

BEFORE THE CHELAN COUNTY HEARINGS EXAMINER

IN THE MATTER OF	)	FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW,
CUPA 21-547	)	DECISION AND CONDITIONS
Harmony Meadows, LLC	)	OF APPROVAL
	)	

THIS MATTER, having come on for hearing in front of the Chelan County Hearing Examiner on July 20, 2022, 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 (CUP) Amendment submitted by Jeremy Jaech (agent) on behalf of Harmony Meadows, LLC (agent) to amend the previously approved CUP under File No. 2015-33 for the addition of a dwelling unit above a garage located adjacent to the existing staff house. The new garage and dwelling unit would have a footprint of approximately 30 x 30 ft.
2. The owner is Harmony Meadows LLC, Attn: Jeremy Jaech, PO Box 485, Manson, WA 98831.
3. The subject site is located at 4848 Green Ave and 4870 Manson Blvd.
4. The parcel number for the subject property is 28-21-22-612-135 / 28-21-15-612-130. The legal description is: Lot B of BLA 2016-001 and Lot A of BLA 2016-001.
5. The subject site is located in Chelan County, outside of an Urban Growth Area.
6. The Comprehensive Plan designation and Zoning designation for the subject site is Commercial Agricultural Lands (AC).
7. The property is currently in commercial use. Permits for this property have been issued per:  
**Building:**
  - 7.1 BP 150720 Remodel of existing storage building to include: new roof, new foundation and repair, new floor, new interior walls
  - 7.2 BP 160096 New 3 BDRM 3 BATH SFR to include: 1616 sq. ft main floor; 626 sq. ft 2<sup>nd</sup> floor; 996 sq. ft covered porches/decks
  - 7.3 MOD 160029 Update breezeway info; ADA requirements; Fire code updates; Remodel existing restrooms
  - 7.4 BP 160537 New brewery/office space building to include: 1,666 sq. ft main floor and 1,130 sq. ft second floor
  - 7.5 MOD 170018 Modification of BP 160537 to include: addition of tennis facility pro-shop into tenant area; change employee restroom into public restroom; change female Designated ADA restroom into unisex ADA restroom.

- 7.6 BP 210528 New 125-gallon propane tank and outdoor fire pit
- 7.7 FM 16-012 Fire alarm installation
- 7.8 FM 17-316 Fire alarm installation

**Planning:**

- 7.9 CUP 08-008 Banjo Creek Farms
- 7.10 CUP 15-333 Winery and Tennis Academy
- 7.11 BLA 16-001 2 Lot BLA
- 7.12 Pre-App 17-316 Master Planned Resort
- 7.13 MPR 18-053 Master Planned Resort to add housing and food service to existing business permitted under CUP 2015-333
- 7.14 CUPA 21-195.

- 8. Site characteristics: The subject property is relatively flat. Stink Creek and its associated wetlands border the parcel's eastern property line.

Property to the north: Landing Road, public right-of-way; zoned Commercial Agricultural Lands (AC) and Rural Residential/Resource 5 (RR5)

Property to the south: Swartout Road / orchards that are zoned Commercial Agricultural Lands (AC).

Property to the east and south: Commercial Agricultural Lands (AC).

Property to the west: Manson Blvd, public right of way; zoned Rural Residential/Resource 5 (RR5).

- 9. The applicant submitted an Aquifer Recharge Disclosure Form, date stamped December 1, 2021; the proposed development does not require a vulnerability report, pursuant to CCC Chapter 11.82.
- 10. Pursuant to the Washington State Department of Fish and Wildlife Priority Habitat Species Maps, the subject property not does contain Priority Habitat Species; therefore, the provisions of Chelan County Code (CCC) Chapter 11.78, do not apply.
- 11. Pursuant to the Federal Emergency Management Agency (FEMA), panel number 5300150225A of the FIRM maps, the subject property does not contain identified 100 or 500-year flood plain or associated floodway; therefore, the provisions of CCC Chapter 11.84, Frequently Flooded Areas Overlay District Development, do not apply.
- 12. Pursuant to CCC Chapter 11.86, the subject property does not contain geologic hazards; therefore, the provisions of CCC Chapter 11.86 Geologically Hazardous Areas Overlay District do not apply.
- 13. Pursuant to the National Wetlands Inventory Maps prepared by the US Department of Fish and Wildlife Services, wetlands are indicated on or adjacent to the subject property; therefore, the provisions of Chelan CCC Chapter 11.80 Wetland Areas Overlay District does apply.
- 14. The applicant submitted an Aquifer Recharge Disclosure Form and a Vulnerability Rating sheet. The development is subject to Chelan County Code Chapter 11.82.
- 15. Based on comments from WA Dept. of Archaeology & Historic Preservation, the subject property is located within an area of having a high potential for archaeological resources. Pursuant to Revised Code of Washington (RCW) 27.53.020, if cultural resources are found, the applicant would

be required to stop work and contact the Department of Archaeology and Historic Preservation, the Confederated Tribes of the Colville Reservation, and Chelan County Community Development.

16. Construction Phasing/Timing: Applicant plans to begin construction upon approval of application.
17. Traffic Circulation: The subject property is accessed off of Manson Boulevard and Green Avenue. Manson Blvd has a 40' right of way width and is classified as a Major Collector Road in the county road system. Green Avenue is a 60' right of way and is classified as a Rural Local Access Road in the county road system.
18. Domestic Water: No new comment regarding expansion.
19. Power: The subject property is currently serviced with power by Chelan County PUD.
20. Sanitation: No new comments regarding expansion.
21. Noise: Noise should be similar to other residential uses as well as noise associated with a commercial orchard operation. The applicant must comply with CCC Chapter 7.35 Noise.
22. Visual Impact: The use of the property is not changing from commercial agriculture with seasonal agriculture worker housing; the surrounding properties would not be subject to unknown impacts.
23. The Notice of Application was referred to surrounding property owners within 1,000 ft. (excluding 60 ft. of right-of-way), jurisdictional agencies and departments of the County. These agencies and surrounding property owners were notified on December 29, 2021 with comments due January 12, 2022. Agency comments are considered in the decision and, when appropriate, associated recommended Conditions of Approval; no public comments were received for the proposed development. The following is a list of Agencies who received notice and the date comments were received:

Agencies	Response Date	Nature of Comment
Chelan County Fire Marshal	January 12, 2022	No objection to the development if subject to the recommended conditions; alternate fire flow provisions are necessary.
Chelan County Building Official		No Comment
Chelan County Public Works		No Comment
Chelan Douglas Health District		No Comment
Manson Community Council	January 13, 2022	Has concerns regarding the draining of the proposed pool.
WDFW		No Comment
WA Dept. of Archaeology and Historic Preservation		No Comment
Chelan County Fire District 5	January 10, 2022	Fire flow and roads are adequate to serve this development
Department of Ecology	January 10, 2022	The development is adjacent to Stink Creek. Per DNR stream type maps Stink Creek is a type F and requires 150 ft setback.

24. Public Comments: Manson Community Council dated January 13, 2022, concerned about location of the proposed structure in regards to Stink Creek.
25. The application materials were submitted on December 1, 2021.
26. A Determination of Completeness was issued on December 16, 2021.
27. Notice of Application was issued on December 29, 2021.
28. The Notice of Public Hearing was provided on July 7, 2022.
29. SEPA Environmental Review. Pursuant to WAC 197-11-800 of the State Environmental Policy Act (SEPA), the proposed action is categorically exempt from environmental review.
30. Chelan Comprehensive Plan - Land Use Designation/Siting Criteria: Commercial Agricultural Lands:
  - 30.1 Purpose: To assure the long-term conservation of commercial agricultural lands; to protect and preserve the farmers ability to farm; encourage existing and future agricultural land uses as a viable land use and significant economic activity within the community; and, to protect agricultural land of long-term commercial significance not already characterized by urban development from encroachment and incompatible uses.
  - 30.2 Uses appropriate for these areas include: agriculture; open space; residential; 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 small scale recreational or tourist uses that rely upon a rural setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
  - 30.3 The proposal is consistent with the Chelan County Comprehensive Plan.
31. Chelan County Code, Section 11.93.040, Conditional Use Permit Criteria: 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:
  - 31.1 All criteria required for a specific use by this chapter can be satisfied.
  - 31.2 Criteria for small scale recreational or tourist use has been addressed below.
  - 31.3 Based on review of the application materials submitted, the criteria for small scale recreational or tourist use would be satisfied.
32. 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 can be met.
  - 32.1 The proposed development is located in the Commercial Agricultural Lands (AC) zoning district. The AC zoning district permits places of public and private assembly as a Conditional Use, and any alterations would require an amendment to a conditional use permit. The proposed expansion/CUP amendment would be to construct a 30 ft x 30 ft garage/apartment.

- 32.2 Based on the site plan of record, the proposed development meets the zoning standards and the critical area regulations.
- 32.3 A Shoreline Substantial Development Permit may be required.
- 33. Compatibility with the adjacent uses and the protection of the character of the surrounding area.
  - 33.1 The subject property and surrounding properties are operating as orchards.
  - 33.2 The proposed use of the property would not change from its existing use, and as conditioned, is compatible with the surrounding area.
- 34. Detrimental impacts on the natural environment and productive use of surrounding natural resource lands can be mitigated or avoided.
  - 34.1 The proposed development of small scale recreational or tourist use would not be detrimental to the agricultural resource land as the property is already cleared for the development.
  - 34.2 The proposed development would not be detrimental to agricultural resource land.
- 35. No conditional use permit shall be issued without a written finding that:
  - 35.1 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.
    - 35.1.2 According to the application materials and the agency comments/review, adequate capacity exists to provide services for the proposal.
  - 35.2 No county facilities will be reduced below adopted levels of service as a result of the development.
    - 35.2.1 Chelan County provided a Notice of Application to all providers; received comments are included in the file of record.
    - 35.2.2 Through the process of public and agency noticing, opportunity for review and comments were provided for the proposed development.
  - 35.3 The proposed use shall not result in undue adverse impacts affecting the public health, safety and welfare.
    - 35.3.1 The proposed development, as conditioned, would not have an adverse impact on public health, safety and welfare.
  - 35.4 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 Titles 11 and 15 of the Chelan County Code.
    - 35.4.1 Roads, ingress and egress: The subject property fronts and accesses off Apple Acres Road, a public county right-of-way.
    - 35.4.2 Stormwater: The applicant shall comply with CCC Title 13; Chelan County Stormwater Guidelines and Procedure.
    - 35.4.3 Domestic and Irrigation Water: Lake Chelan Reclamation District
    - 35.4.4 Sanitary Facilities: On-site septic systems are to be utilized; septic permits approved by Chelan Douglas Health
    - 35.4.5 Power: Power is provided by Chelan County PUD.

- 35.4.6 Fire Protection: Fire protection is provided by Chelan County Fire District 5.
- 35.4.7 All necessary facilities, improvements and services are consistent or conditioned per the requirements of Titles 11, 13 and 15 of the Chelan County Code.
- 35.5 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.
  - 35.5.1 Noise and Vibration: Noise and vibration would be temporary during construction of the improvements. Construction noise is regulated by CCC Section 11.88.190 and CCC Chapter 7.35.
  - 35.5.2 Light and Glare: Lights appurtenant to residential development are regulated by CCC Section 11.88.080.
  - 35.5.3 Heat, Steam, Odors, Smoke and Dust: The proposed development would not generate heat, steam or odors.
  - 35.5.4 Erosion: Pursuant to CCC Chapter 11.86, the subject property does not contain geologic hazards; therefore, the provisions of CCC Chapter 11.86 Geologically Hazardous Areas Overlay District do not apply.
  - 35.5.5 Water Quality: As conditioned, the proposed development would have to meet standards as required by Chelan Douglas Health District.
  - 35.5.6 Wastes and Physical Hazards: No hazards identified.
  - 35.5.7 Electrical Disturbance: The proposal would not result in electrical disturbances.
  - 35.5.8 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.
- 35.6 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.
  - 35.6.1 The proposed amendment to the places of public and private assembly CUP is consistent with the goals and policies of the Resource Element of the Comprehensive Plan.
  - 35.6.2 The development is consistent with the Chelan County Comprehensive Plan.
- 36. Chelan County Code, Section 11.93.370 Small-scale recreational or tourist use:
  - 36.1 Small-scale recreational and tourism uses include activities and facilities defined in CCC Section 14.98.1795.
    - 36.1.1 The site plan of record, date stamped December 1, 2021, shows all the existing structures, parking lots and the location of the proposed garage and staff housing.
    - 36.1.2 Being as the subject property is currently being used as a place private and public assembly (tennis court event hall, residence, retail building) under CUP 2015-333 and CUPA 2021-195, the proposed amendment would continue to satisfy this requirement.
  - 36.2 Facilities and activities that may occur within small scale recreational or tourist uses include administrative and storage buildings, meeting/conference facilities, recreational



facilities including but not limited to trails, equestrian facilities, interpretive and/or educational facilities, ball fields, swimming pools, exercise facilities/gymnasiums, as well as short-term visitor accommodations such as lodges, cabins, tent and RV camp sites, consistent with applicable building codes and the requirements of this code.

- 36.2.1 Based on the application materials, the Hearing Examiner finds that the staff housing would be consistent with uses within small scale recreational or tourist uses.
- 36.2.2. The Hearing Examiner finds that as conditioned, the proposed use would be consistent within the small-scale recreational or tourist use.
- 36.3 No more than six thousand five hundred square feet of gross floor area shall be devoted to buildings and structures for each ten acres of land area within the project site. Caretakers' residences authorized herein may be in addition to the six thousand five hundred square feet of gross floor area for other buildings and structures.
  - 36.3.1 Finding of Fact: Based on the application materials the applicant is proposing to add a 30 ft x 30 ft garage with staff housing above. The proposed staff housing is well below the maximum square footage.
  - 36.3.2 The Hearing Examiner finds that as conditioned, the proposed use would not exceed the six thousand five hundred sq ft of gross floor area.
- 36.4 One single-family dwelling unit may be allowed for each twenty acres of land within the project site for the use of on-site staff or landowner. The permitted residence may be detached residential unit, or it may be part of an overall structure that includes additional services, as allowed by existing building codes, including but not limited to: an office, convenience store, recreation/game room, laundry, bathrooms, showers, etc. Such facilities are intended to serve the needs of the park facility users and staff only. New residential development shall not be permitted on the site for year-round or second home residential housing, except as permitted herein for an on-site manager, caretaker, or landowner.
  - 36.4.1 There is a single-family residence on the subject property per the MPR 2018-053 is being used as short-term housing for tennis tourists.
  - 36.4.2 The applicant is not is not proposing an additional single-family residence, they are specifically requesting a garage and staff housing.
- 36.5 Lodging facilities associated with small scale recreational or tourist uses shall meet the following standards:
  - 36.5.1 Permitted lodges may include additional services to be located within the structure, as allowed by existing building codes, including but not limited to the following: office, convenience store, recreation/game facilities, laundry, bathrooms, showers, etc. Such facilities are intended to serve the needs of the park facility users and staff only. Commercial uses shall not be open and/or available for use by the general public.
  - 36.5.2 Based on the application materials the applicant is requesting a garage and staff housing.
  - 36.5.3 Campground/RV parks shall meet the general site development requirements of CCC Section 11.93.330, and shall have no more than twenty camp or RV sites or any combination thereof to the maximum of twenty.

- 36.5.4 The development is not proposing any campground or RV sites therefore this provision does not apply.
- 36.6 As approved by the hearing examiner, short term/temporary occupancy of recreational vehicles for a time period of not more than ten days during any sixty-day period is permitted.
- 36.6.1 The development is not proposing any short term/temporary occupancy of recreational vehicles; therefore, this provision does not apply.
- 36.7 Mixed use development allows the option to create up to five units within a lodge or five cabin units, and fifteen RV or tent sites, provided all other applicable provisions of this section are met.
- 36.7.1 The application does not propose a lodge, cabin units, RV or tent sites. The applicant is proposing to construct a garage and staff housing; therefore, this provision does not apply.
37. An open record public hearing after due legal notice was held on July 20, 2022, via Zoom video conference.
38. Appearing and testifying was Jeremy Jaesch. Mr. Jaesch testified that he was the applicant and property owner. He indicated that all of the proposed conditions of approval were acceptable. He stated the unit would only be used by paid staff and would not be rented to the public. He stated he believed the 150' shoreline setback had been administratively adjusted to 75'.
39. No member of the public testified at the hearing.
40. Stink Creek, a statewide shoreline, has a setback of 150 feet. The Applicant's proposal is to be located inside of this shoreline setback.
41. The Chelan County Hearing Examiner considered all evidence within the record in rendering this decision.
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 the site plan of record, the proposal meets applicable AC zoning regulations.
3. The proposal is consistent with the Chelan County Comprehensive Plan.
4. The proposed development, as conditioned, would not result in county facilities reduced below adopted levels of service.
5. The proposed development, as conditioned, would not have an adverse impact on public health, safety and welfare.
6. All necessary facilities, improvements and services are consistent or conditioned per the requirements of Titles 11 of the Chelan County Code.
7. 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 could be avoided or mitigated as conditioned.
8. Any Finding of Fact that is more correctly a Conclusion of Law is incorporated herein as such by this reference.



### **III. DECISION**

Based upon the above noted Findings and Fact and Conclusions, Conditional Use CUPA 21-547 is hereby **APPROVED**, subject to the following Conditions of Approval.

### **IV. 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 conditions of 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 RCW 27.53.020, if cultural resources are found, the applicant would be required to stop work and contact the Department of Archaeology and Historic Preservation, the Confederated Tribes, and Chelan County Community Development.
3. Pursuant to CCC Section 11.93.080, the granting of a Conditional Use Permit and the amendments 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.
  - 3.1. All Conditions of Approval from the approved Conditional Use Permit 2015-333 decision approved by the Hearing Examiner on May 3, 2016, shall be in full force and effect unless modified by this decision.
4. Pursuant to CCC 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.
5. Pursuant to CCC Chapter 11.90 and CCC Section 11.12.020(6), the applicant shall provide a parking plan to be reviewed and approved by Community Development with submittal of building permit.
6. Pursuant to CCC Section 11.93.370(1), construction shall be consistent with applicable building codes.
7. Pursuant to the requirements of the Chelan County PUD:
  - 7.1. A line extension or facility modification may be necessary.
  - 7.2. Easements would be required for all primary power sited on the parcel or secondary power that crosses one or more parcels to serve another parcel.
  - 7.3. The owner would need to apply for power with Chelan PUD.
8. Pursuant to CCC Chapter 15.50, the applicant shall submit a Landscaping Plan for approval, at the time of submittal of any Chelan County Building Permit.
9. Pursuant to the requirements of the Department of Ecology:
  - 9.1. The development is adjacent to Stink Creek and based on the DNR stream type maps Stink Creek is identified as a Type F stream requiring a 150 ft setback.
10. Pursuant to the requirements of the International Building Code and International Fire Code:

- 10.1. The proposal/development shall conform to all applicable requirements of the International Fire Code and Chelan County Code administered by the Chelan County Fire Marshal.
- 10.2. The minimum fire flow and flow duration requirements for one and two-family dwellings having a fire-flow calculation area which does not exceed three thousand six hundred sq. ft. shall be seven hundred fifty gallons per minute. Fire flow and flow duration for swellings having a fire-flow calculation area in excess of three thousand six hundred sq. ft. shall not be less than that specified in Table B105.1(1) of the IFC, except that reduction in required fire flow of fifty percent, as approved, is allowed when the building provided with an approved automatic sprinkler system.
- 10.3. Fire hydrants serving single family or duplex dwellings shall have a maximum lateral spacing of 1,000 ft with no lot or parcel in excess of 500 ft from a fire hydrant when serving lots greater than 43,560 sq. ft. (one acre).
- 10.4. All fire hydrants shall be accessible to the fire department by roadways or accesses meeting the requirements of CCC Chapter 15.30, Road Standards, and meet the requirements of 15.40, Minimum Standard for Water Mains and Fire Hydrants.
- 10.5. The Fire Marshal may modify Fire-flow requirements downward by applying fire protection credits for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical. Applicant is encouraged to contact this office to ascertain how the attached fire protection credits options apply to their development.
- 10.6. Class A roofing/noncombustible roof covering, as defined in the International Building Code, shall be used in all areas of Chelan County.
- 10.7. New homes shall have approved address number, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. The design of the proposed sign shall be submitted to the Fire District and/or Fire Marshal for approval prior to installation.
- 10.8. All buildings within this development that require a building permit shall comply with the provisions of the Wildland-Urban Interface Code as adopted by Chelan County at the time the building permit is submitted.
11. 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.
12. Pursuant to Chelan County Code Section 11.93.040(10), the final Conditional Use Permit Amendment shall be in conformance with the submitted application of record, including site plan date stamped December 1, 2021.
13. Pursuant to Chelan County Code Section 11.93.110, a conditional use permit shall become void if not acted upon, including but not limited to submitting a building permit or the placement of all infrastructure, 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.
14. 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.

15. If the project site is within the jurisdiction of a shoreline of Statewide significance, prior to issuance of a building permit, the Applicant shall obtain all necessary Shoreline Development permits or administrative actions relieving compliance with the current Shoreline Master Program.

Dated this 25th day of July, 2022.

CHELAN COUNTY HEARING EXAMINER

  
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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.