

**DOUGLAS COUNTY**

**DEPARTMENT OF HEARING EXAMINER**

140 19<sup>th</sup> Street NW  
East Wenatchee, WAS 98802-4109

**BEFORE THE DOUGLAS COUNTY HEARING EXAMINER**

<b>IN THE MATTER OF</b>	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW,</b>
P-2021-04A	)	<b>DECISION AND</b>
Edgeview Plat Amendment	)	<b>CONDITIONS OF APPROVAL</b>

THIS MATTER having come on for hearing in front of the Douglas County Hearing Examiner on June 15, 2023, 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. The applicant is East Unit Inc., 49 Sageland Rd, East Wenatchee, WA 98802.
2. This was an application for a plat amendment to modify conditions of approval for the Edgeview Major Subdivision (P-2021-04). The applicant proposes to add a secondary fire apparatus access road in order to remove the requirement for residential fire sprinklers from the plat (Condition of Approval #19 of P-2021-04). The proposed fire apparatus access road will extend from NE Kaden Lane north along the east property line of the Fancher Heights Homeowners Association property (Parcel 56400000001). The access will turn east along the north property line of the Gjesdal Property (Parcel 56400000100) and connect to Fancher Heights Boulevard. Additionally, a 2-inch water line will connect the new water line located in the NE Tyler Place Cul-de-sac to the existing water line on the Fancher Heights Homeowners Association Property.
3. The subject property is located west of the intersection of Sand Canyon Rd and Badger Mountain Road in East Wenatchee. The property is further described as being located within Section 36, Township 23N, Range 20W, E.W.M. Douglas County Assessor’s Parcel Numbers: 23203630002 and 23203630011.

4. **SITE INFORMATION**

Total Project Size:	35.3 acres
No. of lots	53
Domestic Water:	East Wenatchee Water District

Sewage Disposal:	Douglas County Sewer District
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #2
Telephone Service:	Varied

5. Site Characteristics: The subject property is vacant, and the topography is rolling:  
North: Single family homes  
South: Single family homes and Badger Mountain Road.  
East: Badger Mountain Road  
West: Vacant Land and East Wenatchee Water District Reservoir
6. Access: The subdivision will be accessed via an internal roadway that connects to Badger Mountain Road. All roadway improvements will be the responsibility of the developer and compliant with the East Wenatchee standards and specifications. The proposal includes the addition of an emergency vehicle apparatus roadway that will extend from the northern portion of the subject property, then travel east through private property and connect to Fancher Heights Boulevard.
7. Zoning and Development Standards: The subject property is located within the Residential Low Density (R-L) zoning district which allow for the subdivision of land. The Growth Management Act identifies that urban growth areas are lands intended for annexation by the adjacent city within 20 years. Based on this, Douglas County has adopted city development regulations within their urban growth areas in order to guide growth according to city standards and ease the transition during future annexations. On March 28, 2007, Douglas County adopted Ordinance 07-01H which adopted sections of Title 17 'Zoning' of the East Wenatchee Municipal Code within the unincorporated portions of the East Wenatchee Urban Growth Boundary.
8. Major Subdivisions: The requirements of Title 17, "Subdivisions", Douglas County Code, apply to the design and review requirements for approval of major subdivisions of 10 or more lots, parcels or tracts.
9. The Greater East Wenatchee Area Comprehensive Plan designates this property as Residential Low Density. The Low Residential designation is intended to permit a range of housing options and densities to provide areas desirable for single-family residential use. The primary and preferred land use is residential. The use of innovative housing techniques such as attached single family, zero-lot line housing, averaging lots sizes, and other alternates should be encouraged infilling and variety of housing types and densities. In order for these techniques to be used in a manner that protects the integrity of the surrounding properties, there must be mechanisms to ensure neighborhood compatibility and good design quality.
10. The following goals and policies set forth in the comprehensive plan are relevant to this development:
  - 10.1 URBAN GROWTH
    - 10.1.1 POLICY UG-12: The City and County encourage the use of innovative, high quality infill development and redevelopment strategies such as planned developments, zero-lot line, lot-size averaging, shadow platting, small lot

subdivisions, and mixed uses in existing developed areas within the urban growth areas.

10.2 LAND USE – RESIDENTIAL:

- 10.2.1 The quality and integrity of residential neighborhoods defines the character of the community. Ensuring that these neighborhoods remain stable and vital is of primary importance to meet the goals of the Growth Management Act, the Land Use Plan, and the Housing Plan.
- 10.2.2 **POLICY:** Urban governmental services and infrastructure must be available at the time of development or there must be a plan in place, with funding, to ensure that a full range of urban governmental services is available to serve the development within the planning period.

10.3 HOUSING:

- 10.3.1 **GOAL:** To provide for a sufficient number of safe, attractive and affordable residences for people of all income levels.
- 10.3.2 **GOAL:** To provide for a variety of housing types and densities to ensure a range of affordable housing options for all segments of the community.
- 10.3.3 **GOAL:** To ensure that public facilities and infrastructure are available to support development at urban densities in advance of or concurrent with development.
- 10.3.4 **POLICY H-1:** Require residential development at urban densities to locate within urban growth areas consistent with the comprehensive plan.
- 10.3.5 **POLICY H-4:** Apply consistent standards in residential development to preserve residential character.
- 10.3.6 **POLICY H-6:** Require the construction of sound, safe, and sanitary dwelling units.
- 10.3.7 **POLICY H-12:** Development standards must address efficient transportation networks and multi-modal opportunities for new development requiring the extension of existing streets into and through developments and the provision of sidewalks and trails for non-motorized modes of transportation.
- 10.3.8 **POLICY H-13:** New residential development in the urban growth area must be concurrently served by a full range of urban governmental services.
- 10.3.9 **POLICY H-25:** Ensure that new developments provide adequate street illumination.

10.4 OPEN SPACE AND RECREATION:

- 10.4.1 **GOAL:** Provide recreational opportunities, facilities, and experiences which will allow all individuals the opportunity to improve the quality of their lives, while preserving and enhancing the existing resources of the area.
- 10.4.2 **POLICY OS-6:** Provide adequate access for vehicles and pedestrians to public recreational areas as appropriate.

10.5 UTILITIES.

- 10.5.1 **GOAL:** Facilitate the development of all utilities at the appropriate levels of service to accommodate growth that is anticipated to occur in the Area, in a fair and timely manner.
- 10.5.2 **POLICY UT 2:** A full range of urban services shall be provided within the entire urban growth area by promoting utility extensions to those areas needing urban services.

- 10.5.3 POLICY UT 3: Encourage development of vacant properties adjacent to established utility systems, according to the appropriate zoning classification and/or land use designation.
- 10.5.4 POLICY UT 4: Insure that development take into account the timely provision of adequate and efficient utility systems.
- 10.5.5 POLICY UT 5: The cost of on-site utility improvements or site preparation for developments, such as surface drainage, utilities, and water and sewer systems should be the responsibility of private enterprise.
- 10.5.6 POLICY UT 7: Facilitate the provision of urban services to all areas in the urban growth area by sizing and locating new services that will efficiently accommodate future service extensions.
- 10.5.7 POLICY UT 10: Require the under-grounding of utility wires, where feasible.
- 10.5.8 GOAL 4: Provide sewer service for the East Wenatchee Urban Growth Area.
- 10.5.9 GOAL 5: Provide an efficient surface and stormwater management system that serves community residences and business in a manner that makes efficient use of limited resources and minimizes damage to public and private property from flooding events.
- 10.5.10 POLICY UT 23: Design, construct, and maintain stormwater facilities in a manner that minimizes their impact on adjacent neighborhoods and business.
- 10.5.11 POLICY UT 25: Require new developments locate required stormwater management facilities on-site unless a regional facility benefiting drainage has been constructed with sufficient excess capacity to serve the development.
- 10.5.12 POLICY UT 29: Stormwater facilities and infrastructure shall be of a type, nature and location to facilitate ease of access for required inspection, maintenance and operation. Stormwater facilities shall be located on a separate tract, where feasible overflow and access is provided from a county or city right-of-way.

10.6 TRANSPORTATION:

- 10.6.1 GOAL: Provide a balanced transportation system that meets the needs of the community by accommodating the movement of people, goods, and services at an optimum level of safety, economy and efficiency.
- 10.6.2 GOAL: Ensure adequate and safe access to property via a system of public and private roads.
- 10.6.3 POLICY T-6: As public and private development occurs, ensure that transportation system improvements have adequate streets, sidewalks and walkways; and are consistent with the transportation and adopted system design.
- 10.6.4 POLICY T-7: Ensure that current and future developments provide proper, adequate and safe access to the transportation system and facilities.
  - 10.6.4.1 Provision for adequate parking must be included for all development.
  - 10.6.4.2 Natural and artificial landscaping should be considered in the design of system facilities.

- 10.6.5 POLICY T-8: Facilitate mobility for all residents within the Greater East Wenatchee Area; including the elderly and persons with disabilities by providing accessible transportation facilities.
- 10.6.6 POLICY T-16: Design transportation facilities within the Greater East Wenatchee Area that minimize adverse environmental impacts resulting from both their construction and use.
- 10.6.7 POLICY T-17: Economic and residential growth decisions should be tied to the ability of the existing transportation system to accommodate the increased demand, or new transportation facilities should be provided concurrently with the proposed development.
- 10.6.8 POLICY T-18: Allow land use changes only when proposals are consistent with the adopted transportation level of service standards of the comprehensive plan.
- 10.6.9 POLICY T-19: Control the location and spacing of driveways and encourage the development of shared driveways.
- 10.6.10 POLICY T-23: Institute financing measures for major circulation elements that fairly distribute the cost between private property owners and the public sector.
- 10.6.11 POLICY T-24: All road construction projects shall be designed and constructed in compliance with locally adopted stormwater management standards.
- 10.6.12 POLICY T-26: Encourage public transportation-compatible infill development on bypassed vacant parcels in developed areas adjacent to bus routes and stops.
- 10.6.13 POLICY T-27: All transit related decisions such as roadway access, projects, and pedestrian linkages shall be consistent with the current adopted LINK service area policies.
- 10.6.14 POLICY T-28: Coordinate with LINK to provide public transportation, which is affordable, safe, convenient, clean, comfortable, accessible, well maintained and reliable.
- 10.6.15 POLICY T-34: Development shall provide improvements adjacent to their development in accordance with adopted design standards and approved traffic studies. Where deficiencies are present, these issues would have to be addressed prior to development occurring in order to protect the public's health, safety and general welfare consistent with the policies of the comprehensive plan, standard engineering principals, and adopted standards. Improvements necessary to maintain adopted levels of service shall be in place at the time of development, or a financial commitment agreed to by the city or county and the applicant must be in place to complete the improvements or strategies within six years.
- 10.6.16 POLICY T-40: Encourage physical activity by providing alternative modes of transportation with more pedestrian and bicycle friendly street standards.

11. ENVIRONMENTAL REVIEW. Douglas County issued a Determination of Non-Significance on May 31, 2023 in accordance with WAC 197-11-355 (Optional DNS).

12. Agency comments: Agency comments have been incorporated as conditions of approval, as applicable. No members of the public commented on the proposal.

Agency Notified	Response Received	Agency Notified	Response Received
Douglas County PUD	N/R	Douglas County Treasurer	N/R
WA State Dept. of Ecology	N/R	Douglas County GIS/Addressing	05/17/2023
Douglas County Fire Marshal/ Building Official	05/30/2023	Douglas County Assessor	05/12/2023
Douglas County Sewer District	N/R	East Wenatchee Water District	05/25/2023
Douglas County Land Services	05/30/2023	Douglas County Transportation & Storm Water	05/25/2023

13. In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements.
14. Comprehensive plan consistency: The proposal is consistent with the goals and policies of the Greater East Wenatchee Area Comprehensive Plan. The proposed lot sizes meet the density standards for residential lots. Policy H-13 requires that urban development within the urban growth area be served concurrently with urban services. The development will be served by the full range of urban services. The first goal of the transportation chapter strives to provide a balanced transportation system that meets the needs of the community by accommodating the movement of people, goods and services at an optimum level of safety, economy and efficiency. The project will include a balanced transportation system that meets the needs of the community.
15. Consistency with the provisions of Title 17, "Subdivision", DCC:  
 15.1 As conditioned, the proposed subdivision is consistent with the provision of this title.
16. Consistency with the provisions of the Residential Low Density Zoning District, Chapter 17.24, EWMC as adopted by Douglas County: As proposed, the subdivision will meet all applicable development standards of the Residential Low Density zoning district including but not limited to minimum lot size, lot width, and lot depth.  
 16.1 As applied, the proposal is consistent with the provisions of this chapter.
17. Consistency with the provisions of Lot Frontage, Section 17.72.210, EWMC as adopted by Douglas County: Residential lots shall have not less than 40 feet of frontage on a public or private roadway, except when located within a cul-de-sac or when the lot is accessed from a joint-use driveway or access easement meeting the requirements of Chapters 12.50 through 12.60 EWMC, comprehensive street standards, and any amendments. A minimum of 20 feet

of contiguous frontage is required for lots located on a cul-de-sac (road right-of-way) and lots located on the outside of a road curve with a radius between 50 and 75 feet.

17.1 As applied, the proposal is consistent with the provisions of this chapter.

18. Consistency with the provisions of DCC Chapter 20.34, Stormwater Drainage.

18.1 As conditioned, the proposal is consistent with the provisions of this chapter.

19. Consistency with the provisions of DCC Title 12 Road Standards:

19.1 As conditioned, the proposal is consistent with the provisions of this chapter.

20. As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 17 of the East Wenatchee Municipal Code as adopted in Ordinance # 07-01H, Title 17, 19 and 20 of the Douglas County Code and the Greater East Wenatchee Area Comprehensive Plan

21. On March 28, 2007, Douglas County adopted Ordinance No. 07-01H which adopted portions of Title 17 of the East Wenatchee Municipal Code within the unincorporated portions of the East Wenatchee Urban Growth Area.

22. DCC 17.42.020 describes the process/ criteria for amending preliminary plat approval. DCC 17.42.020 specifies "A change in points of ingress or egress, or the addition or elimination of a road" as a substantial change that would require a plat amendment.

23. All Findings of Fact within the Hearing Examiner decision for P-2021-04 are still applicable. Findings of Fact contained within this decision are in addition to those of P-2021-04.

24. The proposed plat amendment only applies to the Edgeview subdivision. The access road will extend through the Fancher heights subdivision. The Fancher heights subdivision will need to be amended to include the additional roadway.

25. The original preliminary plat Hearing Examiner decision was issued on January 4, 2022. The Douglas County Transportation and Stormwater Department related findings of fact and conditions of approval are applicable as written in the original decision. The plat amendment will result in additional findings of fact and conditions of approval as stated herein.

26. Civil construction plans were accepted by Douglas County on July 6, 2022. The construction is currently underway, but not completed as of yet. The preliminary civil plans submitted for this plat amendment propose revisions to sheets 6, 13, and 23 of the plans that were accepted for construction on July 6, 2022. The purpose of the plat amendment is to provide a secondary 20-foot wide emergency vehicle access to the subdivision.

27. The preliminary civil plans submitted illustrate a 20-foot wide concrete and gravel driveway from the end of the proposed access in proposed Tract B of the Chapacka/Edgeview Estates Plat to Fancher Heights Blvd. The driveway approach to Fancher Heights Blvd is proposed to be widened to 40 feet to accommodate the emergency vehicle access and access to the existing home on Lot 1 of the Fancher Heights Phase 1 Subdivision.

28. The preliminary plat illustrates the two proposed easements on the parcels to the north to accommodate the emergency vehicle access. The final plat will need to also include an emergency vehicle access easement across proposed Tract E.
29. The preliminary stormwater report includes revisions to the Stormwater Report accepted by Douglas County on July 6, 2022. The preliminary stormwater report provided for this plat amendment adequately addresses the feasibility of mitigating stormwater runoff generated due to the proposed emergency vehicle access road.
30. Douglas County issued a Determination of Non-Significance on May 31, 2023 pursuant to WAC 197-11-355 (Optional DNS).
31. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
32. Purveyors who responded to the project have indicated that adequate utilities/services are or can serve this project.
33. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.
34. After due legal notice and open record public hearing was held on June 15, 2023 via Zoom video conference.
35. The entire Planning Staff file was admitted into the record at the public hearing.
36. Appearing and testifying on behalf of the applicant was Diana Jones. Ms. Jones testified that she is the property owner's and applicant's agent and was authorized to appear and speak on their behalf. Ms. Jones indicated that the applicants had no objection to any of the proposed Conditions of Approval and agreed with all representations set forth in the staff report. She agreed that the secondary access should be emergency access only.
37. Also testifying was Heather Mauseth, Douglas County Fire Marshal. Ms. Mauseth stated that the emergency fire access road would signed as fire access only and posted with no parking signs. She did not disagree with having a gate, but the gate should not be locked, but could be latched.
38. The staff report and the entire Planning Department file were admitted into the record.
39. Testifying from the public were the following individuals:
  - 39.1 Suzi Graden. Ms. Graden stated that if it was appropriate to remove a requirement for sprinklers with this subdivision, then removal of sprinklers should also be allowed at the Fancher Heights subdivision. The Hearing Examiner indicated that that issue was not before the Hearing Examiner.
  - 39.2 John Shinek. Mr. Shinek testified that the proposed fire access road would be gravel and on a sandy slope that might allow heavy fire vehicles to become stuck. He suggested asphalt on this secondary access road. Additionally, he had concerns about firefighter response times and also suggested that if the requirement for sprinklers is

removed for this subdivision, it should also be removed for the Fancher Heights subdivision. He also suggested increasing the size of the fire line to provide adequate water for fire protection in the event of multiple homes being on fire.

39.3 Steve Piccirillo. Mr. Piccirillo was opposed to the project and again asked why fire suppression sprinklers requirement could be removed for the Fancher Heights subdivision. He also had concerns about safety and increased fire danger by not requiring sprinklers.

39.4 Lloyd Johnson. Mr. Johnson testified that sprinklers are important for fire safety for the entire community.

40. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

41. 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 Hearing Examiner has been granted authority to render this decision.
2. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Greater East Wenatchee Area Comprehensive Plan.
3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
4. Public use and interests will be served by approval of this proposal.
5. As conditioned, the proposal is consistent with Title 17 Zoning of the East Wenatchee Municipal Code as adopted by Ordinance # 01-01H.
6. As conditioned, the proposal is consistent with Title 17 "Subdivisions", Title 19 "Environment", and Title 20 "Development Standards", of the Douglas County Code.
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, the Hearing Examiner has determined that PA-2021-04A is hereby **APPROVED** subject to the following Conditions of Approval.

## IV. CONDITIONS OF APPROVAL

All Conditions of Approval shall apply to the applicant, and the applicant's heirs, successors in interest and assigns.

1. The project shall proceed in substantial conformance with the plans and application materials on file except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate approvals and permits.
3. A plat certificate showing parties of interest, from a title company, shall be submitted with the blueline drawings.
4. The final plat shall be submitted by a Land Surveyor licensed in the State of Washington, and shall comply with the standards set forth in Title 17 of the Douglas County Code.
5. All parties having an ownership interest in the subject property shall acknowledge the plat.
6. It is the responsibility of the applicant to contact the Douglas County Assessor's and Treasurer's offices to confirm all taxes and assessments are current prior to final plat approval.
7. The final plat shall show the location of all easements serving or encumbering the subject property.
8. The project shall comply with all conditions of approval of P-2021-04 except as modified by this amendment.
9. The removal of the fire sprinkler requirement shall not occur until such time that an amendment to the Edgeview Subdivision and the Fancher Heights subdivision has been approved and recorded.
10. The final plat shall include dimensions for Tracts D, E and F. Monuments shall be set at corners similar to a standard lot.
11. Per IFC D107.1, Developments where the number of one- or two- family dwellings exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
12. Per IFC D107.2, where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property.
13. Per IFC D103.6.1 Roads 20 to 26 feet in width. Fire lane signs shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide.
14. The final plat shall extend the emergency vehicle access easement over the easterly 30' of Tract E.
15. The "Tract Definitions/ Uses" table shall be revised to accurately reflect the uses of tracts A-F.
16. A single gate shall be required for the fire access road. The gate shall meet IFC D103.5 and shall be approved by the fire code official. The gate shall not be locked, but may be latched. The Applicant, at Applicant's sole expense, shall install signs as required by the Douglas County Fire Marshal.
17. Approved fire apparatus access roads shall be constructed of asphalt, concrete or other approved driving surface capable of supporting the imposed load of the apparatus weighing up to 75,000 pounds.

18. The Douglas County Transportation and Stormwater Department findings of fact and conditions of approval in the original preliminary plat Hearing Examiner decision issued on January 4, 2022 are applicable as written in the original decision.
19. The final stormwater report shall include a basin map for the emergency vehicle access; include reference to the new section 3.6 in the index, and include the appropriate verbiage for the emergency vehicle access in sections 1.3 and 3.3.
20. Final construction plans depicting the revisions to the construction plans accepted by Douglas County on July 6, 2022 shall be designed by a Professional Engineer licensed in the State of Washington and shall be submitted to and accepted by Douglas County prior to construction. Construction plans shall be prepared in accordance with the requirements of the East Wenatchee Municipal Code and Douglas County Code.
21. Signage shall be installed on or along the emergency vehicle access road in accordance with the Fire Marshal requirements.
22. Vehicular access from Fancher Heights Blvd to the Edgeview Estates Subdivision is prohibited except during emergencies.
23. A Private Emergency Vehicle Access Operation and Maintenance Agreement shall be prepared, executed, and recorded by the applicant. The Auditor's File Number(s) shall be noted on the final plat map.
24. An access permit shall be applied for and obtained prior to constructing the revised access to Lot 1 of the Fancher Heights Phase 1 Subdivision.
25. A final site-specific stormwater plan and report that includes the emergency vehicle access shall be prepared by a Professional Engineer (PE) licensed in the State of Washington and conforms to Douglas County Code and the 2019 Stormwater Management Manual for Eastern Washington (SWMMEW). The final stormwater report shall be submitted to and accepted by Douglas County prior to construction.
26. The applicant shall submit a revised geotechnical report addressing the additional emergency vehicle access road and reconfiguration of lots. Subsequent development shall comply with the recommendations of the geotechnical engineer.

Dated this 22 day of June, 2023.

DOUGLAS COUNTY HEARING EXAMINER



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Andrew L. Kottkamp

**Any aggrieved party or agency of record may request a reconsideration of this Hearing Examiner's decision. Motions for reconsideration must be filed with the Department within ten (10) days from the date of issuance as defined by RCW 36.70C.040(4)(a). Unless otherwise provided, the filing of a motion for reconsideration shall not stop or alter the running of the period provided to appeal the Hearing Examiners decision to Superior Court. Motions for reconsideration are governed by Douglas County Code 2.13.150.**

Anyone aggrieved by this decision has twenty-one (21) days from the issuance of this decision, to file an appeal with Douglas 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.