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MAY 21 2021

SHORELINE MANAGEMENT PERMIT

ACTION SHEET

CHELAN COUNTY
COMMUNITY DEVELOPMENT

Application #: MPR 2020-001/SDP 2020-026/SCUP 2020-002
Administering Agency Chelan County Department of Community Development

Type of Permits:

- Master Planned Resort
- Shoreline Substantial Development Permit
- Shoreline Conditional Use Permit

Action: ■ Approved □ Denied

Date of Action: May 19, 2021

Date Mailed to DOE/AG

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

Chelan County
400 Douglas St
Wenatchee, WA 98801

This is an application for a Master Planned Resort (MPR), Shoreline Substantial Development Permit (SDP) and Shoreline Conditional Use Permit (SCUP) for a short-term visitor accommodation facility within the shoreline jurisdiction of Ingalls Creek and Peshastin Creek. The proposed (3) phase MPR is an expansion of the original conditional use for the existing retreat center, in order to allow for a more flexible mixed use of the subject property. The development proposes the construction of (7) new buildings and the renovation/redevelopment of existing structures to include: addition of guest lodging (26 units/68 beds), addition of staff housing (3 units/8 beds), new dining hall for 120 guests, construction of maintenance building, establishment of multiple outdoor recreation areas (i.e. zipline, walking trails, outdoor gathering areas, sledding hill, ropes course), renovation of meeting/conference areas, expansion of internal roadways system and parking, and fire suppression facilities. The subject property is made of (4) parcels, totaling 21.33 acres, and is located in the Rural Residential/Resource 5 (RR5) zoning district. Access is to be off of Ingalls Creek Road onto a private internal roadway proposed with development. Domestic water is via a public water system with sanitation proposed as an on-site septic system.

In order for Ingalls Creek Enrichment Center to serve the needs of existing and future visitors, the center would need to increase the lodging and capacity. A Shoreline Substantial Development Permit (SDP) and Shoreline Conditional Use Permit (SCUP) are required in order to continue existing shoreline uses and to

construct and remodel/renovate infrastructure located within 200 ft. of Ingalls and Peshastin Creeks as part of the MPR build-out.

Approval of the MPR will establish an overlay zone on the property, including an overall site plan, permitted uses, and phasing of the short-term visitor accommodation facility.

The property is currently used as the Ingalls Creek Enrichment Center; a faith-based non-profit retreat center.

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

I. 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 RCW 58.17, the development shall conform to all applicable local, state, and federal regulations, statutes, rulings, and requirements. The proposal shall be subject to approval that may be required under permits licenses or approvals by any other local, state, or federal jurisdictional agency.
2. All conditions imposed herein shall be binding on the Applicant. ‘Applicant’ shall mean terms, which include the owner or owners of the property, heirs, assigns and successors.
3. Pursuant to Chelan County Code Section 11.89.100(1) the approved master planned resort binds the development proponents and their successors to the proposed development as approved, applicable development standards of this chapter, and conditions of approval. Approval of the master planned resort confirms that the proposal is consistent with the purpose of and provisions for master planned resorts and the comprehensive plan and provides the basis upon which subsequent permits, including building permits, may be reviewed and issued.
4. Pursuant to Chelan County Code Section 11.89.100(2), following approval of the master planned resort, subsequent development requests shall be reviewed for consistency with the approved master planned resort prior to issuance. Applications which are not consistent with the approved master planned resort shall not be issued.
5. Pursuant to Chelan County Code Section 11.89.120(1), the MPR shall be constructed in a timely manner, following the phasing approved in the final plan. Substantial progress toward development of the first phase or the entire development, whichever is applicable shall occur within a timeframe established by the Hearing Examiner.
6. Pursuant to Chelan County Code Section 11.89.120(2), failure to develop within the time limit shall cause the county to schedule a public hearing of the Chelan County Hearing Examiner to determine if substantial progress has been made. In the event the approval authority determines that substantial progress is not being made, a certified letter indicating such determination shall

be sent to the property owner(s), as listed in the records of the county assessor and a copy forwarded to the last know applicant(s). If such determination is made, the plan shall be void and the area within the boundaries of the MPR shall revert to its underlying zoning designation. The applicant and/or owner has the right to appeal such determination in accordance with Chapter 14.12 of this code.

7. Pursuant to Chelan County Code Section 11.89.130, the final MPR plan may be amended or modified at the request of the applicant or the applicant's successor in interest. The administrator may administratively approve minor modifications to a final MPR plan. Minor modifications may include changes in density, provided the total number of dwelling units approved shall not exceed ten percent of the maximum number approved in the final MPR plan for the development or phase; and provided, that the net residential density is not altered; and also provided, that such changes do not significantly increase impacts on transportation, reduce buffers or open space, or increase impacts on the environment. Modifications that do not qualify as minor shall be subject to applications, notices, hearings and appeals in the same manner as the original application. The Hearing Examiner may vary or specify additional criteria for determining whether proposed modifications are major or minor through the final MPR plan.
8. Based on comment letter received from Washington State Department of Archaeology and Historic Preservation (DAHP), the development is located in an area with high potential for archaeological resources. Prior to ground disturbing activities, consultation with DAHP shall be required and a cultural resource survey shall be conducted unless documentation as provided by DAHP waived this requirement.
9. The owner/developer/contractor(s) shall obtain a NPDES Construction Storm Water General Permit from the Washington State Department of Ecology (Erosion Sediment Control Plan). Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction. A copy of this permit must be submitted to the Chelan County Department of Community Development, prior to any clearing, grading or construction.
10. The following note shall be placed on all building permits for this MPR:
 - 10.1. **"If any Native American grave sites or archaeological resources are discovered or excavated, the owner/developer/contractor shall stop work immediately and notify Chelan County Department of Community Development and the Washington State Department of Archaeology and Historic Preservation in conformance with RCW 27.53.020. An inadvertent discovery plan shall be submitted with the building permit application and kept onsite during all land disturbing activities. A sample of this plan may be obtained from Chelan County Community Development."**
11. Pursuant to Chelan County Shoreline Master Program (CCSMP) Section 7.9, this shoreline development permit and shoreline conditional use permit shall be valid for the activities described within the JARPA and shown on the site plan of record, date stamped August 13, 2020 except as modified by this decision or other jurisdictional agencies.
12. Pursuant to CCC 11.98.060, Preservation of open space, a Notice to Title shall be recorded for the preservation and the management of the open space for the MPR.
13. Pursuant to CCSMP Section 7.10. B, substantial progress toward construction for which a permit has been granted must be accomplished within two (2) years for the granting of the permit.

14. Pursuant to CCSMP 7.10 and 7.11.A, authorization to conduct the approved development shall terminate five (5) years after the effective date of decision; the County may authorize a single extension for a period not to exceed one (1) year in accordance with CCSMP Section 7.10.D.

CHELAN COUNTY PUBLIC WORKS DEPARTMENT

15. Pursuant to CCC Section 15.30.310(5), the applicant would be required to obtain a Chelan County Commercial Permit for any existing or new proposed access connections to Ingalls Creek Road.
16. Pursuant to CCC Chapter 15.30, the County Engineer is requiring a Traffic Impact Analysis (TIA) to be performed on this development. A TIA from the applicant dated May 6, 2020, was received to Chelan County Public Works on September 22, 2020. After review of the TIA, Public Works has determined no off-site mitigation is required.
17. Pursuant to CCC Section 12.08.020, the applicant must demonstrate a Legal and Perpetual Access for the proposed development.
18. Pursuant the CCC Chapter 15.30, the design and construction of the new proposed internal private road shall be required to be constructed to meet or exceed a Private Rural Local Access Road Class 2 (Standard Plan PW-20) with Emergency Vehicle Turnaround (Standard Plan PW-23 A or B) for this development.
19. Pursuant to CCC Section 15.60.070, road design specifications and features shall be required to meet Chapter 15.30, WSDOT, AASHTO, MUTCD, and all other referenced design guidelines and publications in this section.
20. The applicant would be required to show the dimensions and type of material proposed for the parking area on the MPR Site Plan for the proposed development. Prior to commencement of activities, the applicant shall provide Chelan County Public Works with a parking area circulation plan indicating the size of the parking area, type of surface material proposed for the parking area and access road, number of parking spaces, general parking schematic and the location of emergency Vehicle Turn-around.
21. Pursuant to CCC Section 15.30.310, the applicant is required to submit a Lot Access/Addressing Plan. The Lot Access/Addressing Plan shall demonstrate how all lots and any existing driveway easements would be constructed and how they meet county road approach standards. **Submit three (3) or more names for the New Proposed Internal Roads to the Public Works Department for approval by Rivercom pursuant to CCC Chapter 10.20.**
22. Pursuant to CCC Section 15.30.610, Construction Plans, the applicant shall submit construction plans and reports for all required improvements on the internal road and if any, required frontage improvements. The applicant would be required to have the Construction Plans approved by Chelan County Public Works Department prior to construction. The Construction Plans shall include, but are not limited to:
 - 22.1 Drainage Report and Plan.
 - 22.2 Roadway Improvement Plan (showing location of utilities and roadway curve data).
 - 22.3 Lot Access Plan (Profiles, Topography).
 - 22.4 Erosion and Sedimentation Control Plan.
 - 22.5 Signage Plan.

23. Pursuant to CCC Section 15.30.650, a Pre-Construction Meeting is required with the owner, contractor, the Chelan County Public Works Department prior to commencing any construction.
24. Pursuant to CCC Section 15.30.660, As-Built Plans shall be submitted, reviewed and approved by the Public Works Department upon completion of all required improvements.
25. Pursuant to CCC Section 15.30.820, the applicant shall not obstruct sight distance with a centralized mailbox or locate a centralized mailbox that would hinder Road Maintenance. Should a centralized mailbox be required, provide details on construction plans. Minimum information shall include location, installation details, and pull-out detail.
26. A drainage report and plan would be required, if any new impervious surface of 5,000 sq. ft. is created and must be reviewed and approved prior to construction. Operation and maintenance of the private drainage system would require a Maintenance Agreement. The Maintenance Agreement must include operational and annual maintenance criteria.

CHELAN COUNTY BUILDING AND FIRE SAFETY

27. The proposal/development shall conform to all applicable requirements of the International Fire Code and International Building Code administered by the Chelan County Fire Marshal.
28. The development is located in an area that does not have a water supply that meets the fire-flow requirements for commercial buildings. The Chelan County Fire Marshal realize providing the required fire flow is probably not attainable. However, there needs to be enough water available to provide the Fire District with water to have a chance at stopping a fire.
29. In lieu of the required fire-flow, a cistern having a minimum size of 10,000 gallons would be required. If new buildings have required fire sprinkler systems, the required water supply for the sprinkler system would be added to the required 10,000 gallons for the fire flow.
30. The cistern would need to have a dry hydrant connection to provide a means for the fire district to draft water from the cistern. The hydrant would need to be located so that a fire apparatus can park within 10 ft. The cistern also needs to have a water supply from a well or other source with automatic refill capability and a method of monitoring the level of water in the cistern. Plans showing the location of the tank/cistern and how it would be installed would need to be reviewed and approved prior to construction.
31. Above ground water storage tanks may require a conditional use permit, issued through Chelan County Community Development.
32. Above ground or below ground tanks are considered structures and would require a fire permit through Fire Prevention and Investigations.
33. The proposed cistern in the application is in Phase Two (2). This needs to be moved to Phase One (1) and should be installed prior to construction of new buildings.
34. The existing access to the river that provides a location to draft water may be compromised by snow in the winter. In the summer, the creek water flow volume may drop and not have enough water to be usable.

35. Plans for the fire apparatus access roads, designed in accordance with CCC Chapter 15.30 Road Standards, shall be submitted to the Chelan County Public Works for review and approval prior to development approval.
36. Secondary access should be moved from Phase Three (3) to Phase Two (2).
37. Class A roofing/noncombustible roof covering, as defined in the International Building Code, shall be used in all areas of Chelan County.

CHELAN-DOUGLAS HEALTH DISTRICT

38. Domestic water service shall be by expansion of the Ingalls Creek Enrichment Center and/or The Crystal Waters Water System. Plans and specifications for this expansion must be reviewed and approved by the State Department of Health (DOH).
39. An existing permitted septic system is on file. However, the additional buildings and projected guest use would require new septic permit. Plans and designs for this development must be reviewed and approved by the State Department of Health (DOH).
40. Unless otherwise exempted by the Chelan County Code, the applicants agree to apply for any necessary building permit(s) for all signage requiring a building permit consistent with the adopted code of Chelan County

II. FINDINGS OF FACT

1. The applicant/owner is Ingalls Creek Enrichment Center, 12355 Ingalls Creek Road, Peshastin, WA 98847.
2. The agent for applicant is Karen Peele, 1632 Rainier Street, Wenatchee, WA 98801.
3. The project location is 12355 Ingalls Creek Road, Peshastin, WA.
4. The parcel numbers for the subject property are 23-17-25-210-060; 23-17-25-528-070; 23-17-25-210-050; 23-17-25-528-060.
5. The legal description and size for the subject property is: 23-17-25-210-060; Lot B of BLA 2013-121-15.46 acres; 23-17-25-528-070; Crystal Waters Phase #1 Lot 7-0.40 acres; 23-17-25-210-050; Lot 1 of SP 2015-277- 5.01 acres; 23-17-25-528-060; Crystal Waters Phase #1 Lot 6-0.46 acres.
6. The subject property is located in Chelan County, not within an urban growth area.
7. The Comprehensive Plan designation and zoning for the subject property is Rural Residential/ Resource 5 (RR5).
8. The application materials were submitted on August 13, 2020.
9. A Determination of Completeness was issued on September 16, 2020.
10. The Notice of Application was provided on September 22, 2020.
11. The Notice of Public Hearing was provided on May 8, 2021.

12. The property is located along the riparian corridor adjacent to Ingalls Creek and Peshastin Creek. Vegetation along the shoreline of both creeks is contiguous in nature and consists of mature weedy vegetation with an herbaceous understory. Mature vegetation is located adjacent to and between all existing development.
13. The property is developed with multiple buildings devoted to retreat center activities including a main lodge with dining hall, a residential cabin, a covered pavilion facility, storage outbuildings, offices, rustic campsites, parking areas and access roads, wood shed, outdoor amphitheater, ropes course, treehouse, zipline, playground and BBQ area, restroom facilities, sports courts and recreational lawn areas, and a developed Creekside trail system with associated interpretive signage, seating areas and benches.
14. Per the Chelan County Assessor's records, the four (4) parcels, total approximately 21.33 acres.
15. Neighboring sites:
 - 15.1 North: Ingalls Creek Road and Pine Ridge Drive, and zoned Rural Residential/Resource 5 (RR5)
 - 15.2 South: Ingalls Creek, a shoreline of the state with a shoreline designation of Conservancy; zoned Rural Residential/Resource 5 (RR5)
 - 15.3 West: Undeveloped; zoned Forest Commercial (FC)
 - 15.4 East: Peshastin Creek, a shoreline of the state with a shoreline designation of Conservancy; US Hwy 97 and zoned Commercial Mineral Lands (MC).
16. The applicant submitted an Aquifer Recharge Area Disclosure Form, date stamped August 13, 2020. Pursuant to Chelan County Code Section 11.82.040, Chelan County has determined that the aquifer recharge measures do not apply.
17. Pursuant to the Federal Emergency Management Agency, FIRM map panel no. 5300150800A, the development does not contain identified 100 or 500-year flood plain or associated floodway. Therefore, Chelan County Code 11.84, Frequently Flooded Areas Overlay District does not apply.
18. According to the Chelan County GIS mapping, the development contains potential geologic hazardous areas. The applicant submitted a Geological Site Assessment, date stamped August 13, 2020, prepared by Nelson Geotechnical Associates, INC. The report includes several recommendations for construction, which should be adhered to for the design and construction of the proposed expansion of the short-term visitor accommodation facility.
19. Pursuant to the National Wetlands Inventory Map, the property does not contain any known wetlands. Therefore, the provisions of CCC Chapter 11.80, do not apply.
20. The subject property is located adjacent to Ingalls Creek and Peshastin Creek; both creeks are shorelines of the state. The shoreline designation for Ingalls Creek and Peshastin Creek is Conservancy with a buffer setback of 100 ft. from the Ordinary High Water Mark (OHWM).
21. Pursuant to the Washington State Department of Fish and Wildlife Priority Habitat and Species Maps and CCC Chapter 11.78 Fish and Wildlife Overlay District, the development does not contain any known habitat conservation areas. Therefore, the provisions of CCC Chapter 11.78 do not apply.

22. Pursuant to RCW 27.53.020, full cooperation among the Washington Department of Archaeology and Historic Preservation (DAHP) and other agencies is required to ensure information is maintained regarding the possible impact of construction activities on the state's archaeological resources. Pursuant to a letter from DAHP, the proposed development area has high potential for archaeological resources. Therefore, a cultural resource survey is recommended prior to ground disturbing activities. Consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues is recommended as well. A letter from the Confederated Tribes of the Colville Reservation, dated September 22, 2020, says they are unaware of any precontact archaeological sites or traditional places on the parcels in question, however; be aware that the confluence of Ingalls and Peshastin Creeks is an ideal location for a prehistoric or ethnographic seasonal camp. The Hearing Examiner sets as a condition of approval that a cultural resource survey shall be conducted unless documentation as provided by the DAHP relinquishes this requirement.
23. Project History - Permits and applications on record for the development include:
- 23.1 BP 980346 – Commercial Footing/Foundation – Expired
 - 23.2 BP 000625 – Multipurpose building for meetings, kitchen, sleeping and caretakers' quarters - Expired
 - 23.3 BP 060674 – Fire sprinkler plan review and inspections - Expired
 - 23.4 BP 120143 – Exhaust hood system - Expired
 - 23.5 BP 120522 – Fire equipment – Expired
 - 23.6 BP 130291 – Mechanical
 - 23.7 BP 130450 – Deck addition to construct ramp to allow for ingress and egress to second floor of the lodge
 - 23.8 Pre-App 16-113 – Planned development with a development agreement for expansion
 - 23.9 AI 17-188 – Admin Interpretation regarding Ingalls Creek Enrichment Center
 - 23.10 Pre-App 19-188 – MPR – Ingalls Creek Enrichment Center.
24. The Chelan County Public Works comment letter, dated September 30, 2020, states the primary access to the development is via Ingalls Creek Road with the applicant proposing to construct a new internal private road.
25. Pursuant to CCC Section 15.30.310(5), the applicant would be required to obtain a Chelan County Commercial Permit for the access connection to Ingalls Creek Road.
26. Pursuant the CCC Chapter 15.30, the design and construction of the new proposed internal private road would be required to meet or exceed a Rural Emergency Vehicle Access Road (Standard Plan PW -22) with Emergency Vehicle Turnaround (Standard Plan PW -23 A or B) for this development.
27. The Chelan County Public Works comment letter, dated September 30, 2020, states: "A private storm water drainage system will be required for the proposed Master Plan Resort. Operation and maintenance of the private drainage system will require a Maintenance Agreement. The Maintenance Agreement must include operational and annual maintenance criteria.
28. The Hearing Examiner notes that the Maintenance Agreement shall be submitted to the Public Works Department for final review. "The area within this Master Plan Resort (MPR) contains a private storm drainage system designed to control runoff origination from this property. This property shall burden and benefit 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 conditions.”

29. A preliminary storm drainage report, prepared by Erlandsen & Associates was submitted with the file of record.
30. The Chelan-Douglas Health District comment letter, date stamped October 15, 2020 states domestic water service would be by expansion of the public water systems, (Ingalls Creek Enrichment Center and/or the Crystal Waters Water System). Expansion plans and specifications must be reviewed and approved by the Chelan-Douglas Health District or the State Department of Health, and the construction of the improvements certified as per the State Board of Health Regulations prior to final plat approval.
31. The Chelan-Douglas Health District comment letter, dated October 15, 2020, states the additional building and projected guest use would require review and approval a new septic permit.
32. The Chelan County PUD did not comment on this development. PUD power serves this area. The applicant should consult with the Chelan County PUD for further information.
33. The Chelan County Fire Marshal comment letter date stamped October 27, 2020, states the proposal shall conform to all applicable requirements of the International Fire Code and International Building Code administered by the Chelan County Fire Marshal.
34. Noise impacts are addressed in CCC Chapter 7.35.
35. The applicant submitted an environmental checklist on August 13, 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 a Determination of Non-significance (DNS) was issued on May 4, 2021. The SEPA Checklist and MDNS are included within the file of record and adopted by reference.
36. The Notice of Application was referred to agencies and departments on July 16, 2020 and surrounding property owners within 300 ft. excluding 60 ft. of right-of-way with comments due July 30, 2020. Agency comments are included, as appropriate, within this staff report and in the recommended Conditions of Approval. The following agencies and County departments were sent referral packets:

| Agencies Notified | Response Date | Nature of Comment |
|---------------------------------|----------------------|--|
| Chelan County Assessor | No Comment | |
| Chelan County Fire Marshal | October 27, 2020 | The development is located within Fire District #6. |
| Chelan County Building Official | No Comment | |
| Chelan-Douglas Health District | October 15, 2020 | Domestic water would be provided by Ingalls Creek Enrichment Center or Crystal Waters Water System and would |

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|---|--------------------|---|
| | | require new septic permit. |
| Chelan County Public Works | September 30, 2020 | Recommended conditions of approval were provided for the proposed development. |
| Chelan County PUD | No Comment | |
| WA Dept. of Fish & Wildlife | No Comment | |
| Fire District #6 | No Comment | |
| WA Dept. of Archaeology & Historic Preservation | October 6, 2020 | DAHP recommends a cultural survey be performed and requests an inadvertent discovery plan be developed that includes a training for construction workers. |
| Yakama Nation | No Comment | |
| Confederated Tribes of the Colville Reservation | September 22, 2020 | A letter from the Confederated Tribes of the Colville Reservation, dated July 16, 2020, says their records on file show no archaeological sites were found at the nearby Ingalls Creek, however; they support DAHP's recommendation for a cultural resource survey. |
| Dept. of Ecology | October 20, 2020 | The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required is a potential for stormwater discharge from the construction site with disturbed ground. |

37. No public comments were received.
38. The Comprehensive Plan has been reviewed for consistency with the goals and policies related to Rural Designations including the specific criteria for the Rural Residential/Resource 5 (RR5) zoning designation as it relates to rural residential development. Pursuant to the Chelan County Comprehensive Plan, page 8-9 of the Rural Element, states the purpose of the RR5 designation is to:

Purpose: Provides opportunities for small-scale agricultural activities, and rural development consistent with the rural character and rural development provisions outlined in goals and policies of the comprehensive plan. These areas may provide opportunities for protecting sensitive environmental areas and open space typical of rural setting. RR5 designations adjacent to urban growth areas

are intended to encourage the preservation of rural areas until such time as they serve as urban growth areas and urban service become available. RR5 designations can also act as buffers between designated resource lands and more intense rural or urban development.

39. The following Comprehensive Plan policies indicate support for the proposed development within a Rural Designation – Goals and Policies:
- 39.1 Goal LU 2: Physical Activity: Encourage active communities through land use decisions and designs that support bikeways, pedestrian, equestrian and other non-motorized transportation modes.
 - 39.1.1 Policy LU 2.1: Encourage physical activity through land use policies, regulations, design and when feasible, community awareness and education.
 - 39.2 Goal LU 4: Preserve the integrity of significant natural, historic and cultural features by minimizing the impacts of development.
 - 39.2.1 Policy LU 4.1: Encourage development that is compatible with the natural environment and minimizes impacts to significant natural and scenic features.
 - 39.2.2 Policy LU 4.3: Promote the use of land preserve and conservation areas to protect important natural area from inappropriate development.
 - 39.3 Goal RE 1 Maintain a balance between human uses and the natural environment in rural areas of the County.
 - 39.3.1 Policy RE 1.1: Rural development shall avoid and mitigate impacts to critical areas, which have value as wildlife habitat and open space.
 - 39.3.2 Policy RE 1.3: Establish a variety of rural land use designation that would accommodate a wide variety of rural uses and density consistent with the County's rural character.
 - 39.4 Goal RE 4: Encourage rural economic development consistent with the goals and policies of the Chelan County Comprehensive Plan and the Growth Management Act.
 - 39.4.1 Policy RE 4.6: MPRs may be considered within rural areas when consistent with the provisions of the comprehensive plan and RCW 36.70A.360.
35. The Comprehensive Plan outlines the long-range goals and development patterns for the County. The proposed development is consistent with the intent of the Comprehensive Plan, which supports higher intensity uses and development in the zoning district where public facilities (such as water) are available.
36. Chelan County Code, Title 11: Zoning. The proposed Master Planned Resort will be established as an overlay zone in the Rural Residential/Resource 5 (RR5) zoning district, 11.12.
 - 36.1 Pursuant to Section 11.89.020, the Master Planned Resort development standards may supersede the zoning district requirements.
 - 36.2 The proposed Master Planned Resort would establish the development pattern and standards for the development.
37. Chelan County Code Chapter 11.89 Master Planned Resorts Overlay District - 11.89.030 Permitted uses.
 - 37.1 Developed recreational facilities such as, but not limited to, golf courses, marinas, theme parks, clubhouses, tennis or racquetball courts, ball fields, trails, sporting events, racetracks, spa facilities, riding academies, parks, alpine and/or cross-country skiing,

- undeveloped recreational areas and other recreational uses deemed to be consistent with the on-site recreational nature of the master planned resort;
- 37.2 Short-term visitor accommodations such as lodges, hotels, motels, bed and breakfasts, guest inns, time-share units, short-term rental cabins, campgrounds, and other similar transient lodging facilities, convention and conference facilities, and their accessory support facilities. For the purposes of a master planned resort, vacation and second homes are considered short-term visitor accommodations unless its occupant(s) is either registered to vote at the unit's resort address or if they receive their Chelan County annual property tax assessment for such unit at the unit's resort address, in which case the unit shall be considered a permanent residence for all purposes under this chapter;
- 37.3 Residential development including single-family dwellings, duplexes, townhouses, condominiums and other multifamily or residential dwellings, provided such uses are integrated into and support the on-site recreational nature of the master planned resort;
- 37.4 Commercial facilities and services necessary to support only the MPR. Facilities and services may include restaurants, drinking establishments, barber/beauty shops, specialty shops, sports stores, grocery stores, real estate services, other personal/professional offices, gas stations, pet services and other such retail uses and services that provide for the needs of the residents and visitors, and which are compatible with the intent and purposes of this chapter and the comprehensive plan;
- 37.5 Governmental services and other similar facilities including, without limitation, provisions for transportation-related facilities, emergency/medical facilities, schools, fire protection, law enforcement/security, waste disposal, and utilities, consistent with the requirements of this chapter;
- 37.6 Cultural community and entertainment facilities such as theaters, amphitheaters, galleries, arts and crafts centers and interpretive centers which are compatible with the intent and purposes of this chapter and the comprehensive plan.
- 37.7 According to the applicant, Ingalls Creek Enrichment Center exists to meet the growing need for affordable retreat site gathering space for small to mid-sized groups of people. The Enrichment Center offers periodic confluence retreats on critical focus topics. With a partnership with existing ministries, educational institutions, workplaces, nonprofits and businesses that share the commitment to renewal in the Pacific Northwest.
- 37.8 The development proposes to construct seven (7) new buildings and the renovation/redevelopment of existing structures to include: addition of guest lodging (26 units/68 beds), addition of staff housing (3 units/8 beds), new dining hall for 120 guests, construction of maintenance building, establishment of multiple outdoor recreation areas (i.e. zipline, walking trails, outdoor gathering areas, sledding hill, ropes course), renovation of meeting/conference areas, expansion of internal roadway system and parking, and fire suppression facilities.
- 37.9 The proposed uses are consistent with a Master Planned Resort permitted uses per CCC Section 11.98.030, and with the purpose of the RR5 zoning district and Comprehensive Plan Policy RE 4.1.
32. 11.89.040 General requirements. (1) The primary focus of the master planned resort shall be as a destination resort facility with a range of on-site indoor and/or outdoor recreation facilities.
- 32.1 As proposed, the primary focus of Ingalls Enrichment Center is a destination resort facility with a range of on-site indoor and outdoor facilities for camping, outdoor activities, other recreation and spiritual renewal, together with places of public and private assembly.
- 32.2 The existing and proposed uses include a range of activities for a destination resort, a visitor support/education facility and guest services.

- 32.3 The primary focus of the proposed MPR is a resort destination with indoor/outdoor activities, cabins, etc., Therefore, this provision has been met.
33. 11.89.040 General requirements. (2) Master planned resorts shall not be located on land that is inside of or adjacent to a designated urban growth area boundary.
- 33.1 Ingalls Creek Enrichment Center is not adjacent to land that is inside or adjacent to any designated urban growth area boundary.
- 33.2 The proposal is consistent with this requirement.
34. 11.89.040 General requirements. (3) Master planned resorts shall not be located on lands designated as agricultural or forest lands of long-term commercial significance unless a finding is made that the land is better suited, and has more long-term importance, for the MPR than for the commercial harvesting of timber or agricultural production.
- 34.1 The property proposed for the Ingalls Creek Enrichment Center master planned resort is not within property designated as agricultural or forest lands of long-term commercial significance. The zoning designation for the ranch is Rural Residence/Resource 5 (RR5).
- 34.2 The proposed use is not located on lands designated as agricultural or forest lands of long-term commercial significance.
35. 11.89.040 General requirements. (4) The tract or tracts of land included in a proposed master planned resort must be in one ownership or control or the subject of a joint application by the owners of all the property included.
- 35.1 The two (2) parcels proposed for this development are all under the same ownership of the Ingalls Creek Enrichment Center.
- 35.2 The proposed Master Planned Resort is under one ownership.
36. 11.89.040 General requirements. (5) Employee Housing. The applicant shall be required to demonstrate that affordable housing is available for employees of the MPR within the project or in the surrounding area. Housing exclusively for employees is an allowed accessory use and shall not be calculated in the overall housing unit density; provided, that the Hearing Examiner approves the location and number of employee housing units. The applicant shall clearly correlate the number of employees with employee housing.
- 36.1 The application anticipates 15 to 20 employees and proposes No. 5 Housing with three (3) lodging units and eight (8) beds total.
- 36.2 The Master Planned Resort provides housing exclusively for employees as an accessory use for the Hearing Examiner's consideration.
37. 11.89.040 General requirements. (6) If the land or structures in an MPR are intended to be leased, sold or transferred into two or more lots, parcels, or tracts, such a division shall proceed in compliance with the provisions of the Chelan County subdivision resolution, Title 12 of this code, and Chapter 58.17 RCW. Any such preliminary plat may be considered simultaneously with the MPR final plan.
- 37.1 The Master Plan Resort would encompass four (4) existing, legal lots of record as identified in the assessor's records, i.e., APN 23-17-25-210-060, 23-17-25-528-070, 23-17-25-210-050 and 23-17-25-528-060, all under single ownership. The applicant is not proposing to sell or transfer lots, parcels or tracts at this time.
- 37.2 The applicant is not seeking to divide the property by lease, sale or transfer of land as part of this proposal.

38. 11.89.040 General requirements. (7) The site design of the MPR shall include clustering of units, lots, and uses insofar as is consistent with the overall theme of the MPR and in accordance with Title 12 of this code, Subdivisions.
- 38.1 The site plan shows the proposed new buildings are clustered around the existing structures which in turn, enhances the areas of activities, which are interspersed throughout the property.
- 38.2 Uses are clustered in a way that would not encroach any further into the natural environment.
39. 11.89.040 General requirements. (8) All required public improvements including roads, utilities and public facilities that are part of the approved site plan and narrative shall be completed prior to issuance of a certificate of occupancy by the building official or installation guaranteed by the posting of performance bonds or other surety acceptable to the prosecuting attorney in an amount of one hundred fifty percent of the estimated cost of the outstanding improvements, except that all life/safety improvements must be installed and in operation prior to occupancy.
- 39.1 The County Engineer required a Traffic Impact Analysis (TIA) to be performed on this development. A TIA from the applicant dated May 6, 2020, was received to Chelan County Public Works on September 22, 2020. After review of the TIA, Pubic Works has determined no off-site mitigation is required.
- 39.2 This provision has been met.
41. 11.89.050 Development standards. (1) Minimum Project Size. Minimum necessary to meet all the required elements of the MPR.
- 40.1 The proposed mater planned resort encompasses approximately 15.89 (+-) acres.
- 40.2 The development area is sufficient to contain all elements of an MPR.
42. 11.89.050 Development standards. (2) At least forty percent of the total acreage of the master planned resort shall be dedicated to a mixture of permanent open space, natural areas, and/or developed open space, excluding streets and parking areas.
- 41.1 Ingalls Creek Enrichment Center has approximately 80% of acreage of the four (4) parcels in open space, natural areas and developed open space.
- 41.2 The proposed development exceeds the 40% required open space for an MPR. Therefore, this provision has been met.
42. 11.89.050 Development standards. (3) Minimum Setback Requirements. (A) All buildings and structures shall have a minimum yard area and setback of the underlying zoning district from the perimeter boundary of the MPR. When the MPR is adjacent to a shoreline or other significant recreation amenity, this provision shall not apply to immediate vicinity of said shoreline or recreation amenity. (B) Interior required yards and setbacks shall be as established by the approved MPR plan. Required yards and setbacks established by the plan shall be reviewed for adequate light, air and life safety for all structures.
- 42.1 The site plan shows structures meeting the minimum required perimeter setbacks as set forth in Chelan County Code 11.08020(5). Ingalls Creek Enrichment Center is not proposing to subdivide into lots.
- 42.2 The Hearing Examiner sets as a condition of approval, pursuant to Chelan County Code Section 11.89.050, all setbacks shall be consistent with the site plan of record date stamped August 13, 2020 and determined at the time of building permit submittal.

43. 11.89.050 Development standards. (4) Density. The maximum overall density for the MPR, including transient accommodation, shall not exceed two housing units per gross acre of the overall master planned resort, or as determined by the Hearing Examiner.
- 43.1 The four (4) parcels total approximately 21.33 acres in size, which would allow a density of 42 dwelling units for the overall MRP.
- 43.2 Pursuant to CCC Section 11.89.040(5), 'housing exclusively for employees is allowed as an accessory use and shall not be calculated in the overall housing unit density; provided, that the Hearing Examiner approves the location and number of employee housing units.'
- 43.3 The existing and proposed housing serves as visitor accommodations. The total number of lodging units (excluding employee housing) is thirty-three (33) which includes No. 6 Bray Cabin (3 units); No. 14 Lodge (4 units); No. 22 Guest Lodge 1 (10 units); and No. 25 Guest Lodge 2 (10 units). The total number of beds in these four (4) structures =126.
- 43.4 The Hearing Examiner sets as condition that the proposed development for the MPR, including transient accommodation, not exceed the proposed thirty-three (33) lodging units in four (4) structures
44. 11.89.050 Development standards. (5) The maximum lot coverage, minimum setback, minimum lot area and width may be modified consistent with the MPR plan, as approved in conformance with the purpose of this chapter. The maximum building height will conform to that of the underlying zone, unless otherwise approved by the Hearing Examiner.
- 44.1 The applicant is not requesting to modify the maximum lot coverage, minimum setback, minimum lot area or width.
- 44.2 The Hearing Examiner sets as a condition of approval, pursuant to Chelan County Code Section 11.89.050, all development standards and regulations of the RR5 zoning district shall apply unless specifically modified herein.
45. 11.89.050 Development standards. (6) Parking shall be provided for in accordance with Chapter 11.90 and with the circulation plan approved in the MPR plan.
- 45.1 The application has submitted a proposed parking and circulation plan.
- 45.2 The Hearing Examiner sets as a condition of approval, pursuant to Chelan County Code Section 11.90.050, parking plans shall be administratively approved at the time of each building permit. The applicant shall demonstrate compliance with all parking standards.
46. 11.89.050 Development standards. (7) Landscaping. All developed common open space within the development shall be appropriately landscaped according to the landscaping plan approved in the MPR plan. In addition, the standards contained in Chapter 15.50 of this code must be met. Landscaped areas shall have permanently installed irrigation. Natural features that are to be preserved, such as indigenous plant life, wetlands, natural rock formations and riparian areas, shall be shown on the landscaping plan.
- 46.1 The Alternative Landscape plan date stamped August 13, 2020, states all landscaping would be limited to the use of native vegetation and trees and no additional landscape improvements. The resort is within a forested area and is surrounded on two (2) sides by a creek and steep mountains.
- 46.2 The Hearing Examiner finds a prescriptive landscape plan would be incompatible with the natural environment and no landscape improvements are proposed. The application submitted an Alternative Landscape Plan, meeting the requirements.
47. 11.89.050 Development standards. (8) Signage shall be designed and erected in accordance with the approved MPR plan.

- 47.1 The resort may have an on-premise directional or information sign along Ingalls Creek Road. Directional or information signs for the conveyance of visitors within the resort related to parking, office, circulation, and buildings would most likely be erected.
- 47.2 Unless otherwise exempted by the Chelan County Code, the applicants agree to apply for any necessary building permit(s) for all signage requiring a building permit consistent with the adopted code of Chelan County.
- 47.3 The Hearing Examiner sets as a condition of approval that, unless otherwise exempted by the Chelan County Code, a sign building permit is required with each sign and that all signs meet the requirements of Chelan County Code 11.92.
48. 11.89.050 Development standards. (9) Commercial services provided as part of the master planned resort shall be contained within the development and shall be oriented to serve the master planned resort.
- 48.1 The existing and proposed development services include zipline, walking trails, outdoor gathering areas, sledding hill and ropes course oriented to serve the master planned resort's overnight visitors and day-use visitors.
- 48.2 The existing and proposed development includes commercial services oriented to serve the master planned resort's overnight visitors and day-use visitors.
49. 11.89.050 Development standards. (10) Community sewer, water, security and fire protection may be provided on-site and sized to meet only the needs of the development. Existing public service purveyors may provide services as long as the costs related to service extensions and any capacity increases generated by the development are borne by the development and such extensions do not promote sprawl or urban level of development adjacent to the MPR. An MPR that adjoins, or is in part within, an organized fire protection and/or hospital district shall seek annexation of the entire MPR site into said districts.
- 49.1 Domestic water is currently provided by Crystal Wasters PWS No. 000928T as approved by the Chelan-Douglas Health District and the property is within Chelan County Fire District #6.
- 49.2 This provision has been met.
50. 11.89.050 Development standards. (11) The MPR design and subsequent circulation plan shall include internal bicycle, pedestrian and/or equestrian access for resort guests with convenient linkages between recreational activity areas and housing/lodging areas where appropriate.
- 50.1 The site plan date stamped August 13, 2020 identifies the development's circulation plan that would allow the guests convenient connections between recreational activities and housing/cabins.
- 50.2 The Chelan County Public Works Department has identified conditions regarding compliance of public and private improvements with Chelan County Codes.
51. 11.89.060 Preservation of open space. (1) All designated open space shall be preserved in perpetuity for that purpose established in this chapter. Appropriate land use restrictions shall be contained in all deeds to ensure that the open space is permanently preserved. The deed restrictions shall run with the land and be for the benefit of the present as well as future property owners and shall contain a prohibition against partition of open space for other uses. No common open space may be altered or put to a change in use in a way inconsistent with this chapter or the final development plan unless the final development plan is first amended. No change of use or alteration shall be considered as a waiver of any covenants limiting the use of the common open space, and all rights to enhance these covenants against any use permitted are expressly reserved.

- 51.1 Ingalls Creek Enrichment Center is a non-profit corporation (501C3), registered in Washington State. The applicant would retain ownership of the open space. The applicant agrees to record deed restriction preserving the designated open space in perpetuity, prior to submittal of first building permit.
- 51.2 The Hearing Examiner sets as a condition of approval that the Master Planned Resort to comply with the required a covenant to provide for perpetual open space, per CCC Section 11.89.060.
52. 11.89.060 Preservation of open space. (2) Common Open Space. The developer shall choose one or a combination of the following methods of administering common open space: (A) An association of owners formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state and shall adopt articles of incorporation of association and bylaws. The association shall adopt, in form acceptable to the prosecuting attorney, covenants and restrictions that ensure the preservation of the common open space and perpetual maintenance of all common open space; (B) A public agency which agrees to accept a dedication of and maintain the common open space and any buildings, structures, or other improvements which have been placed on it for the use and benefit of the general public; or (C) A private nonprofit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the Hearing Examiner. Such an entity shall have the authority and responsibility for the maintenance and protection of the common open space and all improvements located in the open space.
- 52.1 The application has proposed to retain ownership of the open space and has submitted a draft Notice to Title for preservation of open space in perpetuity.
- 52.2 The Master Planned Resort, with the condition, meets the requirements for open space ownership and management. The Hearing Examiner sets as a condition of approval that the Notice to Title for preservation of open space is recorded.
53. 11.89.120 Expiration (1) The MPR shall be constructed in a timely manner, following the phasing approved in the final plan. Substantial progress toward development of the first phase or entire project, whichever is applicable shall occur within a timeframe established by the Hearing Examiner.
- 53.1 The applicant has submitted a detailed three (3) phase plan to be implemented within twenty (20) years.
- 53.2 The Hearing Examiner has the authority to approve the applications proposed phasing.
54. CCSMP Section 7.5.2, Shoreline Substantial Development Permits: Review Criteria - In order for the permit to be approved, the decision maker must find that the proposal is affirmatively consistent with the following: (A) How is the proposal consistent with the policies and procedures of the Act (RCW 90.58)? (B) How is the proposal consistent with the provisions of Chapter 173-27 WAC, Shoreline Management Permit and Enforcement Procedures? (C) How is the proposal consistent with this SMP?
- 54.1 The provisions of the Shoreline Management Act (SMA) and WAC have been met through the adoption of the CCSMP. The appropriate CCSMP requirements are addressed below.
- 54.2 According to JARPA, question 6(g), the fair market value of the development is \$1,000,000. The development is not exempt from the substantial development permit requirement.
- 54.3 As conditioned, the development is consistent with the provisions of the SMA, WAC and CCSMP.
55. CCSMP Section 7.7.2, Shoreline Conditional Use Permit: Determinations of SCUP

- 55.1 Uses specifically classified or set forth in this SMP as conditional uses shall be subject to review and conditions by the Hearing Examiner and by the Dept. of Ecology
- 55.2 Other uses which are not classified or listed or set forth in this SMP may be authorized as conditional uses provided the applicant can demonstrate consistency with this SMP.
- 55.3 Uses which are specifically prohibited by this SMP may not be authorized as a conditional use.

- 55.4 Based on the CCSMP 3.6-a Shoreline Use Matrix, construction of seven (7) new buildings and renovation/re-development, and repair and maintenance of existing non-conforming buildings and infrastructural improvements located in 'conservancy' shoreline environment designations require a Shoreline Conditional Use Permit (SCUP).
- 55.5 As conditioned and per the review criteria, the SCUP for the proposed uses may be approved. The proposal does not include any new development within the 100 ft. conservancy shoreline buffer. Any re-development and/or repair and maintenance to existing nonconforming structures located within the shoreline environment would occur in compliance with the standards set forth within the SMP.

- 56. CCSMP Section 7.7.3, Shoreline Conditional Use Permit: Review Criteria
 - 56.1 Conditional use criteria. An applicant proposing a conditional use shall affirmatively demonstrate compliance with review criteria below or as thereafter amended in WAC 173-27-160.
 - 56.1.1 How is the proposed use consistent with the policies of RCW 90.58.020 and the SMP?
 - 56.1.2 A portion of RCW 90.58.020 states that the policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto.
 - 56.1.3 The proposed granting of the requested Master Planned Resort and the associated SCUP are consistent with the policies of this act and the CCSMP. Best Management Practices have been incorporated into the development design and construction methodologies to ensure that the development minimizes the potential for pollution and damage to the natural environment including the avoidance of any reduction to shoreline functions or values.
 - 56.1.4 As conditioned, the proposed development is consistent with the CCSMP and RCW 90.58.020.
 - 56.2 How will the proposed use avoid interference with the normal public use of public shorelines?
 - 56.2.1 The property is privately owned and located adjacent to other privately owned residential and recreationally developed properties. As such, there is no public shoreline or public access available to the shoreline within the vicinity of the property.
 - 56.2.2 The proposed development is located on property owned by Ingalls Creek Enrichment Center. Therefore, this development is not anticipated to interfere with public use of public shorelines.
 - 56.3 How will the proposed use of the site and design of the project be compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and this SMP?
 - 56.3.1 The property has been utilized as a faith-based retreat center since 1989. The requested SCUP is not related to a change in use, but rather it would recognize an already legally established existing use and would facilitate the expansion.

- 56.3.2 The proposed development is intended to bring the current use in to compliance with the current SMP.
- 56.4 How will the proposed use cause no significant adverse effects to the shoreline environment in which it is to be located?
 - 56.4.1 The proposed development does not include any new development within the existing 100 ft. conservancy shoreline buffer. Any re-development and/or repair and maintenance to existing nonconforming structures located within the shoreline environment would occur in compliance with the standards set forth within the SMP.
 - 56.4.2 No new adverse impacts to the shoreline environment are expected to result from the construction of the proposed development and would result in not net loss of ecological value or functions within the shoreline environment.
- 56.5 How will the public interest suffer no substantial detrimental effect?
 - 56.5.1 The granting of the requested SCUP would not lead to any significant changes to the manner in which the property is already being utilized. The SCUP would recognize these uses which are already established at the property and would facilitate the request for MPR status.
 - 56.5.2 The development occurring on privately owned property and for activities which are consistent with the existing character of the property and the intent of the comprehensive plan and the SMP. No substantial detriment to the public interest is expected to result from the granting of the SCUP.
- 57. An open record public hearing after due legal notice was held via Zoom on May 19, 2021.
- 58. The entire Planning staff file was admitted into the record.
- 59. Appearing and testifying on behalf of the applicant were the following individuals:
 - 59.1 Doug Waltar. Mr. Waltar testified that he was an agent authorized to appear and speak on behalf of the property owner and Applicant. Mr. Waltar indicated that he agreed with all of the proposed conditions of approval, that they had had public meetings and there had been no opposition to the project. For clarification, he confirmed that there will be seven new buildings and a total of 126 beds at the facility.
 - 59.2 Also testifying for the Applicant, was Karen Peele. Ms. Peele also testified that she was an agent authorized to appear and speak on behalf of the property owner and Applicant. Ms. Peele commented regarding a representation in the staff report regarding CCC 11.89.050 and building permits for signs. She indicated that the Chelan County Code does have some exceptions for building permits required for signs and asked for the inclusion, "unless otherwise exempted by the Chelan County Code" prior to any condition of approval requiring a building permit for any signs.
- 60. No member of the public testified at this hearing.
- 61. The Chelan County Hearing Examiner considered all evidence within the record in rendering this decision.
- 62. Any Conclusion of Law that is more correctly a Finding of Fact 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 development, as conditioned, is consistent with the Comprehensive Plan.
4. As conditioned, the proposed development would not result in adverse impacts to the ecological function of Ingalls Creek and Peshastin Creek.
5. The proposed Master Planned Resort would establish the development pattern and standards for the development.
6. The proposed uses are consistent with a Master Planned Resort permitted uses per CCC Section 11.98.030, and with the purpose of the RR5 zoning district and Comprehensive Plan Policy RE 4.1.
7. The primary focus of the proposed MPR is a resort destination with indoor/outdoor activities, cabins, etc. Therefore, the provisions of Section 11.89.040 have been met.
8. The proposal is consistent with the provisions of Section 11.89.040.
9. The proposed use is not located on lands designated as agricultural or forest lands of long-term commercial significance.
10. The proposed Master Planned Resort is under one ownership.
11. The Master Planned Resort provides housing exclusively for employees as an accessory use for the Hearing Examiner's consideration.
12. The applicant is not seeking to divide the property by lease, sale or transfer of land as part of this proposal.
13. Uses are clustered in a way that would not encroach any further into the natural environment.
14. The provisions of Section 11.89.040 have been met.
15. The development area is sufficient to contain all elements of an MPR.
16. The proposed development exceeds the 40% required open space for an MPR. Therefore, this provision has been met.
17. Pursuant to Chelan County Code Section 11.89.050, all setbacks shall be consistent with the site plan of record date stamped August 13, 2020 and determined at the time of building permit submittal.
18. The proposed development for the MPR, including transient accommodation, shall not exceed the proposed thirty-three (33) lodging units in four (4) structures.
19. Pursuant to Chelan County Code Section 11.89.050, all development standards and regulations of the RR5 zoning district shall apply unless specifically modified herein.
20. Pursuant to Chelan County Code Section 11.90.050, parking plans shall be administratively approved at the time of each building permit. The applicant shall demonstrate compliance with all parking standards
21. A prescriptive landscape plan would be incompatible with the natural environment and no landscape improvements are proposed. The application submitted an Alternative Landscape Plan, meeting the requirements.
22. A condition of approval stating a sign building permit is required with each sign and that all signs meet the requirements of Chelan County Code 11.92.
23. The existing and proposed development includes commercial services oriented to serve the master planned resort's overnight visitors and day-use visitors

24. The provisions of Section 11.89.050 have been met.
25. The Chelan County Public Works Department has identified conditions regarding compliance of public and private improvements with Chelan County Codes.
26. As conditioned the Master Planned Resort will comply with the required a covenant to provide for perpetual open space, per CCC Section 11.89.060.
27. The Master Planned Resort, with the recommended condition, meets the requirements for open space ownership and management. The Hearing Examiner sets as a condition of approval that the Notice to Title for preservation of open space is recorded.
28. As conditioned, the development is consistent with the provisions of the SMA, WAC and CCSMP.
29. As conditioned and per the review criteria, the SCUP for the proposed uses may be approved. The proposal does not include any new development within the 100 ft. conservancy shoreline buffer. Any re-development and/or repair and maintenance to existing nonconforming structures located within the shoreline environment would occur in compliance with the standards set forth within the SMP.
30. As conditioned, the proposed development is consistent with the CCSMP and RCW 90.58.020.
31. The proposed development is located on property owned by Ingalls Creek Enrichment Center Therefore, this development is not anticipated to interfere with public use of public shorelines.
32. The proposed development is intended to bring the current use in to compliance with the current SMP.
33. No new adverse impacts to the shoreline environment are expected to result from the construction of the proposed development and would result in not net loss of ecological value or functions within the shoreline environment.
34. The development occurring on privately owned property and for activities which are consistent with the existing character of the property and the intent of the comprehensive plan and the SMP. No substantial detriment to the public interest is expected to result from the granting of the SCUP.
35. Any Finding of Fact that is more correctly a Conclusion of Law is incorporated herein as such by this reference.

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

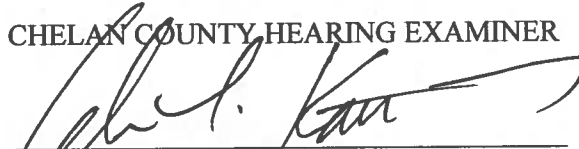
CONSTRUCTION PURSUANT TO THIS SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT AND SHORELINE CONDITIONAL USE PERMIT SHALL NOT BEGIN NOR IS AUTHORIZED UNTIL TWENTY-ONE (21) DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-14-090, OR UNTIL ALL REVIEW

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.

Approved this 21st day of May, 2021.

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 shoreline conditional use permit) as provided for in RCW 90.58.180 and Chapter 461-08 WAC, the rules of practice and procedure of the Shorelines Hearings Board.

Anyone aggrieved by the Master Planned Resort decision has twenty-one (21) days from the date of the issuance of this decision to file a Land Use Petition Action in Chelan County Superior Court as provided for in RCW 36.70C.040.

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.

**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:
