



Community Development Department

Director: Lauren Prentice

310 W. Poplar, Suite 200 | Walla Walla, WA 99362

commdev@co.walla-walla.wa.us | 509-524-2610

Submit to: planning@co.walla-walla.wa.us

[https://www.co.walla-](https://www.co.walla-walla.wa.us/residents/community_development/index.php)

[walla.wa.us/residents/community_development/index.php](https://www.co.walla-walla.wa.us/residents/community_development/index.php)

NOTICE OF DECISION (NOD)

Date of Notice: 11/23/2022
Applicant: YELLOWHAWK RESORT WW LLC Attn: SCOTT CLARK
Type of Application: CONDITIONAL USE PERMIT/CRITICAL AREAS PERMIT
File Number: CUP22-004/CAP22-004
Decision: APPROVED W/CONDITIONS

Pursuant to Walla Walla County Code (WWCC) 14.09.090(F), enclosed is the Hearing Examiner's decision. This decision shall be effective on the date of this notice (WWCC 14.09.090(H)).

Affected property owner(s) may request a change in valuation for property tax purposes notwithstanding any program of revaluation (WWCC 14.090.090(F)(6)).

APPLICATION FILE

The file is available for inspection electronically or in person; please contact our Planning Technician, Tamara Ross, or the assigned planner, Jennifer Ballard, by phone at 509-524-2610 or by email at planning@co.walla-walla.wa.us between 10 AM and 3 PM Monday through Friday to make arrangements to access the files.

APPEAL

This decision will be considered final if no appeals are filed within the allowed time frame described in [Walla Walla County Code \(WWCC\) Chapter 14.11, Appeals](#). Firstly, WWCC 14.11.060 allows for the applicant or party of record to seek reconsideration of the final decision. A reconsideration request (appeal) must be submitted to the Director within ten (10) days of this notice. If no reconsideration request is submitted by this date, the decision will be final.

Submittal Requirements for Reconsideration Requests

The following must be submitted to the Department by the end of business (5 PM) on **DECEMBER 5TH 2022**, by email to planning@co.walla-walla.wa.us or via the Department's drop-box at 310 W. Poplar, Walla Walla, WA.

- A. [Appeal/Reconsideration Application](#)
- B. **Written Notice of Appeal/Reconsideration** containing a concise statement identifying:
 1. The decision being appealed;
 2. The name and address of the appellant and his or her interest(s) in the matter;
 3. The specific reasons why the appellant believes the decision to be wrong, including identification of each finding of fact, each conclusion, and each condition or action ordered which the appellant alleges is erroneous. The reconsideration request must be based on one of the following grounds: (1) A material error of law was made; (2) a material error or omission of material fact was made; (3) new material information is presented that was not knowable at the time of hearing. The

appellant shall bear the burden of proving the decision was wrong; and

4. The specific desired outcome or changes to the decision.

- C. The **Appeal/Reconsideration Application fee (\$745 + 3% technology fee if applicable)**, payable by cash, check, or credit card. If you wish to pay by credit card, notify the department at 509524-2610 and they will help you make arrangements to pay by credit card once the request is entered into the County's tracking system.

Pursuant to WWCC 14.11.020 and 14.11.040, **after/if** a reconsideration request has been considered, the Hearing Examiner's decision may be appealed to the Walla Walla County Superior Court under the Land Use Petition Act (LUPA), RCW 36.70C. A LUPA petition must be submitted to the Walla Walla County Superior Court within twenty one (21) days of issuance of the final decision (on reconsideration) per RCW 36.70C.040(3), unless another time period is established by state law.