

BEFORE THE OKANOGAN COUNTY HEARINGS EXAMINER

IN THE MATTER OF GO GREEN OKANOGAN RECYCLING)

CONDITIONAL USE PERMIT)

CUP 2020-1)

FINDINGS OF FACT, CONCLUSIONS, AND DECISION

This matter, an application for a conditional use permit was heard by the Okanogan County Hearings Examiner on May 28, 2020.

PROJECT SUMMARY

An application has been submitted by Mariah Cornwoman for Green Okanogan to permit a recycling collection center in accordance with Okanogan County Code 17A.220.010. The CUP, if approved, would allow a 2.13-acre parcel with existing buildings and two new structures 420 square feet and 1600 square feet to be used for collection of non-hazardous recyclable materials such as plastic, aluminum cans, tin cans, cardboard and other paper products as well as E-cycle items. The recyclable products will be sorted, compressed and /or packaged for transport to recycling processing centers. Water will be from a well that was put into beneficial use in the 1960's. The recycling center will operate year-round three days a week from 10am to 4pm. The site is located at 3 Rodeo Rd. near Tonasket WA on tax parcel number 8837600200.

FINDINGS OF FACT

1. This application process is authorized and outlined in OCC 17A.310 "Conditional Use Permits."
2. The zoning designation is Rural 1, under OCC, Title 17A *Zoning*.
3. The legal owner of this property is Green Okanogan.
4. The site is located at 3 Rodeo Rd. near Tonasket WA on tax parcel number 8837600200.
5. January 7, 2020 an application was submitted by Mariah Cornwoman for Green Okanogan to permit a recycling collection center. The application was deemed incomplete by staff and additional information was requested.
6. On January 28, 2020 upon receipt of additional information, staff deemed the application complete and vested the application as Go Green Okanogan Recycling 2020-1.

7. On February 3, 2020 a notice of application and Threshold SEPA Mitigated Determination of Non-Significance (MDNS) for CUP 2020-1 was sent to adjacent landowners within 300 feet of the applicant's parcel.
8. On February 3, 2020 the Office of Planning and Development forwarded to commenting agencies the notice of application and Threshold SEPA Mitigated Determination of Non-Significance (MDNS), as well as application materials and the signed Threshold SEPA Determination for CUP 2020-1 for their respective review and comment.
9. On February 5, 2020 an announcement of application and Threshold SEPA Mitigated Determination of Non-Significance (MDNS) for CUP 2020-1 was published in the Methow Valley News.
10. On February 6, 2020 an announcement of application and Threshold SEPA Mitigated Determination of Non-Significance (MDNS) for CUP 2020-1 was published in the Gazette-Tribune.
11. February 28, 2020 a notice of Final SEPA Mitigated Determination of Non-Significance (Final MDNS) and public hearing date of April 9, 2020 was sent to adjacent landowners within 300 feet of the applicants parcel and to additional commenters.
12. On February 28, 2020 the Office of Planning and Development forwarded to commenting agencies the notice of Final SEPA Mitigated Determination of Non-Significance (Final MDNS) and public hearing date of April 9, 2020, as well as the signed Final SEPA Determination for their respective review and comment.
13. On March 4, 2020 a notice of Final SEPA Mitigated Determination of Non-Significance (Final MDNS) and public hearing date of April 9, 2020, was published in the Methow Valley News.
14. On March 5, 2020 a notice of Final SEPA Mitigated Determination of Non-Significance (Final MDNS) and public hearing date of April 9, 2020 was published in the Gazette-Tribune.
15. On March 23, 2020 a notice of canceled public hearing scheduled for April 9, 2020 for CUP 2020-1 due to COVID-19 was sent to adjacent landowners within 300 feet of the applicants parcel and additional commenters.
16. On March 23, 2020 a notice of canceled public hearing scheduled for April 9, 2020 for CUP 2020-1 due to COVID-19 was sent to commenting agencies.
17. On March 25, 2020 a notice of canceled public hearing scheduled for April 9, 2020 for CUP 2020-1 due to COVID-19 was published in the Methow Valley News.

18. On March 26, 2020 a notice of canceled public hearing scheduled for April 9, 2020 for CUP 2020-1 due to COVID-19 was published in the Gazette-Tribune.
19. On May 12, 2020 a notice of hearing examiner public hearing over zoom for CUP 2020-1, hearing date of May 28, 2020 was sent to adjacent landowners within 300 feet of the applicants parcel and additional commenters.
20. On May 12, 2020 a notice of hearing examiner public hearing over ZOOM for CUP 2020-1, hearing date of May 28, 2020 was sent to commenting agencies.
21. On May 13, 2020 a notice of hearing examiner public hearing over ZOOM for CUP 2020-1, hearing date of May 28, 2020 was published in the Methow Valley News.
22. On May 14, 2020 a notice of hearing examiner public hearing over ZOOM for CUP 2020-1, hearing date of May 28, 2020 was published in the Gazette-Tribune.
23. A public notice was posted for the duration of the public comment period. The applicant was given the affidavit of public notice. A copy of the affidavit of public notice was submitted to Okanogan County Planning and Development prior to the hearing date of May 28, 2020.
24. A public hearing before the Okanogan County Hearings Examiner was held May 28, 2020 over the web service ZOOM for public Testimony. County staff and the applicant were present in person. No public testimony was offered.
25. All testimony was taken under oath.
26. The entire planning department file was entered into the record.
27. The applicant testified that the mitigations outlined in the MDNS were acceptable.

CONCLUSIONS

1. A complete application was received and vested under the Okanogan County Zone Code 17A.
2. All procedural requirements have been met in accordance OCC 17A.310 "Conditional Use Permits".
3. The proposal is compatible with the Okanogan County Zone Code.

4. All aspects of development must comply with the conditions of approval.
5. That a Threshold SEPA Mitigated Determination of Non-Significance (MDNS) was issued by the Okanogan County SEPA responsible official. All comments received during the comment period were evaluated for consideration of the final SEPA determination. A final SEPA Mitigated Determination of Non-Significance (MDNS) was issued by the Okanogan County SEPA responsible official. No appeals were received as of May 12, 2020. The SEPA appeal period will end on March 20, 2020.
6. The conditions imposed will protect public health, safety, morals and general welfare.
7. Comments from the public and state, federal, and local agencies were received, reviewed, and considered in analysis of this proposal.
8. The conditions imposed are not unnecessarily onerous.
9. Conditional approval of this application will be consistent with previous proposals of the same nature and scope.

DECISION

Based upon the information contained in the application materials, and additional information provided at the hearing, CUP 2020-1 is **APPROVED**, subject to the conditions noted below:

CONDITIONS OF APPROVAL

1. Any expansion in the nature and scope of the operation will require amendment to this Condition Use Permit through the Okanogan County Office of Planning & Development.
2. The project will proceed consistent with the application materials submitted and the mitigations contained with the MDNS.
3. All appropriate State and County permits shall be obtained and maintained current throughout the life of this project. If a permit requirement is discovered at any point in the operation of this project, the Office of Planning and Development shall be notified immediately of the permit requirement.

Dated this 30th day of May, 2020.

OKANOGAN COUNTY HEARING EXAMINER

A handwritten signature in black ink, appearing to read 'Dan Beardslee', written over a horizontal line.

DAN BEARDSLEE