

**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>
CUP-2024-01	)	<b>CONCLUSIONS OF LAW,</b>
Event Venue for Lake Entiat Estates	)	<b>DECISION AND</b>
	)	<b>CONDITIONS OF APPROVAL</b>

THIS MATTER having come on for hearing in front of the Douglas County Hearing Examiner on May 21, 2024, 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 requesting a Conditional Use Permit (CUP) to allow for the development of an approximately 9,000 square-foot event venue on three (3) parcels owned by the Lake Entiat Lodge Association community. The proposed event venue (stage, seating area, widening of access road, and parking area) will occur on Parcel No. 26211130003 and the addition of a secondary access off Lake Front Dr will occur on a small portion of the other two parcels, Parcel Nos. 67501800000 and 67502000000. The event venue is intended to serve as a multipurpose gathering space for the residents of Lake Entiat development for events such as concerts, performances, holiday celebrations, movie nights, community parties and gatherings etc.
2. Site Characteristics: The subject property is currently developed with 122 parking stalls on site. The site fronts on the Columbia River and provides access to community docks.
3. Location: The proposed project will occur on a portion of three parcels (Parcels Nos. 26211130003, 67502000000, and 67501800000) owned by the Lake Entiat Lodge Homeowners' Association. The site is located at 250 W Beach Drive, Orondo, WA, 98843, Douglas County in Section 11, Township 26N, Range 21E. W.M.
4. Access: The access to the event venue is proposed to be established off of Lake Front Drive via 12' wide access.
5. Zoning: The subject property is zoned Rural Service Center (RSC).

6. The Douglas County Comprehensive Plan designates this property as Rural Service Center. The following goals and policies set forth in the comprehensive plan are applicable to this development:
7. General Land Use:
  - 7.1. Policy G-9: Rural developments should only occur where adequate access to transportation systems, rural levels of utilities and facilities are available. Appropriate facilities/services may include domestic water, sewage disposal, fire and police protection, schools, and power, etc. depending on the scale and impact of the development.
  - 7.2. Policy G-10: Impacts to fire and police protection, school(s) and other public services/utilities should be considered during the development review process for proposals within urban growth, rural, and agricultural areas.
  - 7.3. Policy G-15: Encourage the operation of rural commercial businesses, natural resource related industries, recreation and tourism activities, cottage industries, small scale business, and home occupations that are consistent with existing and planned land use patterns and are of an appropriate size and scale to maintain rural character.
8. Rural Lands:
  - 8.1. Policy R-3: Establish land use designations that represent rural character and that protect the integrity of rural areas.
  - 8.2. Policy R-6: Encourage development in rural areas to be served by rural levels of service.
9. Rural Service Center:
  - 9.1. Policy RSC-1: Encourage mixed land use patterns that currently exist within the rural service centers by clearly establishing what kinds of uses will be permitted and which will be prohibited.
  - 9.2. Policy RSC-3: Small retail and/or service oriented commercial uses, tourist, agriculturally related commercial uses, recreation, cottage industry, and resource industries will be encouraged within the rural service centers to serve the surrounding residents and the traveling public.
10. Rural Development:
  - 10.1. Policy RD-3: Development and recreational opportunities in rural shoreline and other rural areas shall minimize potential adverse impacts to water quality, slope stability, vegetation, wildlife and aquatic life.
  - 10.2. Policy RD-4: Rural developments will not impact existing public facilities/services to the extent that the level of service for that facility is reduced below the adopted threshold and/or an acceptable operation capacity.

10.3. Policy RD-5: The costs associated with implementing a rural development and providing the necessary utilities, facilities and/or services will be borne by the developer.

10.4. Policy RD-6: Rural developments should consider and comply with the spirit, intent and requirements of all the chapters and sections of this comprehensive plan, including but not limited to the Resource Lands Element and Resource and Critical Areas Conservation Element.

11. Transportation:

11.1. Policy T-13: Ensure that transportation planning and implementation considers and is respectful of the rural and historic character found throughout the county.

11.2. Policy T-15: As development occurs it shall comply with the applicable road standards, and off-site improvements to existing County roads may be required where those existing roads do not currently meet the adopted road standards.

12. Utilities:

12.1. POLICY U-4: Require that development take into account the timely and concurrent provision of adequate and efficient utility systems.

12.2. POLICY U-9: The cost of on-site utility improvements or site preparation for developments will be the responsibility of the development benefiting from the improvement.

12.3. POLICY U-13: Encourage State agencies to review applications and issue permits concurrent with local permit requirements and timelines.

13. Applicable Provisions Of DCC 18.80.030 "Evaluation Criteria":

13.1. The proposed use will be harmonious and in accordance with the general and specific objectives of the comprehensive plan and all subarea plans.

13.2. The proposed use will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity of the area.

13.3. The traffic generated by the proposed use shall be mitigated so as not to burden the traffic circulation system in the vicinity.

13.4. The proposed use will be served adequately by facilities and services such as highways, roads, law enforcement, fire protection, drainage, refuse disposal, domestic water and sanitary sewers, and schools; or that persons or agencies responsible for the establishment of the proposed use will provide adequate services.

13.5. The proposed use will not create excessive additional requirements at public cost for public facilities and services.

- 13.6. The proposed use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or general welfare by reasons of excessive production of traffic, noise, smoke, fumes, vibration, glare, or odors.
- 13.7. Proposed ingress and egress, driveway widths, parking, and road improvements shall be approved pursuant to DCC Title 20 and to the satisfaction of the county engineer.
- 13.8. Adequate buffering devices such as fencing, landscaping, or topographic characteristics shall be in place in order to mitigate and protect adjacent properties from potential adverse impacts of the proposed use, including visual or auditory effects.
- 13.9. Conditional use permits shall comply with the DCC and all applicable local, state, or federal regulations.
- 13.10. The Hearing Examiner is the review authority and may approve, conditionally approve, or deny a request for changing the minimum lot size of a conditional use. Any waiver of minimum lot size shall not be construed as an exemption from the requirements of DCC Title 17 and RCW Chapter 58.17.

14. Environmental Review:

- 14.1. Douglas County issued a Determination of Non-Significance on April 12, 2024, in accordance with WAC 197-11-340 (2).

15. Agency And Public Comments:

- 15.1. Applicable agencies have been given the opportunity to review this proposal. These agencies have identified mitigation or project design requirements (see attached) for the project that have been included as conditions of approval where appropriate.

Agency Notified	Response Received	Agency Notified	Response Received
Chelan County Public Utility District	03/21/2024	Douglas County Land Services	05/10/2024
Colville Confederated Tribes	N/R*	Douglas County Public Utility District	N/R*
Chelan Douglas Health District	N/R*	Douglas County Sheriff	N/R*
Department of Ecology	03/28/2024	Douglas County Transportation	04/09/2024
Department of Archeology and Historic Preserve	N/R*	Link Transit	N/R*
Douglas County Fire District	N/R*	Orondo School District	N/R*
Douglas County Fire Marshal	04/11/2024	US Army Corps of Engineers	N/R*
Douglas County GIS	03/18/2024	Washington State Department of Fish and Wildlife	03/28/2024

\*N/R = No Reply

No public comments were received on this proposal till the date of this staff report.

All agency/ public comments received on this proposal have been included as an attachment to this staff report.

16. Project Analysis:

- 16.1. This analysis below considers the Douglas County Comprehensive Plan, the Douglas County Code, public and agency comments as well as any identified environmental concerns or state and federal requirements in the review of this project.

17. Project Consistency With The Comprehensive Plan:

- 17.1. The project is designated Rural Service Center by the Douglas County Comprehensive Plan. According to the Comprehensive Plan, "Rural Service Centers are those areas where historic, unincorporated communities or older recreationally oriented subdivisions are characterized by compact rural type densities and may offer some urban services such as roads, community water systems, and limited commercial uses." The Plan further states, "These areas will also be accommodating needed agriculturally related commercial, cottage industries, tourist related uses, recreation and/or light industrial uses."
- 17.2. This proposal for an event venue is a request to augment the recreational component of an older recreationally oriented subdivision in the unincorporated Douglas County. The proposal meets the objective of Rural Service Center land-use designation.
- 17.3. The request further meets several goals and policies of the comprehensive plan as noted in Section C of this staff report above.
- 17.4. The proposal appears to be consistent with the Douglas County Comprehensive Plan subject to the suggested Conditions of Approval noted below.
18. The proposed land use of an event center, while not specifically noted in the Douglas County Code, is similar to other uses permitted conditionally in the Rural Service Center zoning district. Therefore, this request for an event center is being processed through a Conditional Use Permit process. The project is unlikely to create excessive demands for public services. Noise impacts, dust control, and adequate buffering must fall within the parameters of Douglas County Code, as well as the State standards.
19. The proposed use will be harmonious and in accordance with the general and specific objectives of the comprehensive plan and all subarea plans.
- 19.1. Analysis: This proposal for an event venue is a request to augment the recreational component of an older recreationally oriented subdivision in the unincorporated Douglas County. The proposal meets the objective of Rural Service Center land-use designation in accordance with the Douglas County Comprehensive Plan.
20. The proposed use will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity of the area.

- 20.1. Analysis: The scope of the project includes installation of a stage, seating area, widening of access road, and parking area. No other structures are proposed to be constructed in conjunction with this Conditional Use Permit. The existing subdivision provides recreational opportunities for the existing subdivision through community docks located on site. The proposed event venue will enhance those opportunities for the residents of the existing recreationally oriented subdivision.
- 20.2. The proposed use will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity of the area.
21. The traffic generated by the proposed use shall be mitigated so as not to burden the traffic circulation system in the vicinity.
- 21.1. Analysis: The project narrative prepared by Grette Associates states that the events are not open to the public and are only for the residents of Lake Entiat Estates and their guests. As such, additional traffic will not be generated by this proposal.
22. The proposed use will be served adequately by facilities and services such as highways, roads, law enforcement, fire protection, drainage, refuse disposal, domestic water and sanitary sewers, and schools; or that persons or agencies responsible for the establishment of the proposed use shall provide adequate services.
- 22.1. Analysis: The Chelan County PUD reviewed the proposal and submitted comments on March 21, 2024 noting that the district has no concerns with the project but notes that a portion of the seating area is within the District's Rocky Reach hydro project boundary and could be subject to inundation. The proposed lawn grass for seating is acceptable to the District.
- 22.2. The Douglas County Transportation Department recommends that the applicant prepare and submit an erosion/ sediment control plan and that BMP's be implemented and maintained throughout construction until such time as permanent site stabilization is established.
- 22.3. The Douglas County Fire Marshal notes the following improvements to be made in response to this proposal – 96' diameter cul-de-sac or other approved turnaround, apparatus roads, gate, improvements to fire apparatus roads, fire hydrants and "No Parking – Fire Lane" signs.
23. The proposed use will not create excessive additional requirements at public cost for public facilities and services.
- 23.1. Analysis: All costs of improvements related to the project will be borne by the project applicant/ landowner. The project will not create any additional costs to the public for improvements related to this project. The project intends to create additional recreational opportunities for the residents of an existing subdivision requiring minimal improvements to facilities and services.

24. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or general welfare by reasons of excessive production of traffic, noise, smoke, fumes, vibration, glare, or odors.
- 24.1. Analysis: The proposed use of an event venue complements the recreational character of the existing subdivision. The event venue is intended to serve as a multipurpose gathering space for the residents of Lake Entiat development for events such as concerts, performances, holiday celebrations, movie nights, community parties and gatherings etc. The proposed use is unlikely to be detrimental to any persons, property, or general welfare by reasons of excessive production of traffic, noise, smoke, fumes, vibration, glare and odors.
25. Proposed ingress and egress, driveway widths, parking, and road improvements shall be approved pursuant to DCC Title 20 and to the satisfaction of the county engineer.
- 25.1. Analysis: The project was reviewed by Douglas County Transportation Department in accordance with the requirements of DCC 20.42 per comment letter dated April 09, 2024. The findings in the said letter indicate that transportation improvements are not required based on the project narrative that states that the event venue will not be open to the public and will only serve the residents of the existing subdivision resulting in no additional traffic generation.
26. Adequate buffering devices such as fencing, landscaping, or topographic characteristics shall be in place to mitigate and protect adjacent properties from potential adverse impacts of the proposed use, including visual or auditory effects. (Refer to DCC Chapter 20.40, Landscaping standards, for specific requirements.
- 26.1. Analysis: Pursuant to DCC 20.40.040 (A) (3), the site is located adjacent to a property zoned Rural Resource 20 to the west providing for low-intensity uses. The regulations require that a fifteen-foot wide Type 1 landscaping be provided along the western property line.
- 26.2. The request for the event center further supports the recreational component of the Lake Entiat development. The project site is surrounded by Columbia River to the north and north-east, Lake Entiat development to the south and Chelan County PUD owned property zoned Rural Resource 20 to the west.
- 26.3. The proposed use will not only complement the existing subdivision but will also have minimal impacts, if any, on the adjacent property to the west. The PUD owned property doesn't seem to have any existing developments on site. Therefore, landscaping or screening along the western property line of the subject site is not required.
27. Conditional use permits shall comply with the DCC and all applicable local, state, or federal regulations.
- 27.1. Analysis: The proposal will meet applicable local, state, and federal regulations, subject to the Conditions of Approval.

28. The purpose of the RSC district is to preserve the multiuse function and mixed land use pattern in the historic and unincorporated communities in Douglas County, as identified in the comprehensive plan. The RSC district is significant in that it provides support to the surrounding area by offering limited commercial services, lands for resource-based commercial and industrial activities, housing options which help support persons employed in resource-based industries and services for the traveling public. Rural service centers also provide limited services such as rest areas, fuel, emergency services and convenience goods to the general public traveling on rural, federal, state and county roads between urban areas. Rural levels of service provide limits to the density and intensity of uses and constrain the size of rural service centers so that they do not adversely impact surrounding resource-based uses, transportation systems or the natural environment.

29. Analysis:

29.1. This Conditional Use Permit requests expansion of the recreational component within an existing recreationally oriented subdivision promoting the multiuse function and mixed land use pattern on site.

29.2. The request appears to be consistent with the requirements of the RSC zoning district.

29.3. Douglas County Transportation Department has evaluated the proposal and recommended approval of the project with suggested Conditions of Approval.

29.4. The Hearing Examiner finds that the application materials demonstrate compliance with adopted codes, standards, and specifications applicable to this project, subject to the Conditions of Approval.

29.4.1. Pursuant to DCC 18.32.060, all proposed development in Rural Service Center zoning district shall comply with the development standards noted in this section of the Douglas County Code. See Conditions of Approval.

29.4.2. Pursuant to DCC 20.40.040 (A) (3), the site is located adjacent to a property zoned Rural Resource 20 to the west providing for low-intensity uses. The regulations require that a fifteen-foot wide Type 1 landscaping be provided along the western property line.

29.4.3. The request for the event center further supports the recreational component of the Lake Entiat development. The project site is surrounded by Columbia River to the north and north-east, Lake Entiat development to the south and Chelan County PUD owned property zoned Rural Resource 20 to the west.

29.4.4. The proposed use will not only complement the existing subdivision but will also have minimal impacts, if any, on the adjacent property to the west. The PUD owned property doesn't seem to have any existing developments on site. Therefore, landscaping or screening along the western property line of the subject site is not required.

- 29.4.5. Pursuant to DCC 20.42.040, the project requires 120 parking spots. The submitted site plan shows 122 parking spots existing on site. The project meets the parking requirement.
30. The applicant is requesting a Conditional Use Permit (CUP) to allow for the development of an approximately 9,000 square-foot event venue on three (3) parcels owned by the Lake Entiat Lodge Association community.
  31. The proposed event venue (stage, seating area, widening of access road, and parking area) will occur on Parcel No. 26211130003 and the addition of a secondary access off Lake Front Dr will occur on a small portion of the other two parcels, Parcel Nos. 67501800000 and 67502000000.
  32. The event venue is intended to serve as a multipurpose gathering space for the residents of Lake Entiat development for events such as concerts, performances, holiday celebrations, movie nights, community parties and gatherings etc.
  33. The subject property is currently developed with 122 parking stalls on site. The site fronts on the Columbia River and provides access to community docks.
  34. The proposed project will occur on a portion of three parcels (Parcels Nos. 26211130003, 67502000000, and 67501800000) owned by the Lake Entiat Lodge Homeowners' Association. The site is located at 250 W Beach Drive, Orondo, WA, 98843, Douglas County in Section 11, Township 26N, Range 21E. W.M.
  35. The access to the event venue is proposed to be established off of Lake Front Drive via 12' wide access.
  36. The Douglas County Comprehensive Plan designates the subject property is Rural Service Center.
  37. The subject property is a part of the Rural Service Center (RSC) zoning district.
  38. Douglas County Code Section 18.80.030 establishes evaluation criteria for Conditional Use Permits. The project meets the evaluation criteria, subject to the Conditions of Approval.
  39. A Determination of Non-Significance was issued for this proposal by Douglas County on April 12, 2024.
  40. Initial application materials reviewed by Douglas County Transportation and Land Services include:
    41. Master application, prepared by the applicant and submitted on February 26, 2024.
    42. SEPA Checklist prepared by the applicant and applicant's agent, and submitted on February 26, 2024.
    43. Site Plan prepared by Complete Design Inc., and submitted by the applicant on February 26, 2024.

44. Drainage Report prepared by Complete Design Inc. on February 12, 2024, and submitted by the applicant on February 26, 2024. The report was revised on April 09, 2024 to meet the requirements of the Douglas County Code.
45. Project Narrative prepared by Larry Lehman, Grette Associations (Project Agent) on January 31, 2024 and submitted on February 26, 2024.
46. Surrounding property owners were given the opportunity to comment on the proposal and the public notice requirements were met in accordance with Douglas County Code Title 14. No public comments were received by Douglas County till the date of the staff report.
47. Comments from reviewing agencies have been considered and addressed where appropriate.
48. Chelan County PUD reviewed the proposal and submitted comments to Douglas County on March 21, 2024. The comments note, "The District does not have any concerns with the project as proposed but does wish to comment that a portion of the seating area is within the District's Rocky Reach hydro project boundary and could be subject to inundation. The proposed lawn grass for seating is fine. However, the applicant is advised to contact the district should any future plans involve development or grading in this area."
49. The Washington State Department of Ecology reviewed the project and provided comments to Douglas County on March 28, 2024. The comments state that "the agency doesn't require soil sampling for this project; however, there is a high likelihood that the property has soil with elevated concentrations of lead and arsenic." The agency further recommends NPDES Construction Stormwater General Permit if the project anticipates disturbing ground with the potential for stormwater discharge off-site.
50. Douglas County Building Official and Fire Marshal reviewed the project and provided comments on April 11, 2024 requiring improvements relate to the following: 96' diameter cul-de-sac or other approved turnaround, apparatus roads, gate, improvements to fire apparatus roads, fire hydrants and "No Parking – Fire Lane" signs. See Conditions of Approval.
51. Douglas County GIS Department reviewed the project and provided comments on March 18, 2024 requiring submission of an address request application for all existing buildings in the common area as well as for the proposed stage area.
52. Douglas County Transportation Department reviewed the project and provided comments on April 09, 2024. The agency makes the following findings:
53. Application materials reviewed by Douglas County Transportation and Stormwater include:
54. Stormwater Report prepared by Complete Design, dated April 8, 2024
55. Project Narrative prepared by Grette Associates, dated January 31, 2024
56. The preliminary stormwater report adequately demonstrates stormwater management feasibility for the subject property. The new additional impervious surface is under the thresholds in the

Stormwater Management Manual for Eastern Washington that would require flow control and water quality treatment.

57. Parking lot access improvements requested by the Fire Marshal are shown on the site plans prepared by Complete Design and are minor in scope.
58. The project narrative prepared by Grette Associates states that the events are not open to the public and are only for the residents of Lake Entiat Estates and their guests. As such, additional traffic will not be generated by this proposal.
59. The agency further recommends conditions of approval for the project.
60. Washington State Department of Fish and Wildlife reviewed the project and provided comments on March 28, 2024. The agency notes that "An aerial map review of our WDFW Priority Habitat and Species (PHS) on the Web Map indicates that the parcels 26211130003, 67502000000 and 67501800000 likely contain waterfowl concentrations and western toad species have been previously documented on-site. WDFW consider these priority species. These species occur in riparian and wetland habitat, which are considered by Douglas County to be Resource Lands/Critical Areas-Wetlands, in accordance with Douglas County Code (DCC) Chapter 19.18B. A site-scale analysis would be required to confirm or refute the presence of these species." The agency recommends that "a Habitat Boundary Survey (DCC 19.18C.035) be prepared by a "fish or wildlife biologist, as appropriate, who is knowledgeable of wildlife species and habitats within North Central Washington" prior to development."
61. The application notes that the project will occur within existing lawn grass area within the community owned waterfront parcel. All work will occur outside of the 200 ft shoreline zone.
62. This project proposes construction of an approximately 14'X18' stage area in the lawn area bounded by an existing paved access and the homes in Lake Entiat Estates subdivision. The subdivision consists of nearly 400 homes and the area proposed for the siting of the stage is currently heavily utilized by the subdivision residents for recreation purposes. The project further proposes minor widening of an existing access road. The parking area required to accommodate this use exists on site and is not proposed to be enlarged with this proposal.
63. The Best Management Practice (BMP) noted by the Washington State Department of Fish and Wildlife recommends no impact to shoreline vegetation and leaving the undeveloped wildlife corridor with no chemical treatment between potential habitat types on the property, such as the riverbank and an ephemeral pond, marshy area, or a stand of trees. As noted before, the project neither proposes any disturbance to the shoreline vegetation, nor proposes any chemical treatment in the undeveloped wildlife corridor.
64. In consideration of the current level of activity, the existing conditions on site and the scope of the development proposed through this Conditional Use Permit, the project is unlikely to have any adverse impacts to the wildlife on site.
65. After due legal notice and open record public hearing was held on May 21, 2024.
66. The entire Planning Staff File was admitted to the record.

67. Appearing and testifying on behalf of the Applicant was Larry Lehman. Mr. Lehman testified that he is an agent authorized to appear and speak on behalf of the Applicant and property owner. He testified that he had reviewed the Staff Report and had no objection to any of the representations contained therein. He also testified that he had reviewed the proposed Conditions of Approval, as amended, and had no objection to any of those.
68. Mr. Lehman stated that the Homeowner's association is currently allowing events for association members. He indicated that with this permit no public events were proposed. He stated that the events would be sponsored by the Homeowner's Association or a home owner for the benefit of Home Owner's Association members.
69. Also testifying on behalf of the applicant was Brianne Davis. Ms. Davis testified that she is the president of the Lake Entiat Estates Homeowner's Association. She stated that members are allowed to have weddings at the site but that parking is strictly controlled, the guests must have a parking pass, and all parking must occur on site. She stated that in the past they've never had an event with more than 100 guests.
70. Staff indicated that proposed Conditions of Approval 5.A and 5.E be removed.
71. 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. The proposal meets the applicable goals, policies and implementation recommendations as set forth in the Douglas County Comprehensive Plan, subject to the Conditions of Approval.
3. The proposal meets the applicable standards of the Douglas County Code, subject to the Conditions of Approval.
4. The proposal meets the applicable federal and state laws and regulations, subject to the Conditions of Approval.
5. The development will not affect the general public, health, safety and general welfare, adversely, subject to the conditions of approval.
6. Any Finding of Fact that is more correctly 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 CUP-2024-01 is hereby **APPROVED** subject to the following Conditions of Approval.

#### IV. CONDITIONS OF APPROVAL

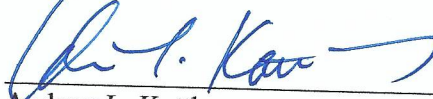
All Conditions of Approval shall apply to the applicant, and the applicant's heirs, successors in interest and assigns.

1. The project shall proceed in substantial conformance with the plans and application materials on file with Douglas County except to comply with the Conditions of Approval of this permit.
2. The applicant, and site operators, are responsible for compliance with all applicable local, state and federal rules and regulations and shall acquire the following permits, if applicable to the project, as determined by the relevant public agency.
  - 2.1. Commercial Building Permit(s)
  - 2.2. NPDES Construction Stormwater General Permit
3. Pursuant to DCC 18.32.060, all proposed development in Rural Service Center zoning district is required to comply with the development standards noted in this section of the Douglas County Code.
4. The applicant is required to comply with the Conditions of Approval as noted by the Douglas County Transportation Department in the comment letter dated April 09, 2024. See attached comments.
  - 4.1. An Erosion/Sediment Control Plan shall be prepared and BMPs implemented and maintained throughout construction until such time as permanent site stabilization is established.
  - 4.2. Individual/common plan development for this proposal may exceed 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning groundbreaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.
5. The applicant is required to comply with the Conditions of Approval as noted by the Douglas County Building Official and Fire Marshal in the comment letter dated April 11, 2024.
  - 5.1. Apparatus roads shall be 20' min. width and 26' min. width where fire hydrants occur.
  - 5.2. Where a single gate is provided, the gate width shall be not less than 20 feet. Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet.
  - 5.3. Approved fire apparatus access road with an asphalt, concrete or other approved driving service capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.
  - 5.4. Permanent NO PARKING – FIRE LANE signs shall be installed on both sides of the fire apparatus road.
6. The applicant is required to comply with the conditions as noted by the Douglas County GIS Department per comment letter dated March 18, 2024.

- 6.1. The Applicant shall submit an address request application to give all existing buildings in the common area an address plus an address for the future stage area.
7. The Applicant shall comply with environmental noise limits as set forth in the Douglas County Code and WAC 173.60

Dated this 28 day of May, 2024.

DOUGLAS COUNTY HEARING EXAMINER



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.