

BEFORE THE CHELAN COUNTY HEARINGS EXAMINER

IN THE MATTER OF  
CUP 20-010  
Manson School District

**RECEIVED**  
**NOV 19 2020**  
CHELAN COUNTY )  
COMMUNITY DEVELOPMENT

) FINDINGS OF FACT, CONCLUSIONS OF  
) LAW, CONDITIONS OF APPROVAL  
) AND DECISION

THIS MATTER, having come on for hearing in front of the Chelan County Hearing Examiner on November 18, 2020, the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

**I. FINDINGS OF FACT**

1. This is an application for a Conditional Use Permit for a new construction and additions to existing structures, a new parking lot and modifications to parking for both the elementary school and the secondary school. An Early Childhood Learning Center would be placed on the existing tennis court. The existing parking lane would be converted and a pickup/drop off lane would be created for middle school students. The parking lot at the elementary school would be reconfigured and a new bus lane would be installed that would serve both the elementary and secondary school. The existing parking lot west of the secondary school would be graded and the parking lot would be paved. Expansion of the high school would involve demolition of a portion of the building and a two-story structure put in its place. The existing parking north of the football field would be graded and paved. An addition to the elementary school would provide new classrooms. An addition to the elementary school gymnasium is proposed with possible alternative location provided. A new parking lot north of the secondary school would provide additional parking for the school and fields. A new field house north of the track and football fields would provide indoor recreation space. The existing bus garage would be removed and replaced with a larger facility. The subject properties are zoned Urban Public (UP) and Urban Residential 2 (UR2) zoning district in the Manson Urban Growth Area and Rural Public Land and Facilities (RP) zoning district within the Chelan County jurisdiction.
2. The applicant/owner is Manson School District, PO Box A, Manson, WA 98831. The Applicant's agent is Paul Coppock, The DOH Associates, 7 N. Wenatchee Ave., Wenatchee, WA 98801.
3. The subject property is located at Manson School District, Totem Pole Road and Hill Street Manson, WA 98831.
4. The parcel numbers for the subject property are 28-21-35-608-592, 28-21-35-608-596, 28-21-35-608-597, 28-21-35-608-617, 28-21-35-608-327, 28-21-35-608-320, 28-21-35-608-345, 28-21-26-608-340 and 28-21-26-608-352.
5. The subject property is within the Manson Urban Growth Area and within County jurisdiction.
6. The property is located within the Urban Public (UP), Urban Residential 2 (UR2) zoning district and comprehensive plan designation within the Manson Urban Growth Area and within the Rural Public Land and Facilities (RP) zoning district and comprehensive plan designation.
7. The property is currently in commercial use. Building permits for this property have been issued per the County Assessor's records: Manson School District:

- 7.1 BP 950866 Addition and Modernization of existing school
  - 7.2 BP 950622 12' x 16' Storage Shed
  - 7.3 BP 970195 School Remodel
  - 7.4 BP 000526 Tank Removal
  - 7.5 BP 100290 Remodel Existing SFR into District Office
  - 7.6 BP 130341 Re-pipe Hot/cold water
  - 7.7 BP 130420 Interior remodel
  - 7.8 BP 140367 Interior Remodel
  - 7.9 BP 170014 Addition and Remodel
  - 7.10 MOD 170094 Modification of BP 170014
  - 7.11 MOD 170111 Modification to BP 170014.
8. Site Physical Characteristics: The sites are relatively flat with the existing elementary school, secondary school, playgrounds, ball fields and accessory structures on the subject properties.
  9. The property to the north is in the Rural Residential/Resource 5 (RR5) zoning designation in Chelan County jurisdiction.
  10. The property to the south is in the Urban Residential 2 (UR2) zoning designation within the Manson Urban Growth Area.
  11. The property to the east is in the Urban Residential 1 (UR1) zoning designation within the Manson Urban Growth Area, and Rural Residential/Resource 5 (RR5) and Rural Residential/Resource 2.5 (RR2.5) zoning designations in Chelan County jurisdiction.
  12. The property to the west is in the Urban Residential 2 (UR2) and Urban Residential 1 (UR1) zoning designations within the Manson Urban Growth Area.
  13. The applicant submitted an Aquifer Recharge Disclosure Form, date stamped June 12, 2020 and is not located within a wellhead protection area.
  14. Pursuant to the Washington State Department of Fish and Wildlife Priority Habitat Species Maps, the subject property does not contain identified habitat.
  15. The subject property is not located within shoreline jurisdiction.
  16. Pursuant to the Federal Emergency Management Agency (FEMA), panel number 5300150225A of the FIRM maps, there is no floodplain on the subject property. Therefore, the provisions of CCC, Chapter 11.84, Frequently Flooded Areas Overlay District and CCC, Chapter 3.20, Flood Hazard Development, do not apply.
  17. According to the Chelan County GIS geo hazard and contours layers, the site does contain geological hazards for erosive soils. Therefore, the provisions of Chelan County Code Chapter 11.86 Geologically Hazardous Areas Overlay District, does apply to this development. A geo assessment performed by Nelson Geotechnical Associates, Inc., dated June 11, 2020 was submitted with the application..
  18. Based on comments received from the Confederated Tribes of the Colville Reservation dated July 15, 2020, the subject property is located within an area of probability for containing cultural resources. Prior to ground disturbing activities, consultation with the Confederated Tribes of the Colville Reservation is required.
  19. Construction would commence upon receipt of all required permits.

20. According to the site plan of record, dated June 12, 2020, the property is accessed by Totem Pole Road and Hill Street. The existing access approach would need to meet an Industrial/Commercial Driveway approach.
21. Chelan County PUD provides electrical services to the subject property.
22. Water to the subject site is supplied by Lake Chelan Reclamation District.
23. Sanitation is supplied by Lake Chelan Reclamation District.
24. Noise is similar to other commercial and agricultural uses in the vicinity. The applicant must comply with CCC, Chapter 7.35 Noise. Noise is similar to other public uses.
25. According to the Site Plan/Landscape Plan date stamped July 15, 2020, visual impacts would be from the existing elementary school.
26. The Notice of Application was referred to surrounding property owners within 300 ft. (excluding 60' of right-of-way), jurisdictional agencies and departments of the County. These agencies and surrounding property owners were notified on March 29, 2019 with comments due April 12, 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:

Agencies Notified	Response Date
Chelan County Public Works	July 29, 2020
Chelan County Building	July 15, 2020
Chelan County Fire Marshal	July 29, 2020
Chelan County Fire District #5	July 15, 2020
Chelan County PUD	None
Lake Chelan Reclamation District	None
Dept of Archaeology & Historic Preservation	None
Confederated Tribes of Colville	July 15, 2020
Yakama Nation	None
Department of Ecology	July 23, 2020
Chelan-Douglas Health District	July 30, 2020 and September 10, 2020

27. No public comments were received.
28. The application materials were submitted on June 12, 2020.
29. A Determination of Completeness was issued on July 6, 2020.
30. The Notice of Application was provided on July 15, 2020.
31. The Notice of Public Hearing was provided on October 23, 2020.
32. The applicant submitted an environmental checklist on June 12, 2020. Pursuant to WAC 197-11 process and RCW 43-21C of the State Environmental Policy Act (SEPA), an environmental review and a threshold determination was completed, and an Optional Determination of Non-significance (DNS) was issued on October 5, 2020. The SEPA Checklist and DNS are included within the file of record and adopted herein by this reference.

33. CHELAN COUNTY COMPREHENSIVE PLAN - Urban Growth Area Goals and Policies

33.1 GOAL LU 6: Direct future commercial development to designated commercial areas in urban growth areas and to existing rural commercial areas consistent with the Growth Management Act.

33.2 Rationale: Commercial activities should occur within urban growth areas which have the infrastructure and services necessary for such development. Under the provisions of the Growth Management Act, commercial development, redevelopment, and infill may also occur in existing rural commercial locations. The Act also provides for cottage industries and small-scale tourist commercial activities in rural areas..

34. Rural Public Land and Facilities (RP):

34.1 Purpose: To provide open space, recreational opportunities, sites for necessary public facilities, utilities and services, and protection of critical areas. Encourage joint public/private ventures, where consistent with the rural development and rural character provisions, and goals and policies of this comprehensive plan.

34.2 Uses appropriate for these areas include: public facilities and services, open space and developed open space; agriculture; and forestry. Additional use may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing or new development of small scale recreational or tourist uses that rely on a rural location or setting but that do not include new residential development; and intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses.<sup>46</sup> The development standards of this title shall be used by the applicant in preparing the conditional use permit application and by the hearing examiner in determining the acceptability of permitting a conditional use in a certain location. The applicant has the burden of proving that the proposed use meets the criteria set forth in this chapter. A conditional use permit may be approved only if all of the following review criteria and any special criteria listed in this chapter are met:

35. Manson Urban Growth Area Development Standards 11.23.040:

Standard	UP
Setback: Front	0' from front property line
Setback: Rear	0' from rear property line
Setback: Side	0' from side property line
Lot coverage	50%
Maximum Building Height	35'

Standard	UR2
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Standard	UR2
Setback: Front	20' from front property line
Setback: Rear	20' from rear property line
Setback: Side	5' from side property line
Lot coverage	65%
Maximum Building Height	35'

36. Chelan County Code Development Standards 11.28.020:

Standard	RP
Setback: Front	15' from front property line/ 45' from centerline of the ROW
Setback: Rear	10' from rear property line
Setback: Side	10' from side property line
Lot coverage	0%
Maximum Building Height	50'

37. A conditional use permit may be approved only if all of the following review criteria and any special criteria listed in this chapter are met:

- 37.1 All criteria required for a specific use by this chapter can be satisfied.
  - 37.1.1 Criteria for the proposed schools have been addressed below.
  - 37.1.2 Based on review of the application materials submitted, the criteria for the Manson School District can be satisfied.
- 37.2 A finding can be made that the design standards of the zoning district within which the lot is located, critical area regulations, and all other applicable development standards and regulations.
  - 37.2.1 The site plan of record, date stamped June 12, 2020, demonstrates the existing and proposed development would meet applicable zoning setbacks in CCC Section 11.23.040 and 11.28.020.
  - 37.2.2 Portions of the subject properties are within a geologically hazardous area and identified as possible erodible soils. A geologic assessment was submitted with the applicant performed by Nelson Geotechnical Associates INC dated June 11, 2020.
  - 37.2.3 Based on the site plan of record, date stamped June 12, 2020, the proposed development, as conditioned, meets the development standards.
- 37.3 Compatibility with the adjacent uses and the protection of the character of the surrounding area.

- 37.3.1 The existing use and proposed addition to the Manson School is compatible with the adjacent uses and would enhance the community in the future.
- 37.3.2 Both Urban Public (UP) and Rural Public Lands and Facilities (RP) zoning districts allows for public facilities as conditional uses.
- 37.3.3 The subject properties have adequate services to accommodate the proposed use.
- 37.4 Detrimental impacts on the natural environment and productive use of surrounding natural resource lands can be mitigated or avoided.
  - 37.4.1 The subject property is not identified as a classified resource land pursuant to the Chelan County Comprehensive Plan. There are no protected critical areas on or nearby the subject property. The subject property is located within an area that is shown to have erosive soils per Chelan County GIS mapping.
  - 37.4.2 As conditioned, the proposed development would not be detrimental to the natural environment.
- 37.5 No conditional use permit shall be issued without a written finding that:
  - 37.5.1 After adequate opportunity for review and comment, all providers of water sewage disposal, schools, and fire/police protection serving the development have issued a letter that adequate capacity exists or arrangements have been made to provide adequate services for the development
    - 37.5.1.1 Chelan County provided a Notice of Application to all providers; received comments and were reviewed and considered by the Hearing Examiner.
    - 37.5.1.2 Through the process of public and agency noticing, opportunity for review and comments were provided for the proposed uses.
  - 37.5.2 No county facilities will be reduced below adopted levels of service as a result of the development.
    - 37.5.2.1 The proposed uses are not anticipated to result in county facilities being reduced below adopted levels of service as a result.
    - 37.5.2.2 As conditioned, the proposed uses would not result in county facilities being reduced below adopted levels of service.
- 37.6 The proposed use shall not result in undue adverse impacts affecting the public health, safety and welfare.
  - 37.6.1 With the existing and proposed development are supplied by the Lake Chelan Reclamation District for water and sewer. No comments were received from the Lake Chelan Reclamation District.
  - 37.6.2 As conditioned, the proposed uses are not anticipated to result in an adverse impact on public health, safety and welfare.

- 37.7 A finding shall be made that adequate provisions have been provided for roads, ingress and egress, stormwater, parking and loading, domestic and irrigation water, sanitary facilities, power, fire protection, and other necessary facilities, improvements or services consistent with the requirements of Title 11 and 15 of the Chelan County Code. Primitive or forest service roads may be considered appropriate access as provided in Section 11.88.070.
- 37.7.1 Roads, ingress and egress: The subject properties are accessed by Totem Pole Road and Hill Street, both Chelan County right-of-way.
- 37.7.2 Stormwater: The applicant shall comply with Chelan County Code Title 13; Chelan County Stormwater Guidelines and Procedure.
- 37.7.3 Parking and Loading: The development has proposed a new parking lot with an addition of 120 stalls over 52,000 sq. ft.
- 37.7.4 Domestic and Irrigation Water: Domestic water and irrigation is supplied by Lake Chelan Reclamation District.
- 37.7.5 Sanitary Facilities: Sanitary facilities are supplied by Lake Chelan Reclamation District.
- 37.7.6 Power: Power is provided by Chelan County PUD.
- 37.7.7 Fire Protection: The proposed development is located Chelan County Fire District # 5. Comments received from the Chelan County Fire Marshal, dated July 29, 2020, state that alternative fire flow may be required.
- 37.7.8 All necessary facilities, improvements and services are consistent or can be conditioned per the requirements of Titles 11, 13 and 15 of the Chelan County Code.
- 37.8 Noise, light, heat, steam, erosion, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards and related impacts on adjacent properties and to the vicinity can be mitigated or avoided.
- 37.8.1 Based on the application materials, the applicant has indicated that the proposed uses of the subject properties would not impact adjacent properties in the vicinity with noise, light, heat, steam, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards, or any other related impacts.
- 37.8.2 Based on the above facts, noise, light, heat, steam, erosion, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards and related impacts on adjacent properties can be avoided or mitigated as conditioned.
- 37.9 The granting of the proposed conditional use permit is consistent and compatible with the intent, goals, objectives and policies of the comprehensive plan, and any implementing regulation.
- 37.9.1 The existing and proposing Manson School with addition would be consistent with the goals and policies of the Chelan County Comprehensive Plan.

37.9.2 The development is consistent with the Chelan County Comprehensive Plan.

38. An open record public hearing after due legal notice was held using Zoom video conferencing on November 4, 2020.
39. Appearing and testifying were Eric Severtson and Paul Coppock. Mr. Severtson and Mr. Coppock both testified that they were agents of the applicant and property owner and were authorized to testify on their behalf. Mr. Coppock indicated that all of the proposed conditions of approval were acceptable to the applicants.
40. No one from the public testified at this hearing.
41. The Hearing Examiner has reviewed the applications and submitted materials. Based on the information contained in the applications and compliance with the Revised Code of Washington, the Washington Administrative Code, Chelan County Comprehensive Plan, and the Chelan County Code, the Hearing Examiner provides the attached conditions of approval.
42. Any Conclusion of Law that is more correctly a Finding of Fact is incorporated herein as such by this reference.

## II. CONCLUSIONS OF LAW

1. The Hearing Examiner has authority to render this Decision.
2. Based on review of the application materials submitted, the criteria for the Manson School District can be satisfied.
3. Based on the site plan of record, date stamped June 12, 2020, the proposed development, as conditioned, meets the development standards.
4. The subject properties have adequate services to accommodate the proposed use..
5. As conditioned, the proposed development would not be detrimental to the natural environment.
6. Through the process of public and agency noticing, opportunity for review and comments were provided for the proposed development.
7. As conditioned, the proposed development would not result in county facilities being reduced below adopted levels of service.
8. As conditioned, the proposed development would not have an adverse impact on public health, safety and welfare.
9. All necessary facilities, improvements and services are consistent or conditioned per the requirements of Chelan County Code.
10. As conditioned, the project is consistent with the Chelan County Comprehensive Plan and Chelan County Code.
11. Based on the above facts, noise, light, heat, steam, erosion, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards and related impacts on adjacent properties can be avoided or mitigated as conditioned.
12. The development is consistent with the Chelan County Comprehensive Plan.
13. Any Finding of Fact that is more correctly a Conclusion of Law is incorporated herein as such by this reference.



### III. 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 Chelan County Code Section 11.93.080, the granting of a conditional use permit and the conditions set forth runs with the land; compliance with the conditional use permit is the responsibility of the current owner of the property, whether that is the applicant or a successor.
2. Pursuant to Chelan County Code Section 11.93.040(10), the final Conditional Use Permit shall be in conformance with the submitted application of record, including site plans date stamped June 12, 2020 or as amended by this decision.
3. Pursuant to the requirements of the International Building Code and International Fire Code, a Chelan County Commercial Building Permit shall be required for the proposed development.
4. Pursuant to Chelan County Code Section 11.92.030, a building permit shall be required for any proposed new signs; the sign shall meet the requirements of the Chelan County Code Chapter 11.92 Signs.
5. Pursuant to Chelan County Code Section 11.93.040(4), detrimental impacts on the natural environment and productive use of surrounding natural resource lands shall be mitigated or avoided.
6. Pursuant to Chelan County Code Section 11.93.040(8) and Chapter 7.35, the applicant shall ensure that all noise regulations are met.
7. Pursuant to Chelan County Code Section 11.88.080, security lights or any exterior lighting shall be low-intensity, non-flashing and designed to project toward the property or shall be shielded to keep light from directly projecting over property lines.
8. Pursuant to RCW 27.53.020, if the applicants or their agents discover previously unknown historic or archeological 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.
  - 8.1. An inadvertent discovery plan must be submitted with the commercial building permit application and kept onsite during all land disturbing activities.
9. Pursuant to Chelan County Chapter 15.50, Landscape Standards, a landscaping plan shall be submitted for review and approval for the Early Childhood Learning Center.
10. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
11. Pursuant to Chelan County Code Section 11.93.110, a conditional use permit shall become void if not acted upon, within three years after approval or such other time period as established by the hearing examiner. The applicant may request a one-year extension, to be reviewed administratively, if the applicant submits a written request with community development thirty days prior to expiration.

12. Pursuant to Chelan County Code Section 11.93.090, upon final action of the hearing examiner to deny an application for a conditional use permit, the department shall not accept filing of an application for substantially the same matter within one year from the date of the final denial of the application.
13. Pursuant to Chelan County Code Section 11.93.120, action of the Hearing examiner is final, unless appealed pursuant to the judicial appeal provisions of Title 14 of the Chelan County Code.

#### Public Works

14. Totem Pole Road is a 40' right-of-way and is classified as an Urban Local Access Road and Urban Minor Collector in the county road system. The road provides single lanes for traffic in each direction with curb, gutter and sidewalk on the east side of the road. Totem Pole Road has an 18-31' pavement width. Hill Street is a variable right-of-way and is classified as an Urban Minor Collector Road in the county road system. The road provides single lanes for traffic in each direction with curb, gutter and sidewalk on the north side of the road. Hill Street has a 20-32' pavement width.
15. Frontage road improvements are required to Totem Pole Road and to Hill Street. Totem Pole Road and Hill Street shall be brought up to the Urban Local Access Class 1B standard with curb, gutter and sidewalk. The bus pickup/ drop-off area at Hill Street shall be within the applicant's property (not on the County right-of-way).
16. Pursuant to Chelan County Code Title 11.88.070(3); and Chapter 4, Section 6.14 of the Chelan County Transportation Element, the applicant is required to dedicate additional right-of-way to make the right-of-way on Totem Pole Road and Hill Street 30' from centerline. This right-of-way dedication shall be done by deed. The applicant shall have a surveyor verify the right-of-way and provide a survey to the County. The survey shall indicate the existing right-of-way and the portion being dedicated so that your surveyor can establish a legal description for that dedicated right-of-way for the deed.
17. Pursuant to Chelan County Code Title 15.30.825, monumentation would be required to be placed on Totem Pole Road and Hill Street if not already monumented.
18. Pursuant to Chelan County Code Section 15.30.340, the applicant would be required to construct existing or new access approaches to meet an Industrial/Commercial Driveway approach (Standard Detail PW-26). The applicant would be required to obtain a Chelan County Public Works Approach Permit prior to constructing the Commercial Driveway Approach. The approach apron would be required to be paved.
19. The applicant would be required to construct ADA ramps, curb, gutter and sidewalks along the frontage of the development on Totem Pole Road and Hill Street.
20. The applicant is required to submit construction plans and reports in accordance with Title 15. The plans must be submitted simultaneously under one Letter of Transmittal. The applicant would be required to have Construction Plans approved by Chelan County Public Works Department prior to construction. The following are the minimum construction plan elements:
  - 20.1 Road Improvement Plan (including location of utilities)
  - 20.2 Erosion and Sedimentation Control Plan
  - 20.3 Lot Access Plan

- 20.4 Signage and Painting Plan
- 20.5 Drainage Report & Plan

- 21. A Pre-Construction Meeting with the owner/contractor and Chelan County Public Works Department would be required prior to commencement of construction.
- 22. The applicant would be required to submit signed As-built Construction Plans by the applicant's engineer prior to Chelan County Public Works issuing final approval.
- 23. The development shall comply with the Chelan County Storm Drainage Standards and Guidelines per Title 13.14, 13.16 and 13.18. Pursuant to Chelan County Code Title 13, A Drainage Report and Plan may be required if any new impervious surface of 5,000 square feet is created and must be reviewed and approved. If required, the report shall be submitted to Chelan County Public Works. This shall be completed prior to any road/parking area construction beginning.
- 24. If a drainage system is required, or an existing drainage system is in place, this system shall be privately owned and maintained to its originally designed condition by all the property owners having owners having a vested interest. A 'Notice to Title' shall be filed with the Chelan County Auditor's office prior to the submittal of Building Permit, stating:

*'The area within this site plan contains a private storm drainage system designed to control runoff originating from this site. This site shall burden and benefit the parties' successors in interest and runs with the land. The Drainage Plan for this development was prepared by the engineering firm of \_\_\_\_\_, dated \_\_\_\_\_, a copy of which is on file with the Chelan County Public Works Department. It shall be the responsibility of the property owner(s) and/or their successors to thereafter maintain the storm drainage system to the originally designed condition. Chelan County personnel shall have the right of access to the property for purpose of inspection of the storm drainage system. If Chelan County personnel determine that the storm system maintenance is unsatisfactory, and the property owner has had due notice and opportunity to satisfactorily maintain the system, Chelan County personnel and equipment may enter the property to perform the necessary maintenance. Such maintenance shall be at the property owner's expense.*

*This private storm water drainage system was installed for the owner(s), who hereby agree to waive on behalf of itself and its successors in interest, any and all claims for damages against any governmental authority arising from the inspection, approval of, design of, and construction and/or maintenance of the drainage system.*

#### Department of Ecology

- 25. The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge.

#### Chelan-Douglas Health District

- 26. Domestic water and sanitation are currently provided by Lake Chelan Reclamation District.

#### Fire Marshal

- 27. The proposal/development shall conform to all applicable requirements of the International Fire Code and Chelan County Code Administered by the Chelan Fire Marshal.

28. Class A roofing/noncombustible roof covering, as defined in the International Building Code, shall be used on all new construction in all areas of Chelan County.
29. All land upon which buildings or portions of buildings are hereafter constructed in or moved within Chelan County, or improved, shall be served by a water supply designed to meet the required fire flow for fire protection as set out in section 15.40.040 of the Chelan County Code and the current edition of the International Fire Code.
30. The minimum fire flow and flow duration for buildings other than one and two-family dwellings shall be as specified in Table B105.1(2) of the IFC, except that a reduction in required fire flow of up to seventy-five percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire flow shall not be less than one thousand five hundred gallons per minute. Table B 105.2

#### IV. DECISION

Based upon the above noted Findings and Fact and Conclusions, Conditional Use CUP 20-010 is hereby **APPROVED**.

Dated this 19th day of November, 2020.

CHELAN COUNTY HEARING EXAMINER



Andrew L. Kottkamp

**Anyone aggrieved by this decision has twenty-one (21) days from the issuance of this decision, to file an appeal with Chelan County Superior Court, as provided for under the Judicial Review of Land Use Decisions, RCW 36.70C.040(3). The date of issuance is defined by RCW 36.70C.040 (4)(a) as “(t)hree days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available” or if this section does not apply, then pursuant to RCW 36.70C.040(3) (c) “...the date the decision is entered into the public record.” Anyone considering an appeal of this decision should seek legal advice.**

**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.