

**BEFORE THE OKANOGAN COUNTY HEARINGS EXAMINER**

**IN THE MATTER OF KULLAS NIGHTLY RENTAL )**

**CONDITIONAL USE PERMIT )**

**CUP 2020-3 )**

**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**

A Conditional Use Permit application has been submitted by Mark Ryan of Ryan & Kuehler, PLLC on behalf of Mazama Petrichor, LLC to permit a nightly rental. The CUP, if approved, would allow a 1958 sq. ft. residence to be used as a nightly rental. The nightly rental would operate year-round and would allow up to 6 guests per stay. The site is located at 3 Nordic Village Rd near Mazama, WA on tax parcel number 6240000800.

**FINDINGS OF FACT**

1. This application process is authorized and outlined in OCC 17A.310 "Conditional Use Permits."
2. The zoning designation is Urban Residential is under OCC, Title 17A *Zoning*.
3. The legal owner of this property is Mazama Petrichor, LLC.
4. The site is located at 3 Nordic Village Rd near Mazama, WA on tax parcel number 6240000800.
5. On February 18, 2020 an application was submitted by Mark Ryan of Ryan and Kuehler, PLLC on behalf of Mazama Petrichor, LLC to permit a nightly rental.
6. On March 9, 2020 the application was deemed complete and staff vested the application as Kullas Nightly Rental CUP 2020-3.
7. On March 23, 2020 a notice of application and Threshold SEPA Determination of Non-Significance (DNS) for CUP 2020-3 was sent to adjacent landowners within 300 feet of the applicant's parcel.
8. On March 23, 2020 the Office of Planning and Development forwarded to commenting agencies the notice of application and Threshold SEPA Determination of Non-Significance (DNS), as well as application materials and the signed Threshold SEPA Determination for CUP 2020-3 for their respective review and comment.

9. On March 18, 2020 an announcement of application and Threshold SEPA Determination of Non-Significance (DNS) for CUP 2020-3 was published in the Methow Valley News.
10. On March 19, 2020 an announcement of application and Threshold SEPA Determination of Non-Significance (DNS) for CUP 2020-3 was published in the Gazette-Tribune.
11. On April 27, 2020 a notice of Final SEPA Determination of Non-Significance and public hearing date of May 28, 2020 was sent to adjacent landowners within 300 feet of the applicants parcel and to additional commenters.
12. On April 27, 2020 the Office of Planning and Development forwarded to commenting agencies the notice of Final SEPA Determination of Non-Significance (Final DNS) and public hearing date of May 28, 2020, as well as the signed Final SEPA Determination for their respective review and comment.
13. On April 29, 2020 a notice of Final SEPA Determination of Non-Significance (Final DNS) and public hearing date of May 28, 2019, was published in the Methow Valley News.
14. On April 30, 2020 a notice of Final SEPA Determination of Non-Significance (Final DNS) and public hearing date of May 28, 2019 was published in the Gazette-Tribune.
15. A public notice was posted for the duration of the public comment period. The applicant was given the affidavit of public notice. An affidavit of public notice was submitted to Okanogan County Planning and Development prior to the hearing date of May 28, 2020.
16. A public hearing before the Okanogan County Hearings Examiner was held May 28, 2020. At that time members of the public were given the opportunity to enter testimony into the public record via ZOOM. No public testimony was offered.
17. All testimony was taken under oath.
18. The entire planning department file was entered into the record.

## 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 Title 17A.
4. All aspects of development must comply with the conditions of approval.
5. That a Threshold SEPA determination of non-significance (DNS) 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 determination of non-significance (DNS) was issued by the Okanogan County SEPA responsible official. No appeals were received by May 15, 2020. The SEPA appeal period ended on May 15, 2020.
6. That 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 2020-3 is **APPROVED**, subject to the conditions noted below:

## CONDITIONS OF APPROVAL

1. The proposal will be operated as described in the application materials, and 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. 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.

3. The project be operated in compliance with Okanogan County Code 17A.270 Nightly Rentals, Okanogan County Code 5.06, and RCW 64.37.

Dated this 28th day of May, 2020.

OKANOGAN COUNTY HEARING EXAMINER

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

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DAN BEARDSLEE