NOTICE OF APPLICATION
SUBSTANTIAL SHORELINE DEVELOPMENT HEARING

Case No (s): P2400193

Description of Proposal: The applicant is proposing to install 600 linear feet of paved pedestrian trail, within existing driving lanes of a roadway, which will allow pedestrians to safely travel outside of the driving lanes. The trail will be constructed in the day use boat launch area and the roadway currently used to access this area. This portion of the trail will connect the existing Three Waters Trail and allow pedestrians to safely travel from this area to the welcome center and the rest of Cape Disappointment State Park. This proposal falls within the High Intensity shoreline environmental designation. All work will occur outside of the shoreline buffers and all work will occur within the existing roadway in order to avoid new impacts to the shoreline area. Paved trails and water-oriented recreational development are listed as permitted uses within this shoreline designation. The existing driving lanes will be turned into a one-way loop and the existing outer lane will be constructed into the Three Waters Trail. The trail will be approximately 7 feet wide and will be constructed with a concrete mixture that contains pieces of oyster shell.

Proponent(s): WA State Parks & Recreation Commission (owner) & Hannah Ross (applicant)

Location of Proposal: The subject property is located at 248 Robert Gray Drive in Ilwaco, Washington. The County Assessor's Parcel number includes 09110800001 & 09110550002; located in Section 05 & 08, Township 09 North, Range 11 West of W.M.

The Hearings Examiner will hear the following application: P2400193 on May 13th, 2024 via zoom at the following link: https://zoom.us/j/3066189481. You can join the meeting by going to this link or you can call in using the number +12532158782, US (Tacoma) and entering the Meeting ID: 3066189481#. You may also attend the hearing in person in Conference Room A located at the Long Beach County Building located at 7013 Sandridge Rd. in Long Beach, WA. Hearings will begin at 2:00 p.m. or shortly thereafter and will be held consecutively. Any person desiring to express his or her views on this matter or wanting to be notified of the action taken on this application should notify Zane Johnson, Planner, with the Pacific County Department of Community Development, 7013 Sandridge Rd, Long Beach, WA 98631 in writing by May 12th, 2024 or by testifying at the public hearing. To view the complete application packet please visit our website at; http://www.co.pacific.wa.us/dcd/public_notices.htm.

Interpreters for people with hearing impairments or taped information for people with visual impairments can be provided at this public hearing if necessary. The Pacific County Department of General Administration must receive a request for this type of service ten (10) days before the meeting. Contact the Pacific County Department of General Administration, P.O. Box 6, South Bend, Washington 98586, (360) 875-9334.

Responsible Official: Zane Johnson
Position/Title: Sr. Planner

Pacific County
DEPARTMENT OF COMMUNITY DEVELOPMENT

BUILDING • ENVIRONMENTAL HEALTH • PLANNING

STAFF REPORT

DATE: May 13th, 2024

TO: Eric Weston, Hearings Examiner

FROM: Zane Johnson, Sr. Planner

RE: SUBSTANTIAL SHORELINE DEVELOPMENT APPLICATION NO. P2400193
Submitted by Hannah Ross (applicant)
(Section 05 & 08, Township 09 N., Range 11 W.)

Background Information:

1. Owner/Applicant: WA State Parks & Recreation Commission (owner) & Hannah Ross (applicant)

2. Tax Parcel ID No.: 09110800001 & 09110550002

3. Permit Application No.: P2400193

4. Request: The applicant is proposing to install 600 linear feet of paved pedestrian trail, within existing driving lanes of a roadway, which will allow pedestrians to safely travel outside of the driving lanes. The trail will be constructed in the day use boat launch area and the roadway currently used to access this area. This portion of the trail will connect the existing Three Waters Trail and allow pedestrians to safely travel from this area to the welcome center and the rest of Cape Disappointment State Park. This proposal falls within the High Intensity shoreline environmental designation. All work will occur outside of the shoreline buffers and all work will occur within the existing roadway in order to avoid new impacts to the shoreline area. Paved trails and water-oriented recreational development are listed as permitted uses within this shoreline designation. The existing driving lanes will be turned into a one-way loop and the existing outer lane will be constructed into the Three Waters Trail. The trail will be approximately 7 feet wide and will be constructed with a concrete mixture that contains pieces of oyster shell.

5. Public Notification: A Notice of Application and Hearing was posted in the Chinook Observer on April 10th, 2024. A Notice of Application and Hearing was also posted on the subject property. The surrounding properties are all owned by Washington State Parks or the Federal Government, so a mailing notice was not sent out to property owners within 300 feet of the subject property.

6. Section (3) of Pacific County Ordinance No. 177, Procedures for Processing Land Use and the Pacific County Shoreline Master Plan, Non-Residential Substantial Shoreline Development Permits are classified as a Type III Administrative process.

Findings of Fact:

1. Location: The subject property is located at 248 Robert Gray Drive in Ilwaco, Washington. The County Assessor's Parcel number includes 09110800001 & 09110550002; located in Section 05 & 08, Township 09 North, Range 11 West of W.M.

   Subject Location:

Project Site:

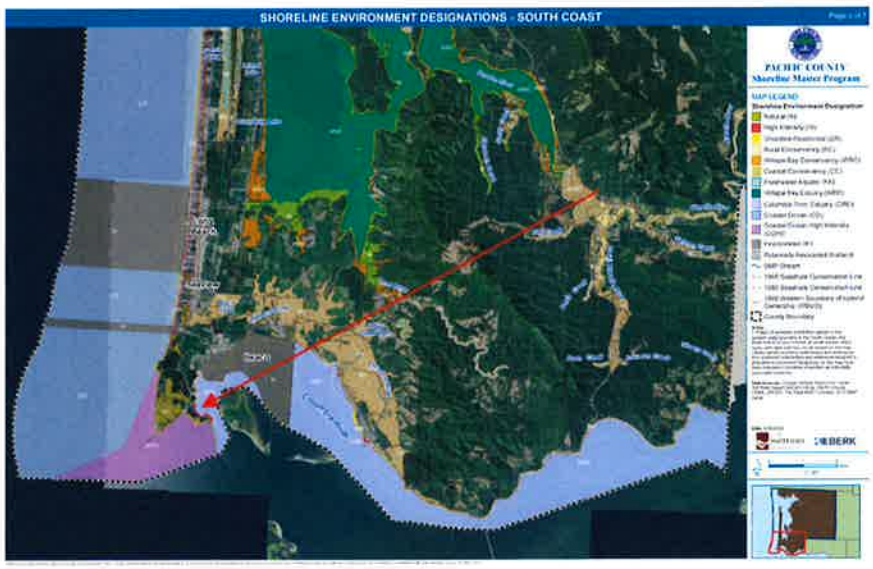
2. Site Characteristics: The subject parcel where the work will take place is part of the day use and boat launch area of Cape Disappointment State Park. Ownership includes WA State Parks and Recreation Commission and the other parcel is owned by the Federal Government, but the campground and associated facilities are all managed by WA State Parks. This proposal involves improvements to a section of the road used to access the day use and boat launch area. The road currently exists and falls within 200 feet of the shorelines of the Columbia River. The entire proposal will occur within the existing road and driving lanes currently used to access the boat launch area. A portion of the Three Waters Trail currently exists at the boat launch area. The trail currently dead ends in the middle of a driving lane and does not connect to the rest of the existing trail that leads into the park.

3. Zoning: The project site is located in a Conservation Land Use District (CD). Section 6.B.5 of Zoning Ordinance 194 allows for all Washington State facilities relating to park services including, but not limited to, campgrounds, restrooms, historical/cultural centers, interpretive centers, administrative buildings, living quarters, trails, and those uses typically incidental to a State Park facility.

   "The Conservation District is established to protect and conserve the environmental values of certain areas including the ocean beaches, State and Federal parks, wildlife refuges, freshwater lakes, and other important natural landscapes by recognizing that these areas provide a variety of important benefits for both the general public and wildlife. This land use district recognizes that some activities such as certain agricultural practices, e.g., livestock grazing, are on-going, historical functions that may be used as a management tool, while other activities such as general public services, facilities, and utilities are necessary and important for the overall function and/or operation of the underlying purpose of the refuge or park. The Conservation District is also applied to unique areas such as the U.S. Coast Guard Station located at Cape Disappointment. The Conservation District generally encompasses those lands waterward of the Ordinary High-Water Mark on all freshwater lakes found throughout the County."

4. Shoreline Designation: This project is within the shorelines of the Columbia River in the High Intensity environmental designation under the Pacific County Shoreline Master Program.

The Pacific County Shoreline Master Program describes the purpose of the High Intensity environment as "The purpose is to provide for high intensity water-oriented commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded."

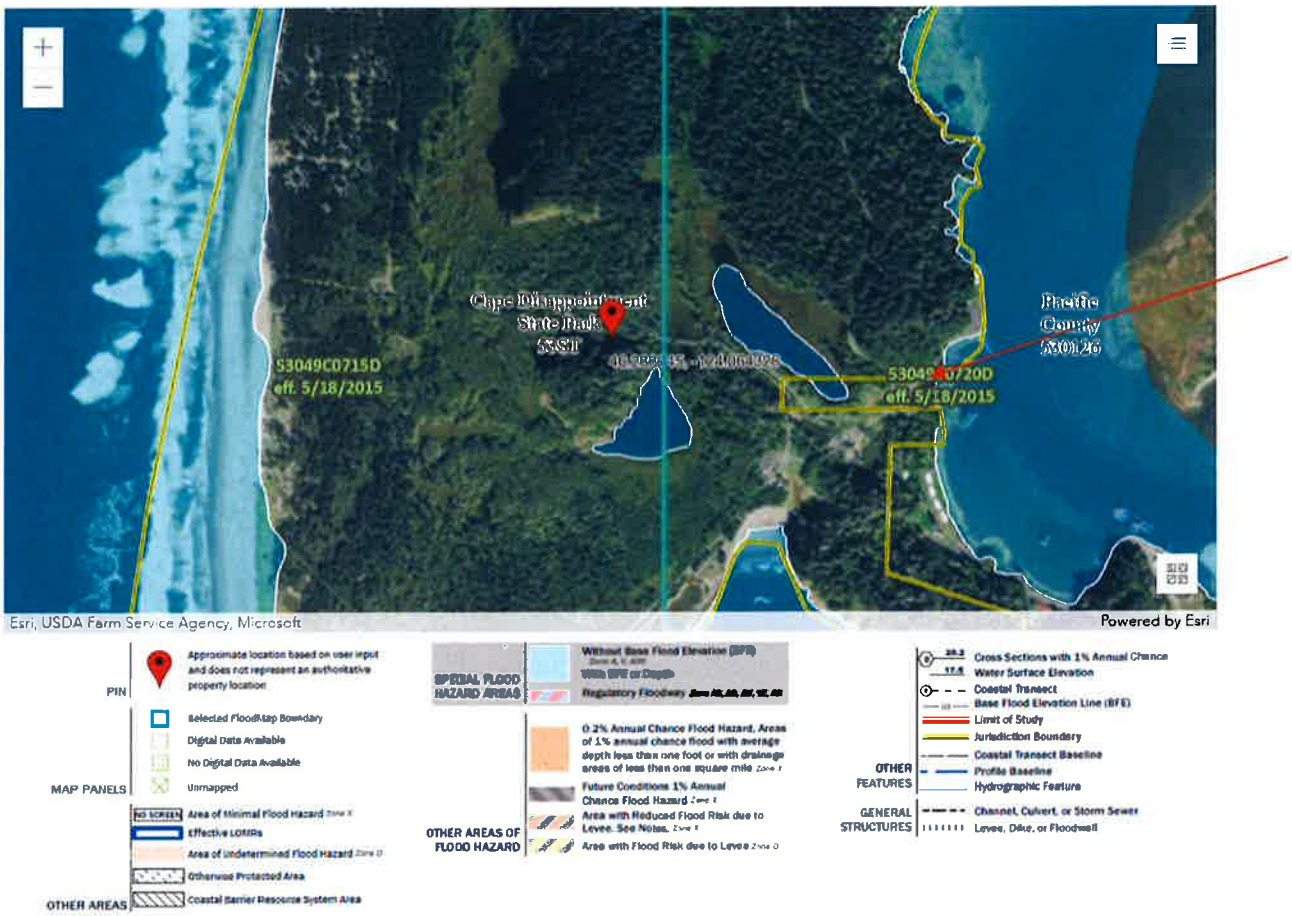


5. Comprehensive Plan Designation: The property is located in the Public Preserve Comprehensive Plan designation. The primary purpose is described in the Pacific County Comprehensive Plan (2020) as:

"The purpose of this designation is to identify and protect unique and outstanding examples of publicly owned areas pertaining to recreation, fish and wildlife habitat conservation, or unique geologic features. This land use designation also acknowledges the ongoing responsibility of the county, state and federal government to protect critical areas and other valued resources on lands within this designation. These lands are owned by a federal, state or local governmental entity, or conservation-focused NGO and are maintained as closely as possible to their natural state. This is one land use designation that has increased in the overall amount of acreage since 1998 as the amount of publicly-owned land within the County increased due to expansions of the Willapa National Wildlife Refuge, Lewis and Clark State and National Historical Park, Leadbetter Point State Park area, the Ellsworth Creek Preserve managed by The Nature Conservancy, and the Potter's Slough wetlands managed by Washington Department of Fish and Wildlife. It is anticipated that the amount of

acreage in the Public Preserve designation will continue to increase as diked tidelands are restored to their pre-dike status, and lands around Willapa Bay and other important watersheds are purchased for restorative activities by various public agencies and/or conservation non-profit organizations."

6. Floodplain Designation: The proposed project area occurs outside of the FEMA floodplain based on Panel No. 53049CO715D eff. 5/18/2015.



7. Critical Areas and Resource Lands: This project proposal will have no direct permanent impacts to Critical Areas and Resource Lands. The proposal falls within 200 feet of the OHWM of the Columbia River. The required buffer for the High Intensity Shoreline designation is 25 feet. All work will occur outside of the buffer and outside of any other critical areas. The work will be occurring inside the existing road bed. No new impacts are being proposed. The existing roads are just being reconfigured and the trail is being added into one of the driving lanes.

8. SEPA: The WA State Parks and Recreation Commission was the lead agency for this project and a Determination of Non-significance was issued for this project on November 16th, 2023. The DNS is attached to this report.

Analysis: The applicant is proposing to install 600 linear feet of paved pedestrian trail, within existing driving lanes of a roadway, which will allow pedestrians to safely travel outside of the driving lanes. The trail will be constructed in the day use boat launch area and the roadway currently used to access this area. This portion of the trail will connect the existing Three Waters Trail and allow pedestrians to safely travel from this area to the welcome center and the rest of Cape Disappointment State Park. This proposal falls within the High Intensity shoreline environmental designation. All work will occur outside of the shoreline buffers and all work will occur within the existing roadway in order to avoid new impacts to the shoreline area. Paved trails and water-oriented recreational development are listed as permitted uses within this shoreline designation. The existing driving lanes will be turned into a one-way loop and the existing outer lane will be constructed into the Three Waters Trail. The trail will be approximately 7 feet wide and will be constructed with a concrete mixture that contains pieces of oyster shell.

Shoreline Management Substantial Shoreline Development Permit

Pacific County SMP:

Section 3.2.D. Shoreline Environmental Designation (High Intensity)

Designation criteria

A "high-intensity" environment designation shall be assigned to those shoreline areas owned or managed by the public Ports of Pacific County or other areas which support high-intensity uses related to commerce, transportation or navigation; or are suitable and planned for high-intensity water-oriented uses (e.g., Bay Center, Tokeland).

Management policies

Give priority for development and use first to water-dependent uses, then to water-related, then water-enjoyment uses.

Full utilization of existing developed areas should be achieved before further expansion of intensive development is allowed. Consideration should be given to the potential for displacement of non-water-oriented uses with water-oriented uses when analyzing full utilization of urban waterfronts and before considering expansion of such areas.

New non-water-oriented uses should not be allowed except:

i. As part of a mixed-use development that includes at least one water-dependent use;

ii. In limited situations where they do not conflict with or limit opportunities for water-oriented uses; or

iii. On sites where there is no direct access to the shoreline.

Ensure that developments within the High Intensity environment are compatible with uses and activities in adjacent (including aquatic) environments.

Policies and regulations shall assure no net loss of shoreline ecological functions as a result of new development. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply with any relevant state and federal law.

Where feasible, visual and physical public access should be required.

Aesthetic objectives should be implemented by means such as sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers.

Public access and public recreation objectives should be implemented whenever feasible and significant ecological impacts can be mitigated

5.18 Recreational Development

Policies

1. Encourage diverse recreational opportunities in shoreline areas that can support such use and development without risk to human health, safety, and/or security, and without adverse effects on shoreline functions, processes, values, private property rights, and/or neighboring uses.

2. Recognize that state-owned shorelines are particularly adapted to providing wilderness beaches, ecological study areas, and other recreational uses for the public.

3. Preserve and enhance existing parks.

4. Provide for both active and passive recreational needs when developing recreational areas.

5. Active shoreline recreational access, developments, and opportunities should be allowed to expand only in those areas already used for such purposes or on those shorelines environmentally capable of supporting such activities.

6. Encourage the linkage of shoreline parks, recreation areas, and public access points with linear systems, such as hiking paths, bicycle paths, easements and/or scenic drives.

7. Support other governmental and non-governmental efforts to acquire and develop additional shoreline properties for public recreational use.

8. Locate and design recreational developments to preserve, enhance, or create scenic

views and vistas.

9. Design and locate recreational uses and facilities to ensure no net loss of shoreline ecological functions.

10. Develop, as an economic asset, the recreation industry along shorelines in a manner that will enhance public enjoyment.

11. Encourage maintenance, but not expansion, of existing public access points for beach driving, and recognize that the number of public access points at North Cove, Seaview, Long Beach, Klipsan Beach, Ocean Park, and Oysterville is sufficient to meet existing demand. Discourage additional public access points for beach driving.

Regulations

1. Recreation facilities shall be designed and located to take maximum advantage of and enhance the natural character of the shoreline area, and ensure no net loss of shoreline ecological functions.

2. Recreational development shall be located, designed, and operated consistent with the purpose of the environment designation in which they are located. Adverse impacts shall be mitigated in accordance with Section 4.2 of this Master Program, Environmental Protection and Critical Areas.

3. Recreational uses in shoreline areas shall be allowed to make the greatest use of their proximity to the water by providing water access points, water viewing areas, and associated structural design when compatible with the aesthetic qualities of the site and the character of the local environment.

4. Preference shall be given to recreational uses that primarily relate to access to, enjoyment of, and/or use of the shorelines of the state. Non-water-oriented uses such as restrooms, recreation halls and gymnasiums, access roads, and parking lots shall be located according to the following preference:

a. Outside of shoreline jurisdiction, where feasible; or
b. Landward of water-oriented uses unless it can be shown that such facilities are essentially shoreline dependent.

5. Recreation facilities shall be designed to protect public health and water quality by ensuring adequate restrooms, trash cans, pet waste disposal, and similar measures, where applicable.

6. Review of proposed shoreline recreation development shall consider:

a. Impact of the activities and development on the existing shoreline environment;

b. Impact of the activities and development on the adjacent and nearby shoreline environment and land and water use;

c. Demand for recreation. Applicants shall estimate growth projections and evaluate level-of-service standards established by the comprehensive plan or parks, recreation, and open space plan;

d. The necessity and extent of alteration of the shoreline environment to meet design objectives and requirements; and

e. The proximity to and impact upon required public utilities and services.

7. Recreational uses shall be designed to minimize adverse effects on traffic patterns and parking facilities. The adverse effects of storm run-off from parking lots shall be minimized.

Section 5.22 Transportation & Parking

Policies

1. Provide safe, reasonable, and adequate circulation systems to shorelines where routes will minimize adverse effects on unique or fragile shoreline features and existing ecological systems, while contributing to the functional and visual enhancement of the shoreline.

2. Within the shoreline jurisdiction, locate land circulation systems that are not shoreline dependent as far from the land-water interface as practicable to reduce interference with either natural shoreline resources or other appropriate shoreline uses.

3. Locate roads to fit the topographical characteristics of the shoreline such that minimum alteration of natural conditions results. New transportation facilities should be located and designed to minimize the need for shoreline stabilization and flood protection measures and to minimize the need to modify the natural drainage systems. New transportation facilities should be located outside of the floodplain and areas vulnerable to inundation as a result of sea level rise. The number of waterway crossings should be limited.

4. Encourage trail and bicycle paths along shorelines where they are compatible with the natural character and ecology of the shoreline, and where measures are included in projects to address pollution impacts from the activity.

5. Encourage joint use of transportation corridors within shoreline jurisdiction for utilities and other forms of transportation.

6. Locate and design parking facilities to minimize adverse impacts including those related to stormwater runoff and water quality.

Regulations

1. General

a. Transportation and parking development shall be carried out in a manner that maintains or improves state water quality standards for affected waters and results in no net loss of shoreline ecological function.

b. Adverse impacts of land transportation facilities on unique or fragile shorelines shall be minimized.

c. Adverse impacts on existing or planned water-dependent uses shall be avoided.

d. Land transportation facilities shall be prohibited in aquatic areas except where bridge crossings are needed and where no feasible alternative shoreland or upland route exists.

e. New port and industrial developments involved in the transfer or transport of petroleum or other hazardous products in the waters and shorelands of Pacific County shall utilize best available technology and procedures to prevent spills and develop and implement contingency plans. Applicants shall also establish procedures for mitigating damages from spills or other malfunctions.

2. Roads

a. A permit for road construction or expansion may be granted subject to the following regulations:

i. Demonstration of compliance with any federal, state, or county permits, as required.

ii. Filling of tidelands to provide for a road right-of-way may be permitted as a Conditional Use where there are no alternative routes which are economically or topographically feasible.

b. Private access roads shall comply with Pacific County Code Chapter 12.04, Road Standards.

3. Airports.

a. Airports and associated facilities, including terminal stations for aircraft passenger and cargo operations, runways, towers, and associated systems, shall be located so as to minimize adverse impacts to migratory bird flyways and habitat used by resident waterfowl and other birds.

4. Parking.

a. Parking lots shall be located/sited outside the shoreline jurisdiction except to support an authorized shoreline use.

b. Parking accessory to an authorized use shall be located landward of the primary use and as far upland from the ordinary high-water mark as feasible.

c. Parking lots with spaces for 10 or more cars shall not be located within 100 feet of the ordinary high-water mark.

Findings of Fact:

1. Type III review of the proposed Substantial Shoreline Development permit is consistent with the processing requirements of Procedural Ordinance No. 177.
2. The proposed use is consistent with the requirements of the Substantial Shoreline Development under the SMP.
3. The proposed use is consistent with the requirements under the Critical Area Ordinance 193.

Recommendation:

Based on the Findings of Fact and Conclusions of Law for a Substantial Shoreline Development Permit for Permit Application No. P2400193, the Planning Division recommends the Hearings Examiner **approve** the addition of 600 linear feet of paved trail within an existing driving lane within the high intensity shoreline environment.

Conditions of Approval:

1. The permit shall not begin and is not authorized until twenty-one (21) days from the date of filing as defined in RCW 90.58.140(6) and WAC 173-27-130, as amended, or until all review proceedings initiated within twenty-one (21) days from the date of such filings have been terminated, except as provided in RCW 90.58.140(5)(c) and (d).

2. The project shall be consistent with all parts of the SMP.

3. The proposed project shall adhere to all applicable local, state and federal laws.

Exhibit List:

1. Staff Report

2. Application & Related Documents

3. SEPA DNS

4. Section 6 or Ordinance 194 Zoning
5. Section 6 of Procedural Ordinance No. 177
6. Zoning Map
7. Comprehensive Map
8. Affidavit of Posting & Photos

Name: State of Washington Parcel No.: 09110800001/550002

Description: SSDP Type III

License Application No.: _____

Department Review	Date Routed	Action	Action Date	Signature	Comments/Notes
Planning P2400193	3/18				
Roads					
LADO/ Floodplain					
Building					Electronic Plan Log Complete? Yes ☐ Workflow Complete? Yes ☐ Scanned: Yes ☐ No ☐
Health					

App/Tech	95	Septic Site Rvw		Zoning		Special Use	
State B/C		Septic Eval		CARL		Variance	
Building		Septic Install		Road Appr		Reasonable Use	
Plan Check		Septic Repair		Shoreline	1840	Short Plat	
Manu Home		Design Review		Floodplain		BLA	
MHT		Winter Hold		LADO		Public Notice	280
Fire/Life Safety		Well		Wetland Delin		Revision Fee	
Fireworks		Plan Review		Cond Use			
Penalty Fee		License		SEPA			

Rolled set of building plans? Yes ☐ No ☒ Added to Electronic Bldg. Plan Log? Yes ☐ No ☒

Fees Received

Date Receipted	Amount
invoiced 3/18/24	$2215

Balance Due: _____ **Date Issued:** _____ Issued **to:** _____

Notes:

Development Permit Application

Pacific County Department of Community Development
Internet Address: www.co.pacific.wa.us

OFFICE USE ONLY
PERMIT FEES:
Issued Date:
Issued By:

RECEIVED
MAR 13 2024
DEPT. OF COMMUNITY DEVELOPMENT
PACIFIC COUNTY, LONG BEACH, WA

PROPERTY OWNER INFORMATION	✓ Contact Person
Name: Washington State Parks and Recreation Commission	
Mailing Address: P.O. Box 42650	
City/State/Zip: Olympia, WA 98504-2650	
Phone: 360-790-8842	Phone: 360-790-8842
Email: hannah.ross@parks.wa.gov	

APPLICANT INFORMATION	✓ Contact Person
Name: Hannah Ross, Washington State Parks and Recreation Commisison	
Mailing Address: P.O. Box 42650	
City/State/Zip: Olympia, WA 98504-2650	
Phone: 360-790-8842	Phone: 360-790-8842
Email: hannah.ross@parks.wa.gov	

DESCRIPTION OF WORK
See attached description of work.

JOB SITE INFORMATION AND LOCATION	
Job Site Address: 244 Robert Gray Dr, Ilwaco, WA 98624	Tax Parcel ID No.: 09110800001/09110550002
Legal Description: 091108 N 1900'; PLUS ACCN 1100' SEC 9	Township/Range/Section 9 N/11W/section 9
Directions to Site: From Ilwaco: head south on First Ave N toward Spruce St E turn right at the 1st cross street onto Spruce St W continue onto N Head Rd.	

Legal Description and Tax Parcel Number can be found on your tax statement, the Pacific County web site address listed above or by calling the Assessor's office at 360-642-9301 or 360-875-9301. **Applications cannot be processed without this information.**

Note: If your property is in a current use program (timber, farm, agricultural, or open space), contact the Assessor before applying, as taxes may be due.

All permits shall be picked up within 30 days of notification by the Department of Community Development that the permit is ready for issuance. Failure to pick up the outstanding permit(s) and pay all outstanding fees within the specified timeframe shall result in the forfeiture of all permit documentation and all application fees paid to date on that project. Any subsequent permitting on the same parcel by the same property owner requires the submittal of new permit application materials and the payment of all new fees at the time of application.

I authorize employees and officials of Pacific County and/or the Flood Control Zone District No. 1 of Pacific County the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. **I have read and examined this development application, as well as the County site-plan checklist and have documented all applicable requirements on the site plan.**
2. **The information provided in this application contains no misstatement of fact.**
3. **I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.**
4. **I understand this permit is subject to all other local, state, and federal regulations.**

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If Pacific County and/or the Flood Control Zone District No.1 of Pacific County has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Printed Name: Hannah JB Ross

Authorized Signature:	Date: 3/13/2024

SOUTH BEND OFFICE
P.O. Box 68
South Bend, WA 98586
(360) 875-9356 FAX (360) 875-9304

LONG BEACH OFFICE
7013 Sandridge Rd.
Long Beach, WA 98631
(360) 642-9382 FAX (360) 642-9387

Revised 02.27.2014

All documents and information submitted in conjunction with this application is subject to Public Disclosure in accordance with RCW 42.56

Land Use Planning Permit Application

Pacific County Department of Community Development
Internet Address: www.co.pacific.wa.us

OFFICE USE ONLY

PROJECT/PROPERTY INFORMATION
Tax Parcel ID #: 09110800001/09110550002
Project Value: $224,000.00

OWNER/APPLICANT INFORMATION
Owner: Washington State Parks and Recreation Commission
Applicant: Hannah Ross, Washington State Parks and Recreation Commission
Contractor:

PLANNING INFORMATION - Failure to provide complete information will lead to a rejection of your permit application.
1. List existing improvements and structures: Roadway to the boat launch, parking area, sidewalk
2. Is the proposed development one phase of a larger project or larger development? If yes, describe the entire project in detail: No
3. Is there any surface water body on or in the immediate vicinity of the proposed site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)?: YES [x] NO [ ]
4. Name of water and/or wetlands within which development is proposed: Columbia River
5. Does the property have an existing driveway?: YES [x] NO [ ]
6. Will fill material be placed near or within a drainage way (ditch, swale, channel, etc.)?: YES [ ] NO [x]
7. Are activities adjacent to unstable soils or slopes?: YES [ ] NO [x]
8. Will activities alter man-made or natural drainage features?: YES [ ] NO [x]
9. Indicate amount of new impervious areas (areas covered by buildings, pavement, concrete, rock, etc.): no change
10. Does the project involve any clearing, filling, grading, paving, surfacing and/or dredging?: YES [x] NO [ ] **If Yes, answer the following. If No, go to number 11.**
A. If activities include clearing and grading greater than 5,000 sq. ft. Indicate SF: N/A
B. If activities include new landscaping, yard maintenance, or gardening greater than 7,500 sq. ft. Indicate SF: N/A
C. Will activities involve placing fill materials? YES [ ] NO [x]
1. If fill materials exceed 1 foot in depth. Indicate Depth:
2. If fill materials exceed 50 cubic yards. Indicate Cubic Yards:
D. If activities involve earth removal exceeding 2 feet in depth (Excluding foundation excavations). Indicate FT: N/A
E. If activities add more than 10, 000 sq. ft. of impervious area (Road projects only). Indicate SF: N/A
F. If activities add 5,000 sq. ft. of impervious area (All other projects). Indicate SF: N/A
11. Proposed site must be flagged/staked at time of application submittal. Completed [x]

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(360) 642-9382 FAX (360) 642-9387

Diana Dupuis
Director

STATE OF WASHINGTON
WASHINGTON STATE PARKS AND RECREATION COMMISSION
1111 Israel Road S.W. • P.O. Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500
TDD Telecommunications Device for the Deaf: 800-833-6388
www.parks.wa.gov

Cape Disappointment Three Waters Trail – Substantial Shoreline Development

Project Description:

The Three Waters Trail was designed by Maya Lin and a portion of the trail was completed in 2006. The overall project aims to be a part of the completion of the vision linking by trail Cape Disappointment State Park's three waters including the Columbia River, wetlands and Lake O'Neil, and the Pacific Ocean at their confluence. This portion of the project aims to complete the portion of the trail within the boat launch day use facility. Currently the trail dead ends within the middle of the driving lane forcing pedestrians to use the roadway to access the remaining park facilities including the Welcome Center, the entrance of the park, and the remaining trails. This project also helps maintain safety by creating a continuous trail separating pedestrians from the roadway, making it safer for drivers and walkers. This portion of the trail is approximately 600 linear feet all within the boat launch area. To complete the trail and avoid impacts to the shoreline of the Columbia River all work is taking place within the current driving lanes. The driving lanes will be turned into a one way and the existing outer lane will be constructed into the Three Waters Trail.

Pacific County Shoreline Master Program, Adopted June 20, 2023

This section will discuss the development of the Three Waters Trail and how it pertains to the Shoreline Master Program (SMP). The area is mapped as High Intensity per the Pacific County Shoreline Master Program Chapter 3.4.

SMP Chapter 5.22 Shoreline Uses, Development and Modifications: Transportation and Parking

A. Policies
1. Provide safe, reasonable, and adequate circulation systems to shorelines where routes will minimize adverse effects on unique or fragile shoreline features and existing ecological systems, while contributing to the functional and visual enhancement of the shoreline.

> The boat launch access and parking area has been located along the Columbia River shoreline for decades. The entirety of the developed area is within 200 ft of the shoreline and includes a two-lane access road with a loop, parking lot, restroom, boat launch, docks, a portion of the Three Waters trail, overflow parking, and a small pier.

The Three Waters Trail begins down at the boat launch and currently dead ends west of the start approximately 1,000 ft away. The proposed project is located all within the existing footprint and will add to the functional and visual enhancement of the shoreline by creating a walking path separated from vehicles for safety. The trail, which is essential to the Maya Lin Confluence Project, will then connect to trails within the park entrance establishing the intended connection of all "three water", the Pacific Ocean, wetlands and Lake O'Neil and the Columbia River.

2. Within the shoreline jurisdiction, locate land circulation systems that are not shoreline dependent as far from the land-water interface as practicable to reduce interference with either natural shoreline resources or other appropriate shoreline uses.

The proposed project does not include any near surfacing or development. The entirety of the project area is already disturbed built environment. The project will increase space from vehicle traffic from the shoreline allowing for safe pedestrian access.

3. Locate roads to fit the topographical characteristics of the shoreline such that minimum alteration of natural conditions results. New transportation facilities should be located and designed to minimize the need for shoreline stabilization and flood protection measures and to minimize the need to modify the natural drainage systems. New transportation facilities should be located outside of the floodplain and areas vulnerable to inundation as a result of sea level rise. The number of waterway crossings should be limited.

The roadways and proposed layout of the one-way roads are within the same footprint and configuration as they currently are. The changes include changing a two-lane roadway into a one-way lane. There are no new roadways or development proposed, only the change of use.

4. Encourage trail and bicycle paths along shorelines where they are compatible with the natural character and ecology of the shoreline, and where measures are included in projects to address pollution impacts from the activity.

There is currently no trail or safe pedestrian access from the park entry to the boat launch. The proposed project will connect the missing area of the Three Waters Trail. The Three Waters Trail begins down at the boat launch and currently dead ends west of the start approximately 1,000 ft away. The proposed project is located all within the existing footprint and will add to the functional and visual enhancement of the shoreline by creating a walking path separated from vehicles for safety. The trail, which is essential to the Maya Lin Confluence Project, will then connect to trails within the park entrance establishing the intended connection of all "three water", the Pacific Ocean, wetlands and Lake O'Neil and the Columbia River.

5. Encourage joint use of transportation corridors within shoreline jurisdiction for utilities and other forms of transportation.

The area is and will continue to be a joint use area. The proposed project will create a pedestrian lane within an already established traffic lane. The use of one lane within the two-lane roadway will become the Three Waters Trail while the traffic lanes will become one way. This reconfiguration of traffic will allow for a safe pedestrian path along with continued access for vehicles within the same footprint that currently exists. Utilities that are currently available onsite will be relocated within a traffic island.

6. Locate and design parking facilities to minimize adverse impacts including those related to stormwater runoff and water quality

There will be no changes to any of the available parking within the boat launch day use area. The parking near the park entrance will remain as well as the parking near the boat launch.

Diana Dupuis
Director
STATE OF WASHINGTON
WASHINGTON STATE
PARKS AND RECREATION
COMMISSION

1111 Israel Road S.W. • P.O. Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500
TDD Telecommunications Device for the Deaf: 800-833-6388
www.parks.state.wa.us

STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NON-SIGNIFICANCE

Date of Issuance: November 16, 2023

Project Name: Cape Disappointment State Park Welcome Center, Entrance Improvements and Culvert Replacement

Proponent: Washington State Parks and Recreation Commission

Lead agency: Washington State Parks and Recreation Commission

Description of proposal: The Washington State Parks and Recreation Commission (State Parks) proposes to replace the welcome center and provide entrance improvements for Cape Disappointment State Park. The work will also include the expansion of the administrative and shop facility area. Improvements will establish circulation for vehicles and pedestrians and address traffic safety, free flow of traffic into and out of the park, and provide new parking options for cars, RVs, and trucks with trailers.

Along with the entrance road and new welcome center, the project also includes the removal of the existing failing and submerged culverts along a dike road which provides access to the Cape Disappointment campground. The existing two culverts will be removed and replaced with box culverts to restore a more natural flow to the drainage while making necessary repairs to the dike road such as reconstruction of shoulders and armoring of the road embankment to prevent erosion.

Location of Proposal: Cape Disappointment State Park is located in Pacific County at 244 Robert Gray Drive, Ilwaco, WA 98624. The specific project location is the Township 9 N Range 11 W Sections 8 and 9.

Threshold Determination: After a review of the completed environmental checklist, the lead agency for this proposal has determined that it does not have a probable significant adverse impact to the environment. The project is self-mitigating with the creation, restoration, and enhancement of wetlands and habitat throughout the entrance. Development has been sited to avoid and minimize impacts to earth, water, vegetation, and recreation. The nature of the improvements, as described in the checklist, will not result in any lasting impacts to waterways,

native habitat, or species. Best Management Practices (BMPs) have been incorporated into the design to provide protection from incidental or unanticipated impacts such as sediment run-off. Best Management Practices (BMPs) include silt fencing, tree protection fencing and construction staging in already disturbed areas. Lastly, the completed proposal would not pose a threat to public health or safety and there will be no impacts to cultural or historic resources.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by **December 7, 2023** or they may not be considered.

Responsible Official: Chelsea Hamer
Position/Title: Environmental Planner
Phone: (360) 790-8512
Address: 1111 Israel Rd SW | PO Box 42650
Olympia, WA 98504-2650

Date: November 16, 2023 Signature: Chelsea Hamer

"All Washington State Parks are developed and maintained for the enjoyment of all persons regardless of age, sex, creed, ethnic origin, or physical limitations."

There is no agency SEPA appeal; however, all comments are welcome and will be thoroughly considered.

WASHINGTON STATE PARKS & RECREATION COMMISSION

KEN BOUNDS, CHAIR

SOPHIA DANENBERG
LAURIE CONNELLY
MICHAEL LATIMER
MARK O. BROWN
ALI RAAD
HOLLY WILLIAMS

DIANA DUPUIS, DIRECTOR

60% REVIEW

REGION MANAGER *date*

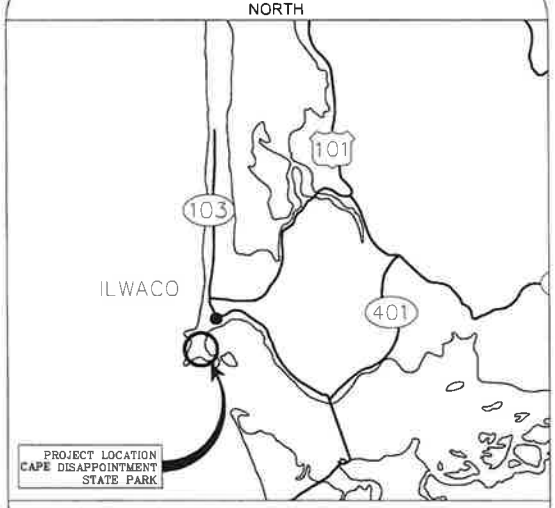
CAPITAL PROGRAM MANAGER *date*

AREA MANAGER: EVAN ROBERTS

CAPE DISAPPOINTMENT STATE PARK

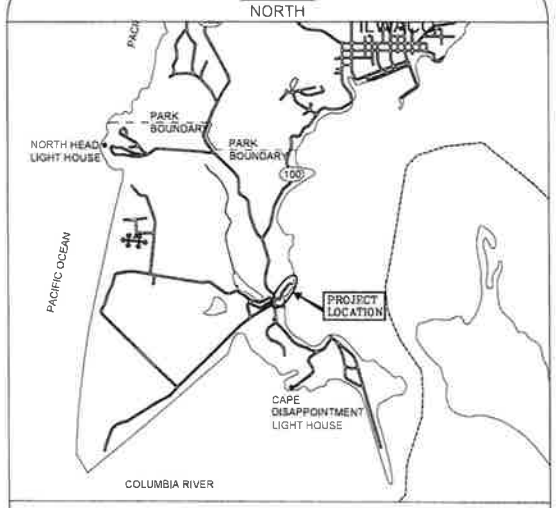
THREE WATERS TRAIL

VICINITY MAP



46°18'03" N & 124°04'35" W

PROJECT LOCATION



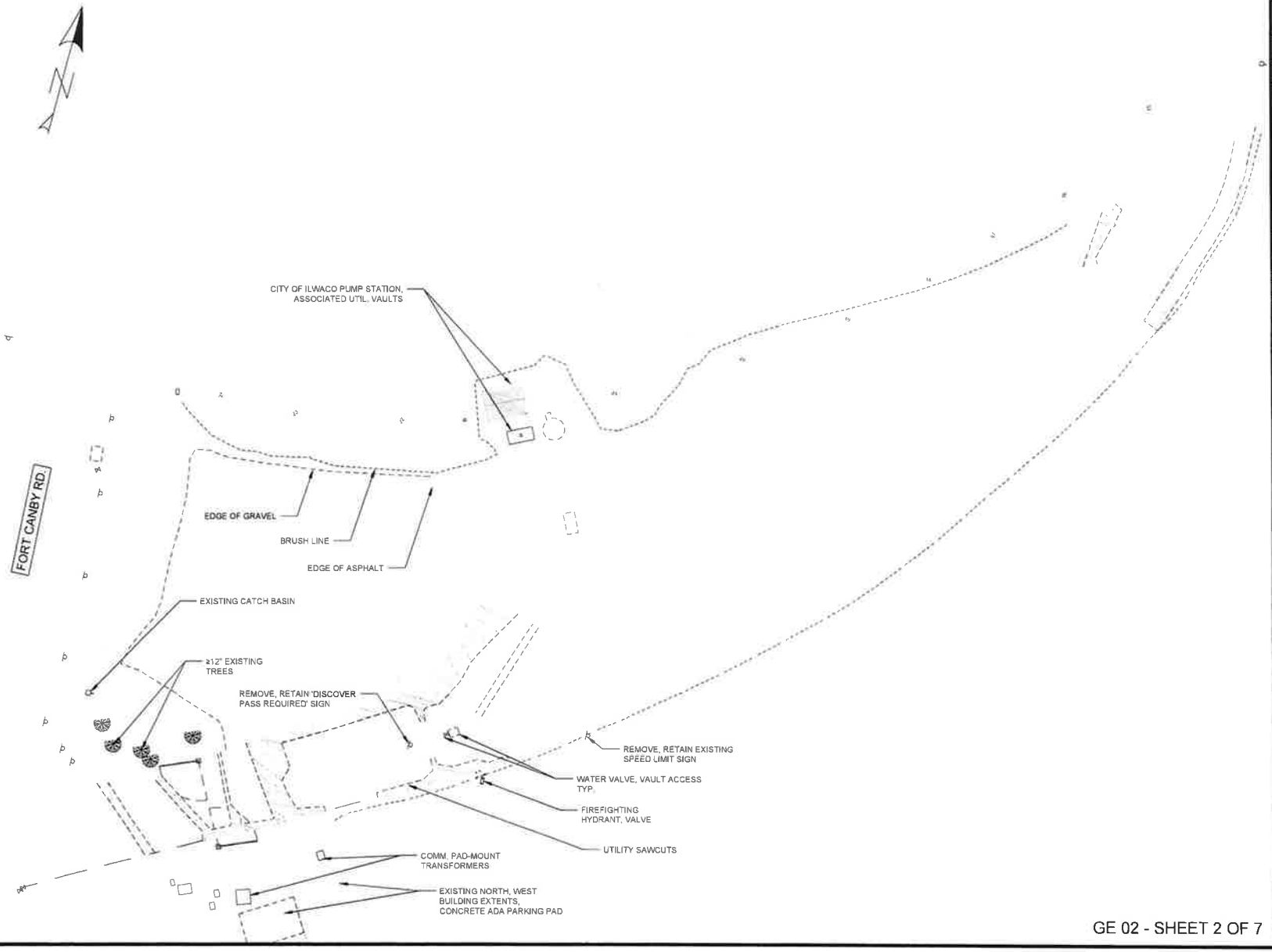
CAPE DISAPPOINTMENT STATE PARK
244 ROBERT GRAY DRIVE SW, ILWACO, WA 98624

INDEX

SHEET	DESCRIPTION
GENERAL (GE)	
GE 01	COVER SHEET
GE 02	EXISTING SITE
GE 03	PROPOSED SITE
GE 04	SIGNAGE PLAN
DETAIL (DT)	
DT 01	ROAD SECTIONS
DT 01	ROAD SECTIONS
~~LANDSCAPING (LS)~~	
~~LS 01~~	~~LANDSCAPING PLAN~~
SIGNAGE (SGN)	
SGN 01	SIGNAGE PLAN

* - STRIKETHROUGH INDICATES SHEETS NOT INCLUDED IN SET.

CADM C140-2023-SW-10 SPEC#



GE 02 - SHEET 2 OF 7

CAD NO. C140-2023-SW-10

NO.	REVISIONS	INT.	APP.	DATE

ACTION	BY	DATE
DESIGNED		
DRAWN	PZ	8-29-23
CHECKED (FIELD)		
CHECKED (HQQTS.)		

REGISTERED STAMP

WASHINGTON STATE PARKS AND RECREATION COMMISSION

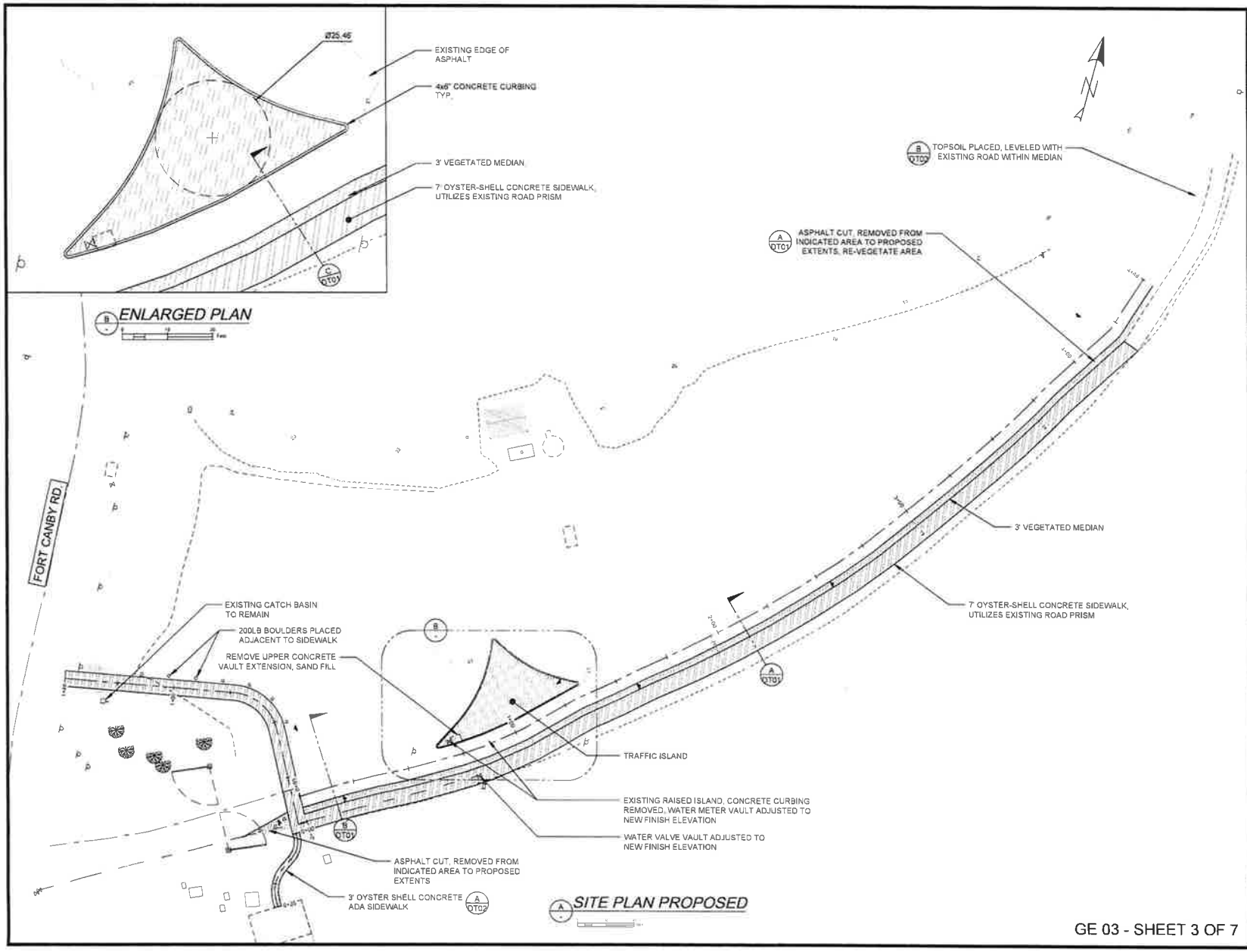
CAPE DISAPPOINTMENT STATE PARK

THREE WATERS TRAIL

EXISTING SITE

SCALE

PARKS FILE#



GE 03 - SHEET 3 OF 7

CAD NO. C140-2023-SW-10

NO.	REVISIONS	APP.	DATE

ACTION	BY	DATE
DESIGNED		
DRAWN	PZ	8-29-23
CHECKED (FIELD)		
CHECKED (HQGTS.)		

REGISTERED STAMP

WASHINGTON STATE PARKS AND RECREATION COMMISSION

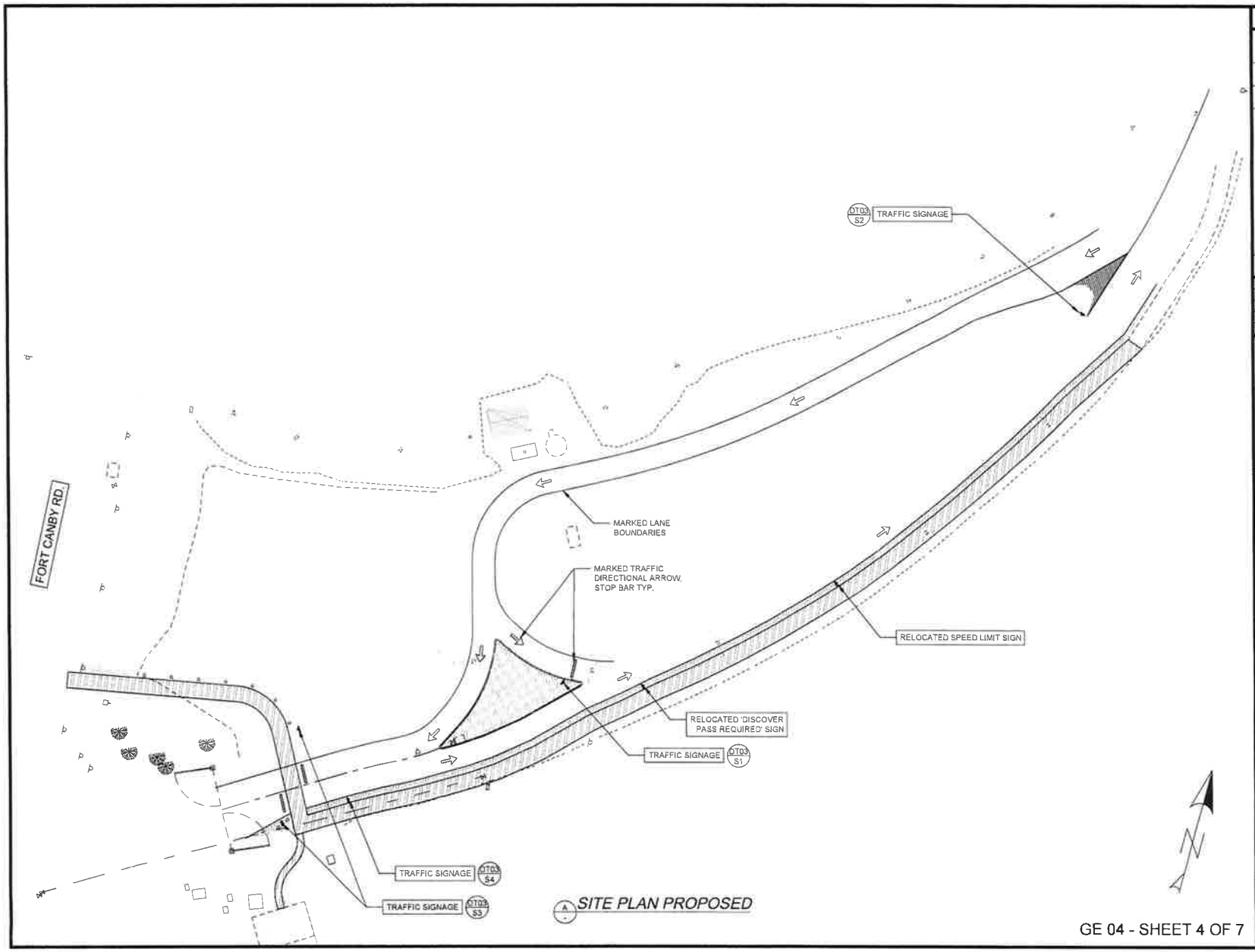
CAPE DISAPPOINTMENT STATE PARK

THREE WATERS TRAIL

PROPOSED SITE

SCALE
AS NOTED

PARKS FILE#



GE 04 - SHEET 4 OF 7

CAD NO C140-2023-SW-10

NO.	REVISIONS	INIT.	APP.	DATE

ACTION	BY	DATE
DESIGNED		
DRAWN	PZ	8-29-23
CHECKED (FIELD)		
CHECKED (HQ/TS.)		

REGISTERED STAMP

WASHINGTON STATE PARKS AND RECREATION COMMISSION

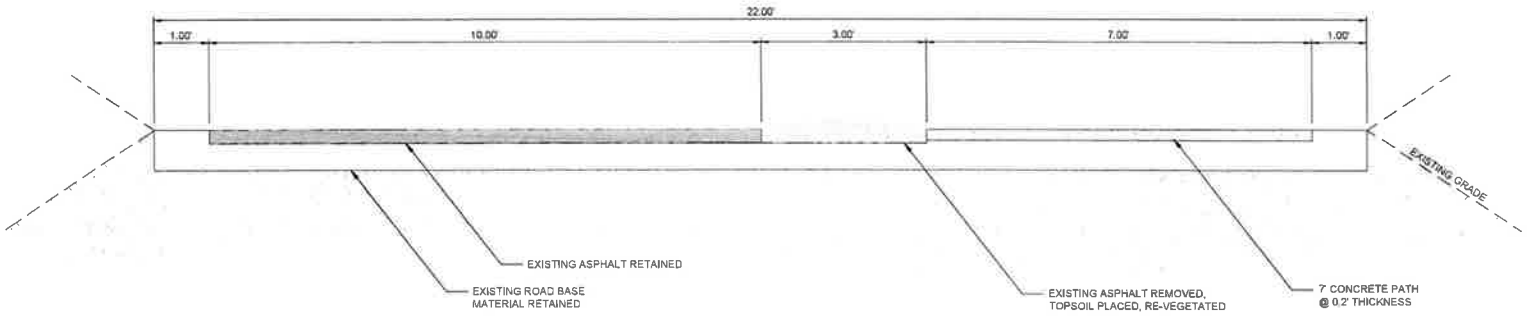
CAPE DISAPPOINTMENT STATE PARK

THREE WATERS TRAIL

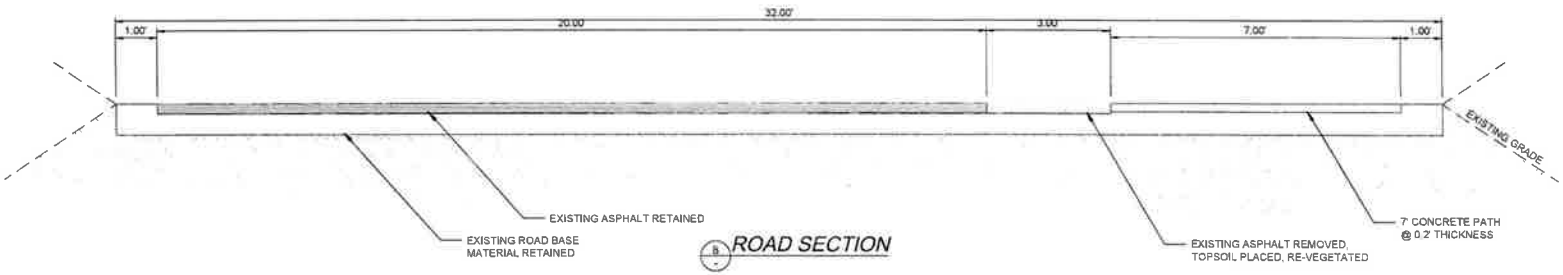
SIGNAGE PLAN

SCALE

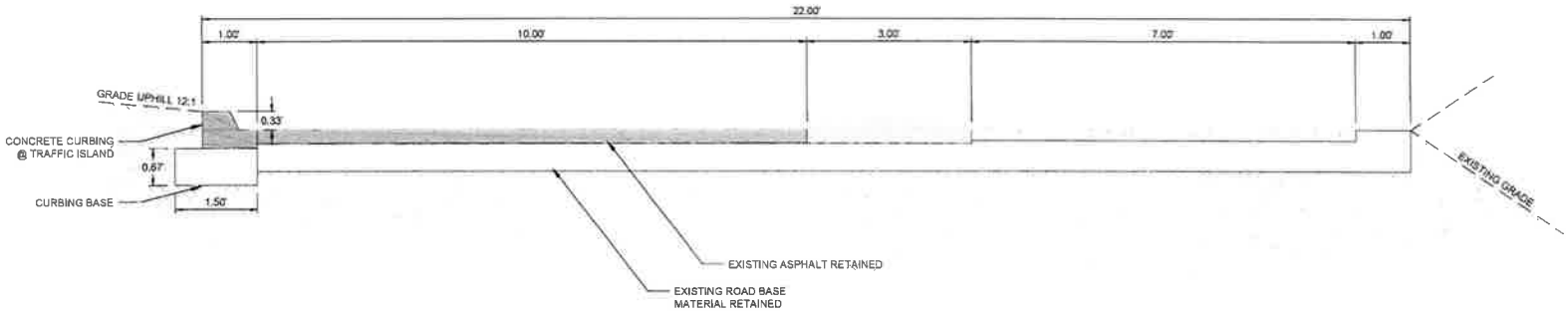
PARKS FILE#



A ROAD SECTION



B ROAD SECTION



C ROAD SECTION

DT 01 - SHEET 5 OF 7

CAD NO. C140-2023-SW-10

NO.	REVISIONS	INT.	APP	DATE

ACTION	BY	DATE
DESIGNED		
DRAWN	PZ	8-29-23
CHECKED (FIELD)		
CHECKED (HQ/TS.)		

REGISTERED STAMP

WASHINGTON STATE PARKS AND RECREATION COMMISSION

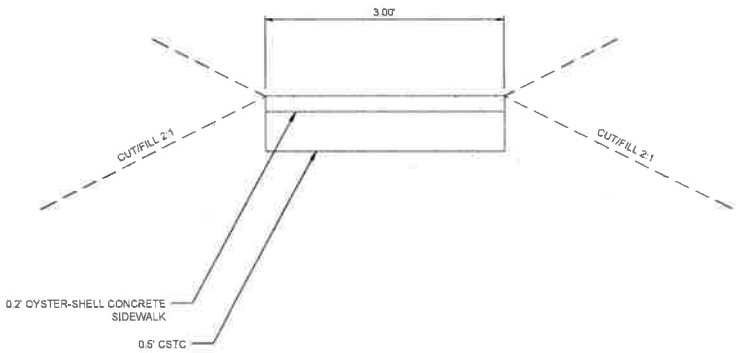
CAPE DISAPPOINTMENT STATE PARK

THREE WATERS TRAIL

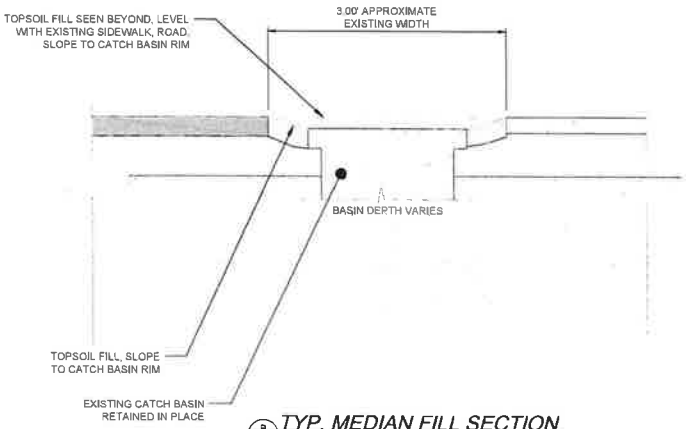
ROAD SECTIONS

SCALE NTS

PARKS FILE#



A ADA SIDEWALK



B TYP. MEDIAN FILL SECTION

DT 02 - SHEET 6 OF 7

CAD NO. C140-2023-SW-10

NO.	REVISIONS	INIT.	APP.	DATE

ACTION	BY	DATE
DESIGNED		
DRAWN	PZ	9-29-23
CHECKED (FIELD)		
CHECKED (HQGTS)		

REGISTERED STAMP

WASHINGTON STATE PARKS AND RECREATION COMMISSION

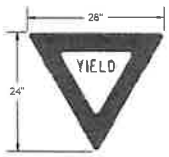
CAPE DISAPPOINTMENT STATE PARK

THREE WATERS TRAIL

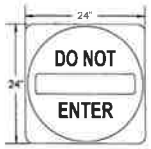
ROAD SECTIONS

SCALE NTS

PARKS FILE#



S1

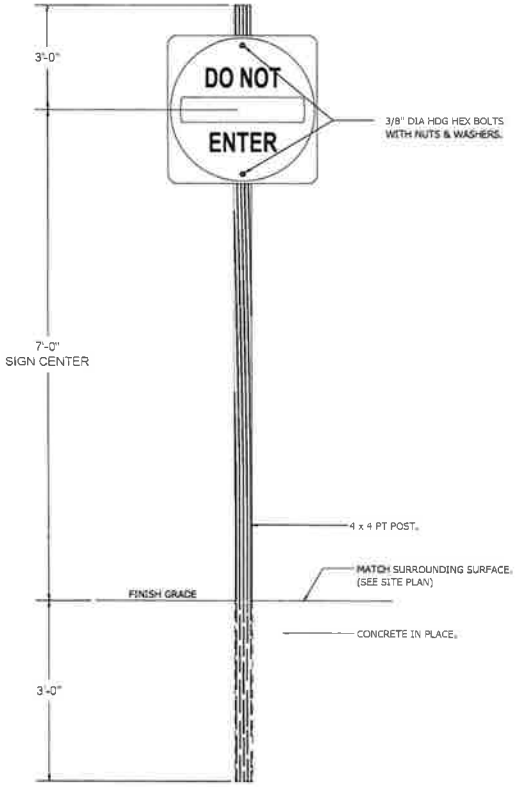


S2

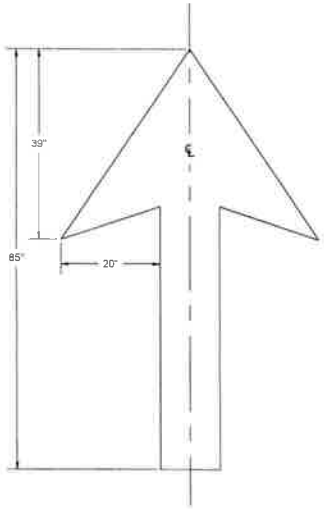
S3

S4

TRAFFIC SIGNAGE



A TYPICAL SIGNPOST



B DIR. ARROW (STRAIGHT)

SGN 01 - SHEET 7 OF 7

CAD NO. F600-2021-SW-10

NO.	REVISIONS	INIT.	APP.	DATE

ACTION	BY	DATE
DESIGNED		
DRAWN	PZ	8-31-2023
CHECKED (FIELD)		
CHECKED (HQGTS.)		

REGISTERED STAMP

WASHINGTON STATE PARKS AND RECREATION COMMISSION

FORT FLAGLER STATE PARK

WELCOME CENTER REPLACEMENT

TRAFFIC SIGNAGE

SCALE
NTS

PARKS FILE#

Use or Modification	Shoreline Environment Designation										
Table Key: P = Permitted use (SSDP or Exemption) subject to policies and regulations of this SMP C = Shoreline Conditional Use subject to policies and regulations of this SMP X = Prohibited NA = Not Applicable Upland = Regulated consistent with the upland environment designation	Natural	Rural Conservancy	Shoreline Residential	High Intensity	Coastal Conservancy	Willapa Bay Conservancy	Freshwater Aquatic	Coastal Ocean	Coastal Ocean High Intensity	Willapa Bay Estuary	Columbia River Estuary
• Boat launch, private residential (non-motorized, non-paved)	X	C	C	X	X	X	Upland	X	X	Upland	X
Breakwaters, Jetties, Groins											
• Lakes	X	X	X	X	NA	NA	Upland	NA	NA	NA	NA
• Marine/River – Fixed	X	X	X	P	C	X	Upland	Upland	Upland	Upland	Upland
• Marine/River – Floating	X	C	X	P	X	X	Upland	Upland	Upland	Upland	Upland
• Groins/Pile dikes	X	C	X	P	C	C	Upland	Upland	Upland	Upland	Upland
Commercial Development											
• Water-dependent	X	C	C	P	X	P	Upland	Upland	Upland	Upland	Upland
• Water-related	X	C	C	P	X	C[4]	Upland	Upland	Upland	Upland	Upland
• Water-enjoyment	X	X	C	P	X	C[4]	Upland	Upland	Upland	Upland	Upland
• Non-water-oriented	X	X	X	P	X	X	Upland	Upland	Upland	Upland	Upland
Dredging and Dredge Material Disposal											
• Dredging	NA	NA	NA	NA	NA	NA	C	C	C	C	C
• Dredge material disposal, in-water	NA	NA	NA	NA	NA	NA	C	See Ocean Disposal	See Ocean Disposal	C[5]	P[6]
• Dredge material disposal, upland	X	X	C	C	C[7]	X	NA	NA	NA	NA	NA
• Dredging or dredge material disposal associated with restoration	P	P	P	P	P	P	P	See Ocean Disposal	See Ocean Disposal	P	C
• Fixed structure to facilitate dredge spoil placements	X	X	X	C	X	X	Upland	X	C	Upland	C
Dune Modification											
• Modification	X[8]	C[8]	NA	C[8]	C[8]	C[8]	NA	NA	NA	NA	NA
• Ecological Restoration	P	C[8]	NA	C[8]	C[8]	C[8]	NA	NA	NA	NA	NA
Fill and Excavation											
• Fill	C	P	P	P	C[9]	C	C[10]	C	C	C[10]	C[10]
• Excavation and grading	C	P	P	P	C	C	NA	NA	NA	NA	NA

Use or Modification	Shoreline Environment Designation										
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Flood Hazard Structures											
• Dikes, levees[11]	X	C	C	C	X	X	Upland	NA	NA	X	C
Forest Practices											
• All	C	P	P	P	P	P	NA	NA	NA	NA	NA
Industrial Development											
• Water-dependent	X	C	X	P	X	C	Upland	X	X	Upland	Upland
• Water-related	X	C	X	P	X	C	Upland	X	X	Upland	Upland
• Non-water-oriented	X	C	X	P	X	X	Upland	X	X	Upland	Upland
Institutional Development											
• Water-oriented	C	C	C	C	C	C	C	X	X	C	C
• Non-water-oriented	X	X	C	C	X	X	X	X	X	X	X
In-water Structures											
• Aids to navigation	NA	NA	NA	NA	NA	NA	P	P	P	P	P
• Permanent fixed structures	NA	NA	NA	NA	NA	NA	C[12]	X[13]	C	P	C
Mining[14]											
• All other mining	X	P[15]	X	X	X	X	X[16]	See Ocean Mining	See Ocean Mining	X[16]	X[16]
Outdoor advertising and signs											
• All	X[17]	C[17]	C[17]	P[18]	C[17]	C[17]	Upland	Upland	Upland	Upland	Upland
Recreational Development											
• Water-oriented	C	P	P	P	C	C	P	C	C	P	P
• Non-water-oriented	X	C	C	C	X	X	X	X	X	X	X
Residential Development											
• Single-family	C[19]	P	P	X	X	P	X	X	X	X	X
• Multi-family	X	C[20]	C[20]	C[20]	X	X	X	X	X	X	X
• Overwater and floating homes[21]	X	X	X	X	X	X	X[22]	X	X	Upland	Upland

Use or Modification	Shoreline Environment Designation										
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Restoration and Enhancement											
• All	P	P	P	P	P	P	P	C	C	P	P
Shoreline Stabilization											
• New hard	X	C	C	C	X	X	Upland	Upland	Upland	Upland	Upland
• New soft	C	P	P	P	P	C[29]	Upland	Upland	Upland	Upland	Upland
• New Hybrid	X	C	C	C	C	C[29]	Upland	Upland	Upland	Upland	Upland
• Replacement hard with hard	C	P	P	P	P	P	Upland	Upland	Upland	Upland	Upland
• Replacement hard with soft	P	P	P	P	P	P	Upland	Upland	Upland	Upland	Upland
Transportation and Parking											
• Roads	C	P	P	P	C	C	C	NA	NA	C	C
• Railroads	C	C	C	C	X	X	NA	NA	NA	NA	NA
• Parking	C[23]	P[23]	P[23]	P[23]	C[23]	C[23]	NA	NA	NA	NA	NA
• Airports, heliports	X	X	X	P	X	X	NA	NA	NA	NA	NA
• Landing fields	X	C	X	X	X	X	NA	NA	NA	NA	NA
• Float planes terminals/docks	X	C	C	C	X	C	X	X	C	C	C
• Ferry terminals	X	C	X	C	X	X	Upland	Upland	Upland	Upland	Upland
• Bridges or culverts	C	P	P	P	C	X	C	C	C	C	C
• Trails, paved, including boardwalks	C	C	P	P	C	C	NA	NA	NA	NA	NA
• Trails, unpaved	P	P	P	P	P	P	NA	NA	NA	NA	NA
Utilities											
• Small primary utilities, new[24]	X	P	P	P	C	C	C	C	C	X	C
• Large primary utilities, new [24]	X	C	C	C	X	X	C	X	X	X	C
• Hydropower facilities (micro, non-dam), new	X	C	C	C	X	C	C	C	C	X	C
• Hydropower facilities (macro, with dam), new	X	X	X	C	X	X	X	X	X	X	X
• Wind, tidal, and wave energy facilities, new	C	C	C	C	X	C	X	C[13]	C	C	C
• Utility cables, conduits, corridors entering and crossing shoreline	X	C	C	C	C	C	C	C	C	C	C

Use or Modification	Shoreline Environment Designation										
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• Oil and gas pipelines for local distribution	X	X	X	C	X	X	Upland	Upland	Upland	Upland	Upland
• Solid waste disposal	X	X	X	X	X	X	X	X	X	X	X
• Sewage collection	X	X	C	C	X	X	X	X	X	X	X
• Properly treated sewage discharge	X	X	X	X	X	X	C[25]	C[25]	X	C[25]	C[25]
• Properly handled fish and seafood effluent discharge	X	X	X	X	X	X	P	P	P	P	P
• Industrial, Municipal and institutional - facilities discharge, including stormwater discharge	X	X	X	X	X	X	C	C	C	C	C
• Maintenance, existing utilities	P	P	P	P	P	P	P	P	P	P	P
Uses Not Specified											
• All	C	C	C	C	C	C	C	C	C	C	C
Coastal Ocean Uses and Modifications[26]											
Ocean Disposal											
• Ocean disposal for restoration	NA	NA	NA	NA	NA	NA	NA	C	C	C	NA
• All other	NA	NA	NA	NA	NA	NA	NA	C[27]	C[27]	X	NA
Ocean Transportation											
• Transporting of petroleum products and other hazardous materials[28]	NA	NA	NA	NA	NA	NA	NA	C	C	C	NA
• All other	NA	NA	NA	NA	NA	NA	NA	P	P	P	NA
Oil, Gas, LNG, Chemical Uses											
• Exploration	NA	NA	NA	NA	NA	NA	NA	X	X	X	NA
• Development	NA	NA	NA	NA	NA	NA	NA	X	X	X	NA
• Production	NA	NA	NA	NA	NA	NA	NA	X	X	X	NA
• Transfer and storage terminals associated with ocean use	NA	NA	NA	NA	NA	NA	NA	X	X	X	NA
• Trans-regional pipelines associated with ocean use	NA	NA	NA	NA	NA	NA	NA	X	C	X	NA
Ocean Mining	NA	NA	NA	NA	NA	NA	NA	C	C	X	NA
Ocean Energy Production											

Use or Modification	Shoreline Environment Designation										
Table Key: P = Permitted use (SSDP or Exemption) subject to policies and regulations of this SMP C = Shoreline Conditional Use subject to policies and regulations of this SMP X = Prohibited NA = Not Applicable Upland = Regulated consistent with the upland environment designation	Natural	Rural Conservancy	Shoreline Residential	High Intensity	Coastal Conservancy	Willapa Bay Conservancy	Freshwater Aquatic	Coastal Ocean	Coastal Ocean High Intensity	Willapa Bay Estuary	Columbia River Estuary
• Fixed structure uses	NA	NA	NA	NA	NA	NA	NA	X[13]	C	X[13]	NA
• All other	NA	NA	NA	NA	NA	NA	NA	C	C	C	NA
Ocean Research	NA	NA	NA	NA	NA	NA	NA	P	P	P	NA
Ocean Salvage	NA	NA	NA	NA	NA	NA	NA	P	P	P	NA

[1] Uptake from and discharge to Willapa Bay for aquaculture is permitted as part of this use.

[2] Shellpiles permitted on adjacent uplands shall avoid spillover into adjacent aquatic lands to the extent feasible.

[3] All non-water-dependent overwater uses shall be associated with a water-dependent use.

[4] Commercial uses which are consistent with underlying zoning are coded "P." All non-water-dependent overwater commercial uses shall be associated with a water-dependent use.

[5] In-water placement of gravel/shell material to support aquaculture is an allowed use.

[6] In-water dredge material disposal using Direct Pump Ashore or Re-Pump Ashore disposal methods are permitted uses; all other methods are permitted as a conditional use.

[7] Permitted to protect the jetty and at approved dredged material disposal sites.

[8] Dune modification, including ecological restoration, shall be allowed only where it will not result in decreased protection of inland development from damage caused by storm surge, tsunamis, windblown sand, or flooding.

[9] Fill required for maintenance of existing roads and ocean beach approaches is coded "P."

[10] Fill waterward of the OHWM for the purpose of ecological restoration is coded "P."

[11] Setback of an existing levee to enhance floodplain connectivity is a permitted use in all environments.

[12] Permitted only when associated with a fish or habitat improvement project.

[13] Temporary structures may be permitted as a conditional use for a period of up to two years, with an option for a one year extension. Single-anchor systems are coded as "P" in all aquatic environments. Buried transmission lines may be permitted as a conditional use.

[14] Recreational mining of sand is allowed under a Hydraulic Permit Approval as issued by the Washington State Department of Fish and Wildlife.

[15] Mining within a floodway or channel migration zone requires a conditional use permit.

[16] Mining waterward of the OHWM is prohibited, unless it meets the criteria in 5.16.B.7, in which case it may be approved as a conditional use.

SECTION 6 – CONSERVATION DISTRICT (CD)

A. INTENT

The Conservation District is established to protect and conserve the environmental values of certain areas including the ocean beaches, State and Federal parks, wildlife refuges, freshwater lakes, and other important natural landscapes by recognizing that these areas provide a variety of important benefits for both the general public and wildlife. This land use district recognizes that some activities such as certain agricultural practices, e.g., livestock grazing, are on-going, historical functions that may be used as a management tool, while other activities such as general public services, facilities, and utilities are necessary and important for the overall function and/or operation of the underlying purpose of the refuge or park. The Conservation District is also applied to unique areas such as the U.S. Coast Guard Station located at Cape Disappointment. The Conservation District generally encompasses those lands waterward of the Ordinary High Water Mark on all freshwater lakes found throughout the County.

B. PERMITTED USES

1. Maintenance of wildlife preserves.

2. Nature parks and interpretive centers including buildings, trails, parking areas, interpretive areas, and signs describing natural history, cultural history, and/or natural habitat.

3. Ground water supply components such as well points, pumps, pressure tanks, elevated water storage reservoirs, transmission lines and distribution lines.

4. Public water control structures.

5. All U.S. Government Facilities relating to navigation, safety and/or park services, including the U.S. Coast Guard Station. All Washington State facilities relating to park services including, but not limited to, campgrounds, restrooms, historical/cultural centers, interpretive centers, administrative buildings, living quarters, trails, and those uses typically incidental to a State Park facility.

6. The management and propagation of fish and wildlife.

7. Watershed management practices, including erosion control measures, drainage control structures, vegetation management to improve run-off characteristics, weather stations, stream gauging stations, and watershed research facilities.

8. Normal public utilities including, but not limited to, communication and electrical power substations, water reservoirs, transmission lines, pumping service facilities, communication relay stations, and wireless communication facilities.

9. Livestock grazing.

10. Any use which is similar in nature, usage, and impacts to a listed permitted use.

C. ACCESSORY USES

1. Piers and docks.

2. Elevated viewing platforms.

3. Interpretive signage, panels and kiosks.

4. Public restrooms, self-contained chemical toilets.

5. Public park facility service buildings and normal utilities necessary or ancillary to the permitted use.

6. Parking areas ancillary to a permitted use consistent with the parking standards contained in Subsection 21.H, Parking and Loading, and provided further that all parking areas shall be setback two hundred (200) feet from the Ordinary High Water Mark of any water body.

7. Uses incidental to normal or routine forestry and/or agricultural practices.

8. A permanent residential dwelling subordinate to one of the principally permitted uses and which is occupied only by persons, including their immediate family members, employed in the management or operation of the same use on the premises being managed.

9. Uses incidental to the overall purpose and function of the U.S. Coast Guard Station including, but not limited to, housing, utilities, docks, fueling areas, administrative offices, etc.

10. Level 1, 2 and 3 electric vehicle charging stations.

11. Any use which is similar in nature, usage, and impacts to a listed accessory use.

D. SPECIAL USES

Any use listed below requires a Special Use Permit from the Hearings Examiner and is subject to a Type II Administrative Process according to Pacific County Ordinance 177, or any amendments thereto.

1. Public and private roads and bridges.

2. Any use which is similar in nature, usage, and impacts to a listed special use.

E. CONDITIONAL USES

Any use listed below is requires a Conditional Use Permit from the Hearing Examiner and is subject to a Type III Administrative Process according to Pacific County Ordinance 177, or any amendments thereto.

1. Construction and operation of water diversion structures, impoundment dams, hydroelectric generating facilities, and other types of electrical generation facilities.

2. Major utility and communication facilities including, but not limited to, overhead transmission lines, power generation plants and underground pipelines which are designed to serve regional needs.

F. PROHIBITED USES

All other uses not listed as permitted, accessory, special, or conditional uses, or those uses not similar in nature, scale, and scope to the varying categories of uses listed above, are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

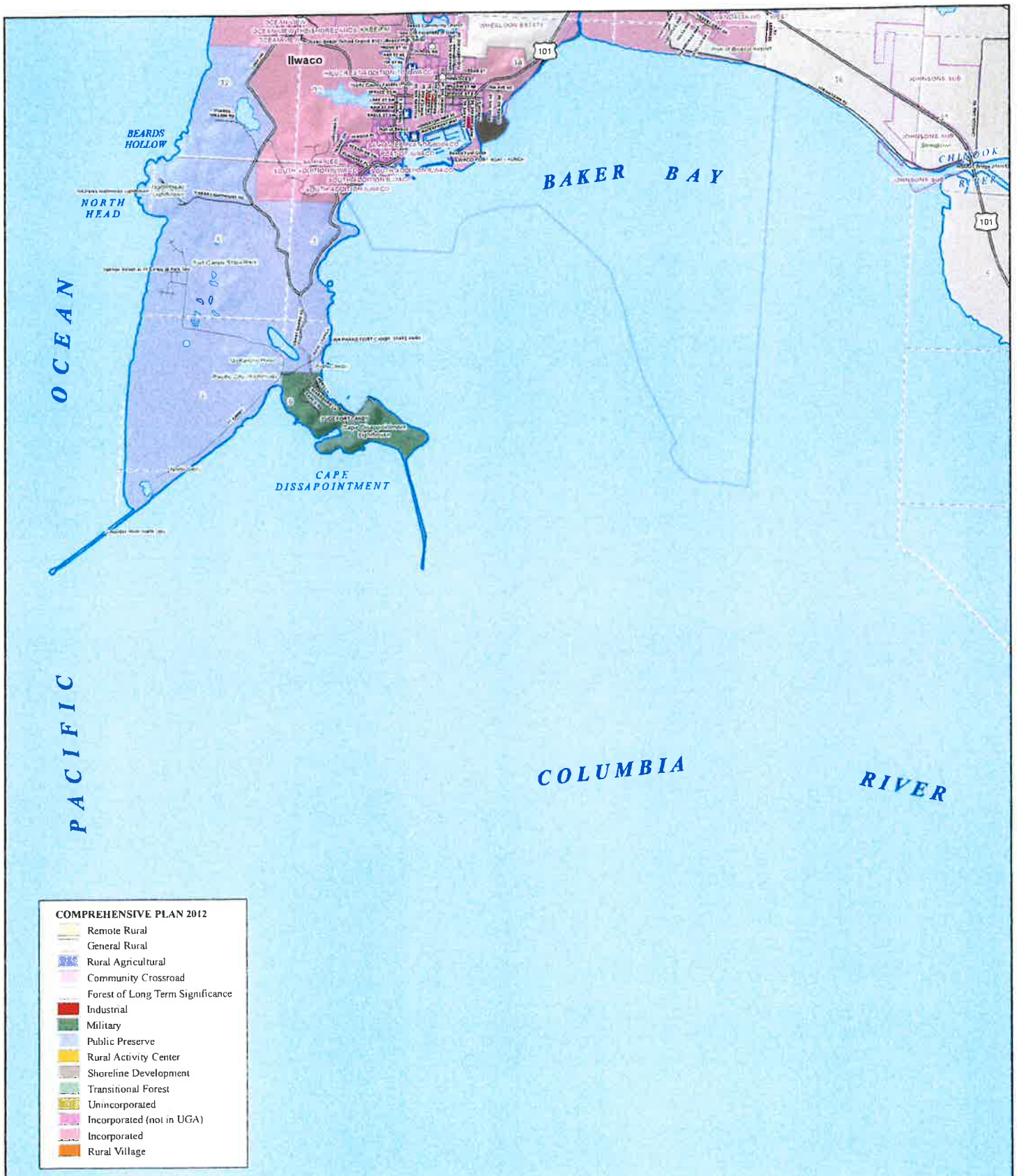
1. The minimum allowable density for all new short subdivisions and subdivisions is subject to the requirements of Pacific County Ordinance No. 163, or any amendments thereto.

2. The minimum lot size shall be sufficient to ensure the proposed development meets minimum development standards contained within this Ordinance and other applicable regulations, including minimum parking requirements, minimum building setbacks, maximum lot coverage standards, minimum standards for water provision, and the minimum land area required for the use of on-site sewage disposal systems. See Section 21.Y.

3. New lots created after the enactment of this Ordinance shall be consistent with the minimum lot sizes prescribed in Pacific County Ordinance 163, or any amendments thereto. Existing lots, legally created prior to the enactment of this Ordinance, are considered to be legal lots of record and are exempt from having to meet the minimum lot size requirements prescribed in Pacific County Ordinance 163, or any amendments thereto.

4. Building Setbacks. The minimum front, side and rear yard building setbacks shall be twenty (20) feet as measured from the edge of the property line to the structure.

5. Building Height. The maximum building height for all structures is thirty-five (35) feet, unless Section 19, Wind Energy Systems, or Section 22, Wireless Communication Facilities, applies.



0 2,000 4,000 Feet

SCALE 1:24,000

Legend

- Airport Class C
- Assisted Living Center
- Boat Launch
- Camp
- Chamber of Commerce
- Church
- Clinic
- Port
- Emergency Management
- Fairgrounds
- Fire Department
- Gasoline Station
- Grange Hall
- Hatchery
- Hospital
- School
- Library
- PC Courthouse
- PC DCD
- PC Sheriff
- PC Shop
- PUD
- Park
- Transfer Station
- State Patrol
- Telephone Company
- Transit System
- Wastewater Plant
- Water Treatment Plant
- City Limits
- Township Line
- Section Line

Roads

- Lanes
- Highways
- County Roads
- Minor Collectors
- Local Access Roads
- City Streets
- Plat Boundaries

Hydrology

- Type One
- Type Two
- Type Three
- Type Four

Pacific County

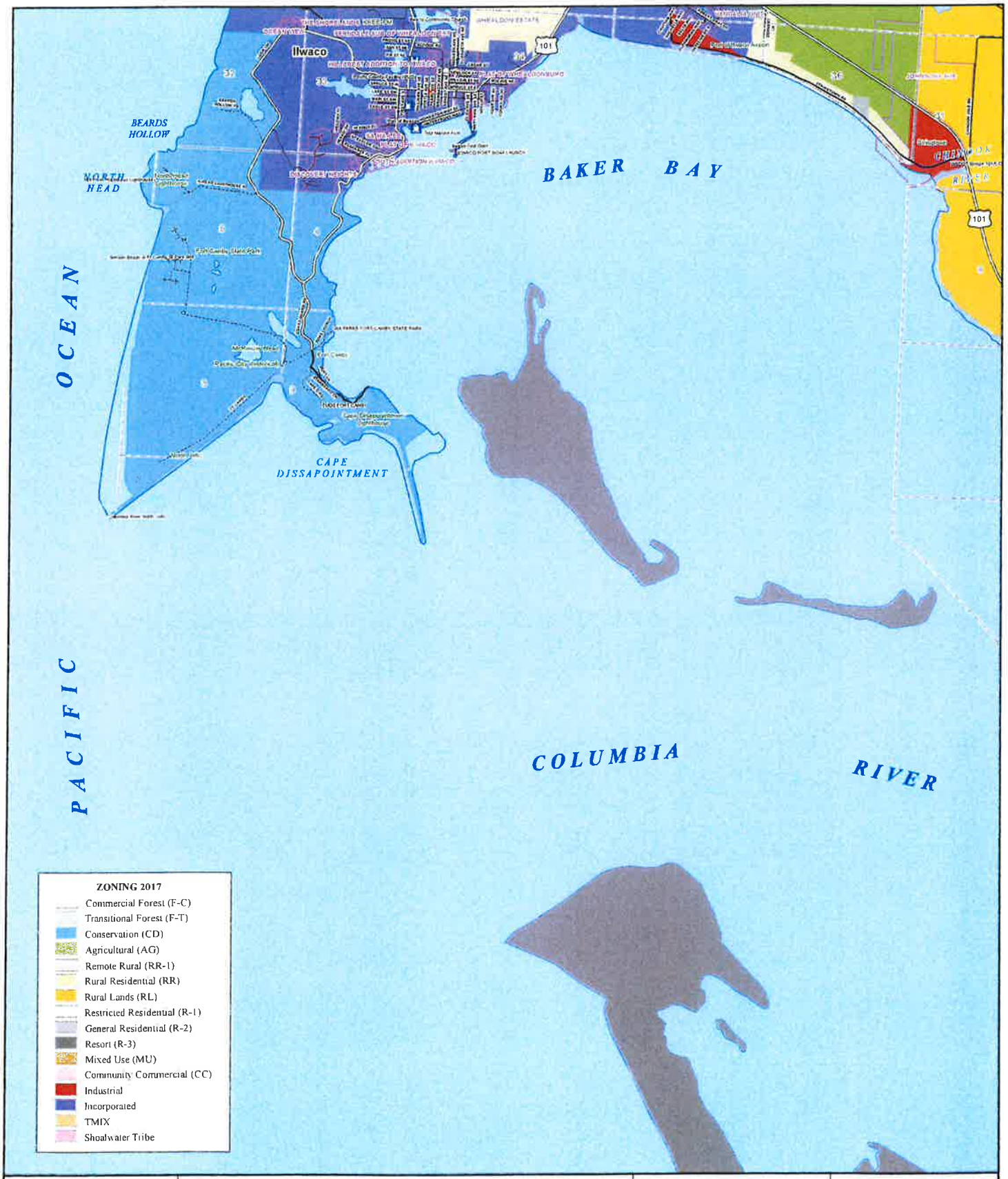
Department of Public Works
Geographic Information System

300 Memorial Drive
P.O. Box 54
South Bend, WA 98586
Phone: (360) 875-9369

This map is intended for reference purposes only. Any other use other than that intended shall be at the sole responsibility of the user.

Comprehensive Plan Map

T. 09 N., R. 11 W.



0 2,000 4,000 Feet

SCALE 1:24,000

Legend

- Airport Class C
- Assisted Living Center
- Boat Launch
- Camp
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- Clinic
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- Library
- PC Courthouse
- PC OCD
- PC Sheriff
- PC Shop
- PUD
- Park
- Transfer Station
- State Patrol
- Telephone Company
- Transit System
- Wastewater Plant
- Water Treatment Plant
- City Limits
- Township Line
- Section Line

Roads
- Lanes
- Highways
- County Roads
- Minor Collectors
- Local Access Roads
- City Streets
- Plat Boundaries

Hydrology
- Type One
- Type Two
- Type Three
- Type Four

Pacific County

Department of Public Works
Geographic Information System

This map is intended for reference purposes only. Any other use other than that intended shall be at the sole responsibility of the user

Zoning Map 2017

T. 09 N., R. 11 W.

iii) Any period of time during which an environmental impact statement is being prepared, which shall not exceed one year from the issuance of the Determination of Significance, unless the County and applicant have otherwise agreed in writing to a longer period of time. If no mutual written agreement is completed, then the application shall become null and void after the one-year period, unless the review authority determines that delay in completion is due to factors beyond the control of the applicant.

iv) Any period of time during which an administrative appeal is pending.

8) Appeals

i) The actions taken by the examiner shall be final and conclusive unless an appeal is filed pursuant to RCW 36.70C.

Section 6 Type III – Quasi-Judicial Decisions

1) Pre-Application Review

a) Pre-application review is not intended to provide an exhaustive review of all the potential issues that a given application could arise. Pre-application review does not prevent the County from applying all relevant laws to the applicant. The purposes of pre-application review are:

i) To acquaint County agency staff with a sufficient level of detail about the proposed development to enable staff to advise the applicant accordingly;

ii) To determine general consistency with any relevant comprehensive plan and development regulations;

iii) To identify applicable regulations and permit needs, including permit fees;

iv) To identify permits/requirements from other agencies, to the extent known;

v) To provide early identification of study requirements, issues, and potential mitigation requirements;

vi) To acquaint the applicant with the applicable requirements of local ordinances and other law; and

vii) To provide an opportunity for other agency staff and the public to be acquainted with the proposed application and applicable law. Although members of the public can attend a pre-application conference, it is not a public hearing, and there is no obligation to receive public testimony or evidence.

b) Pre-application review is required unless:

i) The review authority expressly exempts the application(s) in question from pre-application review; or

ii) The applicant submits a completed form provided by the review authority requesting waiver of pre-application review and the waiver is granted. The form shall state that waiver of pre-application review increases the maximum time for review for technically complete status and increases the risk the application will be rejected or processing will be delayed.

c) To initiate pre-application review, an applicant shall submit a completed form provided by the review authority for that purpose, the required fee, and all information required by the relevant section(s) of County ordinances and other applicable regulations.

d) Information not provided on the form shall be provided on the face of the preliminary plat, in an environmental checklist, or on other attachments. The review authority may modify requirements for pre-application materials and may conduct a pre-application review with less than all of the required information. However, failure to provide all of the required information may prevent the review authority from identifying all applicable issues or providing the most effective pre-application review.

e) Within twenty-one (21) calendar days after receipt of an application for pre-application review, the review authority shall schedule a pre-application conference or exempt the application from pre-application review.

f) The review authority shall coordinate the involvement of agency staff responsible for planning, development review, roads, utilities and other subjects, as appropriate, in the pre-application review process. Relevant staff shall attend the pre-application conference or shall take other steps to fulfill the purposes of pre-application review.

g) The pre-application conference should be held as soon as practicable after the review authority accepts the application for pre-application review.

h) Within fourteen (14) calendar days after the date of the pre-application conference, the review authority shall mail to the applicant, and to other parties who submit a request in writing, a written summary of the pre-application review. The written summary generally shall do the following to the extent practicable given the information provided by the applicant:

i) Summarize the proposed application(s);

ii) Identify the relevant approval criteria and development standards in County ordinances or other applicable law, and delineate exceptions, adjustments or other variations from applicable criteria or standards that may be relevant;

iii) Evaluate information the applicant offered to comply with the relevant criteria and standards, and identify specific additional information that is needed to respond to the relevant criteria and standards or that is recommended to respond to other issues;

iv) Identify applicable application fees in effect at the time, with a disclaimer that fees may change;

v) Identify information relevant to the application that may be in the possession of the County or other agencies of which the County is aware, such as:

(1) Comprehensive plan map designation and zoning of the property subject to the application and of the surrounding vicinity;

(2) Physical development limitations, such as steep or unstable slopes, critical areas and natural resources on site, wetlands, well-head protection areas, water bodies, and water availability that exist on the property subject to the application and on the surrounding vicinity;

(3) Those public facilities that will serve the property subject to the application, including fire services, roads, and if residential, parks and schools, and relevant service considerations, such as minimum access and fire flow requirements or other minimum service levels;

i) An applicant may submit a written request for a second pre-application conference within one (1) calendar year after the initial pre-application conference. There is no additional fee for a second conference if the proposed development is substantially similar to the one reviewed in the first pre-application conference, as determined by the Director, or if it reflects changes based on information received at the first pre-application conference. A request for a second pre-application conference shall be subject to the same procedure as the request for the initial pre-application conference.

j) A new request for, or waiver of, a pre-application review for a given development shall be filed unless the applicant submits a counter complete application that the review authority finds is substantially similar to the subject of a pre-application review within one (1) calendar year after the last pre-application conference or after approval of waiver of pre-application review.

2) Review for Counter Complete Status

a) Before accepting an application for review for technically complete status, the review authority shall determine whether the application is counter complete.

b) If the review authority decides that an application is counter complete, then the application shall be accepted for review for technically complete status.

c) If the review authority decides that an application is not counter complete, then the review authority shall reject and return the application and identify in writing what is needed to make the application counter complete.

3) Review for Technically Complete Application

a) The review authority shall decide whether an application is technically complete within twenty-eight (28) calendar days after the review authority determines the application is counter complete.

b) An application is technically complete if it includes the following:

i) A completed original application form signed (1) by the owner(s) of the property subject to the application or (2) by a representative authorized to do so. Written authorization from property owners impacted by the application may be required by the review authority.

ii) A copy of the pre-application conference summary and information required by the pre-application conference summary unless:

(1) The material was not timely prepared as required under subsection 1(H);

(2) The application is not subject to pre-application review based on this Ordinance; or

(3) The review authority has waived the pre-application conference.

iii) The applicable fee(s) adopted by the Board of County Commissioners for the applications in question;

iv) All of the information listed as application requirements in the relevant sections of County ordinances and other applicable regulations; provided that:

(1) The review authority may waive application requirements that are clearly not necessary to show an application complies with relevant criteria and standards and may modify application requirements based on the nature of the proposed application, development, site or other factors, and

(2) The decision about the technically complete status of an application, including any required engineering, traffic or other studies, shall be based on the criteria for completeness and methodology set forth in County ordinances, resolutions or in implementing measures timely adopted by the review authority and shall not be based on differences of opinion as to quality or accuracy;

v) Any applicable SEPA document, completed and signed.

c) If the review authority decides that an application is not technically complete (within the time provided in subsection 3(b) of this section), the review authority shall contact the applicant, listing what is required to make the application technically complete, including:

i) A date by which the required missing information must be provided to restart the technically complete review process pursuant to subsection 3 of this section. The review authority may extend the deadline at the request of the applicant.

ii) The statement also may include recommendations for additional information that, although not necessary to make the application technically complete, is recommended to address other issues that are or may be relevant to the review.

d) If the required information is submitted by the date specified, then within fourteen (14) calendar days the review authority shall decide whether the application is technically complete and, if not, the review authority shall:

i) Reject the application and mail the applicant a written statement which lists the remaining additional information needed to make the application technically complete; or

ii) Issue a decision denying the application, based on a lack of information; or

e) If the required information is not submitted by the date specified, the review authority shall take action under subsection 3(d) of this section.

f) If the review authority decides that an application is technically complete, then the review authority within fourteen (14) calendar days of making this determination shall:

i) Forward the application to the County staff responsible for processing it, and schedule a public hearing;

ii) Send a written notice of receipt of a complete application to the applicant acknowledging acceptance, listing the name and telephone number of a contact person at the review authority, and describing the expected review schedule, including the date of a hearing.

iii) A copy of the notice shall be distributed pursuant to subsection 4.

g) An application shall be deemed to be technically complete if a written determination has not been mailed to the applicant within twenty-eight (28) calendar days of the date the application is determined to be counter complete.

4) Public Notice

a) The notice of the application shall include the following information:

i) The case file number(s), date of application, the date the application was determined to be technically complete, and the date of the notice of the application;

ii) A description of the proposed project and a list of project permits included with the application and, if applicable, a list of any further studies requested by the review authority;

iii) A list of other necessary permits not included in the application, to the extent known by County staff;

iv) A list of existing environmental documents that evaluate the proposed project;

v) A statement that delineates the public comment period and articulates the rights of the public, i.e., the right to comment on the application, including environmental impacts and mitigation measures, the right to receive notice of, and participate in, any hearings, the right to request a copy of the decision, and the right to appeal a decision once made. The closing date for the consideration of written comments also shall be indicated together with the deadline for submitting a SEPA appeal pursuant to Ordinance No. 166 or any amendments thereto;

vi) Whether a preliminary threshold determination of significance has been issued under Ordinance No. 166 or any amendments thereto;

vii) The date, time, place, and type of hearing, if applicable;

viii) A statement of the preliminary determination, if one has been made, of those development regulations that will be used for project mitigation. The public notice also shall indicate that a consolidated staff report and, if required, SEPA review will be available for inspection at no cost before the administrative decision or public hearing, if applicable, and that a copy of these documents will be provided at reasonable cost;

ix) The name of the applicant and any representative of the applicant, and the name, address and telephone number of a contact person for the applicant, if any;

x) A description of the site, including current zoning and nearest road intersections, reasonably sufficient to inform the reader of its location and zoning;

xi) The date, place, and times where information about the application may be examined and the name and telephone number of the County representative to contact about the application;

xii) The designation of the review authority and the date, time, and place of any hearing;

xiii) A statement that any hearing, if applicable, will be conducted in accordance with the rules of procedure adopted by the review authority; and

xiv) Any additional information determined to be appropriate by the County.

b) The public notice shall be distributed as follows:

i) The Director shall mail a copy of the notice of application to:

(1) The applicant and any representative of the applicant;

(2) Owners of property within a radius of three hundred (300) feet of the property that is the subject of the application;

(3) Agencies with jurisdiction;

(4) Publish in a newspaper of general circulation a summary of the notice which shall include the date, time, and place of the hearing and sufficient information to identify the property and application(s) under review.

(5) Post a copy of the notice of application at three (3) or more locations on or in the vicinity of the property subject to the application at least fifteen (15) calendar days before the hearing. The notices shall be posted in a manner that will be legible to a passerby. The applicant shall remove and properly dispose of the notices within seven (7) calendar days after the hearing.

ii) Posted on the County website.

iii) The records of the County Assessor shall be examined when questions arise as to who constitutes relevant property owners of record. The failure of a property owner to receive notice shall not affect the decision if the notice was sent. A declaration of mailing (under penalty of perjury) executed by the person who did the mailing shall be evidence that the notice was mailed to parties listed or referenced in the declaration.

5) Application of Rules

a) Type III review process requires at least one public hearing before the appropriate review authority. The public hearing should be held within sixty (60) calendar days after the date the review authority issues the determination that the application is technically complete.

b) At least fifteen (15) calendar days before the date of a hearing, the review authority shall issue a public notice of the hearing consistent with the requirements of Section 4.

c) Before the date of the hearing for an application(s), the review authority shall (1) issue a written staff report, integrating a SEPA review and recommendation regarding the application(s), (2) make available to the public a copy of the staff report for review and inspection, and (3) provide a copy of the staff report and recommendation without charge to the review authority and to the applicant and applicant's representative. The review authority shall provide a copy of the staff report at reasonable charge to other parties who request it.

d) Public hearings shall be conducted in accordance with the rules of procedure adopted by the review authority, except to the extent waived by the review authority. The authority shall make reasonable effort that the audio portion of the hearing is recorded.

e) At the beginning of the hearing or agenda of hearings, the review authority shall:

   i) State that the testimony will be received only if it is relevant to the applicable approval criteria and development standards and is not unduly repetitious;

   ii) Identify the applicable approval criteria and development standards;

   iii) State that the review authority will consider, and may grant or deny, any party's request to continue the hearing or to keep the record open for a period of time;

   iv) State whether the review authority has had any ex parte contact or has any personal or business interest in the application;

   v) State whether the review authority has visited the site;

   vi) State that any appeal of this hearing, including challenges to impartiality, shall be held pursuant to RCW 36.70C. However, the review authority invites anyone to make known their challenges at this hearing.

   vii) State the persons who want to receive notice of the decision may sign a list for that purpose; and

   viii) Summarize how the hearing will be conducted.

f) At the conclusion of the hearing on each application, the review authority shall announce one of the following actions:

   i) That the hearing is continued. If the hearing is continued to a place, date, and time certain, then additional notice of the continued hearing is not required to be mailed, published or posted. If the hearing is not continued to a place, date, and time certain, then notice of the continued hearing shall be given as though it were the initial hearing. The review authority may adopt guidelines for considering requests for continuances;

   ii) That the public record is held open to a date and time certain. The review authority shall state where additional written evidence and testimony can be sent, and shall announce any limits on the nature of the evidence that will be received after the hearing. The review authority may adopt guidelines for evaluating requests to hold open the record;

   iii) That the application(s) is/are taken under advisement, and that a final order will be issued with findings of fact and conclusions of law that support the decision; or

iv) That the application(s) is/are denied, approved or approved with conditions. Findings of fact and conclusions of law must be adopted to support the decision. However, such findings and conclusions do not need to be adopted at the same time that the decision is rendered.

g) The review authority shall not issue its threshold determination nor issue a decision or recommendation on a permit application until the expiration of the public comment period on the notice of application. The decision shall be issued within 14 calendar days of the expiration of the public comment period.

h) Within five (5) business days from the date of the decision, the review authority shall mail the notice of decision to the applicant, any representative of the applicant, and all parties of record. The mailing shall include a notice which includes the following information:

i) A statement that the decision and SEPA determination, if applicable, are final, but may be appealed as provided in Section 7. The statement shall describe how a party may appeal the decision or SEPA determination, or both.

ii) A statement that the complete case-file is available for review. The notice shall list the place, days and times where the case-file is available and the name and telephone number of the County representative to contact for information about the case.

6) Decision Timeline

a) As a general rule, a final decision regarding any application shall be issued not more than one hundred twenty (120) calendar days after the date the application was accepted as counter complete.

b) Subsection 6(a) of this section shall not apply to any application that is substantially revised by the applicant. In this instance, the one hundred twenty (120) calendar day time period shall start from the date the revised application is determined to be counter complete.

c) If a Determination of Significance (DS) is issued, then the review authority shall issue a decision no sooner than seven (7) calendar days after a final environmental impact statement is issued.

d) An applicant may agree in writing to extend the time in which the review authority shall issue a decision.

e) In calculating the number of days that have elapsed after the date of determination of technical completeness, the following periods shall be excluded:

i) Any period during which an applicant has been requested by the County to correct plans, perform required studies, or provide additional required information, starting from the date the County sends notification to the application until the date the County determines that additional information satisfies the request for additional information or fourteen (14) calendar days after the date the additional information was submitted, whichever is earlier.

ii) The period from the date the County sends notification to the applicant of the need for additional information until the date the County determines whether the additional information satisfies the request for information or fourteen (14) calendar days after the date the information submitted by an applicant under this subsection is insufficient, the county shall notify the applicant of the deficiencies, and the procedures under this subsection shall apply as if a new request for additional required information had been made.

iii) Any period of time during which an environmental impact statement is being prepared, which shall not exceed one year from the issuance of the Determination of Significance, unless the County and applicant have otherwise agreed in writing to a longer period of time. If no mutual written agreement is completed, then the application shall become null and void after the one-year period, unless the review authority determines that delay in completion is due to factors beyond the control of the applicant.

iv) Any period of time during which an administrative appeal is pending.

7) Appeals

A final decision may be appealed only in accordance to RCW 36.70C.

Section 7 Type IV – Legislative Decisions

1) Procedure

a) Type IV procedures may require one or more hearings before the Planning Commission and does require one (1) or more hearings before the Board of County Commissioners.

b) Zoning applications requiring amendment or a change in language to any County regulation or ordinance may be submitted throughout the year but must be submitted on or by the last business day in March for consideration that calendar year. Applications submitted on or after the first business day in April will be filed and reviewed on the next review date.

Applications will be presented to the Planning Commission for first review at the next regularly scheduled meeting. Public hearings for the applications that will be considered for decision will be held in October or November of that calendar year.

2) Public Notice

a) At least fifteen (15) calendar days before the date of the first Planning Commission hearing for an application subject to Type IV review, the Director shall:

i) Prepare a notice of application that includes the following information:

(1) The case file number(s);

(2) A description of the area that will be affected by the application, if approved, which is reasonably sufficient to inform the reader of its location;

(3) A summary of the proposed application(s);

Pacific County

DEPARTMENT OF COMMUNITY DEVELOPMENT

BUILDING • ENVIRONMENTAL HEALTH • PLANNING

Declaration of Posting
Public Notice

Type III Non-Residential SSDP

I, Zane Johnson declare under penalty of perjury, under the laws of the State of Washington, that all statements contained in this "Declaration of Posting" and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of permit and/or license.

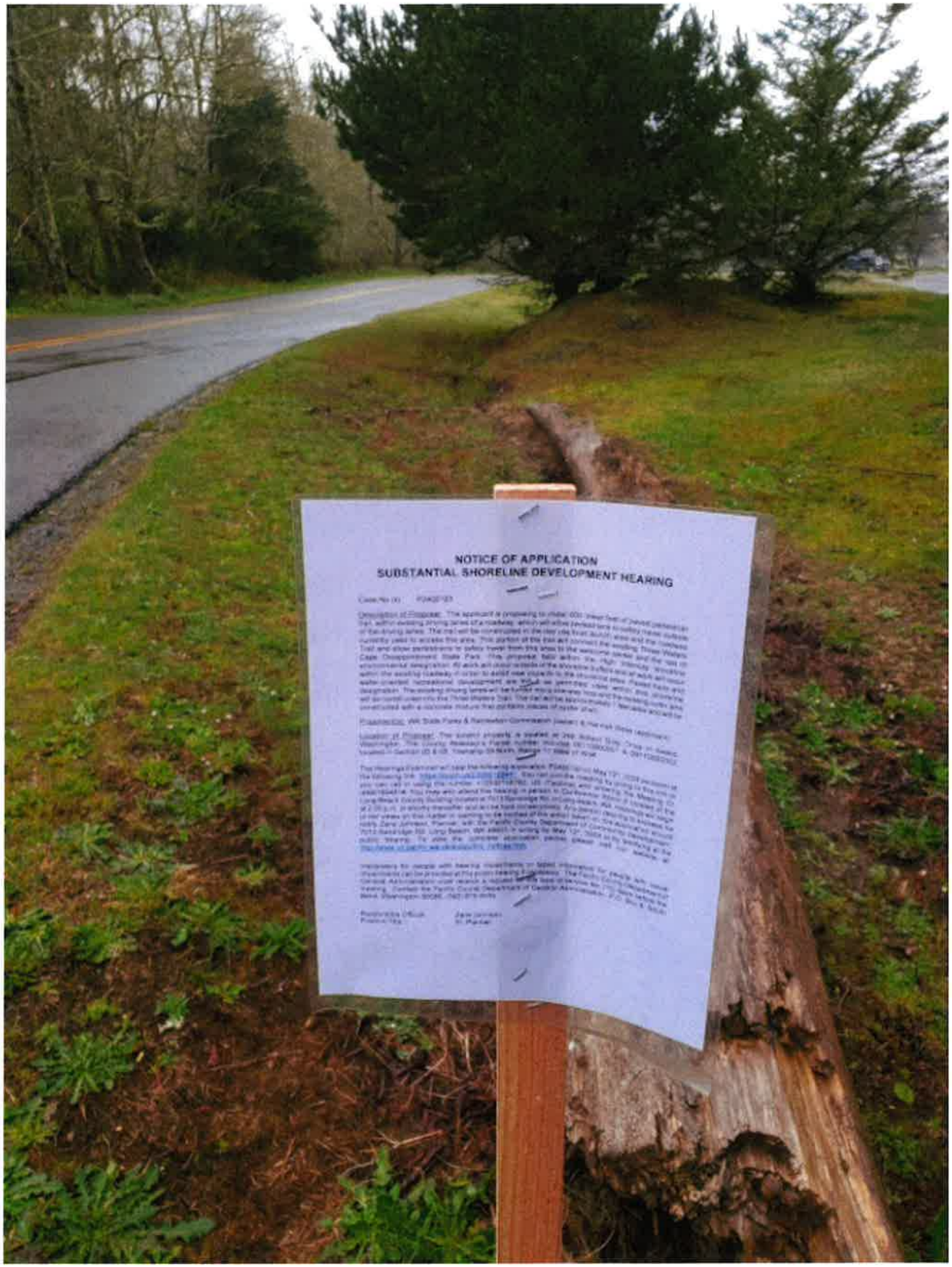
The referenced property was posted on April 8th, 2014 according to Ordinace No. 177. A picture of this posting is attached to this affidavit.

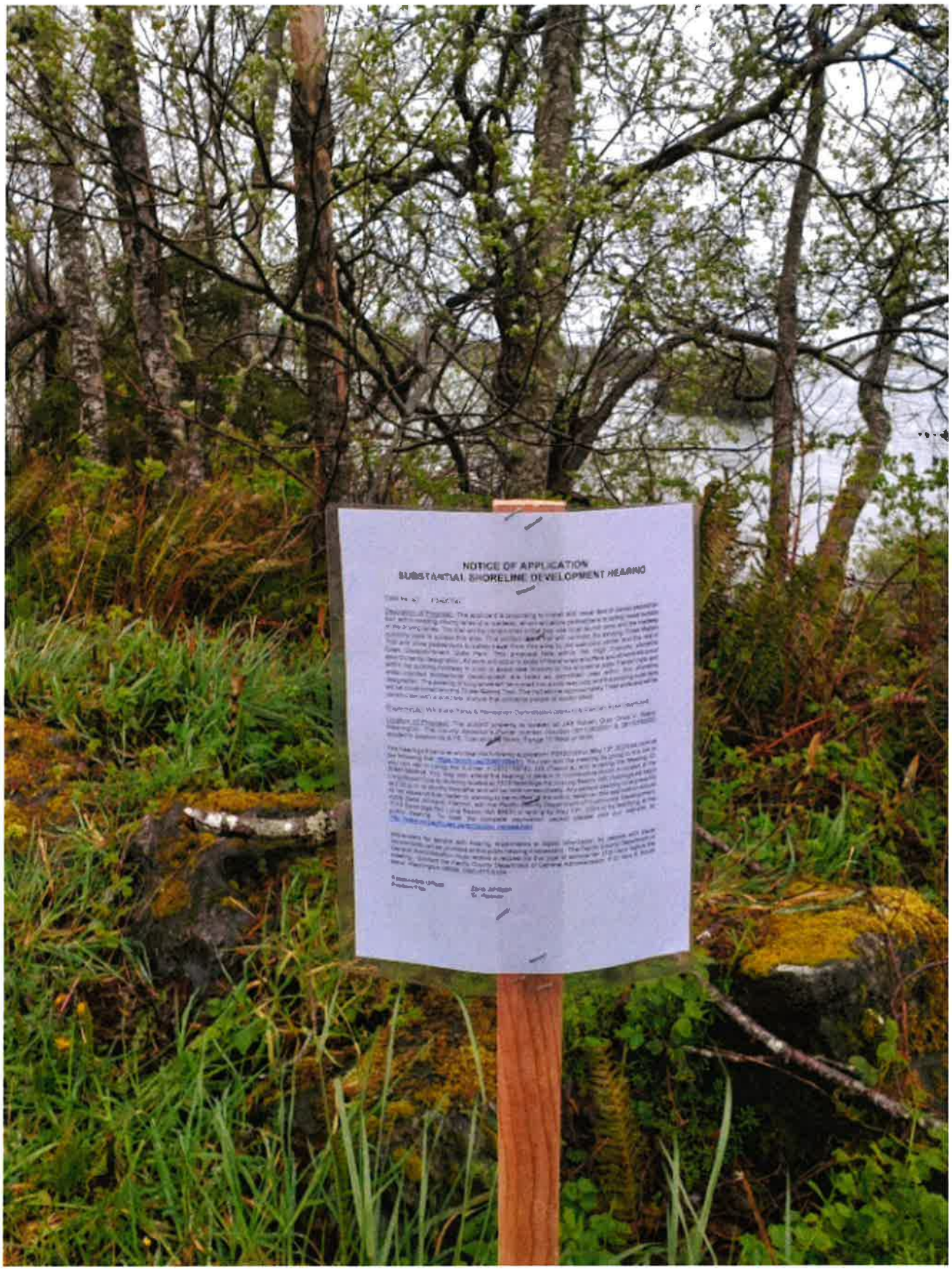
Property Parcel No.: 09110800001 + 09110550002

Dated this 9th day of April, 2014

Signature of Administrator

Revised 04/07/2015


NOTICE OF APPLICATION
SUBSTANTIAL SHORELINE DEVELOPMENT HEARING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