

**CHELAN COUNTY  
LAND USE HEARING EXAMINER**

**IN THE MATTER OF**

**PL 25-123**

**Hawkins**

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

THIS MATTER having come on for hearing in front of the Chelan County Hearing Examiner on August 6, 2025, 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. An application for a 12-Lot Plat was submitted by Skyline Land Services, LLC (agent) on behalf of Britt Hawkins, (owner), to divide an 8.08-acre (based on Assessor's information) residential lot located in the Urban Residential-1 (UR1) zoning district within the Manson Urban Growth Area (UGA) into twelve (12) residential lots; Lot 1 is proposed at .66 acres; Lot 2 is proposed at .88 acres; Lot 3 is proposed at .55 acres; Lot 4 is proposed at .54 acres; Lot 5 is proposed at .44 acres; Lot 6 is proposed at .44 acres; Lot 7 is proposed at .49 acres; Lot 8 is proposed at .51 acres; Lot 9 is proposed at 1 acres; Lot 10 is proposed at .64 acres; Lot 11 is proposed at .60 acres; and, Lot 12 is proposed at .69 acres, as allowed under Chelan County Code (CCC), Section 11.23.040 Standards. Primary access would be from Green Avenue onto a private internal roadway proposed with the development. Domestic water would be provided by the Lake Chelan Reclamation District and on-site septic services are proposed.
2. **General Information:**

<b>Project Location:</b>	1315 Green Avenue, Manson, WA 98831
<b>Parcel Number:</b>	28-21-36-608-750
<b>Legal Description:</b>	Tract 144, High Line Division No. 3 of Lake Chelan Land Company's Irrigated Lands, Chelan County, Washington, according to the plat thereof recorded in Volume 3 of Plats, Page 14, EXCEPT THEREFROM the following described tract: Beginning at the Southeast corner of Tract 59, High Line No. 3, Running the South line of Tract 144, South 84° 33' West 396 feet; thence about North 42° 69' West to the intersection of the East line of Tract 59, distance being about 780 feet; thence along the East line of Tract 59, South 12° 59' East about 625 feet to the place of beginning.
<b>Applicant/Owner:</b>	Britt Hawkins PO Box 66 Manson, WA 98831
<b>Agent/Surveyor:</b>	Skyline Land Services, LLC PO Box 2949 Chelan, WA 98816
<b>Urban Growth Area:</b>	The project site is located within the Manson Urban Growth Area.
<b>Comprehensive Designation:</b>	<b>Plan</b> Urban Residential-1 (UR1)



<b>Zoning:</b>	Urban Residential-1 (UR1)
<b>Existing Land Use:</b>	The current use of the subject property is residential.

### 3. Site Information & Neighborhood Characteristics:

<b>Site Description:</b>	The topography of the site slopes slightly from west to east. The project site currently has a single-family residence and several agriculture-related out-buildings. The subject property was formerly orchard land.
<b>Site Size:</b>	Per the Chelan County Assessor's records, the subject property contains 8.08 acres.
<b>Property North:</b>	Rural Residential/Resource – 1 Dwelling Unit Per 5 Acres (RR5)
<b>Property South:</b>	Hill Street - Urban Residential-2 (UR2)
<b>Property West:</b>	Urban Public (UP)
<b>Property East:</b>	Green Avenue - Rural Residential/Resource – 1 Dwelling Unit Per 5 Acres (RR5) and Rural Residential/Resource – 1 Dwelling Unit Per 2.5 Acres (RR2.5)
<b>Aquifer Recharge Area:</b>	The applicant submitted an Aquifer Recharge Area Disclosure Form, date stamped May 13, 2025. Pursuant to Chelan County Code Section 11.82.040, Chelan County has determined that the aquifer recharge measures would not apply.
<b>Floodplain:</b>	Pursuant to the Federal Emergency Management Agency, FIRM map panel 5300150225A, the project site does not contain identified 100 or 500-year flood plain or associated floodway; therefore, Chelan County Code (CCC), Section 11.84, Frequently Flooded Areas Overlay District would not apply.
<b>Geologically Hazardous Areas:</b>	According to the Chelan County GIS mapping, the project site does not contain geologic hazardous areas.
<b>Wetlands:</b>	Pursuant to the National Wetlands Inventory Map, the site does not contain any known wetlands; therefore, the provisions of CCC, Section 11.80, would not apply.
<b>Shoreline Master Program:</b>	Does not apply.
<b>Fish &amp; Wildlife Habitat Conservation Areas:</b>	Pursuant to the Washington State Department of Fish and Wildlife Priority Habitat and Species Maps and CCC, Section 11.78 Fish and Wildlife Overlay District, the project site does contain Northern Spotted Owl and Wolverine habitats;



	therefore, the provisions of CCC, Section, 11.78 would apply.
<b>Cultural Resources:</b>	Pursuant to RCW 27.53.020, full cooperation among the Department of Archaeology and Historic Preservation (DAHP) and other agencies is required to ensure information regarding the possible impact of construction activities on the state's archaeological resources is maintained. DAHP was included on the Notice of Application. Comments received on June 13, 2025, state that the proposed project is in an area determined to be at Very High risk of containing archaeology according to the DAHP risk assessment model and is adjacent to archaeological sites. The scale of the proposed ground disturbing actions would destroy any archaeological resources present. Therefore, a professional archaeological survey of the project area shall be conducted prior to ground disturbing activities. In addition, continued consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues. (see Exhibit J)

#### 4. Project / Design Information:

<b>Project History:</b>	Permits and applications on record for the project site include: An existing Mobile Home with attached garage was placed on the property in approximately 1994. Several agriculture-related outbuildings were placed on the property between the 1950's and 1990's. Pre-Application Meeting: PL 24-363 – 9-Lot Plat.
<b>Traffic Circulation:</b>	The applicant is proposing access to this subdivision off of Green Avenue, which is a 40'-60' right-of-way and is classified as a Rural Major Collector Road in the county road system. Green Avenue is a 22'-27' paved roadway, providing single travel lanes for both directions with no curb, gutter or sidewalk. Hill Street is a 40'-50' right-of-way and is classified as an Urban Minor Collector Road in the County road system. Hill Street is a 25' paved roadway, providing single lanes for traffic in each direction. There is existing curb, gutter and sidewalk along the south side of the roadway.
<b>Stormwater:</b>	The Chelan County Public Works comment letter, dated June 04, 2025, states a private stormwater drainage system would be required with an Operation and Maintenance Agreement of the drainage system to be recorded prior to the final plat. (see Exhibit D)
<b>Water:</b>	Domestic water shall be provided by expansion of the Lake Chelan Reclamation District public water system. All water system improvements must be designed, constructed and placed in accordance with the purveyor's requirements.
<b>Toxics Clean-Up:</b>	The Dept. of Ecology's Dirt Alert Map indicates that the subject property is located within the footprint of a former orchard that was active during the era when lead arsenate was used as a pesticide. Soil sampling would be



	required. Depending on the results of the soil sampling, Cleanup may be required under the Model Toxics Control Act (Chapter 173-340 WAC).
<b>Sanitation:</b>	The proposed subject properties are proposing to utilize on-site septic systems.
<b>Power:</b>	The Chelan County PUD comment letters dated June 03, 2025, (see Exhibit G), state that Chelan County PUD electrical service is available at the subject property.
<b>Fire Marshal:</b>	The Chelan County Fire Marshal comment letter dated June 11, 2025, (see Exhibit C), 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.
<b>Irrigation:</b>	Irrigation to the subject property is provided by the Lake Chelan Reclamation District. A private irrigation distribution system would need to be installed to each lot.
<b>Noise:</b>	Noise impacts are addressed in CCC Chapter 7.35

## 5. State Environmental Policy Act:

- 5.1. The applicant submitted an environmental checklist on May 13, 2025. 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 Mitigated Determination of Non-significance (MDNS) was issued on July 14, 2025. The SEPA Checklist and MDNS are included within the file of record and adopted by reference.

## 6. Comments:

- 6.1. The Notice of Application was referred to agencies and departments on June 05, 2025, and surrounding property owners within 300 ft. excluding 60 ft. of right-of-way with comments due June 19, 2025. 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	June 20, 2025	The legal description appears to be correct and there are no delinquent taxes.
Chelan County Fire Marshal	June 11, 2025	The project site is located within Fire District #5. See Exhibit C for Comments and Conditions of Approval.
Chelan County Public Works	June 12, 2025	See Exhibit D for Comments and Conditions of Approval.
Chelan-Douglas Health District	June 13, 2025	See Exhibit E for Comments and Conditions of Approval (document dated 06/12/25, but received on 06/13/25).
Lake Chelan Reclamation District	June 04, 2025 with revised comments on July 18, 2025	See Exhibit F for Comments and Conditions of Approval.
Chelan County Building Official	No Comment	
Chelan County PUD	June 03, 2025	See Exhibit G for Comments and Conditions of Approval.



Agencies Notified	Response Date	Nature of Comment
Chelan County PUD Real Estate Services	June 03, 2025	See Exhibit H for Comments and Conditions of Approval.
Dept. of Ecology	June 18, 2025	The Washington State Department of Ecology comment letter, dated June 18, 2025, states that the subject property was previously occupied by orchard during a period when lead arsenate was applied as a pesticide and that soil sampling would be required. Depending on the results of the soil sampling, Cleanup may be required under the Model Toxics Control Act (Chapter 173-340 WAC). (see Exhibit I)
WA Dept. of Archaeology & Historic Preservation	June 13, 2025	See Exhibit J for Comments and Conditions of Approval.
Confederated Tribes of the Colville Reservation	No Comment	
Yakama Nation	No Comment	
WA Dept. of Fish & Wildlife	No Comment	
Fire District #5	No Comment	
Manson School District	No Comment	

**7. Public Comments:**

Name	Date Received	Nature of Comments
Brett Conrad	June 16, 2025	Concerns about traffic and speed limit on Green Avenue. (see Exhibit K)

**8. Application & Public Hearing Notice Compliance:**

Application Submitted:	May 13, 2025
Determination of Incomplete Issued:	May 14, 2025
Determination of Complete Issued:	May 27, 2025
Notice of Application:	June 05, 2025
SEPA MDNS Issued:	July 14, 2025
Notice of Hearing:	July 23, 2025
Public Hearing:	August 06, 2025

**9. Comprehensive Plan Review:**

- 9.1. The subject property is located within the study area of the Chelan County Comprehensive Plan (CCCP), more specifically within the Manson Subarea Plan and holds an Urban Residential-1 (UR1) zoning designation.



9.2. The Following Comprehensive Plan sections (beginning on page 202 of the CCCP Appendices) and Chelan County Code sections have been considered for the review of this proposal:

9.3. **Goal LU-1:** Achieve an efficient use of land in and around the Manson community, preserving existing Agriculturally-designated land, reducing urban sprawl and retaining Manson's natural-resource based rural and open-space character.

9.4. **Policy LU-1.C:** Establish incentives to promote infill development within the existing UGA.

9.5. **Policy LU-1.D:** Ensure that any development in the UGA is fully served by water, wastewater and other necessary public services.

9.6. **Goal LU-3:** Create enjoyable and safe neighborhoods that support a variety of housing types and income levels.

9.7. **Goal H-1:** Provide sufficient housing in Manson to provide dwellings for all income levels and all needs.

9.8. **Policy H-1.D:** Encourage diversity in housing types to accommodate an increasingly diverse population.

9.9. The Hearing Examiner finds that the proposed subdivision, as conditioned, is consistent with the Chelan County Comprehensive Plan.

10. **Chelan County Code, Title 11: Zoning**

10.1. **Chelan County Code 11.23.040: Standards**

10.1.1. Minimum lot size is 10,000 sq. ft.

10.1.2. Minimum lot width is 75 ft. at the front building line.

10.1.3. Maximum building height is 35 ft.

10.1.4. Maximum lot coverage is 50%.

10.1.5. Minimum setback requirements shall be:

10.1.5.1. Front yard: 25 ft. from the front property;

10.1.5.2. Rear yard: 20 ft. from the rear property line;

10.1.5.3. Side yard: 5 ft. from the side property line.

10.1.6. The proposed lots would be for residential use. The applicant is proposing lots ranging in size from 0.44 to 1.00 acres. All proposed lots exceed the minimum lot width of 70 ft. at the front building line. Building setbacks, height, and lot coverage would be reviewed at the time of building permit application.

10.1.7. The Hearing Examiner finds that the site plan of record, date stamped May 27, 2025, indicates that all minimum dimensional standards have been met. Staff finds that the proposed major subdivision, as conditioned, is consistent with the provisions of CCC, Section 11.23.040.

10.2. **Chelan County Code 11.86: Geologically Hazardous Areas**



10.2.1. The Hearing Examiner finds that subject property is not located within a known geologically hazardous area; therefore, the provisions of CCC, Section 11.86, Geologically Hazardous Areas Overlay District, would apply.

**10.3. Chelan County Code 14.08.010: Pre-application Meetings**

10.3.1. Prior to the filing of a preliminary plat, the sub-divider shall submit to the administrator plans and other information sufficient to describe essential features of the property and the proposed or contemplated uses and development for the purposes of scheduling a formal pre-application meeting in accordance with CCC, Section 14.08.010.

10.3.1.1. The Hearing Examiner finds that applicant participated in a pre-application meeting with Chelan County Community Development on September 06, 2024, (for a 9-Lot Plat).

**11. Chelan County Code, Title 12: Land Divisions**

**11.1. Chelan County Code 12.02.060: Concurrency of Public Infrastructure**

11.1.1. After the opportunity for review and comment, all providers of water, sewage disposal, schools, and fire/police protection serving the proposed land division have been given adequate notice to provide comment regarding adequate capacity or arrangements for adequate services for the development, concurrently with the demand for such services and facilities.

11.1.2. No county facilities will be reduced below adopted levels of service as a result of the proposed land division.

11.1.3. The Hearing Examiner finds that the subject property would be served by a public water and on-site septic systems.

**11.2. Chelan County Code 12.04.020: Suitability for Land Division**

11.2.1. As submitted, the proposed major subdivision is consistent with the provisions of this section.

**11.3. Chelan County Code 12.08: Land Division Names**

11.3.1. No land division shall be approved which bears a name using a word which is the same as, similar to or pronounced the same as a word in the name of any other subdivision in the county, except for the words which contain the following "town," "county," "place," "court," "addition," "acres," "heights," "villa," or similar words, unless the land so divided is contiguous to the land division bearing the same name.

11.3.2. The Hearing Examiner finds that the review of the name would be required prior to final plat approval to determine that it does not match or is not similar to an existing plat name.

**11.4. Chelan County Code 12.08.030: Easements**

11.4.1. Utilities, whenever feasible, shall be located outside the established road prism, as defined in CCC, Title 15, but within the right-of-way. When location within the public right-of-way is not feasible or practical, as determined by the county or local utility purveyor, the following provisions shall be adhered to:



- 11.4.1.1. Easements for the construction and maintenance of utilities and public facilities shall be granted, as determined by the county or local utility purveyor, to provide and maintain adequate utility service to each lot and adjacent lands.
- 11.4.1.2. The widths of the easements shall be the minimum necessary as determined by the utility purveyor, unless the administrator determines a small or larger width is appropriate based on-site conditions. Whenever possible, public utilities shall be combined with driveways, pedestrian access ways and other utility easements.
- 11.4.1.3. The Hearing Examiner finds that the Electrical services are available from the Chelan County PUD; however, line extension may be required.
- 11.4.2. Easements required by this section shall be granted by the terms and conditions of such easements being shown on the final land division or separate instrument.
  - 11.4.2.1. The Hearing Examiner finds that all easement locations are required to be shown on the final plats, pursuant to CCC, Section 12.08.030. Separate instruments recorded with the Chelan County Auditor should be referenced on the face of the final plat. Required easements, shall be reviewed with the blue line submittal.
- 11.4.3. Easement provisions shall be in conformance with the standards contained in Title 15, Development Standards.
  - 11.4.3.1. The Hearing Examiner finds that the easement locations and purpose(s) shall be indicated on the final plat. Easements shall be reviewed with blue line submittal.
- 11.5. **Chelan County Code 12.08.040 - Fire protection standards**
  - 11.5.1. The fire protection standards contained in Title 15 and adopted International Fire Code are required in all divisions of land. Modifications are allowed though the adopted fire credit options when approved by the Chelan County Fire Marshal.
  - 11.5.2. The Hearing Examiner finds that the subject property is located within Fire District 5. The proposal/project shall conform to all applicable requirements of the International Fire Code and Chelan County Code administered by the Chelan County Fire Marshal.
- 11.6. **Chelan County Code 12.08.050 - Storm drainage**
  - 11.6.1. All land division creating new impervious surfaces shall meet the following requirements:
    - 11.6.1.1. Storm drainage shall be provided in accordance with the adopted standards.
    - 11.6.1.2. All infrastructure within the right-of-way shall become the property of, maintained and operated by, Chelan County.
  - 11.6.2. The Hearing Examiner finds that a private stormwater drainage system would be required for the proposed preliminary plat. Operation and maintenance of the private drainage system would require a Maintenance Agreement. The Maintenance Agreement must include operational and annual maintenance criteria. Said Maintenance Agreement shall but submitted to the Public Works Department with the Preliminary Mylar (blue lines) and shall be recorded prior to the final plat.
- 11.7. **Chelan County Code 12.08.060 – Watercourses**



- 11.7.1. Where a division of land is traversed by a watercourse, a drainage easement adequate for the purpose and conforming to the line of such watercourse, drainage way, waste-way, channel or stream and of such width for construction, maintenance and protection as determined by the decision body shall be provided.
- 11.7.2. The Hearing Examiner finds that the property is not impacted by a watercourse; therefore, this provision would not apply.
- 11.8. **Chelan County Code 12.08.080 - Road standards**
  - 11.8.1. Road Standards: All land divisions shall comply with CCC, Title 15.
- 11.9. **Chelan County Code 12.08.090 – Monuments**
  - 11.9.1. Permanent survey monuments shall be provided for all final land divisions as required in CCC, Section 15.30.825.
  - 11.9.2. The Hearing Examiner finds that per CCC, Section 15.30.825, monumentation would be required to be placed on Green Avenue and Hill Street if not already monumented.
- 11.10. **Chelan County Code 12.08.100 - Flood protection**
  - 11.10.1. No land division shall be approved if related improvements such as levees, fills, roads, or other features will individually or collectively significantly increase flood flows, heights, or velocities.
  - 11.10.2. If a determination is made that part of a proposed land division lies within the one-hundred-year flood plain or the floodway, the requirements of the Chelan County flood hazard development resolution shall apply.
  - 11.10.3. The Hearing Examiner finds that the subject property does not contain floodplains or floodways; therefore, this provision would not apply.
- 11.11. **Chelan County Code 12.24.015 - All final land division review and approval requirements**
  - 11.11.1. All requested for final approval of a preliminary approved land division must be submitted to the legislative body of Chelan County for final approval, affixed with the required signatures of signing agencies or jurisdiction within five years, unless otherwise defined by RCW 58.17.140, of said preliminary approval, after which time the preliminary approval is void.
  - 11.11.2. The Hearing Examiner finds that the applicant shall have five (5) years from the date of preliminary approval to finalize the plat.
- 12. A preliminary plat application was submitted to Chelan County on May 13, 2025, for a 12-lot residential subdivision.
- 13. The project site is 8.08 acres in size (based on Assessor information).
- 14. The project site is located at 1315 Green Ave, WA; and identified by Assessor's Parcel Number.: 28-21-36-608-750.
- 15. The application has been processed as a quasi-judicial review for major subdivisions pursuant to CCC, Section 14.10.040; a public hearing is required for the application – to occur August 06, 2025.
- 16. The owner is Britt Hawkins.



17. The application materials were accepted as complete by Chelan County on May 27, 2025.
18. The project site is located in the Urban Residential-1 (UR1) zoning district, of the Manson UGA, within Chelan County.
19. The Chelan County Comprehensive Plan Land Use designation is Urban Residential-1 (UR1).
20. All development is subject to compliance with Chelan County Zoning Code, including development and design standards.
21. The project site is not located within an identified geologic hazard area.
22. The subject property was occupied by orchard during the period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic.
23. Appropriate notice of application and public hearing was referred to appropriate local agencies, mailed to property owners within 300 ft. of the subject property (excluding 60 ft. of street rights of way), posted on site, and published in the newspaper in accordance with CCC, Title 14: Development Permit Procedures and Administration.
24. Referral comments received from agencies have been considered in this decision.
25. Public comments from concerned citizens had been received and have been considered in this decision.
26. Purveyors who responded to the project have indicated that adequate utilities/services are, or can serve this project.
27. The proposed is not exempt from the requirements of the State Environmental Policy Act pursuant to WAC 197-11-800(6). An MDNS was issued on July 14, 2025.
28. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.
29. An open record public hearing was held, after legal notice, on August 6, 2025.
30. Neither the applicant nor an agent appeared at the hearing. The applicant was given written notice of the date, place, time, and manner of the hearing.
31. No member of the public testified at the hearing.
32. The following exhibits were admitted into the record:
  - 32.1. Ex. A Site Plan of record, date stamped May 27, 2025.
  - 32.2. Ex. B Inadvertent Discoveries Plan.
  - 32.3. Ex. C Chelan County Fire Marshal comments, dated June 11, 2025.
  - 32.4. Ex. D Chelan County Public Works comments, dated June 12, 2025.
  - 32.5. Ex. E Chelan-Douglas Health District comments, dated June 13, 2025.
  - 32.6. Ex. F Lake Chelan Reclamation District comments, dated June 04, 2025 and July 18, 2025.
  - 32.7. Ex. G Chelan County PUD comments, dated June 03, 2025.
  - 32.8. Ex. H Chelan County PUD Real Estate Services comments, dated June 03, 2025
  - 32.9. Ex. I Washington State Department of Ecology comments, dated June 18, 2025.



- 32.10. Ex. J Washington Department of Archaeology & Historic Preservation comments, dated June 13, 2025.
- 32.11. Ex. K Brett Conrad comments, dated June 16, 2025.
- 32.12. Ex. L Staff Report.
- 32.13. Ex. M Remainder of planning staff file.
33. The Chelan County Hearing Examiner considered all evidence within the record in rendering this decision.
34. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

## **II. CONCLUSIONS OF LAW**

1. The Chelan County Hearing Examiner has been granted the authority to render this decision pursuant to CCC, Section 1.61.080 Duties and Powers.
2. The subject application demonstrates consistency with the development standards and procedural requirements of CCC, Title 11 Zoning, Title 12 Land Divisions, Title 14 Development Permit Procedures and Administration and Title 15 Development Standards.
3. The application, as conditioned, demonstrates consistency with the goals and policies as set forth in the Chelan County Comprehensive Plan.
4. The application, as conditioned, demonstrates consistency with adopted levels of service for roads, utilities, fire protection facilities, schools and other public and private facilities needed to serve the development, with assurance of concurrency.
5. The public interest would be served by the subdivision.
6. The application, as conditioned, is compatible with adjacent uses and would not harm or change the character of the surrounding area.
7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

## **III. DECISION**

Based on the above Findings of Fact and Conclusions of Law, PL 25-123 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.

### **CHELAN COUNTY COMMUNITY DEVELOPMENT**

1. Pursuant to RCW 58.17, the project 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 CCC, Section 12.24.040, the final Plat shall be designed in substantial conformance with the preliminary plat of record, date stamped May 27, 2025, on file with the Chelan County



Department of Community Development, except as modified herein. No increase in density or number of lots shall occur without a re-submittal of a plat application.

4. Pursuant to CCC, Sections 12.08.030, 12.24.020(3) and 15.30, all easement locations are required to be shown on the final plat.
5. Pursuant to RCW 58.17.255 and WAC 332-130-040, all easement locations serving or encumbering the project site are required to be shown on the final plat. Separate instruments recorded with the Chelan County Auditor shall be referenced on the final plat. The location of existing structures and utilities (i.e. power, sewer, and water lines, etc.) and utility and private access easements shall be depicted on the face of the final plat.
6. Pursuant to RCW 84.56.345, all taxes, delinquent taxes, and assessments that are required to be paid by the Chelan County Treasurer shall be paid prior to final plat recording.

7. Pursuant to CCC, Section 12.02.010(1), the following notes shall be placed on the final plat mylar:

**“Chelan County is not responsible for notification or enforcement of covenants to deed restriction or reservations affecting use or title. Any permit issued does not acknowledge or recognize any covenants or deed restrictions or reservations that may burden or otherwise affect this property. Applicant/owner assure all risk and liability for any claims and liabilities for covenants or deed restrictions or reservations.”**

8. Pursuant to CCC, Section 12.24.015 and RCW 58.17.140, all requests for final plat approval must be submitted within five (5) years from the date of preliminary approval, unless an extension is granted.
9. Pursuant to the Washington State Department of Ecology comment letter, dated June 18, 2025, the subject property was occupied by orchard during the period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. Soil sampling shall be required by the Department of Ecology. If sampling indicates elevated levels of lead and arsenic, cleanup will be required. (see Exhibit I)

- 9.1. Proof of clean up or proof of an agreed upon Cleanup Action Plan between the applicant/owner and the Washington State Department of Ecology is required prior to Final Mylar approval.

10. Pursuant to CCC, Section 11.78, the following note shall be placed on the final plat:

**“The subject property is within identified wildlife habitats and shall be subject to the provisions of the Chelan County Code Chapter 11.78 Fish and Wildlife Habitat Conversation Areas Overlay District, as amended.”**

11. The subject property and final plat shall conform to the comments and conditions of approval as found in the Comments received on June 13, 2025 (see Exhibit J).

- 11.1. The proposed project is in an area determined to be at Very High risk of containing archaeology according to the DAHP risk assessment model and is adjacent to archaeological sites. The scale of the proposed ground disturbing actions would destroy any archaeological resources present. Therefore, a professional archaeological survey of the project area shall be conducted prior to ground disturbing activities. In addition, continued consultation with the concerned Tribes’ cultural committees and staff regarding cultural resource issues.

12. Pursuant to the Revised Code of Washington, the following notes shall be placed on the final plat:

**“Noxious weed control is the responsibility of the individual lot owners, per RCW 17.10.140, as amended.”**



**“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.”**

12.1. A copy of the Inadvertent Discovery Plan has been included as Exhibit B.

#### **CHELAN COUNTY PUBLIC WORKS**

13. The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan County Public Works Department memorandum, dated June 04, 2025. (see Exhibit D)

13.1. Pursuant to CCC, Section 15.30, the applicant shall be required to construct ½ street improvements along the frontage of the project to Green Avenue and Hill Street. The applicant shall construct Green Avenue to meet the construction detail of a Rural Major Collector Road (Standard PW-7) and Hill Street to meet the construction detail of an Urban Minor Collector Road (Standard Detail PW-1).

13.2. Pursuant to CCC, Section 11.88.070(3), and Chapter 4 Section 6.14 of the Chelan County Transportation Element, the applicant shall be required to dedicate right-of-way on Green Avenue and Hill Street 30' from centerline.

13.3. Pursuant to CCC, Section 12.08.020(2), the applicant must demonstrate a Legal and Perpetual Access for the proposed subdivision.

13.4. Pursuant to CCC, Section 15.30, the design and construction of the proposed internal main road will be required to meet an Urban Emergency Vehicle Access Road (Standard Plat PW-18). An Urban Emergency Vehicle Access Turn-around (Standard Plan PW-23-A or B) shall be required on any dead-end street/road longer than one-hundred and fifty feet (150').

13.5. Pursuant to CCC, Section 10.20.200, a road naming shall be required for the shared driveway/access roads that serves three or more addressable parcels or structures. The applicant shall be required to notify all affected property owners that have legal access/use to the access being named or that owns property that abuts the access. A signature of the property owner or a certified mail receipt shall be required to prove such notification. That proof, a road naming application with 3 or more names and a road naming fee must be submitted to Chelan County Public Works for each of the shared accesses being named. Approval shall be up to emergency services. Once a road name has been approved, a road name sign shall be required to be installed by the applicant per Chelan County specs. Once the road name sign is installed; the applicant shall be required to contact Chelan County Public Works for an inspection.

13.6. Pursuant to CCC, Section 15.30.240, the applicant shall be required to provide snow storage areas to place snow accumulated for the new private road.

13.7. Pursuant to CCC, Section 15.30.310, the applicant shall submit a Lot Access Plan so that addresses may be determined for all existing and proposed lots. The Lot Access Plan must show the driveways/access location for the proposed project. This requirement may be fulfilled on a separate submittal and must be accomplished prior the pre-Mylar submittal.

13.8. Pursuant to CCC, Section 15.30.340, the applicant shall file a Private Road Maintenance and Upgrading Agreement appurtenant to all the property owners having a vested interest in the



private/shared common access road and must contain wording of maintenance of the road sig within the development. Said agreement must be provided simultaneously with the Preliminary Mylar (blueline) submission. Said agreement shall be recorded prior to the Final Mylar.

13.9. Pursuant to CCC, Section 15.30.650, the following note shall be placed on the final plat:

**“Chelan County has no responsibility to build, improve, maintain, or otherwise service any private road for this plat.”**

13.10. Pursuant to CCC, Section 10.20.400, the following note shall be placed on the final plat:

**“Addresses are assigned to each lot based on given driveway locations. Any and all modifications to the location of the driveway(s) shall result in a change to the address previously assigned to said lot(s)”.**

13.11. Pursuant to CCC, Section 15.30.610, Construction Plans: the applicant shall submit construction plans and reports for all required improvements on Easy Street and the internal roads in accordance with Chapter 15.30.650: The Construction Plans shall include, but are not limited to:

13.11.1.Drainage Report and Plan.

13.11.2.Roadway Improvement Plan (showing location of utilities and roadway curve data).

13.11.3.ADA Ramp Detail.

13.11.4.Lot Access Plan (profiles, topography).

13.11.5.Erosion and Sedimentation Control Plan.

13.11.6.Signage Plan.

13.11.7.Topography Lines.

13.11.8.All Easements.

13.12. Pursuant to CCC, Section 15.30.650(F)(2), a Pre-Construction Meeting is required with the owner, contractor, and the Chelan County Public Works Department prior to commencing any construction.

13.13. 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 and prior to County Engineers signature on the Final Mylar.

13.14. Pursuant to CCC, Section 15.30.820, the applicant shall not obstruct sight distance with a centralized mailbox or locate a centralized mailbox on a County road right-of-way that would hinder County Road Maintenance. Should a centralized mailbox be required, provide details on construction plans. Minimum information shall include location, installation details, and pull-out detail.

13.15. The final plat shall include any easements necessary to provide and maintain all utilities to and within the proposed preliminary plat.

13.16. Pursuant to CCC, Section 13.18.030(9) the final plat shall show the necessary easements and tracts in accordance with the approved drainage plan.

13.17. Preliminary Plat must comply with stormwater standards as found in CCC, Sections 13.12; 13.14; 13.16 and 13.18.



13.18. A private stormwater drainage system shall be required for the proposed preliminary plat. Operation and maintenance of the private drainage system would require a Maintenance Agreement. The Maintenance Agreement must include an operational and annual maintenance criterion. Said Maintenance Agreement shall be submitted to the Public Works Department with the Preliminary Mylar (bluelines) and shall be recorded with the final plat.

13.19. A note on the face of the final plat shall state:

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

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

13.20. The applicant shall submit Lot Closure Calculations with the preliminary mylar (blueline) submission.

13.21. Plat must identify all roads as public or private.

13.22. Plat must identify all easements that benefit or burden the project site.

13.23. Plat must identify easement widths, centerlines and right-of-way dimensions on any new proposed road, Green Avenue and on Hill Street.

13.24. Pursuant to CCC, Section 15.30.825, monumentation shall be required to be placed on Green Avenue and Hill Street if not already monumented.

#### **CHELAN COUNTY FIRE MARSHAL**

14. The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan County Fire Marshal Agency Comment dated June 11, 2025. (see Exhibit C)

14.1. The proposal/project shall conform to all applicable requirements of the International Fire Code (IFC) and Chelan County Code administered by the Chelan County Fire Marshal.

14.2. The minimum fire flow and flow duration requirements for one and two-family dwellings having a fire 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 dwellings having a fire 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 is provided with an approved automatic sprinkler system.



- 14.3. 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. A note on the face of the final plat shall state:

**“Without the installation of a fire hydrant capable of delivering the required fire flow and within the required distance to the lots in question, the applicant may choose one or any combination of alternatives using the installation of automatic fire sprinkler protection credits as approved by the Fire Marshal.”**

- 14.4. Fire hydrants serving single family or duplex dwellings shall have a maximum lateral spacing of 600 ft. with no lot or parcel in excess of 300 feet from a fire hydrant when serving lots less than 43,560 sq. ft. (one acre).
- 14.5. Fire hydrants serving single family or duplex dwellings shall have a maximum lateral spacing of 1000 ft. with no lot or parcel in excess of 500 feet from a fire hydrant when serving lots greater than 43,560 sq. ft. (one acre).
- 14.6. 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 CCC, Chapter 3.04.080, IFC (amended); and, IFC Section 507.5.7, Fire Hydrant Installation and Maintenance Requirements.
- 14.7. Class A Roofing/noncombustible roof covering, as defined in the International Building Code, shall be used in all areas of Chelan County. A note on the face of the final mylar shall state:

**“All buildings that require a building permit within this plat shall have Class A roofing materials.”**

- 14.8. A note on the face of the final mylar shall state:

**“New homes shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.”**

The design of the proposed sign shall be submitted to the Fire District and/or Fire Marshal for approval prior to installation.

- 14.9. A note on the face of the final mylar shall state:

**“All buildings within this plat 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.”**

#### **CHELAN-DOUGLAS HEALTH DISTRICT**

15. The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan-Douglas Health District Agency Comment dated June 12, 2025. (see Exhibit E)
- 15.1. Domestic water service shall be by expansion of the Lake Chelan Reclamation District public water system.
- 15.2. All water system improvements must be designed, constructed and placed in accordance with the purveyor’s requirements prior to final plat approval.
- 15.3. The dedicatory language on the plat shall carry these notes:

**“The Health District has not reviewed the legal availability of water to this development.”**



**“Site evaluations may be required at the time of application for individual onsite septic system construction permits.”**

**LAKE CHELAN RECLAMATION DISTRICT**

16. The subject property and final plat shall conform to the comments and conditions of approval as found in the Lake Chelan Reclamation District Agency Comment dated June 04, 2025. (see Exhibit F)
- 16.1. Irrigation Services: The irrigation turnout serving the subject property area is located approximately between proposed Lots 10 and 11, roadside of Green Avenue. A private irrigation distribution system would need to be installed to each lot from this location.
- 16.2. Domestic Water Services: A mainline extension would be required within the Plat to serve domestic water to the proposed lots and provide fire protection flow. An upgrade to the existing four (4) inch domestic mainline in Green Avenue, fronting the subject property, would be required to facilitate adequate fire flow.
- 16.3. Sewer Services: The subject property is located within the Manson Urban Growth Area; and therefore, would be required to connect to the existing sewer infrastructure if located within 1,000 feet by installing a low-pressure collection system. However, pursuant to comment letter dated July 18, 2025, the Lake Chelan Reclamation District has indicated that it would deviate from this requirement to allow on-site septic systems.

**CHELAN COUNTY PUD**

17. The subject property and final plat shall conform to the comments and conditions of approval as found in the Chelan County PUD Agency Comment dated June 03, 2025. (see Exhibit G)
- 17.1. There is currently an existing PUD underground power line which runs through proposed Lots 10, 11 and 12. Additional easement may be required to provide power to all Lots.
- 17.2. Line extensions may be necessary for the subdivision.
- 17.3. A Facility Modification may be necessary to relocate an existing underground primary electrical line which supplies the existing residence (proposed Lot 9).
- 17.4. Easement would required for all primary power sited on the parcel or secondary power that crosses one or more parcels to serve another parcel.
- 17.5. The owner would need to apply for power with the Chelan County PUD.

Dated this 11 day of August, 2025

CHELAN COUNTY HEARING EXAMINER



Andrew L. Kottkamp

**Anyone aggrieved by this decision has twenty-one (21) days from the issuance of this decision, to file an appeal with Chelan County Superior Court, as provided for under the Judicial Review of Land Use Decisions, RCW 36.70C.040(3). The date of issuance is defined by RCW 36.70C.040 (4)(a) as “(t)hree days after a written decision is mailed by the local jurisdiction or, if not mailed,**



the date on which the local jurisdiction provides notice that a written decision is publicly available” or if this section does not apply, then pursuant to RCW 36.70C.040(3) (c) “...the date the decision is entered into the public record.” Anyone considering an appeal of this decision should seek legal advice.

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

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