

**CHELAN COUNTY
LAND USE HEARING EXAMINER**

IN THE MATTER OF)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW, AND
ZC 25-068)	DECISION
Thomson Zone Change)	

THIS MATTER having come on for hearing in front of the Chelan County Hearing Examiner on May 7, 2025, the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law, and Decision as follows:

I. FINDINGS OF FACT

1. On January 28, 2025, the Board of Chelan County Commissioners (BOCC) approved, by Resolution 2025-015, the Comprehensive Plan Map Amendment 24-090, changing approximately 12.28 acres from Rural Industrial (RI) to Rural Commercial (RC).
2. The proposed zoning map amendment will establish the corresponding zoning districts on the subject properties, consistent with the Comprehensive Plan Map.
3. Project Location: 17475 Winton Rd, Lake Wenatchee, WA 98826
4. Parcel Number: 26-17-20-410-075
5. Address: 17475 Winton Rd, Lake Wenatchee, WA 98826
6. Legal Description: All that portion of the Southeast quarter of Section 20, Township 26, Range 17 East Willamette Meridian, Chelan County, Washington, lying East of that portion conveyed to the State of Washington for Primary State Highway No. 15 (SR2), by deed recorded September 29, 1952, under Auditor's File Number 464025.
7. Size: 12.28 acres
8. Owner: William R Thomson
9. Agent: William R Thomson
10. Urban Growth Area: The subject property is not located within an Urban Growth Area (UGA).
11. Current Zoning: Rural Industrial (RI)
12. Proposed Zoning: Rural Commercial (RC)
13. Site Size: 12.28 acres
14. Critical Areas: The subject site contains erosive soils and known Mule Deer, Northern Spotted Owl, and Shrubsteppe habitat areas.
15. STATE ENVIRONMENTAL POLICY ACT REVIEW (SEPA)
 - 15.1. Pursuant to WAC 197-11-800(6)(C)(i), the proposed action is exempt from SEPA review.
16. APPLICATION AND PUBLIC HEARING NOTICE COMPLIANCE
 - 16.1. Application Submitted: March 04, 2024

- 16.2. Determination of Complete Issued: March 06, 2025
- 16.3. Notice of Application: March 13, 2025
- 16.4. Notice of Public Hearing: April 05, 2025
- 16.5. Public Hearing: May 07, 2025

17. CHELAN COUNTY CODE

- 17.1. Comprehensive Plan Amendment 24-090 was approved by the BOCC, by resolution 2025-015, on January 28, 2025, which was shown to have satisfied the evaluation criteria found in CCC, Section 14.14.060 (see Exhibit A):
 - 17.1.1. 14.14.060 Evaluation criteria.
 - 17.1.2. The approval, modification or denial of a development regulation amendment application shall be evaluated on, but not limited to, the following criteria:
 - 17.1.2.1. The amendment is necessary to resolve a public land use issue or problem.
 - 17.1.2.2. The amendment is consistent with goals of the Growth Management Act, Chapter 36.70A RCW.
 - 17.1.2.3. The amendment complies with or supports Comprehensive Plan goals and policies and/or county-wide planning policies.
 - 17.1.2.4. The proposed amendment does not adversely affect lands designated as resource lands of long-term commercial significance or critical areas in ways that cannot be mitigated.
 - 17.1.2.5. The amendment is based on sound land use planning practices and would further the general public health, safety and welfare.

18. AGENCY AND PUBLIC COMMENTS

- 18.1. Comments were received from the following agencies:
- 18.2. The Confederated Tribes of the Colville Reservation, dated March 26, 2025 – No concerns
- 18.3. Chelan County Fire Marshal, dated March 26, 2025 - No concerns.
- 18.4. There were no public comments received

- 19. An open record public hearing was held, after legal notice, on May 7, 2025.
- 20. The applicant did not appear at the hearing. The applicant was given prior legal notice of the date, time, and manner of the hearing.
- 21. No member of the public appeared at the hearing.
- 22. The following exhibits were admitted into the record:
 - 22.1. Ex. A Resolution 2025-015
 - 22.2. Ex. B Application Materials;
 - 22.3. Ex. C Staff Report;
 - 22.4. Ex. D Remainder of Planning Staff File.
- 23. The Chelan County Hearing Examiner considered all evidence within the record in rendering this decision.

24. 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 the authority to render this decision.
2. This application is consistent with the Chelan County Code and Chelan County Comprehensive Plan.
3. This application is consistent with Chelan County Resolution 2025-015.
4. 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, ZC 25-068 is hereby **APPROVED**.

Dated this 9 day of May, 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.