PUBLIC NOTICE
Conditional Use Permit

NOTICE IS HEREBY GIVEN that Edward & Carla Shearn (owners) are requesting a Conditional Use Permit, application No. P24-00233, submitted March 20th, 2024 and determined to be technically complete May 22nd, 2024. The applicants are proposing to construct a single-family residence under a Conditional Use permit within the Community Commercial (C-C) Zoning District of Pacific County.

The property is located at 715 State Route 4, in Naselle, Washington. The County Assessor's Parcel number(s) includes 10090432012; located in Section 04, Township 10 North, Range 09 West of W.M.

The Hearings Examiner will hear the following application: P24-00233 on June 20th, 2024, 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 C located at the Long Beach County Building located at 7013 Sandridge Rd. in Long Beach, WA. The Hearing will begin at 2:00 p.m. or shortly thereafter. 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, Sr. Planner, with the Pacific County Department of Community Development, 7013 Sandridge Rd, Long Beach, WA 98631 in writing by June 19th, 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.

Pacific County

DEPARTMENT OF COMMUNITY DEVELOPMENT

BUILDING • ENVIRONMENTAL HEALTH • PLANNING

STAFF REPORT

DATE: June 20th, 2024

TO: Eric Weston, Hearings Examiner

FROM: Zane Johnson, Sr. Planner

RE: CONDITIONAL USE PERMIT APPLICATION NO. P24-00233, submitted by Edward & Carla Shearn (owners/applicants), Tax Parcel ID No. 10090432012

BACKGROUND INFORMATION:

1. Owner / Applicant: Edward & Carla Shearn (owners)

2. Tax Parcel ID No.: 10090432012

3. Permit Application No.: P24-00233

4. Request: The applicant is proposing to construct a single-family residence under a Conditional Use Permit within the Community Commercial (C-C) Zoning District of Pacific County. Section 16 of Ordinance 194 Zoning requires this to be processed as a Type III Review as a Conditional Use Permit.

FINDINGS OF FACT:

1. Location: The property is located at 715 State Route 4, in Naselle, Washington. The County Assessor's Parcel number includes 10090432012; located in Section 04, Township 10 North, Range 09 West of W.M.

Project Location:

Project Site:

2. Site Characteristics: The property is an existing 0.90-acre lot with access from State Route 4. The property is mainly flat and consists mainly of maintained lawn area. The wetland and stream areas are still vegetated, but a large portion of the buffer is existing grass. The property was used for storage and a commercial plant nursery in the past. There is a fish bearing stream and wetland to the east of the property and a wetland located to the north of the property.

3. Adjacent Land Use: There are currently two residences located to the west of the subject property. To the east there are two vacant lots and then three residences. Across the highway to the south there are several more single-family residences. Most of the existing residences in the immediate vicinity of the subject property are located within the community commercial zoning district.

4. Shoreline Designation: The site is not located within the jurisdiction of the Shoreline Master Program.

5. Critical Areas and Resource Lands: There is a delineated fish bearing stream and two Category III wetlands adjacent to the property. The applicant is proposing to impact approximately 1,794 square feet of Category III wetland buffer for the installation of the septic drain field. The impact will be mitigated through on-site mitigation of buffer restoration/enhancement at approximately a 1:1 ratio. The applicants have proposed to reduce a portion of the Category III wetland buffer by 25% by utilizing buffer width averaging. This reduces the buffer by 700 square feet and allows the residence to be placed outside of the adjusted wetland buffer. In order to satisfy the buffer width averaging requirements, the applicants have proposed to expand a portion of the adjacent buffer by 700 square feet and will be planting that area to make it vegetated buffer. The proposed mitigation will include restoring 1,794 square feet of the wetland and stream buffer by planting and re-establishing native vegetation. The applicants will also restore 700 square feet of the extended buffer area with native plantings to satisfy the buffer width averaging requirements. The proposed mitigation will require 5 years of monitoring to ensure the mitigation is successful. This proposal was found to meet the Reasonable Use Exception criteria found in Section 3 (2) of Ordinance 193 and the impacts have already been approved by Pacific County, with the condition that a conditional use permit must be granted prior to issuing the RUE approval.

6. SEPA: This project is exempt from the requirements of SEPA under WAC 197-11-800 1 (b) for the construction of a single-family residence.

7. Public Notification: A Notice of Application and Hearing was distributed in accordance with Pacific County Ordinance No. 177, Procedures for Processing Land Use Development Applications Section 6.b.i as it pertains to the Type III process, on or before June 5th, 2024

8. Comprehensive Plan Designation: The property is located in the Rural Activity Center comprehensive plan designation. The primary purpose is described in the Pacific County Comprehensive Plan (2020) as:

   "The purpose of this designation is to recognize the historic, unincorporated communities that are characterized by urban type densities, are self-sufficient villages offering a full range of consumer goods and services, and which may offer some urban services such as community water and fire protection. The rural village typically does not offer sewer treatment services. This designation provides for the infill, development, or redevelopment of lands within the rural village boundary. The rural village is generally a compact, self-sufficient town that functions as a small urban center and provides housing, convenience goods, and services to residents in and around the area. The rural village is characterized by activities including, but not limited to, single family residences, small-scale industries and businesses in a compact core, public facilities such as post offices, schools, and fire departments, and open space. Densities are limited by the capacity of area soils to support onsite sewage disposal. Industry and businesses do not necessarily provide services to neighboring residents but do provide job opportunities for rural residents. In addition, the rural village provides services to the traveling public.

   The Rural Activity Centers designation is similar to the Rural Village designation but connotes an area generally not self-sufficient relative to consumer goods and services. These centers are generally small, compact isolated rural centers that primarily exist to provide housing, convenience goods, and services to residents in and around the area and are served by on-site sewage disposal.

   It is intended that these areas continue to be a mixture of land uses including residential, commercial, and industrial. New residential development will be allowed at a density of one dwelling unit per acre provided the land can physically support it without requiring sewer or water services if not currently available. The rural village will also accommodate needed commercial and light industrial uses, but only after a site-specific review process to determine and address potential impacts. This type of designation is not intended to accommodate new, recreationally oriented residential developments or master planned resorts."

9. Zoning: The Pacific County Zoning Atlas shows the subject property to be located within the Community Commercial (CC) District. Section 16.E.3 of Zoning Ordinance 194 allows one single-family residence under a conditional use permit.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

As described in Ordinance 194 Section 27.E, a Conditional Use permit shall be denied by the Hearing Examiner unless the applicant demonstrates with clear and convincing evidence that the proposed conditional use conforms to all of the criteria set forth below:

1. **A conditional use is designed in a manner which is compatible with the character and appearance of an existing, or proposed development in the vicinity of the subject property;**

   The proposed conditional use will be consistent with the existing developments in the immediate area. There are existing single-family residences to the west, east and south of this property, most of which also fall within the commercial zoning district. This proposal to construct a single-family residence within the commercial zoning district appears to be consistent with what is already existing in the area.

2. **The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder or discourage the permitted development or use of properties in the immediate vicinity of the conditional use;**

   The proposed development has been designed within the regulations as described in Zoning Ordinance 194 for construction of a single-family residence. The proposal will meet the required setbacks. The applicants have stated in their application and on their site plan that they hope to construct a 30'x70' home (2,100 square feet), which appears to be similar to the surrounding developments. The home will be under the 35-foot height restriction. It appears that the proposed structure would not affect the surrounding properties.

3. **The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;**

   The development is designed to be compatible with the physical characteristics of the subject property. The residence will be consistent with the setback requirements as described by Pacific County Ordinance No. 194 and will be located toward the center of the property. The home has been moved slightly toward the front of the property to avoid wetland buffers, but will still meet the minimum setback of 20 feet. The proposed residential development has been designed in a way to be compatible with the adjacent critical areas and associated buffers that impact the property. The proposal was designed to meet the Critical Area Ordinance requirements first and it appears that this design is also compatible with the requirements for a conditional use permit.

4. **Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;**

   There are no modifications to the standard requested. The Planning Department has determined that this project proposal would be consistent the requirements described in Pacific County Ordinance 194 for construction of a single-family residence.

5. **The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the adjacent area;**

The conditional use is not expected to be hazardous or in conflict with the existing or anticipated traffic in the adjacent area. Minimal vehicular traffic is anticipated associated with the use as a single-family residence. There is already an existing driveway access on the property that adjoins State Route 4. Less vehicular and pedestrian traffic is anticipated than if the property was being developed for a commercial use.

6. **The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities;**

   The conditional use will be supported by adequate facilities. The applicants have applied for a permit to install a septic system, which will need to be approved by Pacific County prior to any building permits being issued for the property. The site has access to private water served by the Naselle Water Company and will have direct access to State Route 4.

7. **The conditional use is not in conflict with the health and safety of the community, nor detrimental to the public interest.**

   The proposed conditional use will not be in conflict with the health and safety of the community or detrimental to the public interest. The previously constructed single-family residences on this block are within the Community Commercial (C-C) Zoning District.

CONCLUSIONS OF LAW:

1. Type III review of the proposed Conditional Use Permit is consistent with the processing requirements of Procedural Ordinance No. 177.

2. The proposed use is consistent with Ordinance 194, Section 16.E.3 as a Conditional Use.

RECOMMENDATION:

Based on the Findings of Fact and Conclusions of law for the proposed Conditional Use Permit, Application No. P24-00233, the Planning Division recommends the Hearing Examiner **approve** the construction of a 2,100 square foot single-family residence within the Community Commercial (C-C) Zoning District.

CONDITIONS OF APPROVAL:

1. The proposed single-family residence shall be consistent with the regulations described in Ordinance 194 Section 16.

2. No construction or development shall begin prior to receiving all necessary permits.

EXHIBIT LIST

1. Staff Report
2. Application and related documents
3. Section 16, Ord. No. 194, Zoning
4. Maps showing the Zoning and Comprehensive Plan designations
5. Section 6, Ord. No. 177, Procedures for Processing Land Use Development Applications
6. Declaration of Posting & Affidavit of Mailing
7. Correspondence

Name: Shearn Parcel No.: 10090432012

Description: CARL & Zoning CUP Type III to develop

License Application No.: _____

Department Review	Date Routed	Action	Action Date	Signature	Comments/Notes
Planning P2400232 C P24-00233 Z P2400391 RUE	3/21/24 5/22/24	A A	4/3 5/2	ZS	FS stream to east 130' buffer NO SMP, Pot. WL - Hold for del CC
Roads					
LADO/ Floodplain					
Building					Electronic Plan Log Complete? Yes ☐ Workflow Complete? Yes ☐ Scanned: Yes ☐ No ☐
Health					
Licensing					

App/Tech	95-	Septic Site Rvw		Zoning		Special Use	
State B/C		Septic Eval		CARL	320-	Variance	
Building		Septic Install		Road Appr		Reasonable Use	
Plan Check		Septic Repair		Shoreline		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	1360-	Copies	
Penalty Fee		License		SEPA			

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

Fees Received

Date Receipted	Amount
3/21/24	$ 2055-

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: 2,055 -
Issued Date:
Issued By:

RECEIVED
MAR 20 2024
DEPT. OF COMMUNITY DEVELOPMENT
PACIFIC COUNTY, LONG BEACH, WA

PROPERTY OWNER INFORMATION	✓ Contact Person
Name: Edward L and Carla R Shearn	
Mailing Address: 705 State Rt 4	
City/State/Zip: Naselle, WA 98638	
Phone: 702-355-7314	Phone: 702-355-7361
Email: crshearn@gmail.com	

APPLICANT INFORMATION	✓ Contact Person
Name: Edward L and Carla R Shearn	
Mailing Address: 705 State Rt 4	
City/State/Zip: Naselle, WA 98638	
Phone: 702-355-7314	Phone: 702-355-7361
Email: crshearn@gmail.com	

DESCRIPTION OF WORK
Develop Parcel #10090432012 for Single Family Residence

JOB SITE INFORMATION AND LOCATION	
Job Site Address: 715 State Rt 4, Naselle, WA 98638	Tax Parcel ID No.: 10090432012
Legal Description: see attached	Township/Range/Section 10 / 9 / 4
Directions to Site: On State Rt 4 between mile marker 4 and 5 (.3 miles from Naselle School)	

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: Edward L and Carla R Shearn

Authorized Signature: Edward L Shearn	Date: 03/17/2024

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

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

Parcel 10090432012

BEGINNING AT A POINT WHRE THE NORTH RIGHT-OF-WAY LINE OF PRIMARY STATE HIGHWAY NO. 12 INTERSECTS THE WEST LINE OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 9 WEST OF W. M., THENCE SOUTHERLY ALONG SIAD NORTH RIGHT-OF-WAY LINE 225 FEET, THENCE NORTH 202.6 FEET, THENCE NORTHWESTERLY PARALLESS IN THE NORTH RIGHT-OF-WAY LINE OF SAID PRIMARY STATE HIGHWAY NO. 12 A DISTANCE OF 225 FEET TO THE WEST LINE OF SAID SECTION 4, THENCE SOUTH ALONG THE WEST LINE OF SECTION 4 A DISTANCE OF 202.6 FEET TO THE POINT OF BEGINNING.

EXCEPT PROTIONS CONVEYED TO STATE OF WASHINGTON FOR HIGHWAY PURPOSES IN VOLUME 191 AT PAGE 258.

Pacific County

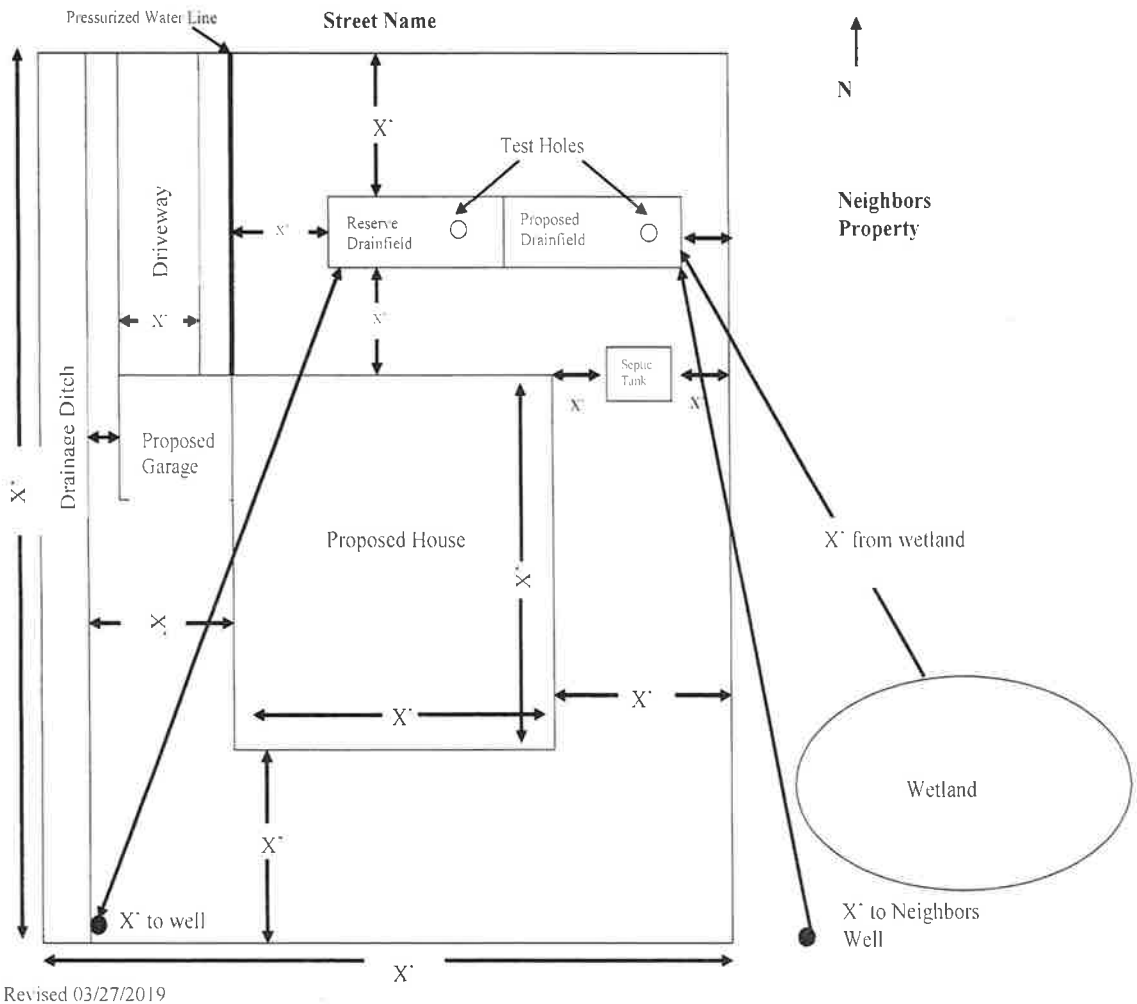
DEPARTMENT OF COMMUNITY DEVELOPMENT

BUILDING • ENVIRONMENTAL HEALTH • PLANNING

Example Site Plan

Follow Checklist when drawing site plan
Drawn to Scale 1" = 20ft
"X" = Distance

Note: Any changes to your site plan will require re-submittal and a re-submittal fee may be charged.



Revised 03/27/2019

Site Plan Requirements Checklist

All site plans shall be clearly and accurately drawn to scale on paper no larger than 11"x 17" and must indicate all of the information listed below. For ease of drawing the site plan, use the graph paper provided with your application packet. For each item, mark either "shown" or "N/A" as appropriate for your project.

This checklist must be completed and included with all site plans. Any site plan without this checklist may be rejected and returned to the applicant for correction.

Parcel No.: 10090432012

A. General Property Information:

Shown	N/A	
☑	☐	Property Lines, including dimensions.
☑	☐	North arrow and site plan scale.
☑	☐	Marine waters, lakes, ponds, streams, creeks and wetlands.

B. Existing Property Improvements:

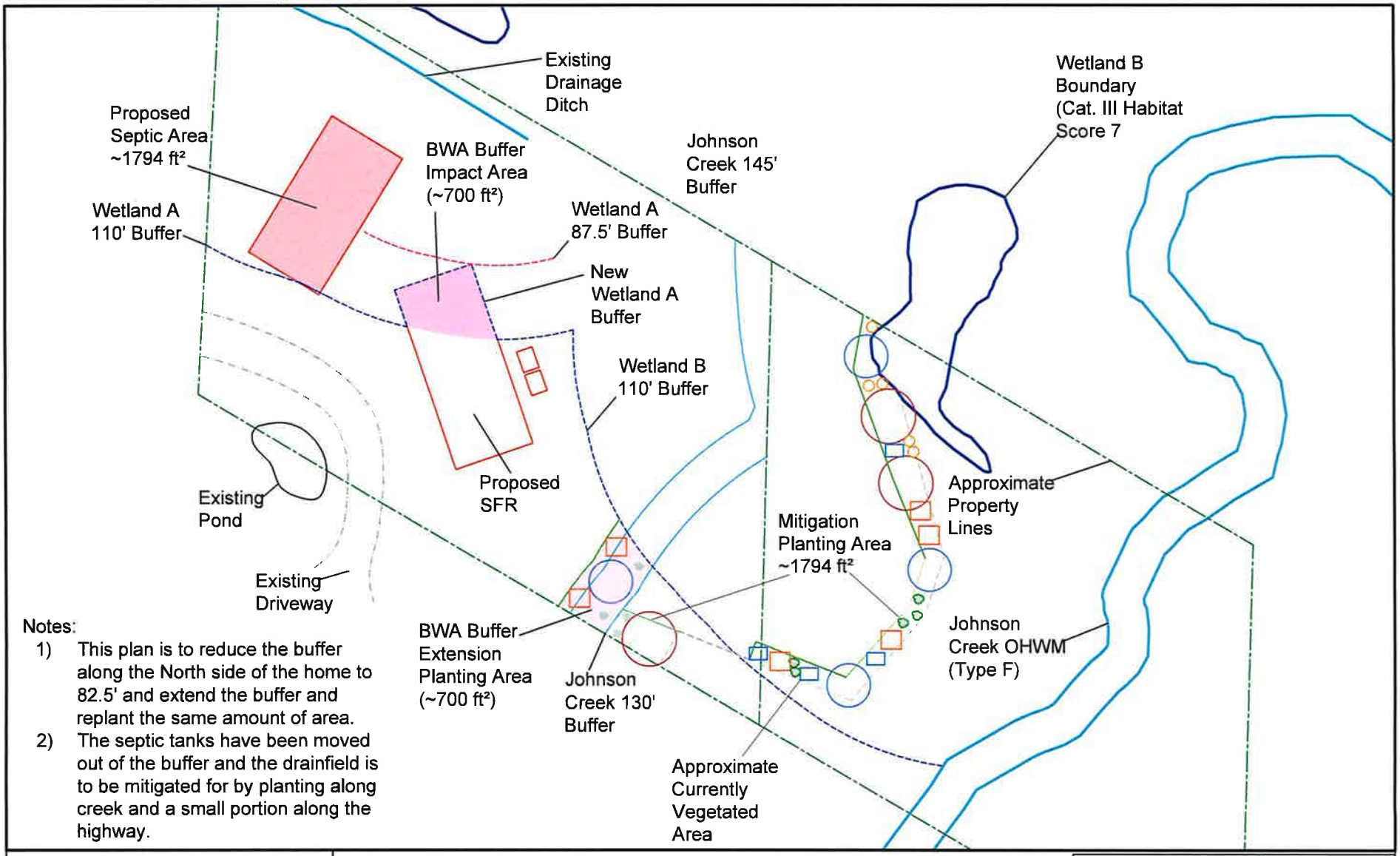
Shown	N/A	
☐	☑	Locations and dimensions of all existing structures on the property in relation to property lines.
☐	☑	Location of any existing wells and their 100' well radius.
☐	☑	Location of all existing drainfields on the site including: the locations of existing drainfields on adjacent properties within 100' of any well.
☐	☑	Location of existing drainage systems.
☐	☑	Location of all existing roads, driveways, utilities, easements, and bridges.

C. Proposed Property Improvements:

Shown	N/A	
☑	☐	Location and dimensions of all proposed structures with setbacks shown to property lines, other structures, wetlands, etc.
☐	☑	Location of all proposed wells and their 100' well radius.
☑	☐	Location and dimensions of all proposed septic systems including: tanks, drain-fields, reserve areas, and pre-treatment units.
☑	☐	Location and dimensions of all proposed drainage systems.
☑	☐	Location and dimensions of all proposed roads, driveways, parking areas, and utilities.
☐	☑	Location/extent of all clearing, grading and filling.

Signature: Edward L. Ahern Date: 03/17/2024

Revised site plan



Notes:

1) This plan is to reduce the buffer along the North side of the home to 82.5' and extend the buffer and replant the same amount of area.
2) The septic tanks have been moved out of the buffer and the drainfield is to be mitigated for by planting along creek and a small portion along the highway.

A+ Design and Consulting, LLC
PO Box 751, Long Beach, WA 98631
leonard@aplussepticdesigns.com
(360)244-5843

Client: Shearn, Ed
Parcel: 10090432012
Date: 4/11/2024
Drafted by: LT/TS

Mitigation Site Plan with Home & Septic

N

0 12.5 25 50 100 150 200

1":50'

Legend

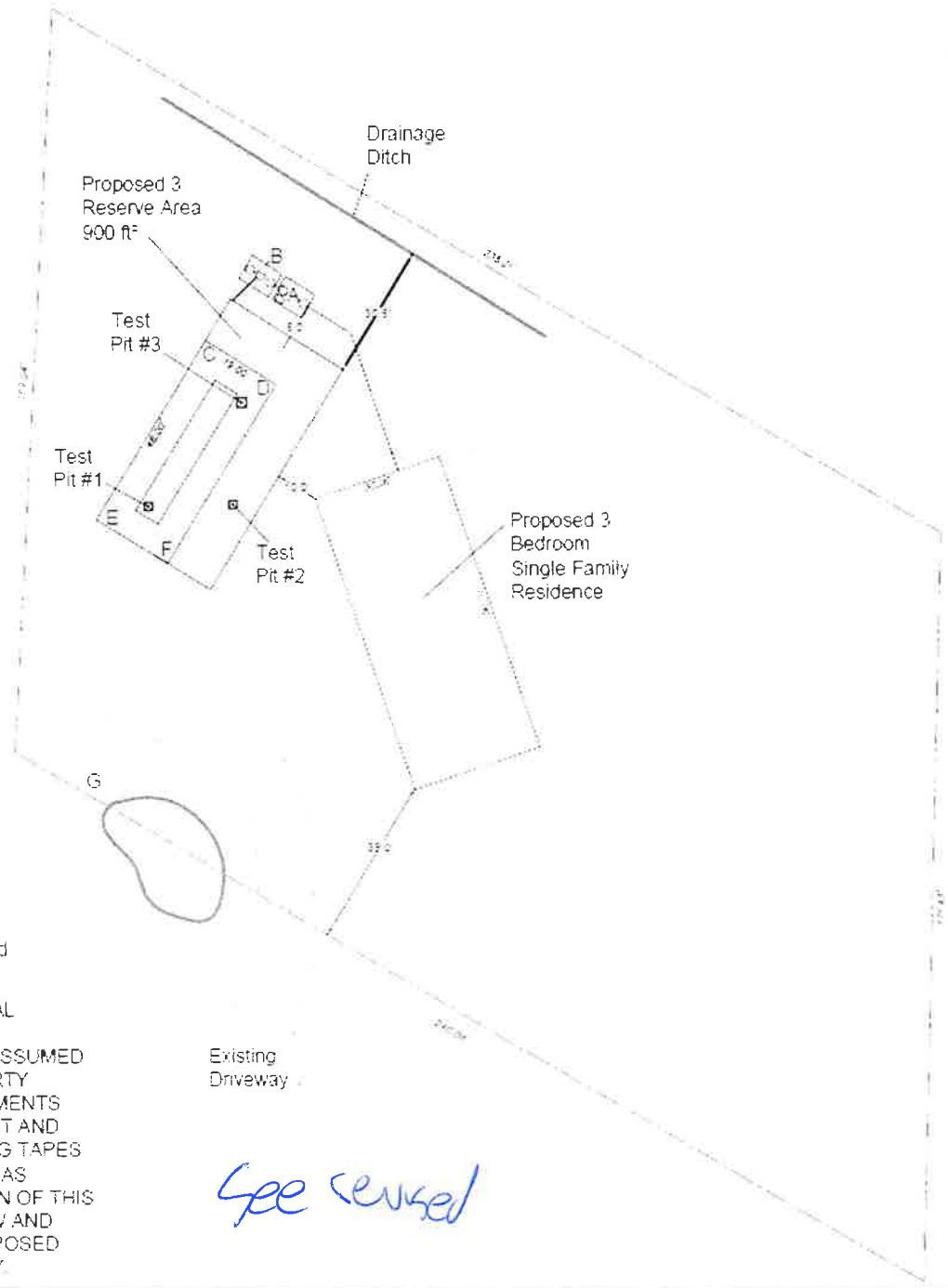
- **Doulgas Fir**
- **Sitka Spruce**
- **Evergreen Huckleberry**
- **Salmon Berry**
- **Slough Sedge**
- **Sword Fern**
- **Herbaceous Seed Mix**

Site Plan Details - Scale 1" = 40'

FLAGGING	
OSXO2 TANKS	GREEN
PRIMARY DRAINFIELD	BLUE
RESERVE DRAINFIELD	ORANGE

ELEVATIONS		
A	OSXO2 TANK 1	101.58'
B	OSXO2 TANK 2	101.67'
C	NW CORNER OF 19' X 48' OSCAR BED	101.25'
D	NE CORNER OF 19' X 48' OSCAR BED	101.17'
E	SW CORNER OF 19' X 48' OSCAR BED	100.75'
F	SE CORNER OF 19' X 48' OSCAR BED	100.92'
G	BENCHMARK TOP OF CONCRETE	100.00'

Notes:
1) Septic system more than 100' from Creek to the East



Property Lines were drawn using property description from deed in sales document 3185703 recorded with Pacific County Auditor

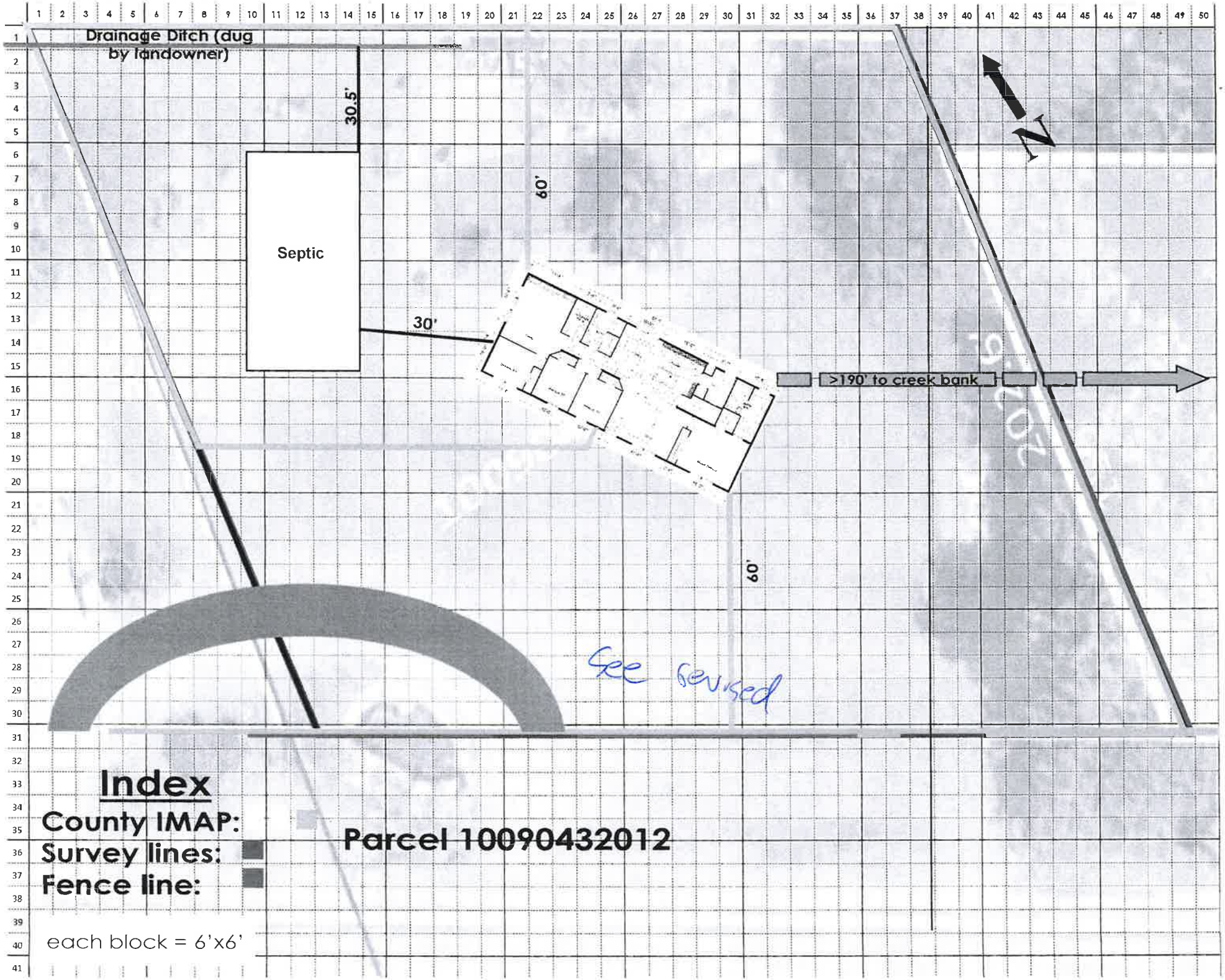
THIS SITE PLAN IS NOT A LEGAL SURVEY. ALL LOCATIONS AND ELEVATIONS ARE BASED ON ASSUMED DATUM PROVIDED BY PROPERTY OWNER AND FIELD MEASUREMENTS USING A LASER LEVEL TRANSIT AND CLOTH AND STEEL MEASURING TAPES AND ARE TO BE CONSIDERED AS APPROXIMATE. THE INTENTION OF THIS SITE PLAN IS FOR THE REVIEW AND CONSTRUCTION OF THE PROPOSED SEPTIC SYSTEM DESIGN ONLY.

See revised

A+ Design and Consulting, LLC
PO Box 751, Long Beach, WA 98631
(360) 244-5843

Client: Edward Shearn
Parcel #: 10090432012
Date: 3/8/24
Scale 1" = 40'

Page 3: Site Plan Details
Drafted by: LAT / ANT


Drainage Ditch (dug by landowner)
30.5'
Septic
60'
30'
>190' to creek bank
60'
See revised
N
Index
County IMAP:
Survey lines:
Fence line:
Parcel 10090432012
each block = 6'x6'

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 #: 10090432012
Project Value: 200,000

OWNER/APPLICANT INFORMATION
Owner: Edward L and Carla R Shearn
Applicant: Edward L and Carla R Shearn
Contractor: tbd

PLANNING INFORMATION - Failure to provide complete information will lead to a rejection of your permit application.
1. List existing improvements and structures: none
2. Is the proposed development one phase of a larger project or larger development? If yes, describe the entire project in detail: Developing for a single family residence.
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: Johnson Creek (over 190')
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.): 2,100sq ft
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: no
B. If activities include new landscaping, yard maintenance, or gardening greater than 7,500 sq. ft. Indicate SF: no
C. Will activities involve placing fill materials? YES [ ] NO [x]
1. If fill materials exceed 1 foot in depth. Indicate Depth: see Septic plans
2. If fill materials exceed 50 cubic yards. Indicate Cubic Yards: see Septic plans
D. If activities involve earth removal exceeding 2 feet in depth (Excluding foundation excavations). Indicate FT: none
E. If activities add more than 10, 000 sq. ft. of impervious area (Road projects only). Indicate SF: no
F. If activities add 5,000 sq. ft. of impervious area (All other projects). Indicate SF: no
11. Proposed site must be flagged/staked at time of application submittal. Completed [x]

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Conditional Use Application

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

OFFICE USE ONLY

PROJECT/PROPERTY INFORMATION
Tax Parcel ID No.: 10090432012

OWNER/APPLICANT INFORMATION
Owner: Edward L and Carla R Shearn
Applicant: Edward L and Carla R Shearn

A Conditional Use is a use permitted in one or more Land Use Districts, as defined by the Pacific County Ordinance 184, Zoning, but because of certain characteristics peculiar to it or because of size, technological processes or type of equipment, or because of exact location with reference to surrounding streets and existing improvements or demands upon public facilities, requires a special degree of control to make the use consistent with, and compatible to, other existing or permissible uses, and to ensure that the use is not detrimental to the public interest.

DIRECTIONS: This Conditional Use Permit Application shall accompany a completed Development Permit Application, Land Use Planning Permit Application, a SEPA Checklist, and a completed site plan checklist and accurate drawn to scale site plan. Provide all of the requested information and answer the questions as thoroughly as possible. Attach supporting information as necessary to support the application.

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED AND WILL BE RETURNED.

1. Project Description: Develop parcel 10090432012 for single family residential home for our daughter, son-in-law, and their six children (Yes, there are 8 of them.)

2. Describe the requested Conditional Use: Current zoning is CC (Community Commercial.) Develop parcel 10090432012 for single family residential home. The kids are looking at a 3 bedroom, 2 bathroom home.

3. Describe how the proposed conditional use is compatible with the character and appearance of existing or proposed development in the vicinity and with the physical characteristics of the subject property: This parcel is surrounded by single family homes. The exception being the powerlines on the other side of the Wirkkala property, there are houses on three sides of this land.

4. Describe the infrastructure which will serve the proposed conditional use, including but not limited to roads, fire protection, water, wastewater disposal, and stormwater control: city water, approved septic system, and PUD2 electric. The driveway and parking area is already there on the property. The properties (i.e. parcel #10090541006, 10090432009, 10090432012) have already been surveyed.

5. Describe the location, size, and height of all existing and proposed buildings, structures, signage, walls, fences, and screening vegetation of the proposed project. Will the location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use hinder or discourage the permitted development or use of the properties in the immediate vicinity of the conditional use? This parcel is currently raw land. Proposed size of single family residence is less than 2,100 square feet. There is already a fence across the front and a wire fence will be added to the back for the dogs. The kids will probably want a shed (just thinking this might be a good idea.) Beyond that, maybe a green house and chicken coop at some time in the future. These items are consistent with the neighborhood.

6. Describe any noise, smoke, dust, fumes, vibrations, odors, outdoor lights or other impacts that will be generated by the proposed conditional use. How will these factors be mitigated? After the construction, there should be none that we are aware of. There is already a street light at the front of the property.

7. Describe the pedestrian and vehicular traffic, and the parking areas, associated with the conditional use. Will the proposed conditional use impact any existing or anticipated traffic in the immediate vicinity? There will be no additional areas. There is currently a drive way and parking areas. We do not see any pedestrians here. Occasionally a bicycle, but not very often.

8. Describe how granting the conditional use permit will not be materially detrimental to the public health, safety, welfare, use or interest, or injurious to property or improvements in the vicinity: This property is surrounded by other residential homes, so will cause no change to the community. It seems this would be an improvement since we will have some help keeping the front ditch next to the State Highway clean.

9. Is there anything else you would add which supports your application? We would really appreciate getting a home for our daughter and her family. Did I mention there are eight?

EXPIRATION: Any variance, special use permit, or conditional use permit granted pursuant to Pacific County Ordinance No. 184, Zoning, or any amendments thereto, becomes null and void if not exercised within the time specified in such permit or, if no date is specified, within one (1) year from the effective date of approval of said permit or variance.

ACKNOWLEDGEMENT

By signing this application form, the applicant/owner attests that the information provided herein is true and correct to the best of their knowledge. Any material falsehood or any omission of a material fact made by the applicant/owner with respect to this application packet may result in this permit being null and void.

03/17/2024
Date

Edward R. Stearns
Applicant's Signature

Pacific County
DEPARTMENT OF COMMUNITY DEVELOPMENT

BUILDING • ENVIRONMENTAL HEALTH • PLANNING

April 3rd, 2024

Edward & Carla Shearn
705 State Route 4
Naselle, WA 98638

RE: Parcel No.: 10090432012

Dear Property Owner/Applicant:

The Pacific County Planning Department has recently completed a Critical Areas and Resource Lands assessment of the property referenced above. The assessment has determined that the property falls within, or contains, the following Critical Areas and/or Resource Lands:

1. Wetlands & Type F Stream

The site appears to contain wetlands, or be adjacent to wetlands and a type F stream, regulated by Pacific County Ordinance 193, Critical Areas and Resource Lands, and the Pacific County Shoreline Master Program. A wetland determination/delineation must be obtained when an activity regulated under Ordinance 193 is proposed within **three hundred (300) feet** of the boundary of a wetland. Pacific County will only accept a delineation performed by the U.S. Army Corps of Engineers, Washington State Department of Ecology, Natural Resources Conservation Service, or a Pacific County Department of Community Development approved and qualified critical area professional. A list of qualified critical area professionals is available at www.co.pacific.wa.us/dcd/images/apps-forms/RLCA%20QCAP%20LIST.pdf. In order to proceed with the application for the widening of the road, addition of a culvert, and ditching; a wetland delineation will need to be submitted due to the proximity of potential wetlands near the existing road way and any future development sites.

In order to process your ***current*** permit application, the following information will need to be provided:

1. The wetland determination/delineation must be prepared in accordance with the guidelines contained within Section 4 (Wetlands) of Ordinance 193 and must demonstrate how your proposed development complies with the requirements and regulations contained within Section 4.

The cost of the wetland delineation review is $400.00. This amount is due when you submit the Wetland Delineation to Pacific County for review. Additional permits and fees may be required depending upon the information contained within these reports.

Failure to submit the certified Wetland Delineation within six (6) months from the date of this letter will result in your permit application being "CLOSED" due to inactivity. Until then, your application has been placed on "HOLD" and no further review will occur. Please let us know if you wish to pursue this project, or if you would like us to close your applications.

If you have any questions, please call me at (360) 642-9382 or via email at zjohnson@co.pacific.wa.us.

Zane Johnson
Sr. Planner

SECTION 16 – COMMUNITY COMMERCIAL DISTRICT (C-C)

A. INTENT

The intent of the Community Commercial District is to provide for a broad range of commercial and limited industrial uses serving the various communities found throughout Pacific County. The boundaries of the district shall recognize the historical and existing development patterns of commercial development. The district boundaries shall allow for small-scale infill development and redevelopment commensurate with available public services, physical limitations, neighborhood compatibility, and the anticipated demand for the siting of new development. An additional purpose of the district is to provide areas of employment opportunities for residents in rural communities consistent with the rural character of each community.

B. PERMITTED USES

1. Eating and drinking establishments, including restaurants and taverns.

2. Service establishments including, but not limited to, banks, professional offices, laundries, dry cleaners, barber and beauty shops, real estate offices, funeral parlors, veterinaries, furniture repair shops, frozen food lockers, auction houses, fraternal organizations, galleries, theaters, arts and crafts centers, interpretive centers, and food cooperatives.

3. Retail establishments including, but not limited to, bakeries, liquor, drug, variety, clothing, shoes, florist, optical, sporting goods, art galleries, appliances, music, and pet stores.

4. Tool and equipment rental, nurseries, hardware and building material/supply stores. Outdoor storage and display areas are permitted as an accessory use provided that the outdoor storage areas are located within an enclosed fence.

5. Grocery stores.

6. Motorized vehicles and equipment, motorcycle, marine, farm implement, light and heavy equipment, and recreational vehicle service, repair, washing facilities, commercial storage and/or sales, provided that:

   a. All repair services, except for minor repairs and servicing, shall be conducted within an enclosed building;

   b. Adequate water supply and wastewater disposal for washing facilities shall be demonstrated by the applicant;

   c. Such a facility and associated activities shall not occupy more than four acres of a parcel;

   d. With the exception of temporary display items and/or merchandise sales, all outdoor storage shall be within a fenced area; and

   e. Lighting shall be designed to avoid glare onto neighboring properties or adjacent public roadways.

7. Mini-Storage Facilities used for the storage of household goods, recreational equipment, Recreational Vehicles, and commercial fishing vessels, provided that the facility and its outdoor storage areas are adequately screened with either fencing or landscaping as determined by the Administrator.

8. Automobile service stations, car washes, public garages, printing and publishing establishments, and wireless communication facilities consistent with Section 22, Wireless Communication Facilities.

9. Hotels, motels and other types of transitory lodging.

10. Vacation Rentals that meet the standards contained in Subsection 21.N, Short Term Vacation Rentals.

11. Bed & Breakfast establishments that meet the standards contained in Subsection 21.M, Bed and Breakfast Facilities.

12. Recreational Vehicle Parks that meet the standards contained in Subsection 21.P, Recreational Vehicle Parks.

13. Mobile Home Parks that meet the standards contained in Subsection 21.O, Mobile Home Parks.

14. Multi-family dwellings containing up to sixteen dwelling units per lot of record.

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

16. Battery exchange stations for electric vehicles.

17. Any use which is similar in nature, usage, and impact to a listed permitted use.

C. ACCESSORY USES

1. Uses incidental to the primary permitted use such as parking and loading areas, outdoor seating, signage, lighting, etc.

2. Home Occupation uses that meet the standards contain in Subsection 21.K, Home Occupations.

3. Assembly or manufacturing of items of a type related directly to the character of a permitted use and sold at retail on the premises.

4. A living quarter for the sole use by the owner, his or her temporary guest(s) or employee(s) that meets the standards contained in Subsection 21.F, Accessory Structures/Uses, and that is clearly ancillary to the commercial activity on the property.

5. Any use or activity similar in nature, usage, and impacts to a listed special 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. Churches, community centers, schools, day care centers, pre-school centers, public parks, church affiliated campgrounds, campgrounds operated by a non-profit organization, and youth camps.

2. Hospitals, medical clinics, and professional medical centers.

3. Public and community facilities including police and fire stations, libraries, community centers, museums, public parks and recreational facillties, tourist information offices, and other slmilar noncommercial uses.

4. Any use or activity similar in nature, usage, and impacts to a listed special use.

E. CONDITIONAL USES

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

1. Light industrial activities, including fabrication and assembly.

2. Contractor storage yards, including the storage of equipment, sand, rock, gravel, logs, and other materials incidental to the performance of normal or typical construction activities conducted off-site. Such activities shall be subject to the following requirements:

   a. All buildings used for the repair of machinery and equipment shall be located at least thirty (30) feet from all property lines;

   b. Outdoor storage areas shall be within a fenced area and screened from the view of surrounding properties and the adjoining public right-of-ways;

   c. On-premise sales of materials are permitted;

   d. Burning of brush, limbs and other organic debris originating off-site is prohibited; and,

   e. The use shall adhere to all other minimum standards, including signage, parking, lighting, etc.

3. One single-family residential dwelling per lot of record that meets the applicable standards in either Subsection 21.D, Residential Housing Standards, or Subsection 21.E, Mobile/Manufactured Housing Standards.

4. Multi-family dwellings containing more than sixteen (16) dwelling units per lot of record.

5. Veterinary clinics and/or kennels provided that all outdoor dog runs are located at least two hundred (200) feet from any adjoining property lines.

6. Indoor and outdoor commercial recreational facilities including, but not limited to, bowling alleys, movie theatres, arcades, golf courses, etc.

7. Any use or activity similar in nature, usage, and impacts to a listed conditional use.

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 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, 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. Cluster Development. Projects utilizing clustering may reduce the minimum lot size down provided the overall density of the underlying Land Use District, as established on the Pacific County Comprehensive Plan Map, remains the same, and provided the standards contained in Subsection 21.Q, Cluster Development, are met.

5. The minimum lot sizes for residential development within the Urban Growth Areas is 11,000 square feet, unless the relevant City has delineated an alternative minimum lot size.

6. The minimum lot sizes for residential development within the Seaview Urban Growth Area is 7,200 square feet.

7. Building Setbacks:

   a. Single-family dwellings, two family dwellings (duplex) and residential accessory buildings – twenty (20) feet from the front property line, ten (10) feet from the rear property line, and five (5) feet from the side property line. The side-yard on a corner lot shall be increased to ten (10) feet along the side street.

   b. Multi-family dwellings (three residential dwelling units or more) – twenty (20) feet from all property lines.

   c. All commercial uses or activities adjoining other commercial uses or commercially zoned property – zero (0) feet from all property lines, and provided that the requirements of all other local ordinances are met.

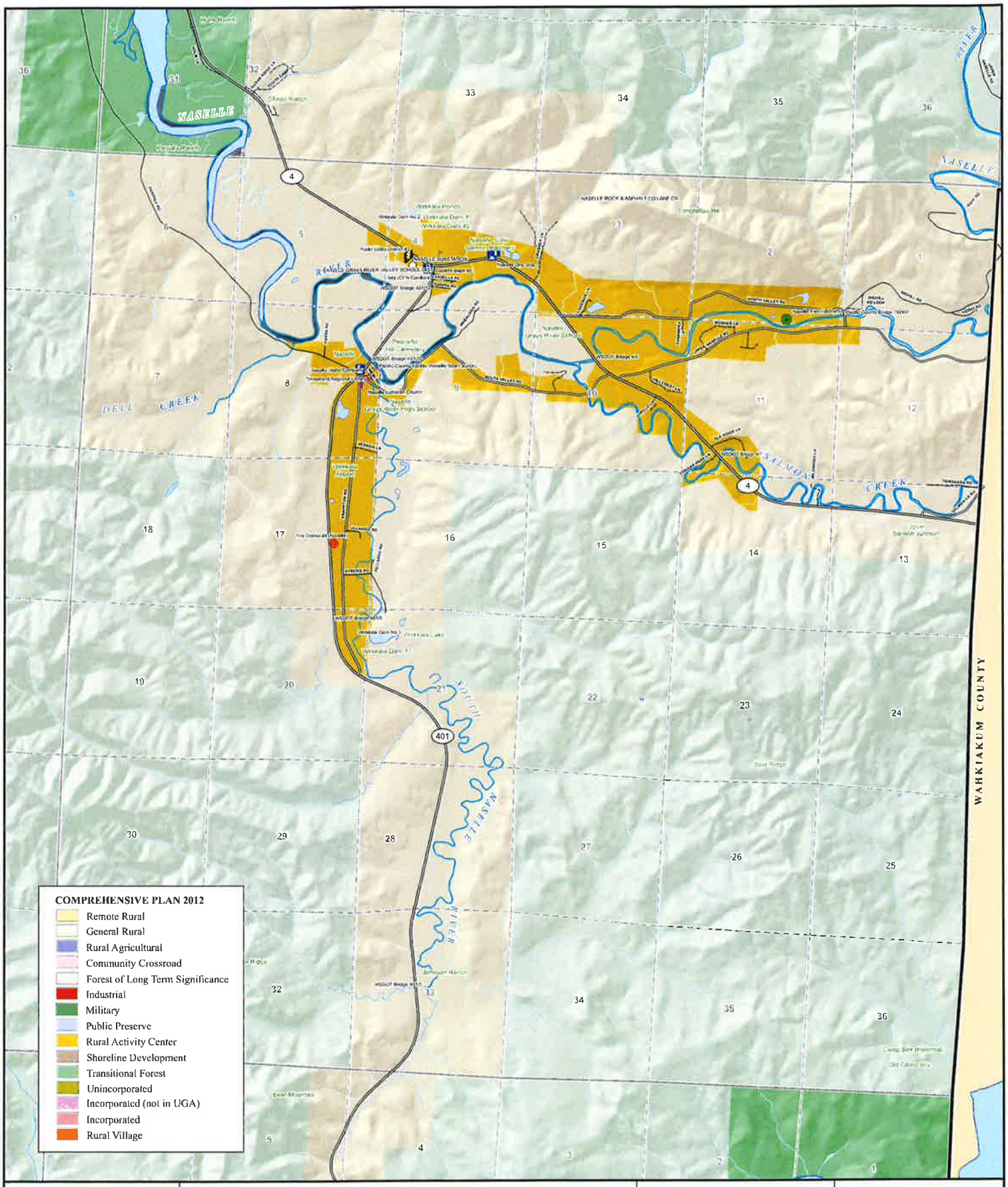
   d. All commercial uses adjoining residentially zoned properties or pre-existing residences – twenty (20) feet from the front property line, ten (10) feet from the rear property line, and five (5) feet from the side property line. The side-yard on a corner lot shall be increased to ten (10) feet along the side street.

e. All other uses – twenty (20) feet from all property lines, with the exception that the Administrator may allow a reduction in the minimum side and rear yard setbacks if the proposed use or activities is immediately adjacent to an existing commercial use or a commercially zoned property, and provided that the requirements of all other local ordinances are met.

8. Building Height:

a. The maximum building height for all residential and accessory structures is thirty-five (35) feet.

b. The maximum height for all other structures is fifty (50) 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

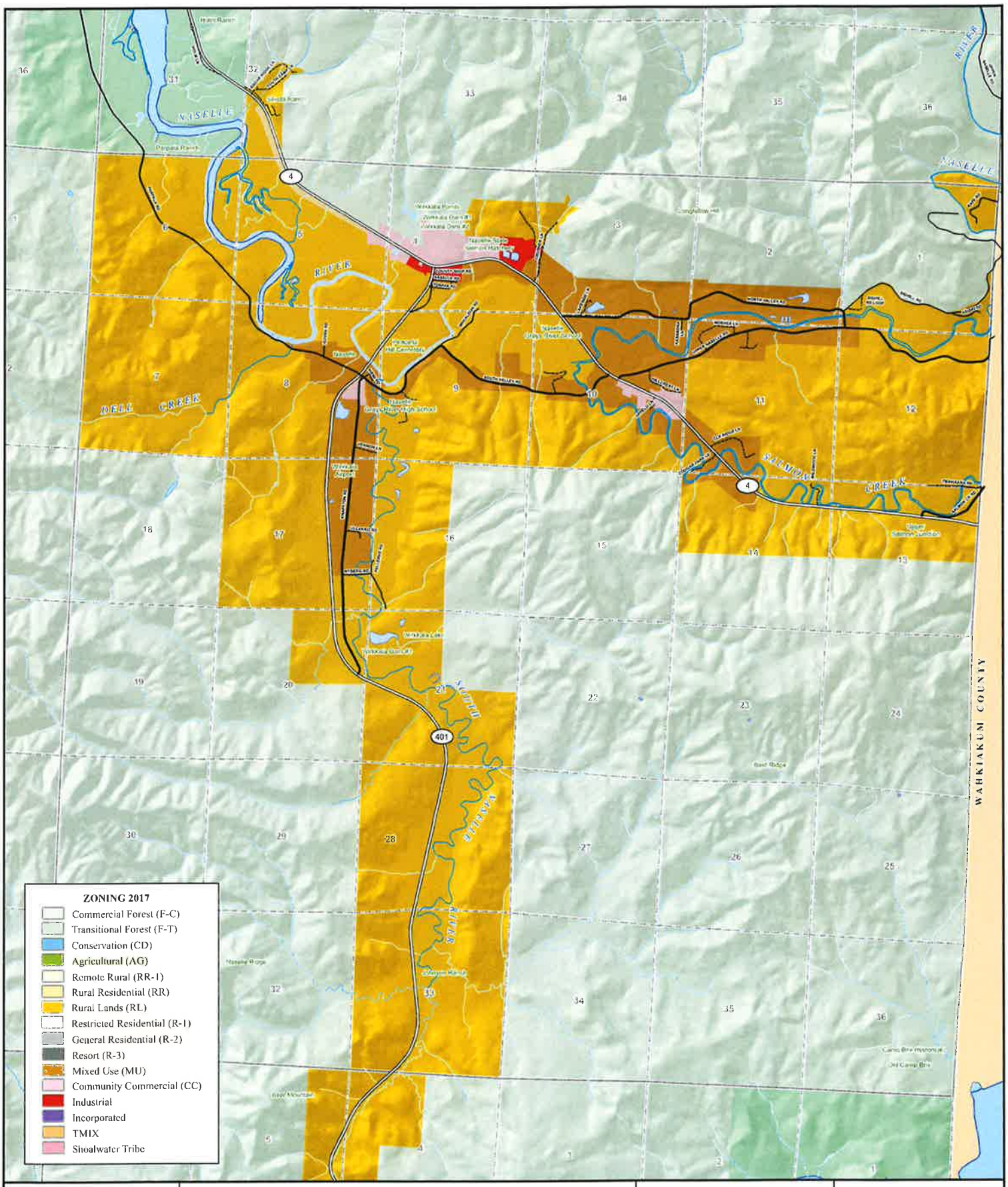
Department of Public Works
Geographic Information System

300 Memorial Drive
P.O. Box 66
South Bend, WA 98586
Phone (360) 875-9368

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. 10 N., R. 09 W.



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Zoning Map 2017

T. 10 N., R. 09 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

June 4th, 2024

RE: Conditional Use Application No. P24-00233, submitted by Edward & Carla Shearn (Owner/Applicant)

Dear Property Owner(s):

Included, you will find a copy of the Public Notice which will appear in the Chinook Observer on June 5th, 2024. The notice briefly describes a Conditional Use application applied for by Edward & Carl Shearn for the construction of a Single-Family Residence within the Community Commercial (C-C) Zoning District of Pacific County. You are being notified by mail because your property is located within 300' of the applicant's proposal.

If you wish to submit comments regarding this proposal, please contact Zane Johnson, Pacific County Department of Community Development, 7013 Sandridge Road Long Beach WA, 98631 in writing by June 19th, 2024. You may also email me zjohnson@co.pacific.wa.us.

Sincerely,

Zane Johnson
Planner
Pacific County
Department of Community Development

1216 W. Robert Bush Dr., PO Box 68, South Bend, WA 98586 ph 360.875.9356, fax 360.875.9304
7013 Sandridge Rd., Long Beach, WA 98631 ph 360.642.9382, fax 360.642.9387

"Pacific County is an Equal Opportunity Employer & Provider"

Shearn Mailing List

Esther Wirkkala

P.O. Box 5

Naselle, WA 98638

John & Carol Simatic

1680 S 46th St.

Tacoma, WA 98418-2425

Edmund & Janet Darcher

P.O. Box 342

Naselle, WA 98638

State of Washington

P.O. Box 42650

Olympia, WA 98504

Maija, Jeff & Michael Ross

P.O. Box 202

Naselle, WA 98638

Leonel & Martha Mendoza

699 State Route 4

Naselle, WA 98638

Michael Ross

P.O. Box 232

Naselle, WA 98638-0232

Richard Jacoby

P.O. Box 85

Naselle, WA 98638-0085

Debra Lopez

P.O. Box 252

Naselle, WA 98638

Pacific County
DEPARTMENT OF COMMUNITY DEVELOPMENT

BUILDING • ENVIRONMENTAL HEALTH • PLANNING

Affidavit of Mailing
Notice of Application
Type III Review

I, Zane Johnson, declare under penalty of perjury, under the laws of the State of Washington, that all statements contained in this "Affidavit of Mailing" 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.

On June 3rd, 2024 (month, day, year) the Notice of Application was mailed to all property owners within 300' of the parcel listed below, in accordance with Ordinance No. 177.

A list of these property owners is attached to this affidavit.

Property Parcel No.: 100904320 17

Dated this 4th day of June, 2024

Signature of Administrator

Pacific County

DEPARTMENT OF COMMUNITY DEVELOPMENT

BUILDING • ENVIRONMENTAL HEALTH • PLANNING

Declaration of Posting
Public Notice

Type III Conditional Use

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 June 3rd, 2014 according to Ordinace No. 177. A picture of this posting is attached to this affidavit.

Property Parcel No.: 100904320 12

Dated this 4th day of June, 2014

Signature of Administrator

PUBLIC NOTICE
Conditional Use Permit

PUBLIC NOTICE
Conditional Use Permit

NOTICE IS HEREBY GIVEN that Edward & Carla Shearin (owners) are requesting a Conditional Use Permit application No. P24-00233, submitted March 20th, 2024 and determined to be technically complete May 22nd, 2024. The applicants are proposing to construct a single-family residence under a Conditional Use permit within the Community Commercial (C-C) Zoning District of Pacific County.

The property is located at 715 State Route 4, in Naselle, Washington. The County Assessor's Parcel number(s) includes 100004032012 located in Section 04, Township 10 North, Range 09 West of W.M.

The Hearings Examiner will hear the following application P24-00233 on June 20th, 2024, at the following link: https://zoom.us/j/[illegible] 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: [illegible] You may also attend the hearing in person in Conference Room C located at the Long Beach County Building located at 7013 Sandridge Rd. in Long Beach, WA. The Hearing will begin at 2:00 p.m. or shortly thereafter. Any person desiring to express his or her views on the matter or wanting to be notified of the action taken on this application should notify Zane Johnson, Sr. Planner, with the Pacific County Department of Community Development, 7013 Sandridge Rd, Long Beach, WA 98631, in writing by June 19th, 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/dcd_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.

PUBLIC NOTICE
Conditional Use Permit