in no significant adverse effects on the adjacent shorelines, will minimize alterations of the natural shoreline, and have no long term adverse effects on fish habitat.
- 34.2 SWS should be designed and located to avoid significant damage to ecological values or to natural resources which would create a hazard to adjacent life, property and natural resource systems.
35. Pursuant to CCSMP Section 27, developers shall notify local governments of any possible archaeological materials uncovered during excavation.
36. Based on the email comments from the Confederated Tribes of Colville, there are known cultural resources near the subject property. The above agencies recommend development of an inadvertent discovery plan. Therefore, staff recommended a condition of approval, requiring an inadvertent discovery plan be kept onsite during all ground-disturbing activities and submitted with building permit application.
37. The purpose of a substantial development permit is to facilitate environmentally sound utilization and coordinated planning of the shorelines of Chelan County. A substantial development permit shall be granted only when the proposed project is consistent with all of the following:
- 37.1 The provisions of the Shoreline Management Act RCW 90.58.
- 37.2 The applicable provisions of the Washington Administrative Code.

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- 37.3 The Chelan County Shoreline Master Program.
38. The provisions of the SMA and WAC have been met through the adoption of the CCSMP. The appropriate CCSMP requirements are addressed below.
39. According to JARPA, question 6(g), the fair market value of the development is \$345,000. The development is not exempt from the substantial development permit requirement.
- 39.1 The development is consistent with the provisions of the SMA, WAC and CCSMP.
40. According to CCSMP Section 21.A.3 General Design and Construction Standards:
- 40.1 Section 21.A.3.1: Pilings must be structurally sound and cured prior to placement in the water.
- 40.2 Section 21.A.3.2: Pilings employed in piers or any other structure shall have a minimum vertical clearance of one (1) foot above extreme high water.
- 40.3 Section 21.A.3.3: All docks shall include stops which serve to keep the floats off the bottom of bed-lands at low water levels.
- 40.4 Section 21.A.3.4: When plastics or other non-biodegradable materials are used in float, pier or dock construction, precautions shall be taken to ensure their containment.
41. For the existing community dock, the four (4) uplake fingers would be removed from the dock, reducing the total number of fingers to four (4). The remaining four (4) fingers would remain 4 ft. wide and would increase in length from 20 ft. long to 31 ft. long. The finger separation would increase from 20 ft. to 28 ft. making double moorage in between the fingers possible.
42. The existing community dock surface is composite wood. The composite wood would be removed and replaced with grated decking over the entire surface of the modified community dock.
43. Four (4) existing 12-inch piles would be pulled from their existing location and new piles would be driven. Three (3) would be driven at the downlake ends of the three (3) most waterward fingers. The fourth pile would be driven on the landward side of the landward most finger, a minimum of ten (10) feet from the existing City of Chelan sewer line, the required setback. The piles would be driven into substrate to ten (10) ft. of depth of bearing with a barge mounted pneumatic pile driver.
- 43.1 The proposed dock complies with the CCSMP dock construction standards.
44. According to CCSMP Section 21.A.6.1 Amount:
- 44.1. For shoreline lots legally created prior to (5/3/94) the date of adoption of this amendment no more than one private non-commercial dock or pier is allowed.
- 44.2. For all subdivisions, short subdivisions and all other divisions of land occurring after (5/3/94) the date of adoption of this amendment, community docks or piers shall be encouraged and may be allowed where they are found to be consistent with the provisions of this program. No single use piers or docks may be authorized for any subdivision, short subdivision or other division of land or for any lot within such subdivision short subdivision or other division of land except in accordance with the provisions of Section 21.A.8.

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45. The property was created after May 3, 1994, via short plat 2011-182 and short plat 2011-282, both short plats were recorded on December 20, 2018.
- 45.1 The lots qualify for a joint-use pier.
46. According to CCSMP Section 21.A.6.2 Dimensional Standards for Residential Piers and Docks:
- 46.1 Length: Not more than 40 feet from the OHWM provided that a greater length may be authorized up to the minimum length necessary to reach a depth of twelve feet below OHWM at the waterward end of the pier or dock.
- 46.2 Width: The maximum width of the walkway shall not exceed eight feet.
- 46.3 Area: The total area of the pier or dock shall not exceed 320 square feet provided that docks or piers in excess of 40 feet in length pursuant to the provision above may add eight square feet for each one foot of length authorized and may add 50 square feet for each residential unit with use rights in excess of one residential unit.
- 46.4 Based on the above provisions, a joint use dock serving seven (7) residential lots, and reaching a water depth of 6.5' to 14'; for a total 1,249 square feet.
- 46.5 As described in the JARPA and dock plan dated stamped May 13, 2019, the proposed dock modification extends approximately 108 feet from the existing gangway.
- 46.6 The proposed design of the community dock complies with the CCSMP dimensional standards for community piers and docks.
47. CCSMP Section 21.A.6.4 Side Yard Setbacks:
- 47.1 On lots with shoreline frontage, private and community docks and piers shall be setback a minimum of ten (10) feet from side property lines, except that they may be located adjacent to or upon a side property line when mutually agreed to by contract/covenant with the owners of the adjacent property, a copy of which must be recorded with the County Auditor.
48. The site plan, date stamped May 13, 2019, shows the proposed modification to the existing community dock located on the shared property line of Lots 3 and 4 of short plat 2011-183. Staff recommends a condition of approval requiring a contract/covenant between the property owners be recorded, to be allowed the dock to be located on the shared property line.
- 48.1 The proposed community dock, as conditioned, would comply with the setback requirement.
49. CCSMP Section 29.3 Review Criteria for Conditional Use Permits:
- 49.1: CCSMP Section 29.3.1: The purpose of a conditional use permit is to allow greater flexibility in administering these Use Regulations in a manner consistent with the policies of the Shoreline Management Act. In authorizing a conditional use, special conditions may be attached to the permit by the Administrative Authority/Board of Adjustment or the department to prevent undesirable effects of the proposed use.

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- 49.2 CCSMP Section 29.3.2: Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided the applicant can demonstrate all of the following:
- 49.2.1 That the proposed use will be consistent with the policies of the Shoreline Management Act and the policies of the master program.
50. The applicant is requesting to modify the existing community dock, stabilization of the shoreline, extension of the sewer line, installation of the seven (7) boatlifts, installation of the seven (7) mooring buoys and removing man-made debris/rip rap requires review under a Shoreline Conditional Use Permit.
- 50.1 The proposed development is consistent with the CCSMP as a recreational use.
51. That the proposed use will not interfere with the normal public use of public shorelines.
- 51.1 The applicant is requesting to place seven (7) boatlifts and would be installed on the downlake side of the dock at the approximate water depth of 6.5 ft. to 12 ft. The mooring buoys would be approximately 210 ft. to 260 ft. from the OHWM to a water depth of approximately 14 ft. to 19 ft. As identified on the site plan of record, all proposed development is located on private property.
- 51.2 The proposed use/development is located on private property.
52. That the proposed use of the site and design of the project will be compatible with other permitted uses within the area.
- 52.1 Boatlifts, mooring buoys, shoreline stabilizations and extension of sewer lines are common long the Lake Chelan Shoreline. This section of the lake is highly developed with residential and recreational use. The proposed use of the site and design of the project will be compatible with other permitted uses within the area.
- 52.2 The proposed development is compatible with the surrounding land uses in the area.
53. The proposed use will cause no unreasonable adverse effects to the shoreline environment designation in which it is to be located.
- 53.1 The shoreline designation is 'urban.' The 'urban' designation permits residential and recreational uses and development with appropriate permits.
- 53.2 The proposed development is consistent the 'urban' shoreline designation and would cause no unreasonable adverse effects to the shoreline environment designation.
54. The public interest will suffer no substantial detrimental effect.
- 54.1 The modification of the community dock, proposed boatlifts, mooring buoys, shoreline stabilization and sewer line extension would be located on private property.
- 54.2 The proposed development is for private use, placed on private property. The public interest would not suffer substantial detrimental effect.
55. CCSMP Section 29.3.3 states: Other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate, in addition to the criteria set forth in this section, that extraordinary circumstances preclude reasonable use of the property in a manner consistent with the use regulations of the master program.

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56. CCSMP Section 29.3.4 states: In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses should also remain consistent with the policies of the Shoreline Management Act and should not produce substantial adverse effects to the shoreline environment.
57. The Shoreline Master Program allows for recreational use. The cumulative impact of modification of the community dock, boatlifts, mooring buoys, shoreline stabilization and sewer line extension being installed in Lake Chelan is considered minimal due to their open nature, and the fact that they do not permanently alter the shoreline habitat.
- 57.1 The use of the property for recreation is consistent with the policies of the shoreline environment. The total of the conditional uses would remain consistent with the policies of the shoreline environment.
58. CCSMP Section 29.4 Review Criteria for Shorelines of Statewide Significance states:
- 58.1 CCSMP Section 29.4.1: The Shoreline Management Act clearly establishes that Shorelines of Statewide Significance should receive additional attention and scrutiny (RCW 90.58.020, WAC 173-16-040(5)), and should be utilized in accordance with the following principles:
- 58.1.1 Recognize and protect the interest of all Washington State residents equally;
 - 58.1.2 Preserve the natural character of the shoreline;
 - 58.1.3 Consider results in long term over short term benefits;
 - 58.1.4 Protect the resources and ecology of the shoreline;
 - 58.1.5 Increase public access to publicly owned areas of the shoreline;
 - 58.1.6 Increase recreational opportunities to the public.
59. The development area would be located on private property, in the vicinity of other properties with similar recreational in-water structures.
- 59.1 The proposed development would not affect statewide nor local interests.
60. Preserve the natural character of the shoreline.
- 60.1 This section of Lake Chelan carries an 'urban' shoreline designation, which allows for residential and recreational uses. This section of the lake is highly development with residences and in-water structures.
- 60.2 The proposed development would not impact the natural character of the shoreline.
61. Consider results in long term over short term benefits.
- 61.1 The proposed development would enhance the recreational use of the subject property.
- 61.2 The proposed development would be a long term benefit to the property by enhancing the recreational use of the property.
62. Protect the resources and ecology of the shoreline.
- 62.1 The shoreline stabilization would protect the ecology of the shoreline.

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- 62.2 The proposed development would not have substantial impact on the resources and ecology of the shoreline.
63. Increase public access to publicly owned areas of the shoreline.
- 63.1 The development is located on privately-owned property, with no public shoreline access.
- 63.2 The development would not impact public access to the shoreline.
64. Increase recreational opportunities to the public.
- 64.1 The subject development is under private ownership with no public access.
- 64.2 The development would not affect the public recreational opportunities, as the property is privately owned.
65. The applicant is requesting a shoreline substantial development permit and two (2) shoreline conditional use permits for the modification of the community dock, seven (7) boatlifts, seven (7) mooring buoy, stabilization of the shoreline and extension of the existing sewer line.
66. The subject property is located in a developed area of Lake Chelan. Surrounding properties include small lots. Developed with single family residences and their accessory uses, including piers, boatlifts, swim floats and buoys. Due to the existing development along the south shore of the lake, the proposed development would have minimal impacts to the shoreline environment and would be compatible with surrounding land uses.
67. The applicant and owner should be aware that additional zoning and critical area review shall be completed at the time of building permit submittal and may result in additional conditions.
68. An open record public hearing after due legal notice was held on January 8, 2020.
69. Appearing and testifying on behalf of the applicant was Ann Hessburg. Ms. Hessburg testified that she was an agent authorized to appear and speak on behalf of the property owner. She indicated that all of the proposed conditions of approval were acceptable. She indicated that the dock, the boat lifts, and mooring buoys would be associated with a seven lot short plat, in which three of the lots are waterfront. There already exists an easement allowing the upland lots access to the dock.
70. No member of the public testified at this hearing.
71. The Chelan County Hearing Examiner considered all evidence within the record in rendering this decision.
72. Any Finding of Fact that is more correctly a Conclusion of Law is incorporated herein as such by this reference.

CONCLUSIONS OF LAW

1. The Hearing Examiner has authority to render this Decision.
2. Referral agency comments were received and considered in the review of this proposal.
3. The Hearing Examiner finds that the proposed development is permitted.
4. The Hearing Examiner finds that the project, as conditioned, is consistent with the Comprehensive Plan.
5. The development is consistent with the provisions of the SMA, WAC and CCSMP.
6. The proposed dock complies with the CCSMP dock construction standards.

8. The lots qualify for a joint-use pier.
9. The proposed design of the community dock complies with the CCSMP dimensional standards for community piers and docks.
10. The proposed community dock, as conditioned, would comply with the setback requirement.
11. The proposed development is consistent with the CCSMP as a recreational use.
12. The proposed use/development is located on private property.
13. The proposed development is compatible with the surrounding land uses in the area.
14. The proposed development is consistent with the 'urban' shoreline designation and would cause no unreasonable adverse effects to the shoreline environment designation.
15. The proposed development is for private use, placed on private property. The public interest would not suffer substantial detrimental effect.
16. The proposed development would not affect statewide nor local interests.
17. The proposed development would not impact the natural character of the shoreline.
18. The proposed development would be a long term benefit to the property by enhancing the recreational use of the property.
19. The proposed development would not have a substantial impact on the resources and ecology of the shoreline.
20. The development would not impact public access to the shoreline.
21. The development would not affect public recreational opportunities, as the property is privately owned.
22. Any Conclusion of Law that is more correctly a Finding of Fact is incorporated herein as such by this reference

This Shoreline Substantial Development Permit, Shoreline Conditional Use Permit and Administrative Modification are granted pursuant to the Shoreline Master Program of Chelan County, as amended, and nothing in this permit shall excuse the applicant from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project, but not inconsistent with the Shoreline Management Act of 1971 (Chapter 90.58 RCW).

This Shoreline Substantial Development Permit, the Shoreline Conditional Use Permit and Administrative Modification may be rescinded pursuant to RCW 90.58.140(7) in the event the permittee fails to comply with the terms and conditions hereof.

CONSTRUCTION PURSUANT TO THIS SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT, AND TWO SHORELINE CONDITIONAL USE PERMITS SHALL NOT BEGIN NOR IS AUTHORIZED UNTIL TWENTY-ONE (21) DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-14-090, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCW 90.58.140(5)(a)(b)(c).

Substantial progress toward construction of the project for which this permit has been granted must be accomplished within two (2) years of the filing date of this permit. Authorization to conduct development activities granted by this permit shall terminate five (5) years from the filing date of this permit.

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Approved this 13th day of January, 2020.

CHELAN COUNTY HEARING EXAMINER



Andrew L. Kottkamp

Anyone aggrieved by this decision has twenty-one (21) days from the “date of receipt” as defined by Washington Law to file a petition for review with the Shorelines Hearings Board (for the shoreline permit and two shoreline conditional use permits) as provided for in RCW 90.58.180 and Chapter 461-08 WAC, the rules of practice and procedure of the Shorelines Hearings Board.

Chelan County Code Section 1.61.130 provides that any aggrieved party or agency may make a written request for reconsideration by the Hearing Examiner within ten (10) days of the filing of the written record of decision. The request for reconsideration shall be submitted to the Community Development Department. Reconsideration of the decision is wholly within the discretion of the Hearing Examiner. If the Hearing Examiner chooses to reconsider, the Hearing Examiner may take such further action deemed proper and may render revised decision within five (5) days after the date of filing of the request for reconsideration. A request for reconsideration is not a prerequisite to filing an appeal under Section 1.61.160.

The complete case file, including findings, conclusions, and conditions of approval (if any) is available for inspection during the open office hours at Chelan County Department of Community Development. Their address is 316 Washington Street, Suite 301, Wenatchee, WA 98801. Their telephone number is (509) 667-6225.

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**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A
CONDITIONAL USE AND/OR VARIANCE PERMIT**

Date received by the Department _____

Approved _____

Denied _____

This conditional use/variance permit is approved / denied by the Department pursuant to Chapter 90.58 RCW.

Development shall be undertaken pursuant to the following additional terms and conditions:

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