

**BEFORE THE OKANOGAN COUNTY HEARINGS EXAMINER**

**IN THE MATTER OF MAZAMA STARLIGHT NIGHTLY RENTAL )**  
**CONDITIONAL USE PERMIT )**  
**CUP 2018-7 )**

**FINDINGS OF FACT, CONCLUSIONS, AND DECISION**

This matter, an application for a conditional use permit was heard by the Okanogan County Hearings Examiner on March 28, 2019.

**PROJECT SUMMARY**

A Conditional Use Permit application was submitted by Mark Ryan of Ryan & Kuehler, PLLC on behalf of Mazama Starlight, LLC to permit a nightly rental. The CUP, if approved, would allow a 2060 sq ft. residence to be used as a nightly rental. The nightly rental would operate year-round and would allow up to 8 guests per stay. The site is located at 1 Nordic Village Rd near Mazama, WA on tax parcel number 6240000700.

**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 Starlight, LLC.
4. The site is located at 1 Nordic Village Rd near Mazama, WA on tax parcel number 6240000700.
5. On January 16, 2019 an application was submitted by Mark Ryan of Ryan and Kuehler, PLLC on behalf of Mazama Starlight, LLC to permit a nightly rental.
6. On January 23, 2019 the application was deemed complete and staff vested the application as Mazama Starlight Nightly Rental CUP 2018-7.
7. On January 29, 2019 a notice of application and Threshold SEPA Determination of Non-Significance (DNS) for CUP 2018-7 was sent to adjacent landowners within 300 feet of the applicant's parcel.
8. On January 29, 2019 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 2018-7 for their respective review and comment.

9. On January 30, 2019 an announcement of application and Threshold SEPA Determination of Non-Significance (DNS) for CUP 2018-7 was published in the Methow Valley News.
10. On January 31, 2019 an announcement of application and Threshold SEPA Determination of Non-Significance (DNS) for CUP 2018-7 was published in the Gazette-Tribune.
11. On February 25, 2019 a notice of Final SEPA Determination of Non-Significance and public hearing date of March 28, 2019 was sent to adjacent landowners within 300 feet of the applicants parcel and to additional commenters.
12. On February 25, 2019 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 March 28, 2019, as well as the signed Final SEPA Determination for their respective review and comment.
13. On February 27, 2019 a notice of Final SEPA Determination of Non-Significance (Final DNS) and public hearing date of March 28, 2019, was published in the Methow Valley News.
14. On February 28, 2019 a notice of Final SEPA Determination of Non-Significance (Final DNS) and public hearing date of March 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 March 28, 2019.
16. A public hearing before the Okanogan County Hearings Examiner was held March 28, 2019. At that time staff, the applicant, and members of the public were given the opportunity to enter testimony into the public record. No public comments were offered.
17. At the hearing the applicant was represent by Mark Ryan who testified that he had read the staff report including proposed conditions of approval and had no objection.

## CONCLUSIONS

1. All procedural requirements have been met in accordance OCC 17A.310 "Conditional Use Permits".



2. The proposal is compatible with the Okanogan County Zone Code Title 17A.
3. All aspects of development must comply with the conditions of approval.
4. The conditions imposed will protect public health, safety, morals and general welfare.
5. Comments from the public and state, federal, and local agencies were received, reviewed, and considered in analysis of this proposal.
6. The conditions imposed are not unnecessarily onerous.
7. 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 2018-7 is **APPROVED**, subject to the conditions noted below:

## CONDITIONS OF APPROVAL

1. The proposal shall proceed in substantial compliance with the application. 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 will comply with Okanogan County Code 17A.270 Nightly Rentals and Okanogan County Code 5.06.
4. The use of the permit exempt well is interruptible; when base flows in the Methow River are below the regulatory level as shown in WAC 173-548-020 and WAC 173-548-030 the use of the exempt well for commercial purposes will cease.

Dated this 4th day of April, 2019.

OKANOGAN COUNTY HEARING EXAMINER



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DAN BEARDSLEE