



City of Stevenson

Phone (509) 427-5970

Fax (509) 427-8202

7121 E Loop Road, PO Box 371

Stevenson, Washington 98648

May 2025 Planning Commission Meeting

Monday, May 12, 2025

6:00 PM

A. Preliminary Matters

1. Public Comment Expectations:

In Person: Attendees at City Hall should follow current CDC and State guidance regarding use of masks, social distancing, and attendance.

Webinar: <https://us02web.zoom.us/j/85637388112> Conference Call: +1 253 215 8782 or +1 346 248 7799 ID #: 856 3738 8112

Commenters must raise their hand and be acknowledged by the Chair. Individual comments may be cut off after 3 mins. Disruptive individuals may be required to leave the meeting. Persistent disruptions may result in the meeting being recessed and continued at a later date.

Tools: *6 to mute/unmute & *9 to raise hand

2. Public Comment Period: (For items not located elsewhere on the agenda)

3. Minutes: April 14, 2025 Planning Commission Meeting Minutes

B. New Business

4. Vacation Rentals: Establish Public Involvement Expectations for a topic referred to the Planning Commission by the City Council

C. Old Business

5. Short Plat Review: Planning Commission Review/Recommendation of Rock Cove plat alteration

6. **Joint Meeting Review:** Preparing for joint meeting with Skamania County Planning Commission on the Critical Areas Ordinance update

D. Discussion

7. **Thought of the Month:** Housing

-Adaptive Reuse: <https://www.planning.org/planning/2025/apr/unlock-suburban-housing-potential-and-put-empty-office-to-work/>

-Skinny Houses: <https://www.cnu.org/publicsquare/2025/05/02/benefits-skinny-houses>

8. **Staff & Commission Reports:**

E. Adjournment

DRAFT Minutes
Stevenson Planning Commission Meeting
Monday, April 14th, 2025
6:00 PM

Planning Commission Chair Jeff Breckel called the meeting to order at 6:00 p.m. A quorum was present.

MEMBERS PRESENT

PC Chair Jeff Breckel; Commissioners Anne Keese, Charles Hales and Tony Lawson were in attendance. **Vice-Chair Auguste Zettler** was absent.

STAFF PRESENT

Community Development Director Ben Shumaker, Planning & Public Works Assistant Tiffany Andersen

PUBLIC PRESENT

Mary Repar

A. Preliminary Matters

1. Public Comment Expectations

Shumaker explained use of tools for remote and public participants: For remote, *6 to mute/unmute & *9 to raise hand, or raise hand icon. Commenters must raise their hand and be acknowledged by the Chair. Individual comments may be limited to 3 minutes. Disruptive individuals may be required to leave the meeting. Persistent disruptions may result in the meeting being recessed and continued at a later date.

2. Public Comment Period:

Mary Repar commented on a Diversity, Equity and Inclusion as a health/social need.

3. Approval of Minutes:

March 10th, 2024 Planning Commission meeting minutes were approved unanimously following a motion by **Commissioner Keese**, seconded by **Commissioner Lawson**. There were no changes or corrections.

B. New Business

Sewer Ordinance Workshop: Regulations currently being reviewed by City Council alter when development is compelled to connect to the municipal sewer system <https://www.ci.stevenson.wa.us/publicworks/page/proposed-sewer-ordinance>.

Ben Shumaker, Community Development Director reported the first sewer ordinance workshop was held recently. He noted light attendance. A public hearing is scheduled for April 17 at during the City Council

meeting. **Shumaker** provided information from the workshop regarding what connection options homeowners had available.

C. Discussion

Planning Commissioners held a discussion on the current details of the proposed ordinance. **Commissioner Hales** shared further work on an annexation policy is contingent upon passage of the ordinance. It was agreed the revised ordinance is more feasible for property owners, and does a good job striking a balance.

D. Old Business

5. Staff & Commission Reports

City Administrator
Ben Shumaker, Community Development Director reported a new City Administrator has been hired.

Rezone
(Lost Zoom connection at 7:10 p.m.)

6. Thought of the Month:

-Vacation Rentals, elsewhere:
<https://www.cascadepbs.org/news/2025/03/vacation-rental-boom-inflates-housing-prices-wa-mountain-town>
-Vacation Rentals, here:
<https://docs.google.com/document>

E. Adjournment

PC Chair Breckel declared the meeting adjourned at 7:11 p.m.

Minutes recorded by
Johanna Roe

04-14-2025



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: Planning Commission
FROM: Ben Shumaker
DATE: May 12th, 2025
SUBJECT: Vacation Rental Homes – A Citizen-led Review of Current Policies

Introduction

The Planning Commission is asked to review the current City program related to Vacation Rental Homes. The regulatory program was adopted in March 2016 after a substantial policy development process and recommendation by the Planning Commission. The appropriateness of the program has been called into question by a group of citizens (Attachment 1) and the City Council has asked the Planning Commission to lead the review.

Recommended Action

Staff recommends the Planning Commission establish public involvement expectations consistent with the Planning Commission Bylaws (Attachment 2).

Background

Vacation Rental Registry

The City's [Vacation Rental Home](#) Program was developed 9 years ago. At that time the "sharing economy" was still developing. Tech platforms like Uber and Airbnb were finding their footing by facilitating peer-to-peer commerce outside of the corporate structure that most were more accustomed to. An open and far ranging public involvement process assisted the City's development of its regulatory program (Attachment 3). The Planning Commission, inspired by one public commenter, approached regulating this new economic system by "beginning with an assumption of trust".

The program relied on example programs from similarly situated communities and refined by analyzing regulatory tools according to the public purpose they served and their appropriateness for our community at that time. The resulting program is largely a registry of annual license holders. Entry into the registry requires payment of a small annual fee, provision of a local management contact, and self-certification of 6 programmatic requirements. The program was built to mimic the annual business license process which was similarly uncomplicated (Attachment 4).

Fee collection

In 2020, the State of Washington changed how business license fees were to be issued by local jurisdictions. The change centralized fee collection to make "one-stop-shopping" for businesses. Instead of visiting each jurisdiction to understand and pay business license fees, the new system allows businesses to pay to the Department of Revenue the license fee for all the jurisdictions where they conduct business. The fees are then remitted to the those jurisdictions.

With the change to the business license process, the City also chose to centralize the payment of vacation rental license fees. Instead of collecting the fee along with the City application, the Department of Revenue collects the fee on the City's behalf.

No other changes to the 2016 program have been made.

Suggested Priority

The public purposes served by the 2016 policies are listed in the column on the left. The tools employed by the draft regulations appear in the center column. Staff has interpreted the by the public initiating this are shown in maroon text.

November Options for Regulatory Intents and Tools		
Public Purpose	Tools	Additional/Newly Suggested Tools
Avoid Neighborhood Disruptions	<ul style="list-style-type: none">• Annual License Renewal• Revocable License• Neighborhood Notice• Local Management• Staff Inspections• Interior Informational Posting• Added Parking Standards• Complaint Log/Action Log	<ul style="list-style-type: none">• Proof of Residency• On-site Ownership Preference
Reduce Housing Speculation	<ul style="list-style-type: none">• Revocable License• Annual License Renewal	<ul style="list-style-type: none">• Proof of Residency
Reduce Vacation Rental Proliferation	<ul style="list-style-type: none">• Revocable License• Annual License Renewal	<ul style="list-style-type: none">• Proof of Residency• District-Specific Allowance
Ensure Market Fairness and Taxation	<ul style="list-style-type: none">• Annual License Renewal• Taxation Required	
Protect Guests	<ul style="list-style-type: none">• Annual Renewal• Local Management• Interior Informational Posting• Staff Inspections• Fire Code Compliance• Added Parking Standards	<ul style="list-style-type: none">• On-site Ownership Preference
Reduce Administrative Burden & Barriers to Entry	<ul style="list-style-type: none">• Revocable License• Annual License Renewal• Neighborhood Notice• Staff Inspections• Taxation• Fire Code Compliance• Complaint/Action Log	<ul style="list-style-type: none">• Water Shutoff Penalty
Benefit Economy	<ul style="list-style-type: none">• Local Management• Fire Code Compliance	<ul style="list-style-type: none">• On-site Ownership Preference
7 Total Intents	10 Total Tools: 8 Required (bold text), 2 Advisory	

Public Involvement

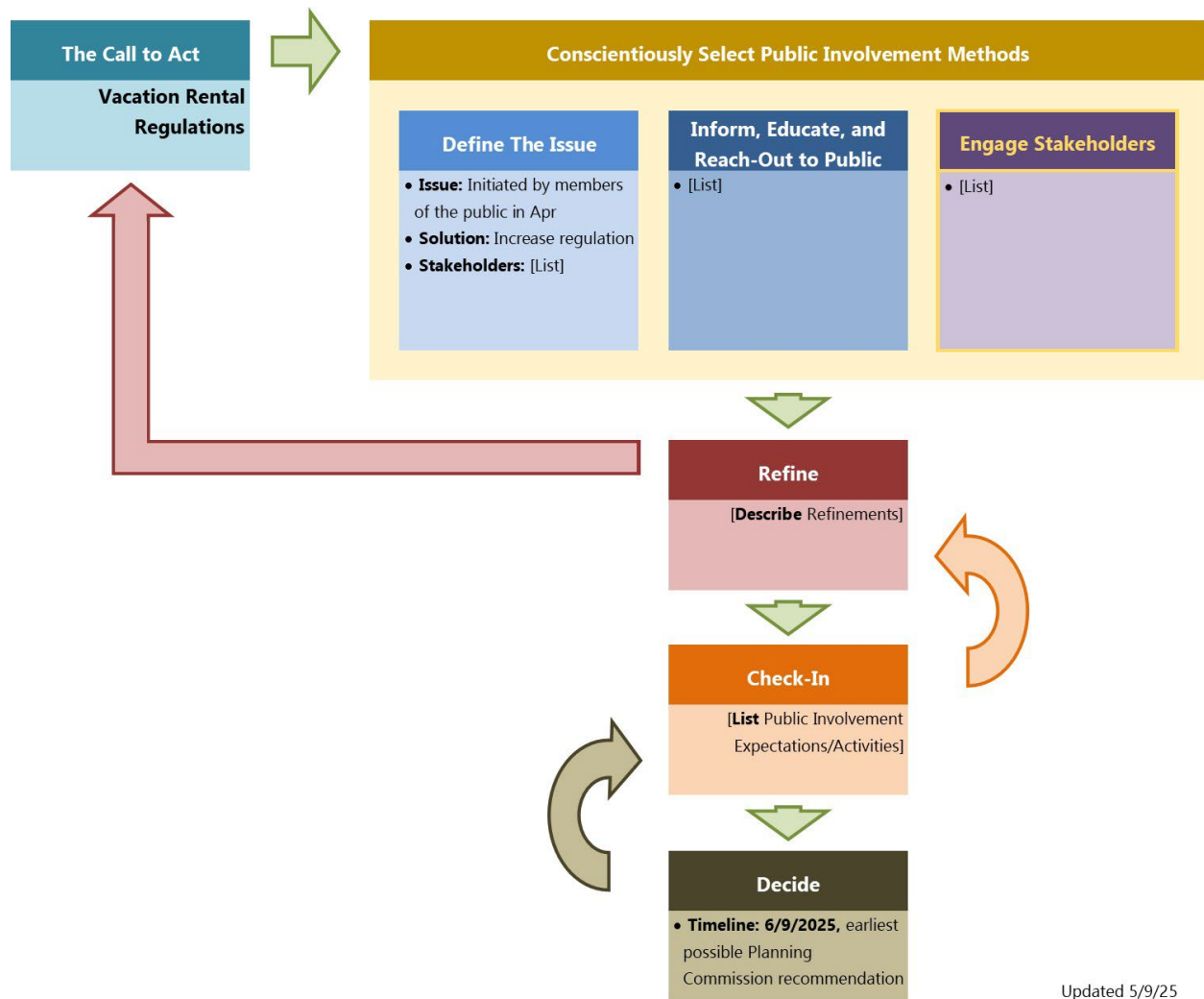
This issue was brought to the Planning Commission by the public. To ensure any proposed changes incorporate public input and occur within a manageable timeline, the Planning Commission's bylaws include expectations for public involvement. These expectations ask the Planning Commission to conscientiously choose, implement, and communicate public involvement techniques from a menu of options (Attachment 3).

The Call to Act for this issue has come directly from the public. At the City Council meeting when that call was made, the Council also heard public comment urging caution about new restrictions.

Decision Point #1: What methods of Public Involvement are appropriate for the review of this program?

Decision Point #2: Who is responsible for undertaking the Public Involvement methods selected?

The figure below provides context for the implementation of whichever methods are selected. The expectation at this phase of the review is to work through the 3 boxes under the gold umbrella.



Next Steps

The selected public involvement components will be implemented. Staff will provide an evaluation of the current program's implementation and challenges. A public review draft will need to be drafted and circulated. A SEPA Threshold Determination will need to be made. The Planning Commission could make a recommendation as early as its June meeting.

Prepared by,

Ben Shumaker
Community Development Director

Attachment

- 1- Community Request and Draft Code
- 2- Planning Commission Bylaws, Public Involvement Framework
- 3- 2016 Public Involvement Summary
- 4- 2015 Intra-Office Implementation Memo

April 8, 2025

Dear City Council,

Stevenson is an amazing place to live, but as everyone knows, it's becoming unaffordable to live here. The boom in Vacation Rental properties, like Airbnb, really makes this problem worse. As is well-documented elsewhere, as the number of Vacation Rentals rise, long-term rents and housing prices rise.

Back 10 years ago when Vacation Rentals were first allowed by the City of Stevenson, it made sense at the time because there were not adequate hotel options. Since then, we've had 2 new hotels open and Skamania Lodge expanded. And we've added many dozens of Vacation Rentals. That's enough. We don't need to keep giving up more of our small town's housing stock to tourists.

Neighborhoods need neighbors. Our neighborhood is starting to feel hollow. Over the years, the City has done a lot of great things to make Stevenson more walkable and bikeable, with plans to improve this further. This attracted me to buy a house near downtown 18 years ago. But now, on my normal walk around the neighborhood between the fairgrounds and City Hall, it seems like I notice a new Vacation Rental almost every time. It's starting to feel like a sad, empty ski town in its off-season. Fewer neighbors. Fewer families sending their kids to school, fewer folks chatting from their front yards or walking their dogs. Who are we making Stevenson more walkable for?

Let me be clear - I don't begrudge a homeowner who wants to make extra money from their property. And, I do appreciate having *some* rental houses available in our town. In fact, when we have family visiting from out of town, they love to rent a house.

But there are different types of Vacation Rental hosts. Some rent out parts of the home they live in full-time, helping them afford to live in the community they love and otherwise couldn't afford. But then there are investors who sometimes have no ties to our community. They buy up houses to convert to Vacation Rentals that sit empty most of the time. A Vacation Rental that's only occupied a fraction of the year can still make a profit for these investors. And the tourists who visit are surely helping certain parts of our economy. But they don't work here and they don't volunteer and they're not invested in the community. We can't let the number of Vacation Rentals ruin our sense of community.

In 2020 the percentage of housing stock in Skamania County used as either second homes or Vacation Rentals was already 18%. Certainly it's higher now. It's a real shame when houses converted to Vacation Rentals were previously long-term rentals and/or affordable houses. Is the City taxing the Vacation Rentals at a rate that can help compensate for other lost values, such as decreasing school enrollments, shortage of volunteer firefighters, and businesses struggling due to lack of housing for their workers?

How many under-the-radar Vacation Rentals are operating? The annual application fee for the City's license hasn't been adjusted since 2016. Is it really sufficient to cover the City of

Stevenson's costs for robust tracking, inspection, and enforcement? Platforms such as Airbnb must be required to remove listings without a valid license on file. Licenses must be revoked for failing to comply with the "Neighborhood Notice" provision and other requirements in our City code.

And we need a new rule: within City limits, we should cap the number of unhosted Vacation Rentals, where the host lives off-site, to the number that currently exists. Any new Vacation Rentals would have to be within the host's primary residence, and/or an additional dwelling unit on the same property. Many cities have enacted rules such as these.

Reining in Vacation Rentals won't singlehandedly solve our affordable housing issue, but it's a good place to start. And it will certainly help our neighborhoods feel like neighborhoods again. It's time for us to take a hard look at our situation and move towards solutions.

Sincerely,

Dana Hendricks
Stevenson

Save Our Stevenson (SOS)

Draft Ordinance

4/4/2025

Purpose

The goal of this law is to prevent Stevenson from becoming a “town” of vacation rentals rather than a town of people who actually live here. It will prevent additional houses from being bought up by out-of-town investors mainly for the purpose of operating as vacation rentals.

Definitions

“City of Stevenson” refers to the legislative body titled as such.

“Vacation rental” or “Short term rental” is defined as a rental unit rented for periods lasting less than one month.

“Proof of Residency”: possession of a voter registration card showing the primary residence in Stevenson

“Hosted Vacation Rental” is considered to be hosted because the owner lives on-site. The rental unit may be within the host’s primary residence, or an additional dwelling unit on the same property.

“Unhosted Vacation Rental” is an unhosted rental unit, where the owner lives off-site.

Application of Rule

This rule only applies to properties zoned residential.

Text of Rule

The annual number of licenses granted by the City of Stevenson for Unhosted Vacation Rentals shall not exceed the number that currently exists on the date when this rule is enacted. As existing license-holders decline to renew, or otherwise forfeit, licenses for Unhosted Vacation Rentals will be phased out. Any new Vacation Rental licenses must meet the definition of a Hosted Vacation Rental.

Enforcement

In addition to the tracking and enforcement mechanisms already in the City code, these will be added:

- The annual cost of the license shall be adjusted to a rate sufficient to cover the City of Stevenson’s costs for tracking and enforcement.
- Platforms such as Airbnb must be required to remove listings without a valid license on file.
- When the City of Stevenson is alerted that a property owner may be in violation, by operating under a Hosted Vacation Rental license without living onsite, the legal property owner will be given 30 days upon notification from the City of Stevenson to produce proof of residency. If the legal owner of the property does not produce proof of residency, the City of Stevenson will turn off sewer and

water services to the property. The City of Stevenson will refund any portion of the sewer and water bill that was already paid at point of termination.

Appendix B – Public Involvement Framework

The following represents a recommended procedure to evaluate and establish topic-specific public involvement plans. As used in this appendix, “Public Involvement” is an umbrella term incorporating a broad range of ways in which the Planning Commission interacts with the public. This range begins with the minimum requirements established by State statutes where information is shared in a uni-directional manner to ensure public awareness of Commission actions. The Public Involvement umbrella embraces bi-directional dialogue wherein the public informs decisions through their meaningful input. At another end of the range, Public Involvement could result in direct decision-making by the public via referendum to the voters. Along the way the term Public Involvement embraces other public participation methods, whether they are suggested in this appendix or not.

This Public Involvement Framework was recommended in summer 2021 by a subcommittee of the Planning Commission. The committee was composed of residents, property owners, Planning Commissioners, and City staff.

The Public Involvement Framework incorporates 7, non-linear, categories of action beginning with a “Call to Act”. As appropriate within this framework the Planning Commission should “Conscientiously Select Public Involvement Methods” to “Define” the issue identified in the “Call”, “Inform/Educate/Reach-Out” to the public about the issue, and “Engage” community stakeholders to exchange information on the issue. These conscientious efforts allow the Commission to “Refine” the issue based on information received, “Check-in” with the public after the issue is refined, and to eventually “Decide” on an action to address the “Call”.

The intent of the Framework is to allow the Planning Commission to conscientiously evaluate each “Call to Action”, right-size its approach to the action, and communicate its expectations and actions to the public. The non-linear aspect of the framework means that the Planning Commission can evaluate and establish independent Public Involvement expectations for each category in the framework and can reevaluate established expectations as necessary.

Documents assisting this conscientious effort include:

- Exhibit B.1 – Visual Public Involvement Workflow Template. During any topic the Planning Commission chooses to address, this template can be edited and used to convey the established topic-specific public involvement plan and update its progress while the topic is being address.
- Exhibit B.2 – Menu of Public Involvement Methods. This exhibit is not intended to be static. As time goes on, this menu of methods may be supplemented, refined, or edited without a formal amendment to the Planning Commission bylaws.

- Exhibit B.3 – Example Public Involvement Materials. Like the menu of methods, the example materials of this exhibit are not static. Dynamic updates to the example materials can be added at any time without amending these bylaws.

Framework Components

Component	Actors	Actions
Call to Act		
The Call to Act is the instant when an issue is identified. The Call to Act can be considered the identification of an Issue or a Need . The Call results from a disturbance, an opportunity, a problem, a request, or any other catalytic moment when the Planning Commission is asked to act.	The Caller can be anyone from the community: <ul style="list-style-type: none"> • A City elected official • A Planning Commissioner • City staff • Consultants • A partner agency or interest groups, etc. 	Determine whether to answer the Call: <ul style="list-style-type: none"> • Determine whether Issue or Need is accepted • Assess City agency/ability to impact • Assess City responsibility to impact • Assess City capacity
Define the Issue		
Defining the Issue creates clarity by exploring how the Call to Action was created and by whom, identifying who is driving and who is impacted, and identifying available information, observations, public concerns, and determining whether existing data is adequate or more data is required. Defining the issue leads to a reconsideration of whether to answer the Call. Doing so transforms Need into Purpose .	The Planning Commission identifies Potential Stakeholders as necessary. Potential Stakeholders include: <ul style="list-style-type: none"> • Businesses • City officials • Developers • Low Income and/or under represented • Long-term residents • New residents • Those Privileged and Disadvantaged by the issue/topic • Property Owners • Renters, etc. 	Determine Stakeholders: <ul style="list-style-type: none"> • Understand who the Caller represents • Understand who benefits/suffers from the Issue or Need • Understand who benefits/suffers from the Solution to the Issue or Need Propose Solutions <ul style="list-style-type: none"> • Determine when a solution is proposed • Determine who proposes solutions • Determine how many solutions are proposed Select Public Involvement Strategies <ul style="list-style-type: none"> • Assess City capacity to implement individual Public Involvement Methods. • Establish who should be involved • Select level of involvement (Inform, Educate, Engage, Ask) • Select specific Public Involvement Methods (Exhibit B.2)
Inform, Educate, and Reach-Out to Public		
Informing, Educating, and Reaching Out to Stakeholders provides <i>uni-directional information sharing</i> from	The Planning Commission and City staff activate Networks (e.g., SDA,	Make Materials Accessible, Understandable, Timely, and Compelling

the City to the Public. The sharing of information could be a preamble to the Engaging Stakeholders or could stand alone as a form of open governance. Informing, Educating, and Reaching-Out to the Public shares the Purpose with the community to generate greater Communal Understanding .	Volunteers, WAGAP, etc.) to help reach-out to identified Potential Stakeholders.	<ul style="list-style-type: none"> • Share simple information broadly • Provide access to more detailed information • Make available source documents and reference materials Surface Latent Stakeholders <ul style="list-style-type: none"> • Provide opportunities for the Public-At-Large to become more involved
Engage Stakeholders		
Engaging Stakeholders provides <i>bi-directional information exchange</i> between the public and city staff/elected officials. Engaging Stakeholders results supplements Communal Understanding with Collective Wisdom .	The Planning Commission and City staff activate Networks to help engage identified Potential Stakeholders and previously Latent Stakeholders.	Match the Level of Engagement to the Need for Input and the Impact of Change. <ul style="list-style-type: none"> • Share simple information broadly • Provide access to more detailed information • Make available source documents and reference materials Ensure Engagement is Multi-Faceted. <ul style="list-style-type: none"> • Select specific Public Involvement Methods (Exhibit B.2) Solicit Input and Expertise Building upon Work of City Officials.
Refine		
Refining involves validating or reconsidering decisions made in earlier steps. Refining applies Communal Understanding and Collective Wisdom to the Purpose . If the issue is complex, refining may involve several iterations of earlier steps and/or offer widening ranges of options. At one end of this range, refining could even lead the Planning Commission to reconsider whether to answer the original Call to Act.	The Planning Commission and City staff respond to stakeholders based on input received.	Distill stakeholder input for Planning Commission to inform next steps and/or a decision.
Check-In		
Checking-In reconnects Stakeholders with the Need and Purpose , and updates the Communal Understanding with the Collective Wisdom gained through implementation of the Public Involvement Plan.	The Planning Commission and City staff re-activate networks, updating stakeholders on the issue's evolution through the Public Involvement efforts.	Create a feedback loop to determine whether additional Public Involvement is necessary before a decision can be made. Respond to Stakeholders to Improve Upon or Help Inform the Final Decision.
Decide		
Deciding involves advancing an Action to address a Need the Purpose . The		Document the Decision Communicate the Decision Broadly

<p>action should integrate the Collective Wisdom received through implementation of the Public Involvement Plan. Through Action a Need is addressed, the Seed of Community is born and the ground is prepared to receive the next Call.</p>		
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Exhibit B.1 – Visual Public Involvement Workflow Template

The following template can be customized to document the topic-specific Public Involvement Plans.

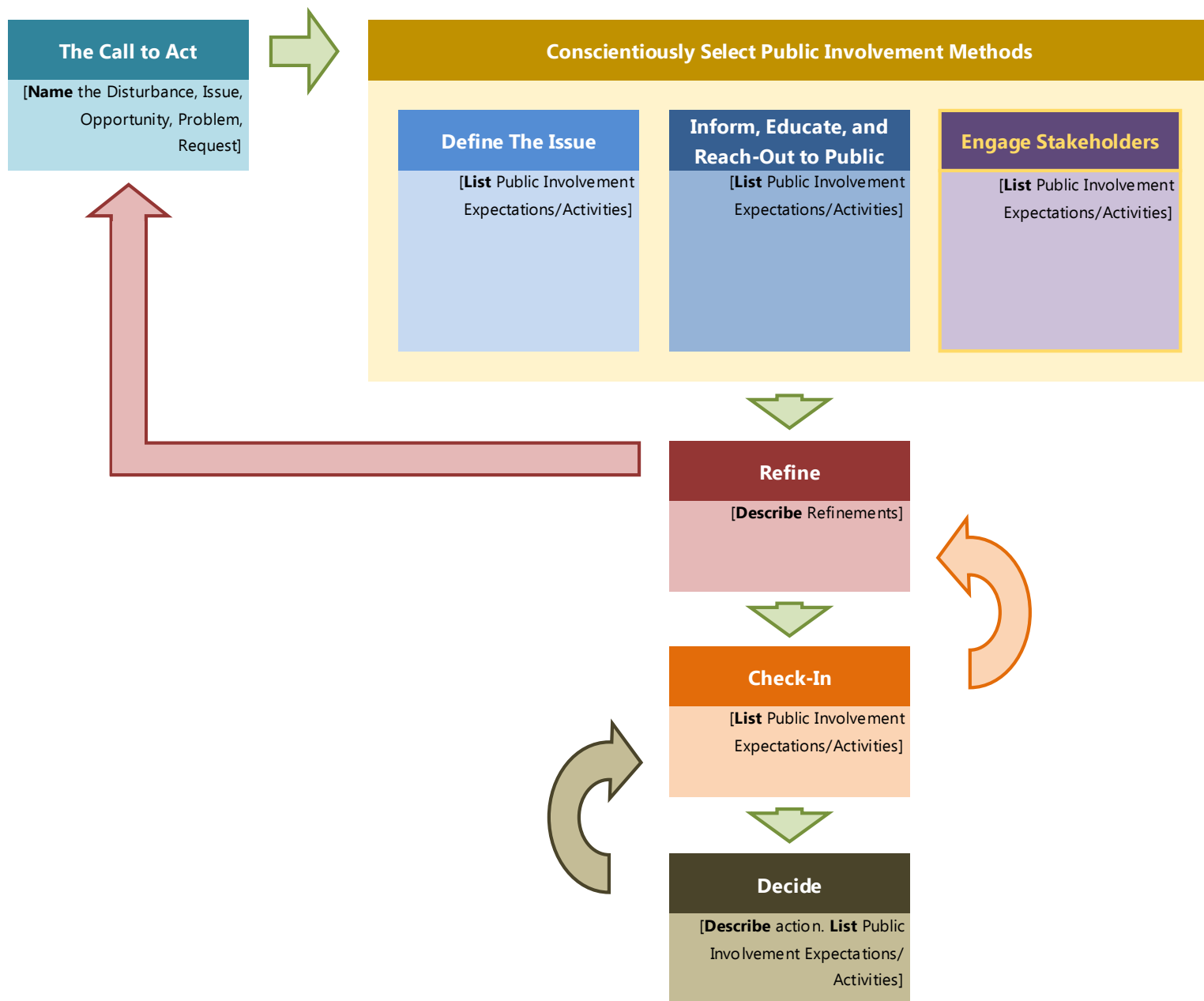


Exhibit B.2 – Menu of Public Involvement Methods.

This exhibit presents several public involvement methods. Some are simple, some more complex. A basic assessment of the impact and associated costs associated with each method is included. This list is dynamic and will grow according to more input and testing of methods.

The menu can be attached to early issue report as a tool for the Planning Commission and shared with the public to share expectations on each Public Involvement Plan.

In general, selected methods to Inform, Educate, and Reach-Out should provide an 1-month timeframe.

Method	Impact	Resource Need	Notes	Included in Plan?
Methods to Inform, Educate, Reach-Out				
Physical Media (posters, informational flyers, newspaper ads)	L M H	\$ \$ \$ \$ \$ \$	Consider posting on bulletin boards and around town (laundry, apartments, post office, workplaces, school/government/semi-public spaces)	Y or N
Targeted Media (postcards with links, invitations to participate)	L M H	\$ \$ \$ \$ \$ \$		Y or N
Requests for neighborhood/group participation	L M H	\$ \$ \$ \$ \$ \$	Planning Commissioners and/or Staff	Y or N
Electronic Media (Facebook page, nextdoor, websites of partners and City)	L M H	\$ \$ \$ \$ \$ \$		Y or N
Press Release, Interviews, Guest Editorial	L M H	\$ \$ \$ \$ \$ \$		Y or N
Sandwich Boards	L M H	\$ \$ \$ \$ \$ \$	Consider placing at Stevenson Downtown Association office, front lawns	Y or N
Guest appearances at events and meetings	L M H	\$ \$ \$ \$ \$ \$	Planning Commissioners and/or Staff	Y or N
Informal community and interest networks	L M H	\$ \$ \$ \$ \$ \$		Y or N
Concise, short and well written flyers delivered to resident's front door by volunteers	L M H	\$ \$ \$ \$ \$ \$		Y or N
Methods to Engage				
Public Workshops	L M H	\$ \$ \$ \$ \$ \$	Accessible and welcoming to all	Y or N
Survey Monkey	L M H	\$ \$ \$ \$ \$ \$	Special attention to language and readability needed	Y or N
Meet & Greets with staff or elected officials	L M H	\$ \$ \$ \$ \$ \$	Requires data collected and staffing of elected, along with public notice	Y or N
Council/Commissioner meetings with focused methods for input/dialogue	L M H	\$ \$ \$ \$ \$ \$	Build upon Commission meetings and allow for back and forth between electeds and community. Add more time for PI (Public Involvement).	Y or N

			Change physical arrangement. Actively promote/welcome PI	
Town Hall - debates or educational forums	L M H	\$ \$ \$ \$ \$	Cross talk between electeds, experts, staff with Q&A from audience	Y or N
Story boards - data collection or voting	L M H	\$ \$ \$ \$ \$	Placing story boards in key location to collect input about very specific things OR to get votes on X or Y preference Mimicking this on social media also *Key to have right issue and right language	Y or N
Listening sessions between staff/electeds and public	L M H	\$ \$ \$ \$ \$	Planning Commissioners and/or Staff	Y or N
Attend existing meetings of currently organized groups, events and board meetings.	L M H	\$ \$ \$ \$ \$	Social service agencies, neighborhood groups, special interest networks, etc	Y or N
Attend large employers meetings (as applicable)	L M H	\$ \$ \$ \$ \$	Planning Commissioners and/or Staff	Y or N
Pioneer articles from Council/Commission with key topics needing to be discussed and solicitation of questions for next issue to be answered	L M H	\$ \$ \$ \$ \$		Y or N
Form task forces, interest groups, focus groups, etc	L M H	\$ \$ \$ \$ \$	Planning Commissioners and/or Staff	Y or N
Pizza party/cook off - casual event	L M H	\$ \$ \$ \$ \$	Planning Commissioners and/or Staff	Y or N
Postcards soliciting input	L M H	\$ \$ \$ \$ \$		Y or N

Exhibit B.3 – Example Public Involvement Materials.

This exhibit presents examples of public involvement materials to effectively implement public involvement plans. These examples will change and supplements will be added in response to the implementation of topic specific public involvement plans.

List of Examples

- Flyer Example.

Flyer Example

ZONING - Your neighborhood could change

We will be discussing how it might change at a meeting next week. Please come.

Then we'd give the time and place where the meeting was going to be held.

Then we would have ended the flyer this way:

For more information on the proposed changes contact _____. Then we'd
give three ways to contact this person.



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: City Council
FROM: Ben Shumaker
DATE: February 18th, 2016
SUBJECT: Overnight Lodging Public Involvement Summary

Introduction

The memo provides the City Council with an incomplete summary of the public involvement measures taken by the Planning Department leading up to the Planning Commission's recommended code updates. These measures are presented as chronologically as possible and include key findings from the efforts. This memo should be treated as a companion memo to the four other staff reports prepared for this issue. A comprehensive compendium of all the public involvement efforts is available upon request.

Problem Identification

2013 Conditional Use Denial

Concerns about the City's overnight lodging program began in 2013 as the City was finalizing the update of the Comprehensive Plan. These concerns centered on a conditional use proposal for a vacation rental home, which staff mistakenly categorized as "Bed and Breakfast or Tourist Home" in its report to the Planning Commission. This error in interpretation was compounded by errors in the public notification procedure. The errors were addressed by delaying the decision until appropriate public notices were distributed and ultimately denying the request as inconsistent with the Zoning Code.

Key Findings:

1. The impacts of vacation rental homes differ from hotels, motels, and bed and breakfasts because their guests are not supervised by on-site management.
2. The public is uncomfortable by the idea of vacation rental homes appearing in their neighborhood without their knowledge.
3. The Zoning Code's use categories and definitions of overnight lodging lack clarity.
4. The Zoning Code's silence (and resulting prohibition) of vacation rental homes in residential areas may not be in line with current trends/desires.

Non-Enforcement of Prohibition

Public discourse about the 2013 conditional use proposal revealed that existing homes in Stevenson were being advertised and used as vacation rental homes despite the prohibition. The owners of these homes were "allowed" to continue because they had never asked for the City's permission and therefore never been told about its prohibition. City nuisance enforcement policies did not proactively target these uses and no public complaints were received to generate reactive investigation/enforcement.

Key Findings:

5. The market for vacation rental homes exists in Stevenson.
6. Home owners largely avoid the City when considering using their home for vacation rental purposes.
7. Existing vacation rental homes did not generate complaints to the City from their neighbors.

Lodging Tax Receipts

City Council discourse about the existence and non-enforcement of vacation rental homes led to concerns their operation in a black market and avoidance of the transient lodging tax paid by the overnight guests of other businesses. Individual Council members expressed the desire to rectify this.

Key Findings:

8. Vacation rental homes are subject to the same collection of transient lodging taxes as hotels, motels, and bed and breakfasts.
9. Not all of the existing vacation rental homes pay taxes as required.

2015 Amendment Process

Sensing the inconsistency between findings 1, 2 and 7, desiring overcome findings 3 and 4, and acknowledging the need to cope with the problems associated with the remaining findings, the Planning Commission decided to make overnight lodging regulations the focus of their 2015 work plan.

Project Kick-Off

The Planning Commission's review of the issue began at their May meeting, where they reviewed the Zoning Code's current use categories, definitions, and the locations where various types of overnight lodging were contemplated. The meeting also saw them determine the preliminary scope of the update process and develop their public involvement strategy for this issue.

Key Findings:

10. Zoning Code definitions and use categories are inconsistent and not exhaustive.
11. Referring to the issue as "Transient Lodging" elicits unnecessary negative connotations.
12. The issue is important and requires a robust public involvement strategy including Planning Commission workshops, press releases, and a community questionnaire.

Community Questionnaire/Results Workshop

A questionnaire was made available through www.surveymonkey.com for public responses during the entire month of July, 2015. A link to the questionnaire was posted on the City website and emailed directly to individuals currently providing overnight lodging, individuals recently inquiring about overnight lodging, and area realtors. The *Skamania County Pioneer*, the Chamber of Commerce, and the Economic Development Council were engaged as partners and asked to share the link to the questionnaire with their email contact lists and/or on their websites/Facebook pages. This public involvement effort led to 114 individual respondents. The questionnaire was discussed at the August Planning Commission Workshop, where public concerns emerged about the City's ability to regulate Vacation Rental Homes in light of a State Supreme Court decision.

Key Findings:

13. This issue is important to the public.
14. Hotels (54%) and Vacation Rental Homes (54%) are the two forms of overnight lodging most in-demand based on respondents own travels, neighborhood, and future desire to provide.
15. Parking congestion (38%) is the disruptions of most concern for respondents.
16. Camping (14%) is seen as the least appropriate form of overnight lodging in Stevenson.
17. State Supreme decisions need to be reviewed before proceeding.

Workshop- Case Law

In September, 2015 the Planning Commission held a workshop with 13 members of the public to review case law on Vacation Rentals. Cases considered include a Supreme Court case (*Wilkinson v. Chivama*) and Court of Appeals case (*Ross v. Bennett*).

Key Findings:

18. State Supreme Court decisions create nuances, but no direct case law, for the City to consider.
19. The nuances focus on the Courts' determination that occupancy of a single family home by short term vacationers has a similar impact on the neighborhood as occupancy by full-time residents

Iterative Workshops-Vacation Rental Best Practices, Regulatory Tools, Policy Stances

In September, October, and November, 2015 the Planning Commission held workshops with 13, 4, and 7 members of the public to define and refine Stevenson's approach to regulation. The 23 tools and 8 policy positions presented in September were pared to 16 tools and 7 policy stances for October, further refined to 10 tools for November. The recommended draft reviewed by the Planning Commission and 5 members of the public in December incorporates 8 required tools and 2 advisory tools based on the 5 policy stances the Planning Commission deemed to be important for Stevenson.

20. The issue continued to be important to the public throughout the process.
21. Two policy stances were specifically not addressed by the Planning Commission and left to City Council in the determination of fees.

Mailing List

Beginning after the August workshop, and continuing throughout the public involvement effort, City staff developed a mailing list of 20 community members interested in the overnight lodging update. Information was sent out to the mailing list prior to each workshop workshops and hearings (including tonight) and at key milestones in the update process.

2016 Recommended Draft

In reviewing the Planning Commission's recommendation, the City Council has the final say in this public involvement effort and the method by which the City addresses the key findings. Inconsistencies between findings 1, 2, 7, and 19 are mostly resolved by the recommended suite of tools. The recommended update to the Zoning Code (Title 17) addresses findings 3, 4, 5, 10, 11, 14, 16, 17, 18 and 19. The recommended addition to Title 5 addresses findings 8, 9, 12, 13, 17, 19 and 20. Finding 6 will be an ongoing management problem for City staff to address. Finding 15 was addressed on an advisory level in Title 5, and no changes were deemed necessary in Title 17.

The City Council decisions will decide how Finding 21 is addressed.

Prepared by,

Ben Shumaker
Planning Director



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: City Staff
FROM: Ben Shumaker
DATE: November 5th, 2015
SUBJECT: ZON2015-02- Vacation Rental Policy Proposals

Hi All-

Please take a look at the attached draft regulations for vacation rental homes. The implementation of these are mostly conducted by you all and not the Planning Department, so I'm hoping you can give me some feedback on how workable or unworkable they will be.

The draft regs are color coded sections where there are admin/counter, building, and public works tie-ins. General questions:

Admin/Counter- Candace, Carla, and Nick, you guys will be most impacted by these regs. The Planning Commission wants there to be as little administrative burden and as few barriers to entry as possible, so the draft regs are written to 1) mimic what we are doing with business licenses, 2) trust that there will be no problems, and 3) provide a feedback/adaptive management mechanism if there are problems. Please take a look at the regs to see if they accomplish that or if they could accomplish it with fewer words. Take a look too at the application, neighborhood notice, Good Neighbor Guidelines, and complaint form to see if this is a workable program.

Building- Karl, I've already talked to you some about this, but I'm leaning toward recommending a "vacation rental home fire safety checklist" be required as part of the once every fire year inspection option the Planning Commission is looking at. This would allow you to be flexible and modify it as needs arise. The regs also allow you reasonable access to the unit, so you could schedule an inspection when a new application comes in or during the January annual reviews. I will work with you on a standard inspection checklist so we have a full regulatory program ready when we come out of the gates.

Public Works- Eric, I think parking is the only real tie-in with public works. The Planning Commission isn't interested in requiring proof of off-street parking, but I still wanted the property owners and guests to know they shouldn't rely on street parking to be reserved for them. Take a look at the Good Neighbor Guidelines which we'll ask them to give to guests too. I don't imagine the PC would be receptive to different water and sewer rates/requirements, but if you have recommendations there, get them ready and I bet the City Council would include them.

I'm sure I've missed something, so other comments are also welcome.

Here's a quick look at what the Planning Commission wants to accomplish and how they got to this draft:

Thanks for your help,

September Options for Regulatory Intent and Tools	
Regulatory Intent	Tools (City)
Avoid Neighborhood Disruptions	<ul style="list-style-type: none"> Added Parking Standards (Bend, Cannon Beach, Lincoln City, Manzanita) Trash Service (Cannon Beach, Lincoln City, Manzanita) Landscaping Improvements (Lincoln City) Staff Inspections (Cannon Beach, Lincoln City, Manzanita) Signage Standards (Lincoln City) Revocable License (Bend, Cannon Beach, Lincoln City, Manzanita) Annual License Renewal (Bend, Lincoln City, Manzanita) Limitation on License Period (Cannon Beach) Neighborhood Notice (Bend, Cannon Beach, Lincoln City, Manzanita) Exterior Informational Posting (Bend, Lincoln City, Manzanita) Interior Informational Posting (Bend, Cannon Beach, Lincoln City) Local Management (Bend, Cannon Beach, Lincoln City, Manzanita) Nuisance Abatement prior to License (Bend, Cannon Beach, Lincoln City) Guest Limit (Cannon Beach, Lincoln City, Manzanita) Guest Registry (Cannon Beach, Lincoln City) Complaint Log/Action Log (Bend, Cannon Beach, Lincoln City). Prohibited (Leavenworth)
Aesthetically Please	<ul style="list-style-type: none"> Landscaping Improvements (Lincoln City) Trash Service (Cannon Beach, Lincoln City, Manzanita) Signage Standards (Lincoln City) Local Management (Bend, Cannon Beach, Lincoln City, Manzanita) Nuisance Abatement Prior to License (Bend, Cannon Beach, Lincoln City)
Reduce Speculation	<ul style="list-style-type: none"> Non-transferable License (Bend, Cannon Beach, Lincoln City, Manzanita) Limitation on Ownership (Cannon Beach, Lincoln City) License Caps (Cannon Beach, Manzanita) Revocable License (Bend, Cannon Beach, Lincoln City, Manzanita)

November Options for Regulatory Intent and Tools	
Regulatory Intent	Tools (City)
Avoid Neighborhood Disruptions	<ul style="list-style-type: none"> Revocable License Annual License Renewal Neighborhood Notice Interior Informational Posting Local Management Staff Inspections Added Parking Standards Complaint Log/Action Log
Reduce Housing Speculation	<ul style="list-style-type: none"> Revocable License Annual License Renewal

	<ul style="list-style-type: none"> • Annual License Renewal (Bend, Lincoln City, Manzanita) • Limitation on License Period (Cannon Beach) • Prohibited (Leavenworth)
Reduce Proliferation	<ul style="list-style-type: none"> • Non-transferable License (Bend, Cannon Beach, Lincoln City) • License Caps (Cannon Beach, Manzanita) • District Specific Allowance (Cannon Beach, Lincoln City) • Limitation on Ownership (Cannon Beach, Lincoln City) • Revocable License (Bend, Cannon Beach, Lincoln City, Manzanita) • Annual License Renewal (Bend, Lincoln City, Manzanita) • Limitation on License Period (Cannon Beach) • Prohibited (Leavenworth)
Taxation	<ul style="list-style-type: none"> • Taxation Required (Cannon Beach, Lincoln City, Manzanita) • Annual License Renewal (Bend, Lincoln City, Manzanita) • Limitation on License Period (Cannon Beach) • Guest Registry (Cannon Beach, Lincoln City)
Protect Guests	<ul style="list-style-type: none"> • Added Parking Standards (Bend, Cannon Beach, Lincoln City, Manzanita) • Staff Inspections (Cannon Beach, Lincoln City, Manzanita) • Trash Service (Cannon Beach, Lincoln City, Manzanita) • Annual Renewal (Bend, Lincoln City, Manzanita) • Local Management (Bend, Cannon Beach, Lincoln City, Manzanita) • Building/Fire Code Compliance (Bend, Cannon Beach, Lincoln City, Manzanita) • Guest Limits (Cannon Beach, Lincoln City, Manzanita) • Nuisance Abatement Prior to License (Bend, Cannon Beach, Lincoln City) • Interior Informational Posting (Bend, Cannon Beach, Lincoln City) • Prohibited (Leavenworth)
Associated Administrative Burden	<ul style="list-style-type: none"> • Non-transferable License (Bend, Cannon Beach, Lincoln City, Manzanita) • Staff Inspections (Cannon Beach, Lincoln City, Manzanita) • Taxation (Cannon Beach, Lincoln City, Manzanita)

Reduce Vacation Rental Proliferation	<ul style="list-style-type: none"> • Revocable License • Annual License Renewal
Ensure Market Fairness and Taxation	<ul style="list-style-type: none"> • Annual License Renewal • Taxation Required
Protect Guests	<ul style="list-style-type: none"> • Annual Renewal • Local Management • Interior Informational Posting • Staff Inspections • Fire Code Compliance • Added Parking Standards
Reduce Administrative Burden & Barriers to Entry	<ul style="list-style-type: none"> • Revocable License • Annual License Renewal • Neighborhood Notice • Staff Inspections • Taxation • Fire Code Compliance

	<ul style="list-style-type: none"> • Revocable License (Bend, Cannon Beach, Lincoln City, Manzanita) • Annual License Renewal (Bend, Lincoln City, Manzanita) • Limitation on License Period (Cannon Beach) • Limitation on Ownership (Cannon Beach, Lincoln City, Manzanita) • License Caps (Cannon Beach, Manzanita) • Building/Fire Code Compliance (Bend, Cannon Beach, Lincoln City, Manzanita) • Neighborhood Notice (Bend, Cannon Beach, Lincoln City, Manzanita) • Exterior Information Posting (Bend, Lincoln City, Manzanita) • Nuisance Abatement Prior to License (Bend, Cannon Beach, Lincoln City) • Guest Registry (Cannon Beach, Lincoln City) • Complaint/Action Log (Bend, Cannon Beach, Lincoln City) • Prohibited (Leavenworth)
Benefit Economy	<ul style="list-style-type: none"> • Trash Service (Cannon Beach, Lincoln City, Manzanita) • Building/Fire Code Compliance (Bend, Cannon Beach, Lincoln City, Manzanita) • Local Management (Bend, Cannon Beach, Lincoln City, Manzanita) • Guest Limit? (Lincoln City, Manzanita) • Prohibited? (Leavenworth)
8 Total Intents	23 Total Tools

	<ul style="list-style-type: none"> • Complaint/Action Log
Benefit Economy	<ul style="list-style-type: none"> • Local Management • Fire Code Compliance
7 Total Intents	10 Total Tools: 8 Required, 2 Advisory



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: Planning Commission
FROM: Ben Shumaker, Short Plat Administrator
DATE: May 12th, 2025
SUBJECT: Proposed Short Plat Alteration for Rock Cove Hospitality Center (SP2020-01)

Introduction

The Planning Department has received a proposed short plat for alteration of a plat along Rock Creek Drive. There are 2 properties involved which are currently vacant and the site of a development proposal. The tax lot numbers for the properties are 02-07-01-0-0-1302 and -1303. Per the city code, the Planning Commission is to be notified and given the opportunity to review the application.

The proposal involves a) consolidation of the 2 lots into 1 and b) relocation of a public access easement on the site.

Staff Recommendation

Staff recommends that the Planning Commission recommend City Council approval of the plat alteration as consistent with the Shoreline Substantial Development Permit issued in 2024.

Relevant City Policies

SMC 16.02.260(B): Upon receipt of an application for alteration, the council shall provide notice of the application to all owners of property within a short plat, and as provided for in Section 16.02.110(C). The notice shall establish a date for public hearing.

SMC 16.02.110(C): After the short plat administrator determines that the proposed short plat application and map contain the required information and data, the short plat administrator shall distribute copies of the short plat application and map to the following as is necessary:...

4. City Planning Commission.

SMC 16.02.120(F): The Planning Commission may submit any findings and recommendations to the administrator for any short plat applications it has decided to review.

Thank you,

Ben Shumaker

Attachments

- Proposed alteration
- Shoreline Substantial Development Permit

ROCK CREEK COVE HOSPITALITY
SHORT PLAT
BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON

SHEET INDEX:

SHEET 1: PLAT NOTES, NARRATIVE, SURVEY NOTES, FOUND MONUMENT TABLE, DESCRIPTION, SURVEY REFERENCES, SURVEYOR'S CERTIFICATE, DEDICATION, APPROVALS

SHEET 2: EXTERIOR BOUNDARY AND MONUMENTATION, LINE TABLES FOR EXTERIOR BOUNDARY, EXISTING EASEMENTS PER SUBDIVISION OF TAX LOT 02-07-01-1300

SHEET 3: PROPOSED PATH EASEMENT EASEMENT WITH LINE TABLES AND CURVE TABLES

SHEET 4: FISH & WILDLIFE HABITAT CONSERVATION AREA EASEMENT LINEWORK

SHEET 5: FISH & WILDLIFE HABITAT CONSERVATION AREA CURVE AND LINE TABLES

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO REPLAT LOTS 1 AND 2 OF ROCK CREEK COVE SHORT PLAT (RECORDED JUNE 24, 2021 AS AUDITOR'S FILE NO 2021-002217) INTO ONE LOT AND ADJUST THE PEDESTRIAN PATHWAY EASEMENT. THE OUTER BOUNDARY AS DETERMINED FOR SAID SHORT PLAT IS HELD AND NO ADDITIONAL MONUMENTS HAVE BEEN SET.

THE BASIS OF BEARINGS FOR THIS SURVEY DETERMINED FROM THE COORDINATES ON MONUMENTS 300 AND 301, HORIZONTAL DATUM NAD 83 (2011 EPOCH 2010.00) STATE PLANE COORDINATES (WASHINGTON SOUTH ZONE), AS DETERMINED BY RTK GNSS OBSERVATIONS ON MARCH 2, 2021.

LEGAL DESCRIPTION:

PARCEL I: 02-07-01-0-0-1302-00

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

LOT 1 OF THE ROCK CREEK COVE SHORT PLAT RECORDED IN AUDITOR'S FILE NO. 2021002217, SKAMANIA COUNTY RECORDS.

PARCEL II: 02-07-01-0-0-1303-00

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

LOT 2 OF THE ROCK CREEK COVE SHORT PLAT RECORDED IN AUDITOR'S FILE NO. 2021002217, SKAMANIA COUNTY RECORDS.

SURVEY NOTES:

FIELD WORK FOR THIS PROJECT WAS COMPLETED WITH A COMBINATION OF SURVEY METHODS, USING RTK GNSS TO ESTABLISH A BASELINE NEAR THE NORTHWEST CORNER OF SECTION 1 AND ALSO A BASELINE ALONG ROCK CREEK DRIVE, AND USING A 2 SECOND TRIMBLE S5 ROBOTIC TOTAL STATION TO RADIALLY TIE MONUMENTS FROM SAID BASELINES. TRAVERSE, DATA COLLECTION, AND CONTROL CHECKS IN THIS FASHION MET OR EXCEEDED THE MINIMUM STANDARDS FOR SURVEYS AS DESIGNATED IN W.A.C. 332-130-090.

PLAT NOTES:

- PUBLIC ACCESS IS HEREBY GRANTED TO ALL AREAS BELOW THE ORDINARY HIGH WATER MARK.
- PAVING OF THE PEDESTRIAN PATHWAYS DENOTED HEREON IS REQUIRED AS A CONDITION OF LOT DEVELOPMENT.
- LAND WITHIN THIS SHORT PLAT SUBDIVISION SHALL NOT BE FURTHER SUBDIVIDED FOR A PERIOD OF FIVE (5) YEARS UNLESS A FINAL (LONG) PLAT IS FILED PURSUANT TO THE STEVENSON CITY CODE, TITLE 16, SUBDIVISIONS, CHAPTERS 16.14 THROUGH 16.44 INCLUSIVE, OR UNLESS A SHORT PLAT IS ALLOWED PURSUANT TO STEVENSON CITY CODE, TITLE 16, SUBDIVISIONS, CHAPTER 16.02

FOUND MONUMENT TABLE			
POINT	FOUND DESCRIPTION (VISITED MARCH 2021)	FALLING FROM CORNER	REFERENCE
300	1" IRON PIPE WITH CRIMPED TOP	HELD	AS FOUND IN R3,R4
301	3" BRASS CAP, STAMPED "SKAMANIA COUNTY ENGINEER'S DEPARTMENT"	HELD	AS FOUND IN R2,R4
302	5/8" IRON ROD WITH YELLOW PLASTIC CAP, CAP DESTROYED	0.06' WESTERLY OF LINE	PER R3
303	3-3/4" BRASS CAP, STAMPED "CORPS OF ENGINEERS U.S. ARMY BONNEVILLE POWER NAVIG PROJECT", LEANING NORTHEASTERLY	0.61' WESTERLY OF LINE	AS FOUND IN R1,R2
304	1-1/2" ALUMINUM CAP, UNREADABLE	HELD	PER R5
305	5/8" IRON ROD, NO CAP	0.02' WESTERLY OF LINE	PER R3
308	1-1/2" ALUMINUM CAP, UNREADABLE	0.24' N76°21'42"E	PER R5
309	1-1/2" ALUMINUM CAP, UNREADABLE	0.20' S72°10'34"W	PER R5
310	3-1/4" PVC PIPE FILLED WITH CONCRETE	0.02' WESTERLY OF LINE	PER R5
315	1-1/2" ALUMINUM CAP, UNREADABLE	HELD	PER R5

SURVEY REFERENCES:

- R1 - ALTA SURVEY FOR WASHINGTON COMMUNITY REINVESTMENT ASSOCIATION BY TRANTOW SURVEYING, INC. RECORDED DECEMBER 23, 1998 BOOK 3 OF SURVEYS PAGE 290
- R2 - SUBDIVISION OF TAX LOT 02-07-01-1300 FOR SKAMANIA COUNTY BY RICHARD LANG OF PUBLIC WORKS RECORDED NOVEMBER 22, 1996 BOOK T OF TOWN PLATS PAGE 100
- R3 - SEVERS SHORT PLAT FOR JAMES E. SEVERS BY TENNESON ENGINEERING CORP. RECORDED JUNE 26, 1997 BOOK T OF TOWN PLATS PAGE 101-102
- R4 - WINSTON RALL SHORT PLAT FOR WINSTON RALL BY WYEAST SURVEYS RECORDED MARCH 24, 1995 BOOK T OF TOWN PLATS PAGE 94
- R5 - SECOND STREET EXTENTION TRAVERSE FOR R/W DATED SEPTEMBER 10, 1980 MAP QQ-2, SKAMANIA COUNTY ROAD RECORDS
- R6 - SURVEY OF SEC. 1, T2M, R7E, WM FOR SKAMANIA COUNTY BY OLSON ENGINEERING RECORDED JULY 11, 1975 BOOK 1 OF SURVEYS PAGE 45
- R7 - ROCK CREEK COVE SHORT PLAT FOR FDM DEVELOPMENT, INC BY PBS ENGINEERING AND ENVIRONMENTAL, INC. RECORDED JUNE 24, 2021 AUDITOR'S FILE NO. 2021-002217

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF FDM DEVELOPMENT, INC IN AUGUST 2024.

TERRY L. GOODMAN,
PROFESSIONAL LAND SURVEYOR, LS #30446



PBS Engineering and Environmental LLC
1325 SE Tech Center Dr., Ste. 140
Vancouver, WA 98683
360.695.3488

pbsusa.com

DRAWN BY: MLY	SCALE: N/A	10/30/2024
CHECKED BY: TLG	JOB NO.: 24011736	SHEET 1 OF 5

DEDICATION

WE, THE OWNERS OF THE ABOVE TRACT OF LAND, HEREBY DECLARE AND CERTIFY THIS SHORT PLAT TO BE TRUE AND CORRECT TO THE BEST OF OUR ABILITIES, AND THAT THIS SHORT SUBDIVISION HAS BEEN MADE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES. FURTHER, WE GRANT ALL EASEMENTS AS SHOWN FOR THEIR DESIGNATED PURPOSES.

CHAD BAGLEY, MEMBER, DATE
ROCK CREEK COVE INVESTMENTS, LLC

DUANE HOWARD, MEMBER, DATE
D. H. LAND, LLC

F. DEAN MALDONADO, MEMBER, DATE
MILLS END CENTER LLC

STATE OF
COUNTY OF

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DUANE HOWARD, MEMBER, D. H. LAND, LLC, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS
DAY OF , 2024,

SIGNED
NOTARY PUBLIC IN AND FOR THE STATE OF
RESIDING IN
MY COMMISSION EXPIRES
PRINT NOTARY NAME

STATE OF
COUNTY OF

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CHAD BAGLEY, MEMBER, ROCK CREEK COVE INVESTMENTS, LLC, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS
DAY OF , 2024,

SIGNED
NOTARY PUBLIC IN AND FOR THE STATE OF
RESIDING IN
MY COMMISSION EXPIRES
PRINT NOTARY NAME

STATE OF
COUNTY OF

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT F. DEAN MALDONADO, MEMBER, MILLS END CENTER LLC, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS
DAY OF , 2024,

SIGNED
NOTARY PUBLIC IN AND FOR THE STATE OF
RESIDING IN
MY COMMISSION EXPIRES
PRINT NOTARY NAME

I HEREBY CERTIFY THAT THIS SHORT SUBDIVISION COMPLIES WITH THE STEVENSON SHORT PLAT ORDINANCE AND IS APPROVED SUBJECT TO PROPERLY BEING RECORDED AND FILED WITH THE SKAMANIA COUNTY AUDITOR WITHIN 30 DAYS OF THIS SUMMARY APPROVAL.

SHORT PLAT ADMINISTRATOR DATE

I HEREBY CERTIFY THAT THE CITY ROAD ABUTTING THE PROPOSED SUBDIVISION IS OF SUFFICIENT WIDTH TO MEET CURRENT CITY STANDARDS AND THAT ROAD RIGHT OF WAYS UPON OR ABUTTING THE PROPOSED SUBDIVISION ARE OF SUFFICIENT WIDTH TO ASSURE MAINTENANCE AND TO PERMIT FUTURE UTILITY INSTALLATIONS. I FURTHER CERTIFY THAT CITY SEWER AND WATER SERVICES ARE AVAILABLE TO THE PROPOSED SHORT SUBDIVISION.

CITY PUBLIC WORKS DIRECTOR DATE

I CERTIFY THAT THE TAXES AND ASSESSMENTS ON THE PROPERTY INVOLVED WITH THIS SHORT PLAT HAVE BEEN PAID, DISCHARGED, OR SATISFIED THROUGH 2021 FOR TAX PARCEL NUMBERS

SKAMANIA COUNTY TREASURER DATE

CITY OF STEVENSON TREASURER DATE

CITY WATER AND SEWER UTILITIES ARE AVAILABLE TO THE LOTS IN THIS SHORT PLAT.

CITY OF STEVENSON SANITARIAN DATE

CITY OF STEVENSON MAYOR DATE

RECORDING

STATE OF WASHINGTON)
COUNTY OF SKAMANIA)

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT OF WRITING FILED BY OF AT ____,M., , 2024 WAS RECORDED IN AUDITOR'S FILE NO.

RECORDER OF SKAMANIA COUNTY, WASHINGTON COUNTY
SKAMANIA COUNTY AUDITOR

ROCK CREEK COVE HOSPITALITY
SHORT PLAT

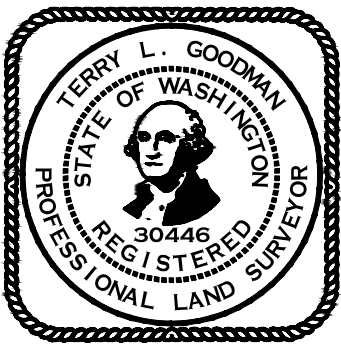
BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON

- LEGEND:
- - DENOTES FOUND MONUMENT, VISITED MARCH 2021, AS NOTED IN THE "FOUND MONUMENT TABLE" ON SHEET 1
 - - DENOTES 1/2" X 30" IR W/OPC STAMPED "PLS 30446" SET ON APRIL 15, 2021, FOR "ROCK CREEK COVE SHORT PLAT"
 - - DENOTES CALCULATED POINT, MONUMENT SEARCHED FOR, NOT FOUND
 - ✱ - DENOTES FOUND SECTION CORNER AS NOTED
 - - DENOTES ROAD CENTERLINE
 - - - - - DENOTES PROPOSED EASEMENT
 - W/OPC - DENOTES WITH ORANGE PLASTIC CAP
 - S.F. - DENOTES SQUARE FEET
 - (.R#) - DENOTES RECORD DISTANCE, PER SURVEY REFERENCE (SEE SHEET 1)

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	13.76'	S28°33'21"E
L2	32.95'	S79°52'06"E
L3	17.65'	N83°46'46"E
L4	24.27'	N69°21'40"E
L5	18.33'	N42°29'20"E
L6	27.58'	N12°18'35"E
L7	26.55'	N00°30'34"W
L8	28.08'	N07°13'45"E
L9	28.41'	N07°33'39"E
L10	27.37'	N13°29'29"E
L11	24.47'	N18°01'42"W
L12	19.26'	N75°13'30"W
L13	10.79'	N17°33'19"E
L14	7.63'	S83°12'04"E
L15	16.87'	S75°50'31"E
L16	25.12'	S51°47'30"E
L17	20.05'	S40°46'13"E
L18	44.16'	N54°17'36"E
L19	19.69'	N85°50'03"E
L20	32.29'	S67°07'55"E
L21	29.60'	S43°28'15"E
L22	31.49'	S29°23'21"E
L23	18.91'	S15°33'42"E
L24	40.88'	S28°46'10"E
L25	41.69'	S29°06'18"E
L26	53.62'	S30°28'25"E
L27	41.43'	S39°41'54"E
L28	20.50'	S41°13'13"E
L29	18.24'	S37°46'11"E
L30	33.18'	S45°31'57"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L31	14.58'	S64°42'51"E
L32	16.34'	N76°55'56"E
L33	29.92'	N67°10'39"E
L34	39.57'	N65°30'36"E
L35	16.48'	N86°12'51"E
L36	10.82'	S84°22'56"E
L37	7.97'	S71°41'33"E
L38	19.98'	S21°15'09"E
L39	14.68'	S17°25'21"W
L40	10.45'	S59°03'55"W
L41	27.82'	S64°13'44"W
L42	27.16'	S67°33'38"W
L43	29.85'	S65°17'47"W
L44	17.87'	S38°16'24"W
L45	22.83'	S10°56'59"W
L46	23.28'	S32°02'36"W
L47	27.64'	S05°57'26"E
L48	28.84'	S33°24'37"W
L49	24.15'	S21°38'39"W
L50	13.56'	S02°22'00"W
L51	21.82'	S13°35'32"E
L52	13.10'	S10°54'37"W
L53	28.08'	S06°31'35"E
L54	22.98'	S23°42'08"E
L55	45.54'	S24°05'34"E
L56	43.44'	S22°37'36"E
L57	36.57'	S19°20'05"E
L58	52.72'	S33°34'12"E
L59	50.77'	S34°43'43"E
L60	19.35'	S02°39'48"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L61	37.61'	S00°41'13"E
L62	34.77'	S06°59'41"W
L63	27.25'	S10°31'53"W
L64	33.11'	S47°58'10"W
L65	20.77'	S80°48'01"W
L66	23.90'	N64°49'17"W
L67	21.98'	N31°39'01"W
L68	40.35'	N36°10'57"W
L69	38.15'	N39°31'36"W
L70	36.97'	N32°19'57"W
L71	33.71'	N40°46'19"W
L72	25.44'	N31°35'14"W
L73	48.12'	N43°39'07"W
L74	34.81'	N70°33'06"W
L75	13.14'	N10°03'54"W
L76	12.18'	N24°37'29"W
L77	38.69'	N54°48'36"W
L78	22.36'	N49°34'44"W
L79	72.55'	N53°55'17"W
L80	37.86'	N76°39'59"W
L81	24.59'	S54°39'03"W
L82	42.39'	N46°24'25"W
L83	23.03'	S81°21'41"W



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CHECKED BY: TLG	JOB NO.: 24011736	SHEET 2 OF 5

ROCK CREEK COVE HOSPITALITY
SHORT PLAT

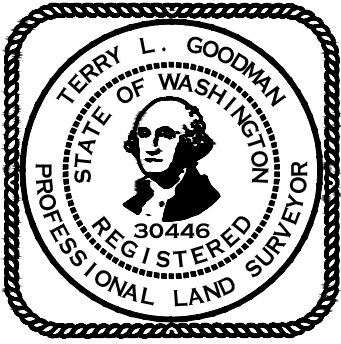
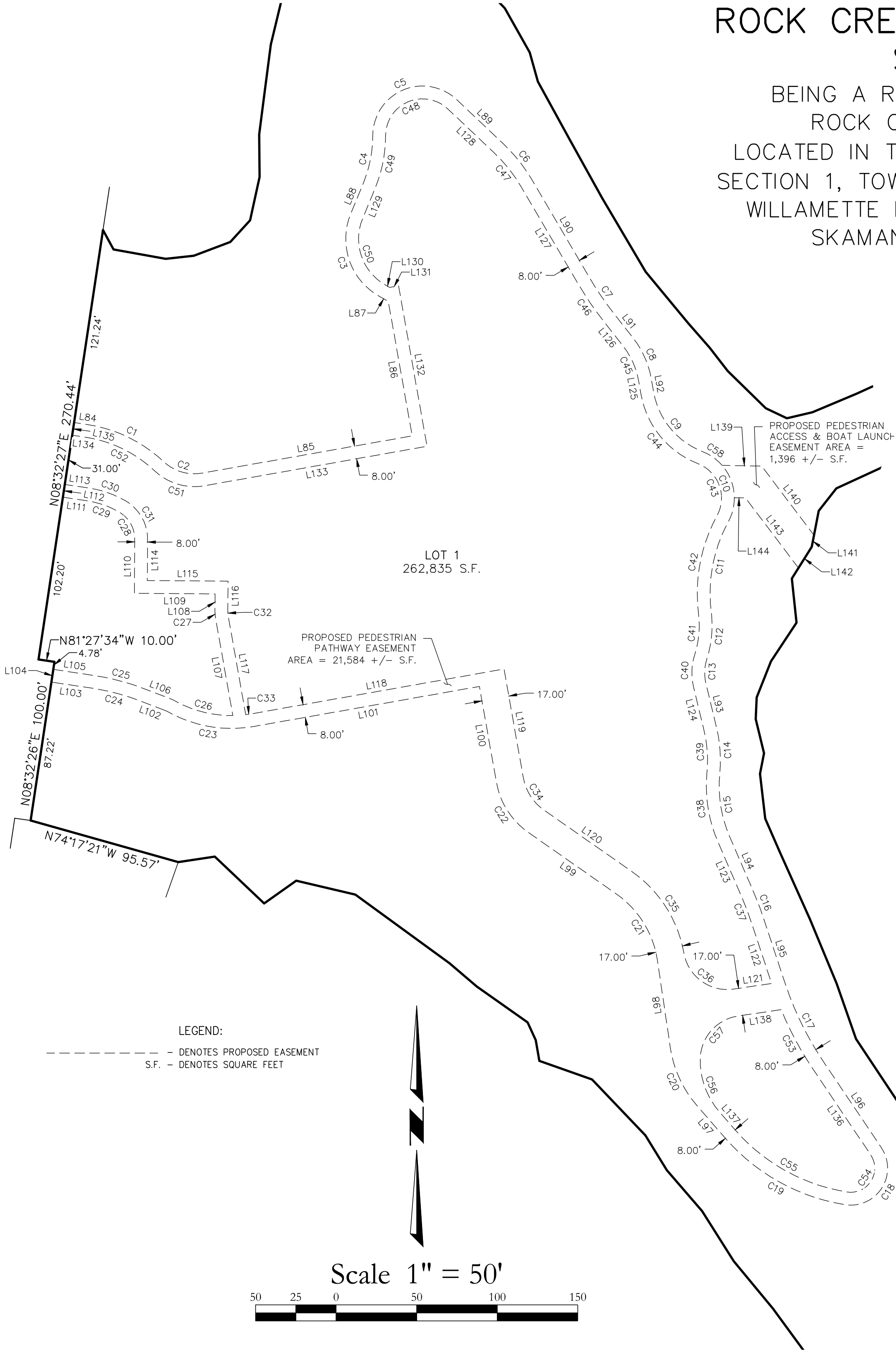
BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	53.63'	88.50'	034°43'09"	S64°05'21"E	52.81'
C2	26.06'	28.00'	053°19'42"	S73°23'38"E	25.13'
C3	59.20'	41.00'	082°43'50"	N18°59'20"W	54.19'
C4	30.60'	79.00'	022°11'25"	N11°16'53"E	30.41'

LINE TABLE		
LINE	LENGTH	DIRECTION
L84	8.31'	S81°26'56"E
L85	132.84'	N79°56'31"E
L86	85.06'	N10°03'29"W
L87	6.67'	N60°21'15"W
L88	20.47'	N22°22'35"E
L89	40.11'	S46°32'25"E
L90	71.13'	S30°27'49"E
L91	19.84'	S38°05'38"E
L92	8.57'	S10°03'29"E
L93	27.89'	S13°35'32"E
L94	37.83'	S23°19'44"E
L95	42.94'	S18°19'44"E
L96	64.42'	S33°58'05"E
L97	26.85'	N41°02'28"W
L98	54.94'	N08°25'16"W
L99	66.77'	N55°03'29"W
L100	60.66'	N10°03'29"W
L101	142.64'	S79°56'31"W
L102	18.75'	N69°06'56"W
L103	25.87'	N81°27'34"W
L104	8.00'	N08°32'26"E
L105	25.87'	S81°27'34"E
L106	19.40'	S69°06'56"E
L107	61.56'	N10°03'29"W
L108	10.17'	N00°38'20"E
L109	50.30'	N89°35'43"W
L110	33.64'	N00°24'17"E
L111	15.30'	N81°26'56"W
L112	8.00'	N08°32'27"E
L113	15.30'	S81°26'56"E
L114	25.64'	S00°24'17"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L115	50.34'	S89°35'43"E
L116	18.20'	S00°38'20"W
L117	62.42'	S10°03'29"E
L118	159.64'	N79°56'31"E
L119	68.66'	S10°03'29"E
L120	66.77'	S55°03'29"E
L121	23.82'	N81°34'44"E
L122	40.10'	N18°19'44"W
L123	37.83'	N23°19'44"W
L124	27.89'	N13°35'32"W
L125	8.57'	N10°03'29"W
L126	19.84'	N38°05'38"W
L127	71.13'	N30°27'49"W
L128	40.11'	N46°32'25"W
L129	20.47'	S22°22'35"W
L130	3.10'	S60°21'15"E
L131	5.64'	N79°56'31"E
L132	101.50'	S10°03'29"E
L133	140.84'	S79°56'31"W
L134	8.31'	N81°26'56"W
L135	8.00'	N08°32'27"E
L136	64.42'	N33°58'05"W
L137	14.78'	S41°02'28"E
L138	27.27'	S81°34'44"W
L139	24.61'	N89°03'25"W
L140	54.03'	N37°05'46"W
L141	7.39'	S10°56'59"W
L142	15.52'	S32°02'36"W
L143	54.75'	N37°05'46"W
L144	6.93'	N89°03'25"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C5	72.11'	31.00'	133°16'25"	N66°49'22"E	56.92'
C6	28.34'	101.00'	016°04'36"	S38°30'07"E	28.25'
C7	26.50'	199.00'	007°37'49"	S34°16'44"E	26.48'
C8	27.89'	57.00'	028°02'10"	S24°04'33"E	27.61'
C9	50.22'	49.00'	058°43'29"	S39°25'15"E	48.05'
C10	52.68'	31.00'	097°22'17"	S20°05'51"E	46.57'
C11	58.13'	93.00'	035°48'41"	S10°40'57"W	57.19'
C12	29.36'	67.00'	025°06'41"	S05°19'57"W	29.13'
C13	15.93'	29.00'	031°28'49"	S02°08'53"W	15.73'
C14	29.09'	87.00'	019°09'24"	S04°00'50"E	28.95'
C15	39.84'	79.00'	028°53'35"	S08°52'56"E	39.42'
C16	17.54'	201.00'	005°00'00"	S20°49'44"E	17.53'
C17	54.32'	199.00'	015°38'21"	S26°08'54"E	54.15'
C18	53.44'	23.00'	133°06'57"	S32°35'24"W	42.20'
C19	86.85'	125.00'	039°48'40"	N60°56'48"W	85.12'
C20	40.42'	71.00'	032°37'11"	N24°43'52"W	39.88'
C21	50.06'	61.50'	046°38'12"	N31°44'22"W	48.69'
C22	38.09'	48.50'	045°00'00"	N32°33'29"W	37.12'
C23	56.18'	80.50'	039°58'59"	N80°03'59"W	55.04'
C24	29.95'	139.00'	012°20'38"	N75°17'15"W	29.89'
C25	31.67'	147.00'	012°20'38"	S75°17'15"E	31.61'
C26	39.36'	72.50'	031°06'14"	S75°08'25"E	38.88'
C27	5.04'	27.00'	010°41'49"	N04°42'34"W	5.03'
C28	20.55'	19.50'	060°22'42"	N29°47'05"W	19.61'
C29	21.18'	56.50'	021°28'30"	N70°42'41"W	21.05'
C30	24.18'	64.50'	021°28'30"	S70°42'41"E	24.03'
C31	28.98'	27.50'	060°22'42"	S29°47'05"E	27.66'
C32	3.55'	19.00'	010°41'49"	S04°42'34"E	3.54'
C33	3.80'	72.50'	003°00'12"	N81°26'37"E	3.80'
C34	24.74'	31.50'	045°00'00"	S32°33'29"E	24.11'
C35	61.78'	78.50'	045°05'29"	S32°30'44"E	60.20'
C36	42.46'	27.50'	088°27'17"	S54°11'38"E	38.36'
C37	16.84'	193.00'	005°00'00"	N20°49'44"W	16.84'
C38	43.87'	87.00'	028°53'35"	N08°52'56"W	43.41'
C39	26.41'	79.00'	019°09'24"	N04°00'50"W	26.29'
C40	20.33'	37.00'	031°28'50"	N02°08'53"E	20.07'
C41	25.86'	59.00'	025°06'41"	N05°19'57"E	25.65'
C42	63.13'	101.00'	035°48'41"	N10°40'57"E	62.11'
C43	39.09'	23.00'	097°22'17"	N20°05'51"W	34.55'
C44	58.42'	57.00'	058°43'29"	N39°25'15"W	55.90'
C45	23.98'	49.00'	028°02'10"	N24°04'33"W	23.74'
C46	27.57'	207.00'	007°37'49"	N34°16'44"W	27.55'
C47	26.09'	93.00'	016°04'36"	N38°30'07"W	26.01'
C48	53.50'	23.00'	133°16'25"	S66°49'22"W	42.23'
C49	33.69'	87.00'	022°11'25"	S11°16'53"W	33.48'
C50	47.65'	33.00'	082°43'50"	S18°59'20"E	43.62'
C51	33.51'	36.00'	053°19'42"	N73°23'38"W	32.31'
C52	48.78'	80.50'	034°43'09"	N64°05'21"W	48.04'
C53	41.99'	207.00'	011°37'19"	N28°09'25"W	41.92'
C54	34.85'	15.00'	133°06'57"	N32°35'24"E	27.52'
C55	81.30'	117.00'	039°48'40"	S60°56'48"E	79.67'
C56	35.92'	49.00'	042°00'10"	S20°02'22"E	35.12'
C57	38.69'	27.50'	080°37'01"	S41°16'13"W	35.58'
C58	15.05'	31.00'	027°48'26"	S54°52'46"E	14.90'

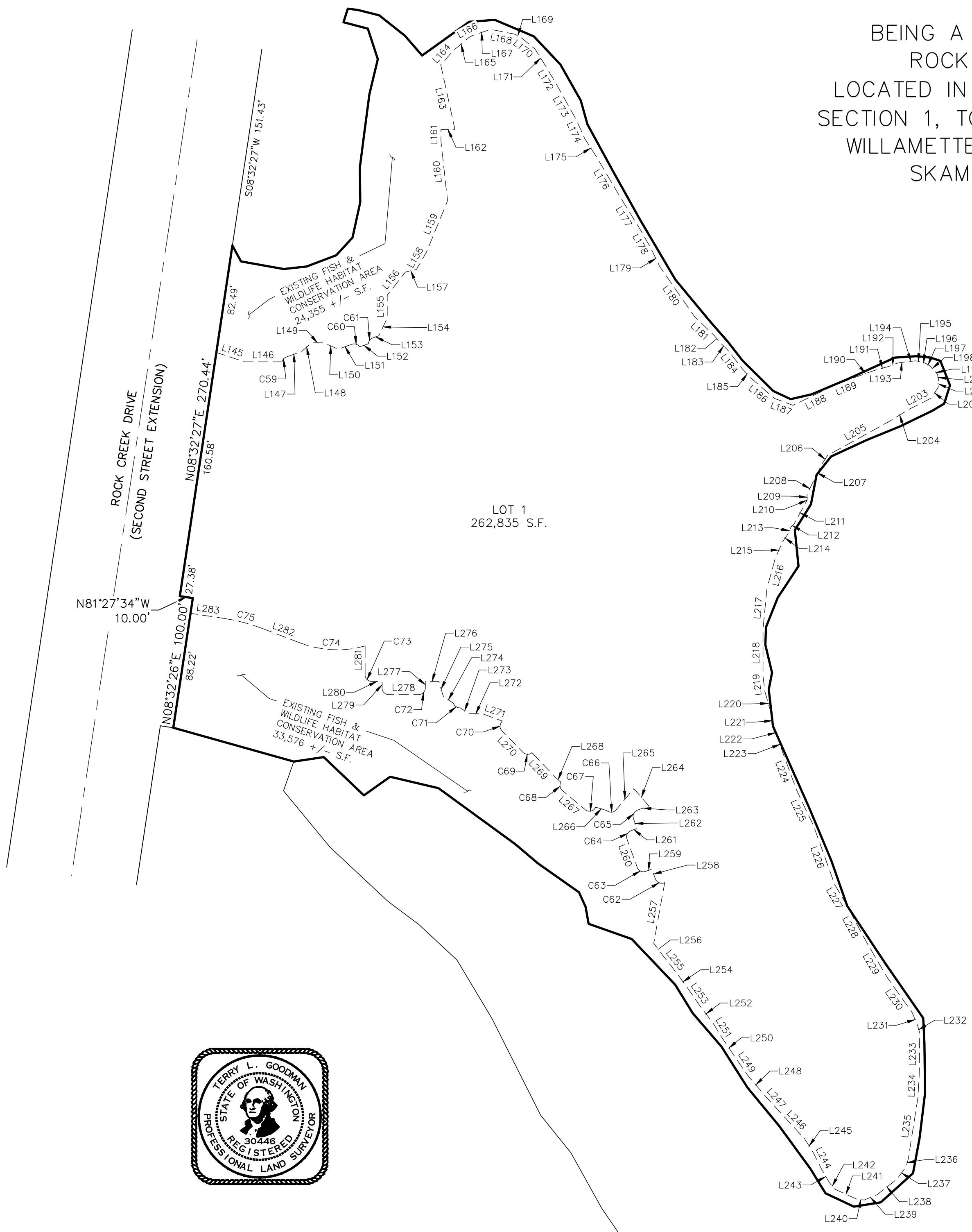


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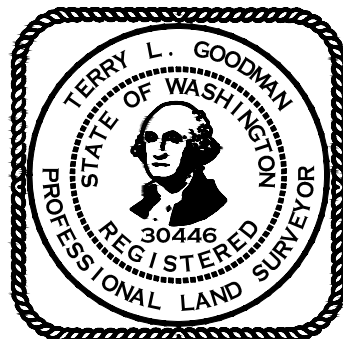
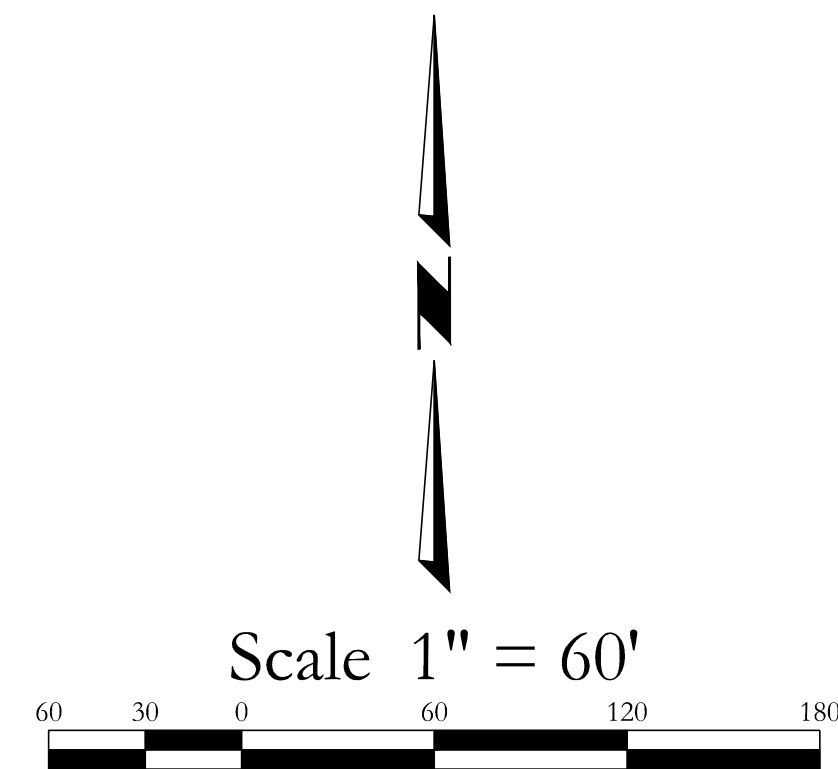
ROCK CREEK COVE HOSPITALITY SHORT PLAT


BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON



LEGEND:
----- - DENOTES PROPOSED EASEMENT
S.F. - DENOTES SQUARE FEET

NOTE:
LINE AND CURVE TABLES FOR THIS SHEET ARE SHOWN ON SHEET 5



		
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DRAWN BY: MLY	SCALE: 1"=60'	10/30/2024
CHECKED BY: TLG	JOB NO.: 24011736	SHEET 4 OF 5

ROCK CREEK COVE HOSPITALITY
SHORT PLAT

BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON

LINE TABLE		
LINE	LENGTH	DIRECTION
L145	22.70'	S71°37'50"E
L146	28.50'	N90°00'00"E
L147	12.79'	N70°00'49"E
L148	9.81'	N48°29'01"E
L149	9.02'	N90°00'00"E
L150	12.43'	S66°46'21"E
L151	11.04'	N70°00'49"E
L152	7.06'	N69°52'12"E
L153	5.01'	N70°00'49"E
L154	15.01'	N25°38'27"E
L155	17.48'	N00°00'00"E
L156	22.40'	N38°02'58"E
L157	8.59'	N77°35'57"E
L158	15.37'	N30°01'57"E
L159	42.25'	N22°22'35"E
L160	46.14'	N06°18'11"W
L161	8.54'	N00°00'00"E
L162	10.72'	N90°00'00"E
L163	50.69'	N12°22'45"W
L164	14.27'	N41°39'38"E
L165	15.80'	N50°11'35"E
L166	3.33'	N61°03'26"E
L167	14.32'	N71°26'26"E
L168	18.79'	S78°54'49"E
L169	5.21'	S61°59'13"E
L170	13.84'	S50°31'15"E
L171	16.64'	S32°16'44"E
L172	16.61'	S30°23'18"E
L173	30.10'	S29°05'40"E
L174	15.17'	S24°01'36"E
L175	17.06'	S32°57'46"E
L176	32.75'	S30°28'05"E
L177	33.26'	S31°37'25"E
L178	16.19'	S28°59'38"E
L179	14.02'	S25°47'05"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L180	46.22'	S34°50'51"E
L181	20.79'	S46°12'15"E
L182	6.87'	S38°49'50"E
L183	8.22'	S46°31'31"E
L184	19.19'	S37°58'58"E
L185	9.33'	S43°04'40"E
L186	23.44'	S49°15'50"E
L187	14.98'	S69°39'29"E
L188	33.59'	N64°01'38"E
L189	17.98'	N68°36'18"E
L190	17.52'	N70°30'29"E
L191	9.75'	N74°50'56"E
L192	7.14'	N69°05'04"E
L193	7.05'	N81°12'05"E
L194	6.89'	N85°06'03"E
L195	4.64'	S83°55'45"E
L196	3.73'	S66°49'06"E
L197	3.78'	S58°47'08"E
L198	4.85'	S45°00'18"E
L199	3.65'	S36°16'01"E
L200	4.40'	S11°34'18"E
L201	5.70'	S03°56'53"W
L202	9.75'	S33°16'09"W
L203	18.58'	S63°32'34"W
L204	17.24'	S58°29'16"W
L205	54.55'	S61°02'57"W
L206	7.02'	S32°57'40"W
L207	16.60'	S27°01'42"W
L208	10.25'	S24°51'40"W
L209	3.61'	S01°31'44"E
L210	1.41'	S20°51'12"W
L211	20.14'	S28°38'52"W
L212	2.76'	S48°34'48"W
L213	6.42'	S24°14'11"W
L214	6.54'	S35°27'16"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L215	14.38'	S23°36'54"W
L216	22.95'	S15°35'05"W
L217	32.05'	S05°35'27"W
L218	35.57'	S00°07'11"E
L219	11.78'	S06°39'27"E
L220	18.87'	S16°11'51"E
L221	8.34'	S06°31'35"E
L222	10.72'	S23°42'08"E
L223	8.46'	S16°11'51"E
L224	32.79'	S20°09'51"E
L225	30.20'	S25°25'00"E
L226	47.68'	S19°50'30"E
L227	18.24'	S30°14'54"E
L228	32.55'	S28°07'18"E
L229	31.36'	S30°30'46"E
L230	32.48'	S35°24'44"E
L231	11.02'	S22°16'44"E
L232	5.33'	S14°48'08"E
L233	32.45'	S00°39'42"W
L234	15.55'	S02°51'49"W
L235	48.25'	S08°53'24"W
L236	6.59'	S15°01'17"W
L237	11.88'	S36°46'20"W
L238	19.35'	S51°51'14"W
L239	10.38'	S68°02'57"W
L240	5.45'	N85°06'33"W
L241	18.62'	N65°21'52"W
L242	6.16'	N40°55'31"W
L243	11.69'	N30°19'27"W
L244	14.37'	N26°55'50"W
L245	12.74'	N31°34'17"W
L246	29.20'	N42°51'30"W
L247	16.36'	N42°11'01"W
L248	19.91'	N40°16'32"W
L249	16.38'	N34°36'06"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L250	17.20'	N33°59'12"W
L251	14.19'	N31°59'07"W
L252	17.26'	N36°58'57"W
L253	13.71'	N34°25'18"W
L254	15.52'	N36°04'42"W
L255	17.54'	N38°11'53"W
L256	11.58'	N36°35'01"W
L257	47.07'	N10°10'37"E
L258	8.00'	N20°00'00"W
L259	5.00'	S70°00'00"W
L260	23.00'	N20°00'00"W
L261	5.00'	N70°00'00"E
L262	8.00'	N20°00'00"W
L263	9.34'	N70°00'00"E
L264	17.53'	N40°48'31"W
L265	21.12'	S40°00'00"W
L266	8.79'	N73°20'35"W
L267	23.00'	N50°00'00"W
L268	5.68'	N47°57'06"W
L269	25.77'	N43°41'07"W
L270	23.00'	N44°17'43"W
L271	16.26'	N69°52'45"W
L272	10.05'	N90°00'00"W
L273	8.28'	N56°26'21"W
L274	9.14'	N56°26'21"W
L275	12.01'	N16°24'24"W
L276	10.39'	N90°00'00"W
L277	5.00'	S00°00'00"E
L278	23.00'	N90°00'00"W
L279	5.00'	N00°00'00"E
L280	8.00'	N90°00'00"W
L281	22.08'	N00°00'00"E
L282	31.40'	N69°06'56"W
L283	25.87'	N81°27'34"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C59	5.07'	5.00'	058°07'42"	S40°56'58"W	4.86'
C60	6.74'	5.00'	077°12'56"	N71°22'42"W	6.24'
C61	5.74'	5.00'	065°47'28"	S37°07'06"W	5.43'
C62	8.59'	5.00'	098°26'34"	S69°13'17"E	7.57'
C63	7.85'	5.00'	090°00'00"	S65°00'00"E	7.07'
C64	7.85'	5.00'	090°00'00"	S25°00'00"W	7.07'
C65	7.85'	5.00'	090°00'00"	S25°00'00"W	7.07'
C66	8.02'	5.00'	091°55'40"	N85°57'50"E	7.19'
C67	9.40'	5.00'	107°42'23"	N76°08'48"E	8.08'
C68	6.96'	5.00'	079°43'42"	S10°08'09"E	6.41'
C69	7.56'	5.00'	086°35'00"	S87°35'13"E	6.86'
C70	8.27'	5.00'	094°44'05"	S03°04'20"W	7.36'
C71	6.82'	5.00'	078°10'21"	S56°26'21"E	6.30'
C72	7.85'	5.00'	090°00'00"	N45°00'00"E	7.07'
C73	7.85'	5.00'	090°00'00"	S45°00'00"E	7.07'
C74	50.09'	78.50'	036°33'30"	S87°23'41"E	49.24'
C75	30.16'	140.00'	012°20'38"	N75°17'15"W	30.10'



**PBS Engineering and
Environmental LLC**
1325 SE Tech Center Dr., Ste. 140
Vancouver, WA 98683
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**CITY OF STEVENSON
SMC 18 SHORELINE MANAGEMENT**

Regarding a request by FDM Development Inc. to construct up to)
19 cabins that will serve as nightly and weekly lodging, as well as)
an event space to be used for private weddings, reunions, and)
parties. On-site parking, public pedestrian access, landscaping, and)
enhancements to the riverbank will also be provided. Additionally,)
a plat vacation is proposed to provide a more cohesive property)
under one ownership group.)

**SHORELINE SUBSTANTIAL
DEVELOPMENT PERMIT**

January 22nd, 2024

PROPOSAL: The applicant requests a Shoreline Substantial Development Permit (SSDP) to construct up to 19 cabins that will serve as nightly and weekly lodging, as well as an event space to be used for private weddings, reunions, and parties. On-site parking, public pedestrian access, landscaping, and enhancements to the riverbank will also be provided. Additionally, a plat vacation is proposed to provide a more cohesive property under one ownership group.

APPLICANT: Brad Kilby, AICP
Harper Houf Peterson Righellis Inc.
205 SE Spokane Street, Suite 200
Portland, OR 97202
(503) 221-1131

ENGINEER: Bruce Haunreiter, P.E.
Harper Houf Peterson Righellis Inc.
1220 Main Street, Suite 150
Vancouver, WA 98660
(360) 750-1131

OWNER: Den Maldonado
FDM Development Inc.
PO Box 353
Ridgefield, WA 98642
(360) 719-0276

LOCATION: 968 SW Rock Creek Drive. 40 SW Cascade Avenue. The site has been assigned Tax Lot Numbers 02-07-01-0-0-1302-00 and 02-07-01-0-0-1303-00 by the County Assessor.

SHORELINE WATERBODY: Rock Cove

SHORELINE ENVIRONMENT DESIGNATION: Active Waterfront

SHORELINE USE PROPOSED: Commercial & Industrial (Water-Enjoyment), Land Division, Recreational (Trail Parallel to the Shoreline, View Platform), Transportation & Parking Facilities (Accessory Parking)

SHORELINE MODIFICATION PROPOSED: Vegetation Removal

BACKGROUND: Previously a veneer mill, the development site has been vacant for decades. Part of this time the site was under county ownership. In 1999, Skamania County divided the site into 3 legal lots. It remained vacant and was informally used for physical access to Rock Cove. In 2019, the County sold the property to an investment group. That investment group obtained a Mitigated Determination of Non-Significance under City File SEPA2020-01 for a proposal

involving “a three-phased development, beginning with the condo-style units. Phase 2 will add the commercial venue space and restore waterside portions of the property for enhanced, publicly-accessible observation and enjoyment. Phase 3 completes the development with the studio-sized units.”

A Shoreline Substantial Development Permit (SSDP) was issued for phase 1 of that proposal under City File SHOR2020-01. The SSDP was issued under the *Skamania County Shoreline Management Master Program* as it was adopted by the City in August 1975. The project was delayed during the COVID pandemic and SHOR2020-01 expired.

This proposal is for a new SSDP. The project's site plan is different from the previous approval and construction is proposed under a single phase. The proposal is subject to the *Stevenson Shoreline Master Program* as it was adopted in March 2022.

STANDARDS, FINDINGS AND CONCLUSIONS

SMC 18 SHORELINE MANAGEMENT

Chapter 18.08 of the Stevenson Municipal Code is separated into 17 sections relating to management of shoreline water bodies (Columbia River, Rock Cove, Rock Creek). These sections adopt the Stevenson Shoreline Master Program (SMP) and detail procedures for obtaining approvals under the SMP. The SMP contains 7 chapters detailing submittal requirements, policies and regulations applicable when review activities are proposed in Shoreline Jurisdiction. Certain review activities require approval by the Shoreline Administrator, others require approval by the Stevenson Planning Commission, still others require approval by the Stevenson Planning Commission and the Washington Department of Ecology. The sections below relate to Shoreline Substantial Development Permits (SSDP), the mechanism involved when the Planning Commission approves review activities.

SMC 18.08 – Shoreline Management

Chapter 18.08 of the Stevenson Municipal Code (SMC) establishes procedural standards for implementation of the City's shoreline management program. The chapter is separated into 17 sections detailing program administration and project review. There are 14 sections reviewed prior to issuance of a Substantial Development Permit, 6 of which are the responsibility of the applicant. Findings and conclusions related to each section are detailed below.

CRITERION §18.08.010 – ADMINISTRATION AUTHORIZED. “A. The “shoreline administrator” or “administrator” or that person's designee, is hereby vested with: [5 specific duties/authorities]

B. The City of Stevenson Planning Commission is hereby vested with:

1. Authority to issue shoreline permits as required herein. “Shoreline permits” include shoreline substantial development permits, shoreline conditional use permits, and shoreline variances.”

FINDING(S): a. The proposal submitted involves activities, developments, and/or uses requiring issuance of a shoreline permit.
 b. The Planning Commission is authorized to issue this shoreline permit.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.010 subject to the review conducted herein.

CRITERION §18.08.020 – SHORELINE MASTER PROGRAM AND MAP ADOPTION. “A. There is made a part of this chapter a

management plan which shall be known as the "Stevenson Shoreline Master Program," adopted March 17th, 2022, as well as a map which shall be officially known as the "Stevenson Shoreline Environment Designation Map." These documents shall be made available to the general public upon request.

B. The Shoreline Environment Designation Map generally shows the shoreline areas of the city which are under the jurisdiction of the Act and the shoreline environments as they affect the various lands and waters of the city. The precise location of shoreline jurisdiction and shoreline environment boundaries shall be determined according the appropriate provisions of the SMP."

FINDING(S): a. The proposal is subject to review according to the provisions of the Stevenson Shoreline Master Program.
b. The proponents' application included precise locations of shoreline jurisdiction and shoreline environment boundaries pursuant to the Stevenson Shoreline Management Program.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.020 without conditions.

CRITERION §18.08.050 – APPLICABILITY OF PROVISIONS, SHORELINES DESIGNATED. "A. Unless specifically exempted by state statute, all proposed uses and development occurring within shoreline jurisdiction must conform to chapter 90.58 RCW, the Shoreline Management Act, and the Stevenson Shoreline Master Program.

B. This chapter applies to all areas within shoreline jurisdiction as designated in the SMP, including:

1. That portion of the Columbia River shoreline which lies within city limits. This chapter will apply to any Columbia River shoreline which lies within city limits. This chapter will apply to any Columbia River shoreline which is annexed into the city. The entire Columbia River shoreline is a Shoreline of State-Wide Significance;

2. The Rock Cove shoreline;

3. That portion of the Rock Creek shoreline which lies within city limits. This chapter will apply to any Rock Creek shoreline which is annexed into the city.

4. Any portion of the Ashes Lake shoreline which is annexed into the city; provided, the annexed shoreline has been predesignated within the SMP."

FINDING(S): a. The proposal is not specifically exempted by state statute.
b. The proposal is located within the shoreline jurisdiction of a portion of Rock Cove lying within city limits.
c. The proposal must conform to the Shoreline Management Act and the Stevenson Shoreline Management Program.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.050 without conditions.

CRITERION §18.08.080 – SHORELINE PERMITS & APPROVALS—REQUIRED WHEN. "A. Any person wishing to undertake activities requiring a Minor Project Authorization or a Shoreline Permit (Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, or Shoreline Variance) within shoreline jurisdiction shall apply to the Shoreline Administrator for appropriate approval.

B. In addition to the provisions contained herein, the authorization to undertake use or development in shoreline jurisdiction is subject to review according to the applicability, criteria, and process described in the SMP, especially SMP Chapter 2."

FINDING(S): a. The proponents wish to undertake an activity requiring a Shoreline Permit and submitted a complete application for a Substantial Development Permit on August 11th, 2023 and supplemented through December 11, 2023.
b. Review according to SMP Chapter 2 is addressed below.

CONCLUSIONS OF LAW: This will comply with SMC 18.08.080 without conditions.

CRITERION §18.08.100 – PERMITS—APPLICATION PROCEDURE. "A. Any person required to comply with the Shorelines

Management Act of 1971 and this chapter shall obtain the proper application forms from the city planning department. The completed application shall then be submitted to the shoreline administrator.

B. Upon receipt of an application, the shoreline administrator shall determine which category of proposal has been submitted:

1. Category A applications involve requests for all shoreline permits, including a) Shoreline Substantial Development Permits, b) Shoreline Conditional Use Permits, c) Shoreline Variances, and d) revisions to any previously authorized Category A proposal.

2. Category B applications involve requests for a) a Minor Project Authorization issued pursuant to WAC 173-27-050, b) limited utility extensions and bulkheads approved pursuant to WAC 173-27-120, c) revisions to any previously authorized Category B proposal, and d) extensions of shoreline substantial development permits and Minor Project Authorizations"

C. After determining the application category, the administrator will then review the application for completeness according to this chapter and the SMP.

FINDING(S): a. The proponents submitted a complete application on August 11, 2023 and supplemented through December 11, 2023.
b. Upon submission of the application, the Shoreline Administrator determined the application as complete for a proposal involving a Category A Shoreline Permit.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.100 without conditions.

CRITERION §18.08.110 – PERMITS—NOTICE PUBLICATION. "A. Within 14 days after a determination of completeness under SMC 18.08.100, the Shoreline Administrator shall provide a notice of application for all Category A proposals as follows:

1. Content. The content of the notice shall be identical to that set forth in WAC 173-27-110(2). In addition, the notice shall state the time and place of the open record public hearing to be held for the Category A proposal.

2. On-Site Notice. No less than 2 notices shall be posted by the administrator in conspicuous places on or adjacent to the subject property.

3. Mailing. The notice shall be mailed to a) the land owner, b) all property owners of record within a radius of 300 feet of the exterior boundaries of the subject property, c) all agencies with jurisdiction per chapter 43.21C RCW, and d) individuals, organizations, tribes, and agencies that request such notice in writing.

4. Newspaper. The notice shall be published at least once a week, on the same day of the week, for two consecutive weeks in a newspaper circulating and published within the city.

B. Category B proposals reviewed under WAC 173-27-120 require the same notice of application as Category A proposals. All other Category B proposals do not require notice of application."

FINDING(S): a. The notice prepared for this proposal includes the content set forth in WAC 173-27-110(2).
b. The notice was posted on site on August 22, 2023. On August 26, 2023 staff observed that the notice was removed. On August 29, 2023, the notices were replaced.
c. The notice was mailed to the required recipients on or about August 22, 2023.
d. The notice was published in *The Columbian* on August 29 and September 5, 2023.
e. Based on the continuation of the hearing, new notices were posted (November 16), mailed (November 16), and published (November 22 & 29).

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.110 without conditions.

CRITERION §18.08.120 – PERMITS—FEES. "A. An application for an approval under this chapter shall be accompanied by an application fee payable to the city in an amount established and periodically adjusted by the city council.

B. Payment of an application fee does not guarantee that a permit will be issued.

FINDING(S): a. The proponents submitted the applicable fee on August 11th, 2023.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 without conditions.

CRITERION §18.08.140 – PERMITS—INTERESTED PARTIES—COMMENT PERIOD. "A. For any Category A proposal, any member of the public may provide written comments for thirty days after the last publication of the notice of application.
B. For Category B proposals reviewed under WAC 173-27-120, any member of the public may provide written comments for twenty days after the last publication of the notice of application.
C. During the public comment periods established in this section, any member of the public may also request to be notified of the action taken by the city.

FINDING(S): a. The City received written comments from:
1. The Washington Department of Ecology,
2. The Washington Department of Fish & Wildlife.
b. The City received requests to be notified of action from: (none).

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 without conditions.

CRITERION §18.08.180 – PLANNING COMMISSION ACTION—CATEGORY A PROPOSALS. "A. No authorization to undertake proposed Category A use or development shall be granted by the planning commission until at least one open record public hearing has been held and the proposed use and development is determined to be consistent with the policy and provisions of the SMA and the SMP.
B. At the public hearing scheduled for consideration of a Category A proposal by the planning commission, the commission shall, after considering all relevant information available and evidence presented to it, either grant, conditionally grant, or deny the permit.
C. In granting or revising a permit, the commission may attach thereto such conditions, modifications and restrictions regarding the location, character and other features of the proposed development as it finds necessary. Such conditions may include the requirement to post a performance bond assuring compliance with other permit requirements, terms and conditions.
D. The decision of the planning commission shall be the final decision of the city on all applications for Category A proposals. The commission shall render a written decision including findings, conclusions and a final order, and transmit copies of its decision to the persons who are required to receive copies of the decision pursuant to Section 18.08.190.

FINDING(S): a. The Planning Commission held an open record public hearing on October 9, 2023 which was continued to November 13, 2023 and December 1, 2023.
b. The open record for this application review was closed after the final public hearing on December 11th, 2023 whereat the proposal was approved subject to the adoption of findings.
c. This document catalogues the Planning Commission's consideration of information available and evidence presented regarding this Category A proposal.
d. The Planning Commission has not required the posting of a performance bond to assure compliance with the permit.
e. This document constitutes the written decision of the Planning Commission and the City's final decision on this permit.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 upon satisfaction of the conditions contained herein.

CRITERION §18.08.185 –SHORELINE ADMINISTRATOR ACTION—CATEGORY B PROPOSALS. [THIS SECTION APPLIES TO A

DIFFERENT TYPE OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.190 –NOTIFICATION AND FILING OF ACTION. [THIS SECTION APPLIES TO CITY PROCEDURES AFTER A DECISION IS MADE. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.200 – APPEAL FROM PERMIT DECISION. “Any person aggrieved by the granting or denying of a substantial development permit, conditional use permit, variance, or by the rescinding of a permit pursuant to the provisions of this chapter may seek review from the shorelines hearing board. Such an appeal must be filed as a request for the same within twenty-one days of receipt of the final order and by concurrently filing copies of such request with ecology and the attorney general’s office. The state hearings board regulations of RCW 90.58.180 and Chapter 461-08 WAC apply. A copy of such appeal notice shall also be filed promptly with the City of Stevenson. Upon issuance of a final order after an appeal, the city shall provide said order to ecology according to WAC 173-27-130(10).

FINDING(S): a. The appeal process applies to the proponent and any person aggrieved by the City decision.
 b. The appeal period coincides with the timelines established in SMC 18.08.210.
 c. A condition is appropriate to provide guidance on this procedure.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 upon satisfaction the condition below.

CONDITIONS:

1. Timely appeals shall be filed by the proponent within 21 days of Receipt of the Final Decision.

CRITERION §18.08.205 –APPEAL FROM ADMINISTRATOR DECISION. [THIS SECTION APPLIES TO A DIFFERENT TYPE OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.210 – PERMIT ISSUANCE AND EFFECT. “A. The effective date of a substantial development permit shall be the date of filing as provided in RCW 90.58.140(6).
B. Each shoreline permit shall contain a provision that construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the date of filing with ecology, per WAC 173-27-190 or as subsequently amended, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated.
C. Issuance of a permit does not obviate the applicant from meeting requirements of other federal, state and county permits, procedures and regulations.

FINDING(S): a. A condition is appropriate to incorporate SMC 18.08.210(B) into the permit decision.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.210 upon satisfaction of the conditions contained herein.

CONDITIONS:

2. **Construction pursuant to this Permit shall not begin** and is not authorized until 21 days from the date of filing with Ecology, per WAC 173-27-190 or as subsequently amended, or until all review proceedings initiated within 21 days from the date of such filing have been terminated.

CRITERION §18.08.220 – PERMIT DURATION—EXTENSIONS. "A. Construction activities shall be commenced, or where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of an authorization or shoreline permit issued under this chapter. However, the city may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to ecology and parties of record on the original authorization or permit.
B. Authorization to conduct development activities shall terminate five years after the effective date of an authorization or shoreline permit. However, the city may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notices of the proposed extension is given to ecology and parties of record on the original authorization or permit.
C. Upon a finding of good cause, based on the requirements and circumstances of the specific project proposed and consistent with the policies and provisions of the SMP and WAC 173-27, the city may adopt different time limits from those set forth above as a part of action on a shoreline permit.
D. The time periods in this section do not include the time during which a use or activity was not actually pursued due to the pendency of administrative appeals or legal actions or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed, including all reasonably related administrative or legal actions on any such permits or approvals.

FINDING(S):

- a. Timelines differing from this set forth in SMC 18.08.220(A) & (B) are not necessary for this permit.
- b. Conditions are appropriate to incorporate the timelines of SMC 18.08.220(A), (B), and (D) into the permit decision.
- c. Conditions are necessary to ensure permit timelines continue to be met in the face of unforeseen delays under SMC 18.08.220(D).

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.220 upon satisfaction of the conditions contained herein.

CONDITIONS:

3. **Within 2 years of the effective date of this permit**, construction activities associated with this permit shall commence or a written request for a maximum 1-year extension shall be submitted to the City. If construction activities do not commence accordingly, the permit shall expire.
4. **Within 5 years of the effective date of this permit**, all development activities associated with this permit shall terminate or a written request for a maximum 1-year extension shall be submitted to the City.
5. **Prior to the start of construction**, the proponent shall submit the City documentation sufficient to establish an accurate timeline of any activity justifying an extension of the permit's duration based on SMC 18.08.220(D). No such documentation will be accepted by the City after construction commences.

CRITERION §18.08.235 –VARIANCE AND CONDITIONAL USE PERMITS—ECOLOGY REVIEW. [THIS SECTION APPLIES TO A DIFFERENT TYPE OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.250 – ENFORCEMENT—PENALTIES. "All provisions of this chapter shall be enforced by the shoreline administrator and/or a designated representative. The enforcement procedures and penalties contained in WAC 173-27 and RCW Chapter 90.58 are hereby incorporated by reference."

FINDING(S): a. A condition is appropriate to incorporate SMC 18.08.250 into the permit decision.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.250 upon satisfaction of the conditions contained herein.

CONDITIONS:

6. **Throughout the Duration of this Permit**, the proponents shall provide reasonable access to the Shoreline Administrator to ensure enforcement of this permit and the SMP.
7. **Throughout the Duration of Construction**, the proponents shall contact the Shoreline Administrator prior to constructing any change to the proposal to determine whether the change should be permitted and whether the permission should be through a revision to this Minor Project Authorization or through a Shoreline Permit.
8. **Prior to the Start of Construction** the applicants shall provide construction documents for approval by the Shoreline Administrator. The review shall be limited, ensuring the project's consistency with the proposal and ensuring the conditions of City permits have been appropriately incorporated. Should the Administrator fail to respond within 7 days of receipt, the construction documents shall be presumptively approved.

Stevenson Shoreline Master Program

The *Stevenson Shoreline Master Program* (SMP) is adopted by SMC 18.08.020 Chapter 18.08. The program is divided into 7 chapters. Each chapter contains several sections of standards addressing specific aspects of shoreline management. Findings and conclusions related to each section are detailed below.

CHAPTER 1 - INTRODUCTION

CRITERIA §1.1, §1.2, §1.3.1, §1.3.2, §1.4, §1.6, §1.7, §1.8, §1.9, §1.10. [THESE SECTIONS CONTAINS GUIDANCE APPLICABLE TO ALL CRITERION IN THE SMP BUT NO SPECIFIC REGULATIONS. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §1.3.3 – SHORELINE ENVIRONMENT DESIGNATION MAP. "The approximate shoreline jurisdictional area and the

Shoreline Environment Designations (SEDs) are delineated on the map(s), hereby incorporated as a part of this SMP that shall be known as the "Stevenson Shoreline Environment Designation Map" (See Appendix A).

The boundaries of the shoreline jurisdiction on the maps are approximate. The actual extent of shoreline jurisdiction for specific project proposals shall be based upon the actual location of the OHWM, floodway, and the presence and delineated boundaries of associated wetlands as determined after an on-site inspection and in accordance with SMP Sections 1.3.1 and 1.3.2, Chapter 3, Chapter 7, and RCW 90.58.030."

FINDING(S):

- a. The Critical Areas Report prepared by Ecological Land Services, Inc. and submitted with this proposal includes a map of shoreline jurisdiction based on the actual location of the OHWM as observed in the field.
- b. The proposal is located within an area designated as Active Waterfront and extends through an area designated Aquatic on the Stevenson Shoreline Environment Designation Map.

CONCLUSIONS OF LAW: This project will comply with SMP 1.3.2 without conditions.

CRITERION §1.5 – SHORELINE MASTER PROGRAM APPLICABILITY TO DEVELOPMENT. "The SMP shall apply to all land and waters under the jurisdiction of Stevenson as identified in SMP Sections 1.3.1, 1.3.2, and 1.3.3 above.

This SMP shall apply to every person (i.e., individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated) that uses, develops, owns, leases, or administers lands, wetlands, or waters that fall under the jurisdiction of the SMA. The SMP shall not apply to federal agency activities on federal lands.

See SMP Chapter 2 below for more information on when a permit is required. The SMP applies to all review activities (i.e., shoreline uses, development, and modifications) proposed within shoreline jurisdiction. Some review activities under this program do not require a shoreline substantial development permit. However, such activities must continue to demonstrate compliance with the policies and regulations contained in this SMP in accordance with WAC 173-27-040(1)(b) and be authorized by a minor project authorization."

FINDING(S): a. The SMP is applicable to this proposal by this proponent, for a project occurring within the jurisdiction of Stevenson as identified herein.

CONCLUSIONS OF LAW: This project will comply with SMP 1.5 without conditions.

CHAPTER 2 – ADMINISTRATIVE PROVISIONS

CRITERIA §2.1, §2.2, §2.3.2, §2.4.1, §2.5, §2.7, §2.8, §2.9. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT TYPES OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §2.3.1 – PRE-APPLICATION CONFERENCE—REQUIRED. "A pre-application conference for all proposed review activities within shoreline jurisdiction is required. The Shoreline Administrator may waive this requirement if the applicant requests such in writing and demonstrates that the usefulness of a pre-application meeting is minimal."

FINDING(S): a. A series of pre-application conferences, emails, and phone calls throughout the Spring and Summer of 2023 occurred in advance of this project's application.

CONCLUSIONS OF LAW: This project will comply with SMP 2.3.1 without conditions.

CRITERION §2.3.3 – DETERMINATION OF ORDINARY HIGH WATER MARK. "For any development where a determination of consistency with the applicable regulations requires a precise location of the OHWM, the mark shall be located precisely with assistance from Ecology and City staff, or a qualified professional, and the biological and hydrological basis for the location shall be included in the development plan. Where the OHWM is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest OHWM of a shoreline."

FINDING(S): a. The Critical Areas and FWHCA Report prepared by Ecological Land Services, Inc., a qualified professional, and submitted with this proposal includes a determination of the OHWM as observed in the field.

CONCLUSIONS OF LAW: This project will comply with SMP 2.3.3 without conditions.

CRITERION §2.4.2 – APPLICATION CONTENTS. [THIS SECTION CONTAINS 2 LISTS OF REQUIRED SUBMITTALS FOR APPROVAL OR PROJECTS IN SHORELINE JURISDICTION AND PROVIDES THE SHORELINE ADMINISTRATOR AUTHORITY TO REQUIRE ADDITIONAL INFORMATION. FOR BREVITY, THE FULL TEXT OF THIS SECTION IS OMITTED.]

FINDING(S): a. The findings of SMC 18.08.100 related to the acceptance of a complete application are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 2.3.3 without conditions.

CRITERION \$2.4.3 – APPLICATION REVIEW & PROCESSING.

"1. When an application is deemed complete, the Administrator may request third-party peer review of any report, assessment, delineation, or mitigation plan by a qualified professional and/or state or federal resource management agency. Such request shall be accompanied by findings supporting the Administrator's decision, which is appealable to the City Council. The City may incorporate recommendations from such third-party reports in findings approving or denying an application. In general, the cost of any third-party review will be the responsibility of the applicant; however, where a project would provide a beneficial public amenity or service, on a case-by-case basis by City Council action, costs may be shared by the City.

2. The Shoreline Administrator shall review the information submitted by the applicant and, after an optional site visit shall determine the category of project proposed according to SMC 18.08.100.

3. Applications shall be processed according to the timelines and notice procedures listed in SMC 18.08.100 through SMC 18.08.190, the review criteria of this Chapter, and WAC 173-27.

4. The City shall use an existing, or establish a new, mechanism for tracking all project review actions in shoreline areas, and a process to evaluate the cumulative effects of all authorized development on shoreline conditions."

FINDING(S):

- a. Third-party peer review occurred during the 2020 permitting process. No additional third-party peer review was deemed necessary by the Shoreline Administrator for this proposal.
- b. The Shoreline Administrator determined this project is a Category A Shoreline Substantial Development Permit.
- c. The findings of related to the Stevenson Municipal Code related to application and review procedures are relevant to this criterion.

CONCLUSIONS OF LAW:

This project will comply with SMP 2.4.3 without conditions.

CRITERION \$2.6.1 – SHORELINE SUBSTANTIAL DEVELOPMENT PERMITS – PURPOSE – APPLICABILITY – CRITERIA.

"The purpose of a Shoreline Substantial Development Permit (SSDP) is to assure consistency with the provisions of the SMA and this SMP. In authorizing a SSDP, the City may attach conditions to the approval as necessary to assure the project is consistent with all applicable standards of the SMA and this SMP. The following criteria shall assist in reviewing proposed SSDPs:

1. SSDPs may not be used to authorize any use that is listed as conditional or prohibited in a shoreline designation.
2. SSDPs may not be used to authorize any development and/or use which does not conform to the specific bulk, dimensional, and performance standards set forth in this SMP.
3. SSDPs may be used to authorize uses which are listed or set forth in this SMP as permitted uses.
4. To obtain a SSDP, the applicant must demonstrate compliance with all of the following review criteria as listed in WAC 173.27.150:
 - a. That the proposal is consistent with the SMA;
 - b. That the proposal is consistent with WAC 173-27 – Shoreline Management Permit and Enforcement Procedures; and
 - c. That the proposal is consistent with this SMP and SMC 18.08 – Shoreline Management."

FINDING(S):

- a. The sum of the findings contained herein are relevant to review of this criterion.

CONCLUSIONS OF LAW:

This project will comply with SMP 2.6.1 upon fulfillment of the conditions contained herein.

CRITERION \$2.6.2 – SHORELINE SUBSTANTIAL DEVELOPMENT PERMITS – PERMIT PROCESS.

"Proposals for SSDPs are subject to the City's permit procedures articulated in SMC 18.08 – Shoreline Management and the State's permit procedures articulated in WAC 173-27 – Shoreline Management Permit and Enforcement Procedures."

FINDING(S):

- a. The findings of SMC 18.08 are relevant to this criterion.

CONCLUSIONS OF LAW:

This project will comply with SMP 2.6.2 without conditions.

CHAPTER 3 – SHORELINE ENVIRONMENT DESIGNATIONS

CRITERIA §3.1, §3.2.1, §3.2.2, §3.2.3, §3.2.4. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §3.2.5 – ACTIVE WATERFRONT ENVIRONMENT. "1 Purpose: The purpose of the Active Waterfront Environment is to recognize the existing pattern of mixed-use development and to accommodate new water-oriented commercial, transportation, recreation, and industrial uses while protecting existing ecological functions of open space, floodplain, and other sensitive lands and restoring ecological functions in areas that have been previously degraded.

2. Location Criteria: The Active Waterfront SED may apply to shorelands that 1) currently support or 2) are appropriate and planned for water-oriented commercial, transportation, recreation, and industrial development that is compatible with protecting or restoring of the ecological functions of the area.

3. Management Policies:

- a. Prefer uses that preserve the natural character of the area or promote preservation of open spaces and sensitive lands, either directly or over the long term. Allow uses that result in restoration of ecological functions if the use is otherwise compatible with the purpose of the environment and the setting.
- b. Give priority to water-oriented uses, with first priority to water-dependent, then second priority to water-related and water-enjoyment uses. For shoreline areas adjacent to commercially navigable waters, give highest priority to water-dependent uses.
- c. Prohibit new non-water-oriented uses, except: i) As part of mixed use development; ii) In limited situations where they do not conflict with or limit opportunities for water-oriented uses; iii) On sites where there is no direct access to the shoreline; iv) As part of a proposal that result in a disproportionately high amount of restoration of ecological functions.
- d. Assure no net loss of shoreline ecological functions as a result of new development through shoreline policies and regulations. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply in accordance with any relevant state and federal law.
- e. Require public visual and physical access and implement public recreation objectives whenever feasible and where significant ecological impacts can be mitigated."

FINDING(S):

- a. The proposal is located in the Active Waterfront Shoreline Environment Designation (SED) and involves water-enjoyment commercial, a use preferred in the SED.
- b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
- c. Public visual and physical access is feasible on this site where significant ecological impacts can be mitigated and avoided.

CONCLUSIONS OF LAW: This project will comply with SMP 3.2.5 without conditions.

CHAPTER 4 – GENERAL PROVISIONS FOR ALL SHORELINE ACTIVITIES

CRITERIA §4.1, §4.4.5, §4.5, §4.8. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS OR PROJECT TYPES THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §4.2.3 – [CULTURAL RESOURCES] REGULATIONS. "1 Site Inspections, Evaluations, and Surveys – Required When:

- a. When a shoreline use or development is within 500 feet of an area documented to contain, or likely to contain, archaeological, cultural, or historic resources based on information from DAHP, a prior archaeological report/survey, or a state or federal register, the applicant shall provide a site inspection and evaluation report prepared by a qualified cultural resource professional prior to issuance of any Shoreline Permit or approval, including a Minor Project Authorization. Work may not begin until the inspection and evaluation have been completed, and the City has issued its permit or approval.
- b. A survey to identify archaeological, cultural, and historic resources 50 years of age and older may be required to be conducted based on the recommendations of a cultural resources professional contained in the site inspection and

evaluation report. The cultural resource survey process shall conform to the most recent update of DAHP's Standards for Cultural Resource Reporting found at this link:

<https://dahp.wa.gov/sites/default/files/CR%20Update%20August%202018%20final.pdf>.

2. Cultural Resources Avoidance. If an archaeological site inspection or evaluation identifies the presence of significant archaeological, cultural, or historic resources at the site, the applicant shall first seek to avoid impacts to the resource.

3. Cultural Resources Management Plan. If an archaeological site inspection or evaluation identifies the presence of significant archaeological, cultural, or historic resources that will be impacted by a project and if recommended by a qualified cultural resource professional, a cultural resource management plan shall be prepared prior to the City's approval of the project. A qualified cultural resource professional(s) shall prepare the cultural resource management plan. Cultural resource management plans shall be developed in consultation with DAHP and affected Tribes. In addition, a permit or other requirement administered by DAHP pursuant to RCW 27.44 and RCW 27.53 may apply. If the cultural resource professional determines that impacts to an archaeological, cultural, or historic resource can be adequately avoided by establishing a work limit area within which no project work or ground disturbance may occur, then a cultural resources management plan is not required.

4. Inadvertent discovery. If any item of possible archaeological interest (including human skeletal remains) is discovered on site during construction or site work, all the following steps shall occur:

- a. Stop all work in the immediate area (initially allowing for a 100' buffer, this number may vary by circumstance) immediately;
- b. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
- c. Take reasonable steps to ensure the confidentiality of the discovery site;
- d. Take reasonable steps to restrict access to the site of discovery;
- e. Notify the City, DAHP, and Yakama, Nez Perce, Warm Springs, Umatilla, and Cowlitz tribes of the discovery.
- f. A stop-work order will be issued.
- g. The Shoreline Permit will be temporarily suspended.
- h. All applicable state and federal permits shall be secured prior to commencement of the activities they regulate and as a condition for resumption of development activities.
- i. Development activities may resume only upon receipt of City approval.
- j. If the discovery includes human skeletal remains, the Skamania County Coroner and local law enforcement shall be notified in the most expeditious manner possible. The County Coroner will assume jurisdiction over the site and the human skeletal remains, and will make a determination of whether they are crime-related. If they are not, DAHP will take jurisdiction over the remains and report them to the appropriate parties. The State Physical Anthropologist will make a determination of whether the remains are Native American and report that finding to the affected parties. DAHP will handle all consultation with the affected parties as to the preservation, excavation, and disposition of the remains "

FINDING(S):

- a. A cultural resources study, was prepared for this site on February 4, 2020 by Applied Archaeological Research, Inc. which recommended an inadvertent discovery plan be followed.
- b. In 2020 under City File SEPA2020-01, a Mitigated Determination of Nonsignificance (MDNS) was issued on the basis of that report, and a mitigation measure incorporated an Inadvertent Discovery Policy into the project's expectations. The City received comments on the MDNS from DAHP requesting preparation and implementation of a monitoring plan. In its final decision on the Shoreline Substantial Development Permit under the old SMP, the City Council disregarded the DAHP request and no monitoring plan was required.
- c. Construction activities completed under the 2020 approvals involved installation of underground utilities.
- d. The Planning Commission considered and ultimately rejected conditioning the project based on submittal of an archaeological monitoring plan for review by the Department of Archaeology and Historic Preservation.

CONCLUSIONS OF LAW:

This project will comply with SMP 4.2.3 without conditions.

CRITERION §4.3.3 – [ENVIRONMENTAL PROTECTION & NO NET LOSS] REGULATIONS.

“1. Mitigation Sequence. In order to ensure that review activities contribute to meeting the no net loss provisions by avoiding, minimizing, and mitigating for adverse impacts to ecological functions or ecosystem-wide processes, applicants shall describe how the proposal will follow the sequence of mitigation as defined below:

- a. Avoid the impact altogether by not taking a certain action or parts of an action;
 - b. Minimize the impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps (e.g., project redesign, relocation, timing to avoid or reduce impacts, etc.);
 - c. Rectify the impact by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project or activity;
 - d. Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the action;
 - e. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - f. Monitor the impact and the compensation projects and take remedial or corrective measures when necessary.
2. The mitigation sequence is listed in the order of priority. Applicants shall consider and apply lower priority measures only where higher priority measures are determined to be infeasible or inapplicable.
3. SEPA Compliance. To the extent SEPA applies to a proposal, the analysis of environmental impacts and mitigation related to the proposal shall be conducted consistent with WAC 197-11—SEPA Rules and SMC 18.04—Environmental Policy.
4. Cumulative Impacts. As part of the assessment of environmental impacts subject to this SMP, new uses, developments, and modifications shall evaluate and consider cumulative impacts of reasonably foreseeable future development on shoreline ecological functions. Evaluation of cumulative impacts shall consider:
- a. Current circumstances affecting the shorelines and relevant natural processes;
 - b. Reasonably foreseeable future development and use of the shoreline; and
 - c. Beneficial effects of any established regulatory programs under other local, state, and federal laws.
5. Mitigating for Impacts. When impacts related to a proposal require mitigation, the following shall apply:
- a. The proposal shall achieve no net loss of ecological functions.
 - b. The City shall not require mitigation in excess of that necessary to assure the proposal 1) results in no net loss of ecological function and 2) does not have a significant adverse impact on other shoreline functions fostered by this SMP.
 - c. Compensatory mitigation shall give preference to measures that replace the impacted function directly and in the immediate vicinity of the impact. However, alternative compensatory mitigation located elsewhere in the same reach or watershed that addresses limiting factors or identified critical needs for shoreline resource conservation may be authorized, including appropriate actions identified in the Restoration Plan.
 - d. Unless waived by the City, authorization of compensatory mitigation shall require appropriate safeguards, terms or conditions (e.g. performance bonding, monitoring, conservation covenants) as approved by the City Attorney and necessary to ensure no net loss of ecological functions.
6. Environmental protection and no net loss shall be achieved by complying with the combination of use regulations, shoreline setbacks, critical area buffers, and vegetation removal restrictions:
- a. Shoreline Allowances & Setbacks – Table 5.1 establishes a list of permitted, conditional, and prohibited uses in each shoreline environment designation (SED). This table also establishes the minimum shoreline setback applicable to each use, activity, or development within each SED where development cannot occur; and
 - b. Critical Areas Buffers – Section 4.4 Critical Area provisions, including separately incorporated SMC 18.13 provisions that establish Wetland and Riparian buffer standards as additional areas where mitigation sequencing must be applied and unavoidable impacts must be mitigated; and
 - c. Modifications & Vegetation – Shoreline modification standards, vegetation standards, and prescriptive mitigation measures of Chapter 6 apply to all vegetation impacts occurring within shoreline jurisdiction.

FINDING(S):

- a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
- b. Via written comment, the Washington Department of Ecology contended the applicant had not met its the burden of proof in describing the mitigation sequence was followed for in the site plan's first iteration.
- c. The mitigation sequence—more fully described through supplemental

information submitted into the record prior to the December 11th public hearing on this application—involved the elimination of one cabin from the site program and minimized impacts from remaining cabins.

d. Follow-up written comment from the Department of Ecology indicated the changes adequately addressed the previous comments.

e. The mitigation sequence required of this section has been appropriately followed.

f. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 4.3.3 upon fulfillment of the conditions contained herein.

CRITERION §4.4.3 – GENERAL CRITICAL AREA REGULATIONS. “1 The City of Stevenson shall not issue any Shoreline Permit (i.e., SSDP, SCUP, shoreline variance) or Minor Project Authorization (MPA), or otherwise issue any authorization to alter the condition of any land, water, or vegetation, or to construct or alter any structure or improvement in, over, or on a shoreline critical area or associated buffer, without first assuring compliance with the requirements of this section and SMC 18.13, as applicable.

2. Early Disclosure and Verification. When an applicant submits an application for any development proposal, it shall indicate whether any critical areas or buffers are located on or within 300 feet of the site. The presence of critical areas may require additional studies and time for review. However, the City shall review proposals involving critical areas protection under a single application, timeline, fee, and permit as the required Shoreline Permit or MPA. Early disclosure of critical areas will reduce delays during the permit review process. If the applicant states there are no known critical areas, the City should review and confirm whether critical areas exist, and, if critical areas are present, require the applicant to complete a critical areas report.

3. Studies generated as part other federal or state permit processes (e.g., SEPA submittals, biological opinions, biological evaluations, etc.) shall be provided and may be determined by the Administrator as adequate to satisfy the critical areas report requirements of this SMP if the project has been developed in enough detail to have evaluated site-specific impacts and mitigation measures.

4. New development and the creation of new lots are prohibited in all SEDs when they would cause foreseeable risk from geological conditions, or require structural flood hazard reduction measures in the floodway or CMZ, during the life of the development, consistent with SMP Section 5.4.8 Land Division, and other provisions of this Program.”

FINDING(S):

a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.

b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

c. The applicant’s narratives and reports responding to SMP 4.3, SMP 4.4, and SMC 18.13 result in protective buffers from Rock Cove. However, the submittals do not document the project’s consistency with buffer demarcation requirements of SMC 18.13.057(A-C).

d. The applicants supplied a Critical Areas Report in support of the 2020 permit request, which was subsequently reviewed and determined consistent with the Stevenson Critical Areas Code (SMC 18.13) by an independent third-party.

e. Updated Critical Areas Report supplied in support of the current permit request retains the key findings of the previous assessment, while addressing additional development phases for which a permit was not previously requested.

f. Via written comment, the Washington Department of Ecology contended the applicant’s original proposed on-site mitigation is insufficient to satisfy the Stevenson Critical Areas Code (SMC 18.13).

- e. Off-site mitigation, as more fully described through supplemental information submitted into the record prior to the December 11th public hearing on this application, is proposed via a payment in-lieu of mitigation. The payment sufficient to address the additional development phases and satisfy the Stevenson Critical Areas Code.
- f. Via written comments, the Washington Department of Fish and Wildlife expressed concern over the functionally isolated determinations made for the critical area buffers. The determinations were made on the basis of rip rap.
- g. No data is available to establish a specific installation date of the rip rap.
- h. The applicants' supplied documentation of site disturbance from a former mill operating at this site between 1952 and 1973. The site has not had an economically productive use since that time.
- i. The City's first SMP was prepared in 1974.

CONCLUSIONS OF LAW: This project will comply with SMP 4.4.3 upon fulfillment of the conditions below.

CONDITIONS:

- 9. **Prior to the Start of Construction** the applicants shall update the Critical Areas and FWHCA Report to include construction staking and permanent demarcation of the functionally isolated buffer consistent with SMC 18.13.057(A and C) and, where appropriate, incorporate it into project construction documents.
- 10. **Prior to the Start of Construction** the property owner shall record a deed notice related to the critical habitat area. This approval, together with the updated Critical Areas Report and Buffer Enhancement Plan shall be attached to the notice.
- 11. **Prior to the Start of Construction** the applicant shall supply a payment in-lieu of on-site mitigation to an entity involved in habitat restoration (e.g., Lower Columbia Fish Enhancement Group, Columbia River Wetland Mitigation Bank, etc). The payment shall be no less than \$5,280. A receipt of the payment by the restoration entity shall be supplied to the City.

CRITERION §4.4.4 – FISH & WILDLIFE HABITAT CONSERVATION AREA REGULATIONS. "1 Any use, development, or modification proposed within or adjacent to an FWHCA with which state or federally endangered, threatened, or sensitive species have a primary association, shall ensure the FWHCA is protected as required by this SMP. If the Shoreline Administrator determines that a proposal is likely to impact an FWHCA adversely, additional protective measures (e.g., protective buffer standards, mitigation, and monitoring programs under SMC 18.13) may be required..

2. Applicants shall provide a preliminary FWHCA assessment for all proposals involving riparian areas. The assessment must recognize the buffer necessary to ensure no net loss of ecological functions occurring at the reach-scale for the riparian area in question.

3. The City shall condition the approval of activities located in the FWHCA or its buffer as necessary. Approval conditions shall require the applicant to mitigate any potential adverse impacts according to the approved critical area report, mitigation, and monitoring plans.

4. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided, as necessary, to allow the upstream and downstream migration of all salmonid life stages and shall prevent juveniles migrating downstream from being trapped or harmed."

- FINDING(S):**
- a. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
 - b. The proposal involves no structures preventing migration of salmonids.

CONCLUSIONS OF LAW: This project will comply with SMP 4.3.3 upon fulfillment of the conditions contained herein.

- CRITERION §4.6.3 – PUBLIC ACCESS REGULATIONS.** “1 Consistent with legal/constitutional limitations, provisions for adequate public access shall be incorporated into all proposals for Shoreline Permits that have one or more of the following characteristics:
- a. The proposed development or use will create a demand for, or increase demand for public access;
 - b. The proposed use is water-enjoyment, water-related, or non water-dependent, except for individual single-family residences not part of a development planned for 5 or more parcels;
 - c. The proposed use involves the subdivision of land into 5 or more parcels;
 - d. The proposed development or use will interfere with existing access by blocking access or discouraging use of existing access;
 - e. The proposed development or use will interfere with public use of waters of the state;
 - f. The proposed development or use will involve public funding or occur on public lands, provided that such access would not result in a net loss of ecological function. Public funding includes any funds from federal, state, municipal or local taxation districts.
2. Additional public access will not be required where suitable public access is already provided by an existing public facility on or adjacent to the site and the Planning Commission makes a finding that the proposed development would not negatively impact existing visual or physical public access nor create a demand for shoreline public access that could not be accommodated by the existing public access system and existing public recreational facilities in the immediate vicinity.
3. Public access will not be required where the applicant demonstrates it is infeasible due to at least one of the following:
- a. Unavoidable health or safety hazards to the public exist that cannot be prevented by any practical means;
 - b. Inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions;
 - c. The cost of providing the access, easement, or an alternative amenity are unreasonably disproportionate to the total long-term cost of the proposed development or other legal/constitutional limitations preclude public access;
 - d. Unacceptable environmental harm will result from the public access which cannot be mitigated;
 - e. Significant unavoidable conflict between the proposed access and adjacent uses would occur and cannot be mitigated.
4. To meet any of the conditions under Regulation 3 above, the applicant must first demonstrate to the satisfaction of the Planning Commission that all reasonable alternatives have been exhausted including, but not limited to, the following:
- a. Regulating access by such means as maintaining a gate and/or limiting hours of use;
 - b. Designing separation of uses and activities (e.g., fences, terracing, use of one-way glazings, hedges, landscaping);
 - c. Provisions for access at a site geographically separated from the proposal such as a street end, vista or trail system;
 - d. Sharing the cost of providing and maintaining public access between public and private entities.
5. For projects that meet the criteria of Regulation 3 above, the City may consider off-site public access or, if approved by the Planning Commission and agreed to by the applicant, the applicant may contribute a proportional fee to the local public access fund (payment in lieu).
6. If the City determines that public access is required pursuant to Regulation 1 above, the City shall impose permit conditions requiring the provision of public access that is roughly proportional to the impacts caused by the proposed development or use. The City shall demonstrate in its permit decision document that any such public access has a nexus with the impacts of the proposed development and is consistent with the rough proportionality standard.
7. When required, public access shall:
- a. Consist of a dedication of land or a physical improvement in the form of a walkway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat launch, dock or pier area, or other area serving as a means of view and/or physical approach to public waters and may include interpretive centers and displays, view easements, and/or decreased building bulk through height, setback, or façade limitations;
 - b. Include features for protecting adjacent properties from trespass and other possible adverse impacts;
 - c. Be fully developed and available for public use at the time of occupancy of the proposed use or activity;
 - d. Result in no net loss of shoreline ecological functions.

8. When required, physical public access shall be constructed to meet the following requirements for location, design, operation and maintenance:

a. Public access sites shall be connected directly to the nearest public street or non-motorized trail through a parcel boundary, tract, or easement, wherever feasible;

b. Signs indicating the public's right of access to shoreline areas shall be installed and maintained in conspicuous locations.

c. Public access easements and permit conditions shall be recorded on the deed of title and/or on the face of a plat or short plat as a condition running in perpetuity with the land, provided, that the Planning Commission may authorize a conveyance that runs contemporaneous with the authorized land use for any form of public access other than parallel pedestrian access. Said recording with the County Auditor's Office shall occur at the time of permit approval.

d. Maintenance of the public access facility shall be the responsibility of the owner unless otherwise accepted by a public or nonprofit agency through a formal agreement approved by the City and recorded with the County Auditor's Office.

e. Public access sites shall be made barrier-free for the physically disabled where feasible, and in accordance with the ADA.

f. Any trail constructed shall meet the conditions described for shoreline areas in any trail or parks plan officially adopted by the City Council.

9. Views of the shoreline from public properties or substantial numbers of residences shall be protected through adherence to height and setback limits specified in this SMP. Where new development would completely obstruct or significantly reduce the aesthetic quality of views from public properties or substantial numbers of residences, mitigation shall be required as follows:

a. The City may require administrative modifications to standard setbacks, clustering of proposed structures, and modifications to landscaping and building massing when the Planning Commission determines that such modifications are necessary to maintain public views of the shoreline.

b. The City shall work with the applicant to minimize the economic impacts of view mitigation. While upper story setbacks and other changes to building placement and form may be required to provide view corridors, in no case shall the applicant be required to reduce the maximum building height for more than 30% of the building's width.

c. The City may require specific public access improvements (e.g., public viewing decks, etc.) as mitigation in lieu of more significant modifications to site and building design when the Planning Commission finds such modifications would be an unreasonable financial burden on the applicant.

10. Where there is a conflict between water-dependent shoreline uses or physical public access and maintenance of views from public properties or substantial numbers of residences that cannot be resolved using the techniques in Regulation 9 above, the water-dependent uses and physical public access shall have priority, unless the Planning Commission finds a compelling reason to the contrary.

11. Future actions by the applicant, successors in interest, or other parties shall not diminish the usefulness or value of the public access provided."

FINDING(S):

a. The proposal has one or more of the characteristics requiring public access.

b. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.

c. The site is subject to numerous public access easements which conflict with and/or where no public access project is proposed, however, the application makes no contention regarding the infeasibility of providing such public access.

d. Via early written comment, the Washington Department of Ecology contended the proposal has not appropriately addressed public access.

e. Public access, as more fully described through supplemental information submitted into the record prior to the December 11th public hearing on this application, has been adequately provided at this site.

f. Via verbal testimony, the applicants contend infeasibility of an ADA compliant connection between this property and an existing public easement to the south, and construction absent participation by the City and adjacent property owner.

g. Follow-up written comment from the Department of Ecology after the site plan was amended indicated the changes adequately addressed the previous comments.

- h. The Planning Commission concurs with the applicants' contentions regarding the disproportionate share and feasibility of barrier-free access for the physically disabled (ADA) where the public pedestrian pathway would connect to the adjacent public pathway easement south of the site.
- i. The Planning Commission contends the applicant bears responsibility for its proportionate share of the eventual improvement and approves a payment in-lieu of this improvement into a City public access fund.
- j. The public access provided related to this proposal bears a rational nexus with its impacts and is roughly proportional thereto.
- i. The findings, conclusions and conditions related to Chapter 5 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 4.6.3 upon fulfillment of the conditions below.

CONDITIONS:

- 12. **Prior to the Start of Construction** the applicants shall, subject to review and approval by the shoreline administrator:
 - a) make a payment in-lieu of providing at trail connecting to the public pathway easement south of the site, or
 - b) enter into an agreement with the City to support development at a later date of a trail connecting to the public pathway easement south of the site.
- 13. **Prior to Occupancy** all public access amenities shall be fully developed and available for public use.
- 14. **Prior to Occupancy** the applicants shall provide signage at conspicuous locations indicating the public's right of access to shoreline areas.

CRITERION §4.7.3 – WATER QUALITY & NON-POINT SOURCE POLLUTION REGULATIONS. "1 Design, construction and operation of shoreline uses and developments shall incorporate measures to protect and maintain surface and groundwater quality in accordance with all applicable laws, so that there is no net loss of ecological functions.

2. Design, construction and operation of shoreline uses and developments shall incorporate measures to protect and maintain surface and groundwater quantity and quality in accordance with all applicable laws, so that significant impacts to aesthetic qualities or recreational opportunities do not occur. A significant impact to aesthetics or recreation would occur if a stormwater facility and accessory structures (e.g., fences or other features) have the potential to block or impair a view of shoreline waters from public land or from a substantial number of residences per RCW 90.58.320, or if water quality were degraded so as to discourage normal uses (e.g., swimming, fishing, boating, viewing, etc.).

3. Shoreline development and uses shall adhere to all required setbacks, buffers, and standards for stormwater facilities.

4. All review activities shall comply with the applicable requirements of all applicable City stormwater, drinking water protection, and public health regulations and the Stormwater Management Manual for Western Washington, including using low impact development techniques whenever feasible.

5. Sewage management. To avoid water quality degradation, sewer service is subject to the requirements outlined below.

- a. Any existing septic system or other on-site system that fails or malfunctions will be required to connect to the City sewer system if feasible, or make system corrections approved by Skamania County Community Development Department.
- b. Any new development, business, or multifamily unit shall connect to the City sewer system if feasible, or install an on-site septic system approved by Skamania County Community Development Department.

6. Materials requirements. All materials that may come in contact with water shall be untreated or treated wood, concrete, plastic composites or steel as approved by the USACE or WDFW, that will not adversely affect water quality or aquatic plants

or animals.”

- FINDING(S):**
- a. The proposal includes a Stormwater Report prepared consistent with the Stormwater Management Manual for Western Washington.
 - b. The findings related to Chapter 5 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 4.7.3 without conditions.

CHAPTER 5 – SHORELINE USE REGULATIONS

CRITERIA §5.1, §5.3, §5.4.1, §5.4.2, §5.4.3, §5.4.5, §5.4.6, §5.4.7, §5.4.10, §5.4.12, §5.4.13. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS OR PROJECT TYPES THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §5.2.2 – PROVISIONS APPLICABLE TO ALL USES. “1. When determining allowable uses and resolving use conflicts within the City’s shoreline jurisdiction, the following preferences shall apply in the order listed below:

- a. Reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health.
- b. Reserve shoreline areas for water-dependent and associated water-related uses.
- c. Allow mixed uses projects that include or support water-dependent uses.
- d. Reserve shoreline areas for other water-related and water-enjoyment uses that are compatible with ecological protection and restoration objectives.
- e. Located single-family residential uses where they are appropriate and can be developed without significant impact to ecological functions or displacement of water-dependent uses.
- f. Limit nonwater-oriented uses to those locations where the above described uses are inappropriate or where nonwater-oriented uses demonstrably contribute to the objectives of the SMA.

2. New use and development shall be subject to the setback requirements and height limitations contained in Section 5.3 Shoreline Use Table, including Table 5.1 – Shoreline Use & Setback Standards.”

- FINDING(S):**
- a. No Use conflicts are identified in association with this proposal.
 - b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 5.2 upon satisfaction of the conditions contained herein.

CRITERION §5.4.4.4 – COMMERCIAL & INDUSTRIAL REGULATIONS. “a. Water-dependent commercial and industrial uses shall be given preference over water-related and water-enjoyment commercial and industrial uses. Second preference shall be given to water-related and water-enjoyment commercial and industrial uses over non-water-oriented commercial and industrial uses.

- b. Prior to approval of water-dependent uses, the City shall review a proposal for design, layout and operation of the use and shall make specific findings that the use qualifies as a water-dependent use.
- c. When allowed, industrial development shall be located, designed and constructed in a manner that assures no net loss of shoreline ecological functions.
- d. Commercial development that is not water-dependent shall not be allowed over water except where it is located within the same existing building and is necessary to support a water-dependent use.
- e. Overwater and in-water construction of non-water-oriented industrial uses is prohibited. This provision is not intended to preclude the development of docks, piers, or boating facilities, or water-related uses that must be located in or over water (e.g., security worker booths, etc. that are necessary for the operation of the water-dependent or water-related use).
- f. Only those portions of water-oriented industrial uses that require over or in-water facilities shall be permitted to locate waterward of the OHWM, provided they are located on piling or other open-work structures, and they are limited to the minimum size necessary to support the structure’s intended use.

- g. Water-related and water-enjoyment uses shall avoid impacts to existing navigation, recreation, and public access.
- h. Non-water-oriented commercial and industrial development shall not be allowed unless:
 - i. The use is part of a mixed-use project that includes water-dependent uses, and provides a significant public benefit with respect to provisions of public access or ecological restoration; or
 - ii. Navigability is severely limited at the proposed site, and the commercial use provides a significant public benefit with respect to provision of public access or ecological restoration; or
 - iii. The site is designated for commercial use and is physically separated from the shoreline by another property or a public right-of-way.
- i. New commercial and industrial developments shall provide public access to the shorelines, subject to SMP Section 4.6.
- j. Public access and ecological restoration shall be considered as potential mitigation of impacts to shoreline resources and values for all water-related or water dependent development unless such improvements are demonstrated to be infeasible or inappropriate.
- k. New industrial developments shall mitigate for the impacts of the use's intensity by providing shoreline restoration consistent with the shoreline restoration plan adopted by the City.

FINDING(S): a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
 b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.4 upon fulfillment of the conditions contained herein.

CRITERION \$5.4.8.4 – LAND DIVISION REGULATIONS. "a Plats and subdivisions shall be designed, configured and developed in a manner that assures no net loss of ecological functions results from the plat or subdivision at full build-out of all lots..

- b. The layout of lots within 1) new plats and subdivisions, 2) plat amendments, or 3) boundary line adjustments shall:
 - i. Prevent the need for new shoreline stabilization or flood hazard reduction measures that would cause significant impacts to other properties or public improvements or a net loss of shoreline ecological functions.
 - ii. Not result in lots containing inadequate buildable space due to critical areas and/or their buffers.
- c. To ensure the success of restoration and long-term maintenance, the City may require that critical areas and/or aquatic lands be placed in a separate tract which may be held by an appropriate natural land resource manager (e.g., homeowner's association, land trust, natural resource agency, etc.)."

FINDING(S): a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
 b. The proposed action under the City's Land Division Code is a combination of lots via boundary line adjustment. No additional lot is proposed.
 c. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.8 without conditions.

CRITERION \$5.4.9.4 – RECREATIONAL REGULATIONS. "a Water-oriented recreational development shall be given priority and shall be primarily related to access, enjoyment, and use of the water and shorelines.

- b. Non-water-oriented recreational developments may be permitted only where it can be demonstrated that:
 - i. A water-oriented use cannot feasibly locate on the proposed site due to topography and/or other physical features, surrounding land uses, or the site's separation from the water;
 - ii. The proposed use does not usurp or displace land currently occupied by a water-oriented use and will not interfere with adjacent water-oriented uses;
 - iii. The proposed use will be of appreciable public benefit by increasing ecological functions together with public use, enjoyment, or access to the shoreline.
- c. Non-water-oriented accessory uses (e.g., offices and parking areas that are part of recreational facilities) should be

located landward of water-oriented facilities.

d. Recreational facilities shall include features such as buffer strips, screening, fences, and signs, if needed to protect the value and enjoyment of adjacent or nearby private properties and natural areas from trespass, overflow and other possible adverse impacts.

e. Recreation facilities shall demonstrate that they are located, designed, and operated in a manner consistent with the purpose of the shoreline environment designation in which they are located and will result in no net loss of shoreline ecological functions.

f. Where fertilizers and pesticides are used in recreational developments, waters in and adjacent to such developments shall be protected from drainage and surface runoff.

- FINDING(S):**
- a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
 - b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
 - c. The proposal does not involve nonwatery-oriented recreational development, recreational conflicts with adjacent uses, or persistent use of fertilizers or pesticides.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.9 upon fulfillment of the conditions contained herein.

CRITERION 5.4.11.4 – TRANSPORTATION & PARKING FACILITIES REGULATIONS. "a. Applications for redevelopment of transportation facilities in shoreline jurisdiction shall include:

- i. Analysis of alternative alignments or routes, including, where feasible, alignments or routes outside of shoreline jurisdiction;
 - ii. Description of construction, including location, construction type, and materials; and, if needed,
 - iii. Description of mitigation and restoration measures..
- b. Proposed transportation projects shall plan, design, and locate where routes:
- i. Will have the least possible adverse effect on unique or fragile shoreline features,
 - ii. Will not result in a net loss of shoreline ecological functions, and
 - iii. Will not adversely impact existing or planned water-dependent uses.
- c. Alternative designs for transportation facilities that have less impact on shoreline resources (i.e., narrower rights-of-way, realignment) shall be considered in compliance with the SMC.
- d. Roads and railroads of all types shall cross shoreline jurisdiction by the most direct route feasible, unless such a route would result in greater impacts on wetlands and fish and wildlife habitat conservation areas, or channel migration than a less direct route.
- e. Wherever feasible and in compliance with the SMC, transportation facilities, including local access roads and surface parking facilities, shall be shared across shoreline uses to reduce the need for redundant facilities.
- f. New, replacement and enlarged transportation facilities shall provide public access pursuant to SMP Section 4.6.
- g. The City shall seek opportunities to obtain public easements and construct pedestrian connections over or under the railroad and state highway. The City shall place the pedestrian connection in its capital improvement plan and may require it as a condition of approval for Shoreline Permits, including permits involving new or replacement bridges and other transportation facilities.
- h. Primary parking facilities (pay parking lots, park-and-rides) are not allowed within shoreline jurisdiction. Accessory parking (including parking for vista purposes) and loading facilities necessary to support an authorized shoreline use are permitted.
- i. All of the following conditions shall be met when an accessory parking facility is proposed in the shoreline jurisdiction:
- i. The facilities shall be located landward, adjacent to, beneath or within the building being served.
 - ii. Upland parking facilities shall provide safe and convenient pedestrian circulation from the parking area to the shoreline.
 - iii. Loading spaces for development in the shoreline jurisdiction shall be located on the landward or side wall of non-water-dependent uses or activities.
 - iv. All facilities shall provide parking suitable to the expected usage of the facility, with preference given to pavement or other dust-free all-weather surfaces.

v. All facilities shall be screened from adjacent, dissimilar uses through the use of perimeter landscaping, fencing, or some other approved material.

FINDING(S): a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
c. The proposal does not involve new, replacement, enlarged or redeveloped transportation facilities, roads, railroads, or primary parking facilities.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.11 without conditions.

CHAPTER 6 – SHORELINE MODIFICATION PROVISIONS

CRITERIA §6.1, §6.4.2, §6.4.3, §6.4.4, §6.4.5, §6.4.6. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS OR PROJECT TYPES THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §6.2.2 – GENERAL PROVISIONS FOR ALL SHORELINE MODIFICATIONS - REGULATIONS. "All proposed shoreline modifications shall:

- a. Meet the mitigation sequencing requirements in SMP Section 4.3.
- b. Satisfy all specific shoreline modification provisions of this chapter.

FINDING(S): a. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 6.2.2 upon satisfaction of the conditions contained herein.

CRITERION §6.3 – GENERAL PROVISIONS FOR ALL SHORELINE MODIFICATIONS - REGULATIONS. "The shoreline modification table below determines whether a specific shoreline modification is allowed within each of the shoreline environments. This table is intended to work in concert with the specific modification policies and regulations that follow, however, where there is a discrepancy between this table and the text of the SMP, the text shall take precedence....[Table 6.1 – Allowed Shoreline Modifications omitted for brevity]"

FINDING(S): a. The proposal involves Vegetation Removal, a permitted modification in the Active Waterfront SED.

CONCLUSIONS OF LAW: This project will comply with SMP 6.3 upon satisfaction of the conditions contained herein.

CRITERION §6.4.1.3 – VEGETATION REMOVAL - REGULATIONS. "a. Vegetation removal shall be limited to the minimum necessary to accommodate approved shoreline development that is consistent with all other provisions of this SMP. This includes the design, location, and operation of the structure or development, including septic drain fields, which shall minimize vegetation removal and meet all applicable requirements.
b. If removal of shoreline vegetation is unavoidable, vegetation removal shall be mitigated in accordance with the requirements in SMP Table 6.2 – Mitigation for Vegetation Removal within Shoreline Jurisdiction. Exceptions:
i. The removal of native vegetation within established gardens, landscaping that serve a horticultural purpose shall not require mitigation under SMP Table 6.2.
ii. Mitigation plans prepared by a qualified professional may establish mitigation ratios that deviate from SMP Table 6.2.
c. No tree containing an active nest of an eagle, osprey, or other protected bird (as defined by WDFW or the Bald and Golden Eagle Protection Act) shall be removed and the nest shall not be disturbed unless the applicant obtains approval from WDFW.

- d. Vegetation removal conducted for the purposes outlined in SMC 18.13.025(D)(1)(a through d) shall comply with the regulations therein.
- e. Aquatic weed control shall be allowed only where the presence of aquatic weeds will affect native plant communities, fish and wildlife habitats, or an existing water dependent use adversely. Aquatic weed control efforts shall comply with all applicable laws and standards. [Table 6.2 – Mitigation for Vegetation Removal within Shoreline Jurisdiction omitted for brevity]
- f. Mitigation Area, Location. The location of the mitigation area shall:
 - i. Be on site unless there is insufficient area on site;
 - ii. Improve an area of low habitat functionality;
 - iii. Be within 50 feet of the OHWM or as close as possible to the shoreline waterbody; and
 - iv. Prioritize south and west banks of waterbodies to provide shade.
- g. Mitigation Area, Monitoring.
 - i. The project shall be monitored annually for 5 years to document plant survivorship.
 - ii. Monitoring reports shall be provided to the Administrator once per year.
 - iii. The planted mitigation area shall achieve a plant survival standard of 80% at the end of 5 years.
 - iv. Monitoring results may require additional/replacement planting to meet the survival standard. If the survival standard is not met, then additional planting may be required and the monitoring period extended.
 - v. A conservation covenant may be established which prevents future development or alteration within the mitigation area."

- FINDING(S):**
- a. The proposal involves Vegetation Removal, a permitted modification in the Active Waterfront SED.
 - b. Vegetation removal is unavoidable and subject to mitigation within and outside Fish & Wildlife Habitat Conservation Areas.
 - c. The application contains detailed narratives, landscape and mitigation plans contending consistency with this criterion and SMP Table 6.2.
 - d. The proposal does not involve trees with active nests of protected birds, vegetation removal under SMC 18.13.025(D)(1), or aquatic weed control.

CONCLUSIONS OF LAW: This project will comply with SMP 6.4.1 upon satisfaction of the conditions contained herein.

CONDITIONS:

1. Timely appeals shall be filed by the proponent within 21 days of Receipt of the Final Decision.
2. **Construction pursuant to this Permit shall not begin** and is not authorized until 21 days from the date of filing with Ecology, per WAC 173-27-190 or as subsequently amended, or until all review proceedings initiated within 21 days from the date of such filing have been terminated.
3. **Within 2 years of the effective date of this permit**, construction activities associated with this permit shall commence or a written request for a maximum 1-year extension shall be submitted to the City. If construction activities do not commence accordingly, the permit shall expire.
4. **Within 5 years of the effective date of this permit**, all development activities associated with this permit shall terminate or a written request for a maximum 1-year extension shall be submitted to the City.

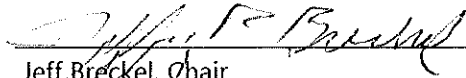
5. **Prior to the start of construction**, the proponent shall submit the City documentation sufficient to establish an accurate timeline of any activity justifying an extension of the permit's duration based on SMC 18.08.220(D). No such documentation will be accepted by the City after construction commences.
6. **Throughout the Duration of this Permit**, the proponents shall provide reasonable access to the Shoreline Administrator to ensure enforcement of this permit and the SMP.
7. **Throughout the Duration of Construction**, the proponents shall contact the Shoreline Administrator prior to constructing any change to the proposal to determine whether the change should be permitted and whether the permission should be through a revision to this Minor Project Authorization or through a Shoreline Permit.
8. **Prior to the Start of Construction** the applicants shall provide construction documents for approval by the Shoreline Administrator. The review shall be limited, ensuring the project's consistency with the proposal and ensuring the conditions of City permits have been appropriately incorporated. Should the Administrator fail to respond within 7 days of receipt, the construction documents shall be presumptively approved.
9. **Prior to the Start of Construction** the applicants shall update the Critical Areas and FWHCA Report to include construction staking and permanent demarcation of the functionally isolated buffer consistent with SMC 18.13.057(A and C) and, where appropriate, incorporate it into project construction documents.
10. **Prior to the Start of Construction** the property owner shall record a deed notice related to the critical habitat area. This approval, together with the updated Critical Areas Report and Buffer Enhancement Plan shall be attached to the notice.
11. **Prior to the Start of Construction** the applicant shall supply a payment in-lieu of on-site mitigation to an entity involved in habitat restoration (e.g., Lower Columbia Fish Enhancement Group, Columbia River Wetland Mitigation Bank, etc). The payment shall be no less than \$5,280. A receipt of the payment by the restoration entity shall be supplied to the City.
12. **Prior to the Start of Construction** the applicants shall, subject to review and approval by the shoreline administrator:
 - a) make a payment in-lieu of providing a trail connecting to the public pathway easement south of the site, or
 - b) enter into an agreement with the City to support development at a later date of a trail connecting to the public pathway easement south of the site.
13. **Prior to Occupancy** all public access amenities shall be fully developed and available for public use.
14. **Prior to Occupancy** the applicants shall provide signage at conspicuous locations indicating the public's right of access to shoreline areas.

FINAL ORDER

The preceding discussion describes the City's review of the information relevant to the SHOR2023-02

"Rock Cove Hospitality". The findings and conclusions of this document justify issuance of this Shoreline Substantial Development Permit under SMC 18.08.180. The project will be consistent with the policy and provisions of the SMA and the SMP upon satisfactions of the conditions listed herein.

DATED this 23 day of January 2024

A handwritten signature in black ink, appearing to read "Jeff Breckel", is written over a horizontal line.

Jeff Breckel, Chair
City of Stevenson Planning Commission



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: Planning Commission
FROM: Ben Shumaker, Short Plat Administrator
DATE: May 12th, 2025
SUBJECT: Proposed Short Plat Alteration for Rock Cove Hospitality Center (SP2020-01)

Introduction

The Planning Department has received a proposed short plat for alteration of a plat along Rock Creek Drive. There are 2 properties involved which are currently vacant and the site of a development proposal. The tax lot numbers for the properties are 02-07-01-0-0-1302 and -1303. Per the city code, the Planning Commission is to be notified and given the opportunity to review the application.

The proposal involves a) consolidation of the 2 lots into 1 and b) relocation of a public access easement on the site.

Staff Recommendation

Staff recommends that the Planning Commission recommend City Council approval of the plat alteration as consistent with the Shoreline Substantial Development Permit issued in 2024.

Relevant City Policies

SMC 16.02.260(B): Upon receipt of an application for alteration, the council shall provide notice of the application to all owners of property within a short plat, and as provided for in Section 16.02.110(C). The notice shall establish a date for public hearing.

SMC 16.02.110(C): After the short plat administrator determines that the proposed short plat application and map contain the required information and data, the short plat administrator shall distribute copies of the short plat application and map to the following as is necessary:...

4. City Planning Commission.

SMC 16.02.120(F): The Planning Commission may submit any findings and recommendations to the administrator for any short plat applications it has decided to review.

Thank you,

Ben Shumaker

Attachments

- Proposed alteration
- Shoreline Substantial Development Permit

ROCK CREEK COVE HOSPITALITY
SHORT PLAT
BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON

SHEET INDEX:

SHEET 1: PLAT NOTES, NARRATIVE, SURVEY NOTES, FOUND MONUMENT TABLE, DESCRIPTION, SURVEY REFERENCES, SURVEYOR'S CERTIFICATE, DEDICATION, APPROVALS

SHEET 2: EXTERIOR BOUNDARY AND MONUMENTATION, LINE TABLES FOR EXTERIOR BOUNDARY, EXISTING EASEMENTS PER SUBDIVISION OF TAX LOT 02-07-01-1300

SHEET 3: PROPOSED PATH EASEMENT EASEMENT WITH LINE TABLES AND CURVE TABLES

SHEET 4: FISH & WILDLIFE HABITAT CONSERVATION AREA EASEMENT LINEWORK

SHEET 5: FISH & WILDLIFE HABITAT CONSERVATION AREA CURVE AND LINE TABLES

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO REPLAT LOTS 1 AND 2 OF ROCK CREEK COVE SHORT PLAT (RECORDED JUNE 24, 2021 AS AUDITOR'S FILE NO 2021-002217) INTO ONE LOT AND ADJUST THE PEDESTRIAN PATHWAY EASEMENT. THE OUTER BOUNDARY AS DETERMINED FOR SAID SHORT PLAT IS HELD AND NO ADDITIONAL MONUMENTS HAVE BEEN SET.

THE BASIS OF BEARINGS FOR THIS SURVEY DETERMINED FROM THE COORDINATES ON MONUMENTS 300 AND 301, HORIZONTAL DATUM NAD 83 (2011 EPOCH 2010.00) STATE PLANE COORDINATES (WASHINGTON SOUTH ZONE), AS DETERMINED BY RTK GNSS OBSERVATIONS ON MARCH 2, 2021.

LEGAL DESCRIPTION:

PARCEL I: 02-07-01-0-0-1302-00

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

LOT 1 OF THE ROCK CREEK COVE SHORT PLAT RECORDED IN AUDITOR'S FILE NO. 2021002217, SKAMANIA COUNTY RECORDS.

PARCEL II: 02-07-01-0-0-1303-00

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

LOT 2 OF THE ROCK CREEK COVE SHORT PLAT RECORDED IN AUDITOR'S FILE NO. 2021002217, SKAMANIA COUNTY RECORDS.

SURVEY NOTES:

FIELD WORK FOR THIS PROJECT WAS COMPLETED WITH A COMBINATION OF SURVEY METHODS, USING RTK GNSS TO ESTABLISH A BASELINE NEAR THE NORTHWEST CORNER OF SECTION 1 AND ALSO A BASELINE ALONG ROCK CREEK DRIVE, AND USING A 2 SECOND TRIMBLE S5 ROBOTIC TOTAL STATION TO RADIALLY TIE MONUMENTS FROM SAID BASELINES. TRAVERSE, DATA COLLECTION, AND CONTROL CHECKS IN THIS FASHION MET OR EXCEEDED THE MINIMUM STANDARDS FOR SURVEYS AS DESIGNATED IN W.A.C. 332-130-090.

PLAT NOTES:

- PUBLIC ACCESS IS HEREBY GRANTED TO ALL AREAS BELOW THE ORDINARY HIGH WATER MARK.
- PAVING OF THE PEDESTRIAN PATHWAYS DENOTED HEREON IS REQUIRED AS A CONDITION OF LOT DEVELOPMENT.
- LAND WITHIN THIS SHORT PLAT SUBDIVISION SHALL NOT BE FURTHER SUBDIVIDED FOR A PERIOD OF FIVE (5) YEARS UNLESS A FINAL (LONG) PLAT IS FILED PURSUANT TO THE STEVENSON CITY CODE, TITLE 16, SUBDIVISIONS, CHAPTERS 16.14 THROUGH 16.44 INCLUSIVE, OR UNLESS A SHORT PLAT IS ALLOWED PURSUANT TO STEVENSON CITY CODE, TITLE 16, SUBDIVISIONS, CHAPTER 16.02

FOUND MONUMENT TABLE			
POINT	FOUND DESCRIPTION (VISITED MARCH 2021)	FALLING FROM CORNER	REFERENCE
300	1" IRON PIPE WITH CRIMPED TOP	HELD	AS FOUND IN R3,R4
301	3" BRASS CAP, STAMPED "SKAMANIA COUNTY ENGINEER'S DEPARTMENT"	HELD	AS FOUND IN R2,R4
302	5/8" IRON ROD WITH YELLOW PLASTIC CAP, CAP DESTROYED	0.06' WESTERLY OF LINE	PER R3
303	3-3/4" BRASS CAP, STAMPED "CORPS OF ENGINEERS U.S. ARMY BONNEVILLE POWER NAVIG PROJECT", LEANING NORTHEASTERLY	0.61' WESTERLY OF LINE	AS FOUND IN R1,R2
304	1-1/2" ALUMINUM CAP, UNREADABLE	HELD	PER R5
305	5/8" IRON ROD, NO CAP	0.02' WESTERLY OF LINE	PER R3
308	1-1/2" ALUMINUM CAP, UNREADABLE	0.24' N76°21'42"E	PER R5
309	1-1/2" ALUMINUM CAP, UNREADABLE	0.20' S72°10'34"W	PER R5
310	3-1/4" PVC PIPE FILLED WITH CONCRETE	0.02' WESTERLY OF LINE	PER R5
315	1-1/2" ALUMINUM CAP, UNREADABLE	HELD	PER R5

SURVEY REFERENCES:

- R1 - ALTA SURVEY FOR WASHINGTON COMMUNITY REINVESTMENT ASSOCIATION BY TRANTOW SURVEYING, INC. RECORDED DECEMBER 23, 1998 BOOK 3 OF SURVEYS PAGE 290
- R2 - SUBDIVISION OF TAX LOT 02-07-01-1300 FOR SKAMANIA COUNTY BY RICHARD LANG OF PUBLIC WORKS RECORDED NOVEMBER 22, 1996 BOOK T OF TOWN PLATS PAGE 100
- R3 - SEVERS SHORT PLAT FOR JAMES E. SEVERS BY TENNESON ENGINEERING CORP. RECORDED JUNE 26, 1997 BOOK T OF TOWN PLATS PAGE 101-102
- R4 - WINSTON RALL SHORT PLAT FOR WINSTON RALL BY WYEAST SURVEYS RECORDED MARCH 24, 1995 BOOK T OF TOWN PLATS PAGE 94
- R5 - SECOND STREET EXTENTION TRAVERSE FOR R/W DATED SEPTEMBER 10, 1980 MAP QQ-2, SKAMANIA COUNTY ROAD RECORDS
- R6 - SURVEY OF SEC. 1, T2M, R7E, WM FOR SKAMANIA COUNTY BY OLSON ENGINEERING RECORDED JULY 11, 1975 BOOK 1 OF SURVEYS PAGE 45
- R7 - ROCK CREEK COVE SHORT PLAT FOR FDM DEVELOPMENT, INC BY PBS ENGINEERING AND ENVIRONMENTAL, INC. RECORDED JUNE 24, 2021 AUDITOR'S FILE NO. 2021-002217

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF FDM DEVELOPMENT, INC IN AUGUST 2024.

TERRY L. GOODMAN,
PROFESSIONAL LAND SURVEYOR, LS #30446



PBS Engineering and Environmental LLC
1325 SE Tech Center Dr., Ste. 140
Vancouver, WA 98683
360.695.3488

pbsusa.com

DRAWN BY: MLY	SCALE: N/A	10/30/2024
CHECKED BY: TLG	JOB NO.: 24011736	SHEET 1 OF 5

DEDICATION

WE, THE OWNERS OF THE ABOVE TRACT OF LAND, HEREBY DECLARE AND CERTIFY THIS SHORT PLAT TO BE TRUE AND CORRECT TO THE BEST OF OUR ABILITIES, AND THAT THIS SHORT SUBDIVISION HAS BEEN MADE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES. FURTHER, WE GRANT ALL EASEMENTS AS SHOWN FOR THEIR DESIGNATED PURPOSES.

CHAD BAGLEY, MEMBER, DATE
ROCK CREEK COVE INVESTMENTS, LLC

DUANE HOWARD, MEMBER, DATE
D. H. LAND, LLC

F. DEAN MALDONADO, MEMBER, DATE
MILLS END CENTER LLC

STATE OF _____
COUNTY OF _____

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DUANE HOWARD, MEMBER, D. H. LAND, LLC, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS _____ DAY OF _____, 2024,

SIGNED _____
NOTARY PUBLIC IN AND FOR THE STATE OF _____
RESIDING IN _____
MY COMMISSION EXPIRES _____
PRINT NOTARY NAME _____

STATE OF _____
COUNTY OF _____

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CHAD BAGLEY, MEMBER, ROCK CREEK COVE INVESTMENTS, LLC, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS _____ DAY OF _____, 2024,

SIGNED _____
NOTARY PUBLIC IN AND FOR THE STATE OF _____
RESIDING IN _____
MY COMMISSION EXPIRES _____
PRINT NOTARY NAME _____

STATE OF _____
COUNTY OF _____

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT F. DEAN MALDONADO, MEMBER, MILLS END CENTER LLC, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS _____ DAY OF _____, 2024,

SIGNED _____
NOTARY PUBLIC IN AND FOR THE STATE OF _____
RESIDING IN _____
MY COMMISSION EXPIRES _____
PRINT NOTARY NAME _____

I HEREBY CERTIFY THAT THIS SHORT SUBDIVISION COMPLIES WITH THE STEVENSON SHORT PLAT ORDINANCE AND IS APPROVED SUBJECT TO PROPERLY BEING RECORDED AND FILED WITH THE SKAMANIA COUNTY AUDITOR WITHIN 30 DAYS OF THIS SUMMARY APPROVAL.

SHORT PLAT ADMINISTRATOR DATE

I HEREBY CERTIFY THAT THE CITY ROAD ABUTTING THE PROPOSED SUBDIVISION IS OF SUFFICIENT WIDTH TO MEET CURRENT CITY STANDARDS AND THAT ROAD RIGHT OF WAYS UPON OR ABUTTING THE PROPOSED SUBDIVISION ARE OF SUFFICIENT WIDTH TO ASSURE MAINTENANCE AND TO PERMIT FUTURE UTILITY INSTALLATIONS. I FURTHER CERTIFY THAT CITY SEWER AND WATER SERVICES ARE AVAILABLE TO THE PROPOSED SHORT SUBDIVISION.

CITY PUBLIC WORKS DIRECTOR DATE

I CERTIFY THAT THE TAXES AND ASSESSMENTS ON THE PROPERTY INVOLVED WITH THIS SHORT PLAT HAVE BEEN PAID, DISCHARGED, OR SATISFIED THROUGH 2021 FOR TAX PARCEL NUMBERS

SKAMANIA COUNTY TREASURER DATE

CITY OF STEVENSON TREASURER DATE

CITY WATER AND SEWER UTILITIES ARE AVAILABLE TO THE LOTS IN THIS SHORT PLAT.

CITY OF STEVENSON SANITARIAN DATE

CITY OF STEVENSON MAYOR DATE

RECORDING

STATE OF WASHINGTON)
COUNTY OF SKAMANIA)

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT OF WRITING FILED BY _____ OF _____ AT _____, M., _____, 2024 WAS RECORDED IN AUDITOR'S FILE NO. _____

RECORDER OF SKAMANIA COUNTY, WASHINGTON COUNTY

SKAMANIA COUNTY AUDITOR

ROCK CREEK COVE HOSPITALITY
SHORT PLAT

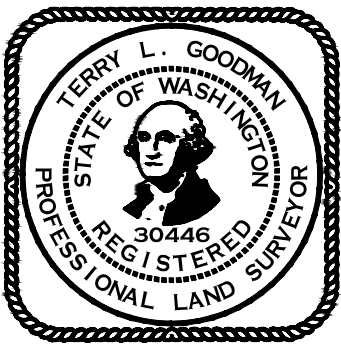
BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON

- LEGEND:
- - DENOTES FOUND MONUMENT, VISITED MARCH 2021, AS NOTED IN THE "FOUND MONUMENT TABLE" ON SHEET 1
 - - DENOTES 1/2" X 30" IR W/OPC STAMPED "PLS 30446" SET ON APRIL 15, 2021, FOR "ROCK CREEK COVE SHORT PLAT"
 - - DENOTES CALCULATED POINT, MONUMENT SEARCHED FOR, NOT FOUND
 - ✚ - DENOTES FOUND SECTION CORNER AS NOTED
 - - DENOTES ROAD CENTERLINE
 - - - DENOTES PROPOSED EASEMENT
 - W/OPC - DENOTES WITH ORANGE PLASTIC CAP
 - S.F. - DENOTES SQUARE FEET
 - (.R#) - DENOTES RECORD DISTANCE, PER SURVEY REFERENCE (SEE SHEET 1)

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	13.76'	S28°33'21"E
L2	32.95'	S79°52'06"E
L3	17.65'	N83°46'46"E
L4	24.27'	N69°21'40"E
L5	18.33'	N42°29'20"E
L6	27.58'	N12°18'35"E
L7	26.55'	N00°30'34"W
L8	28.08'	N07°13'45"E
L9	28.41'	N07°33'39"E
L10	27.37'	N13°29'29"E
L11	24.47'	N18°01'42"W
L12	19.26'	N75°13'30"W
L13	10.79'	N17°33'19"E
L14	7.63'	S83°12'04"E
L15	16.87'	S75°50'31"E
L16	25.12'	S51°47'30"E
L17	20.05'	S40°46'13"E
L18	44.16'	N54°17'36"E
L19	19.69'	N85°50'03"E
L20	32.29'	S67°07'55"E
L21	29.60'	S43°28'15"E
L22	31.49'	S29°23'21"E
L23	18.91'	S15°33'42"E
L24	40.88'	S28°46'10"E
L25	41.69'	S29°06'18"E
L26	53.62'	S30°28'25"E
L27	41.43'	S39°41'54"E
L28	20.50'	S41°13'13"E
L29	18.24'	S37°46'11"E
L30	33.18'	S45°31'57"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L31	14.58'	S64°42'51"E
L32	16.34'	N76°55'56"E
L33	29.92'	N67°10'39"E
L34	39.57'	N65°30'36"E
L35	16.48'	N86°12'51"E
L36	10.82'	S84°22'56"E
L37	7.97'	S71°41'33"E
L38	19.98'	S21°15'09"E
L39	14.68'	S17°25'21"W
L40	10.45'	S59°03'55"W
L41	27.82'	S64°13'44"W
L42	27.16'	S67°33'38"W
L43	29.85'	S65°17'47"W
L44	17.87'	S38°16'24"W
L45	22.83'	S10°56'59"W
L46	23.28'	S32°02'36"W
L47	27.64'	S05°57'26"E
L48	28.84'	S33°24'37"W
L49	24.15'	S21°38'39"W
L50	13.56'	S02°22'00"W
L51	21.82'	S13°35'32"E
L52	13.10'	S10°54'37"W
L53	28.08'	S06°31'35"E
L54	22.98'	S23°42'08"E
L55	45.54'	S24°05'34"E
L56	43.44'	S22°37'36"E
L57	36.57'	S19°20'05"E
L58	52.72'	S33°34'12"E
L59	50.77'	S34°43'43"E
L60	19.35'	S02°39'48"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L61	37.61'	S00°41'13"E
L62	34.77'	S06°59'41"W
L63	27.25'	S10°31'53"W
L64	33.11'	S47°58'10"W
L65	20.77'	S80°48'01"W
L66	23.90'	N64°49'17"W
L67	21.98'	N31°39'01"W
L68	40.35'	N36°10'57"W
L69	38.15'	N39°31'36"W
L70	36.97'	N32°19'57"W
L71	33.71'	N40°46'19"W
L72	25.44'	N31°35'14"W
L73	48.12'	N43°39'07"W
L74	34.81'	N70°33'06"W
L75	13.14'	N10°03'54"W
L76	12.18'	N24°37'29"W
L77	38.69'	N54°48'36"W
L78	22.36'	N49°34'44"W
L79	72.55'	N53°55'17"W
L80	37.86'	N76°39'59"W
L81	24.59'	S54°39'03"W
L82	42.39'	N46°24'25"W
L83	23.03'	S81°21'41"W



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1325 SE Tech Center Dr., Ste. 140
Vancouver, WA 98683
360.695.3488
pbsusa.com

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CHECKED BY: TLG	JOB NO.: 24011736	SHEET 2 OF 5

ROCK CREEK COVE HOSPITALITY
SHORT PLAT

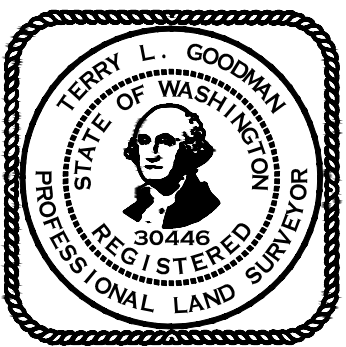
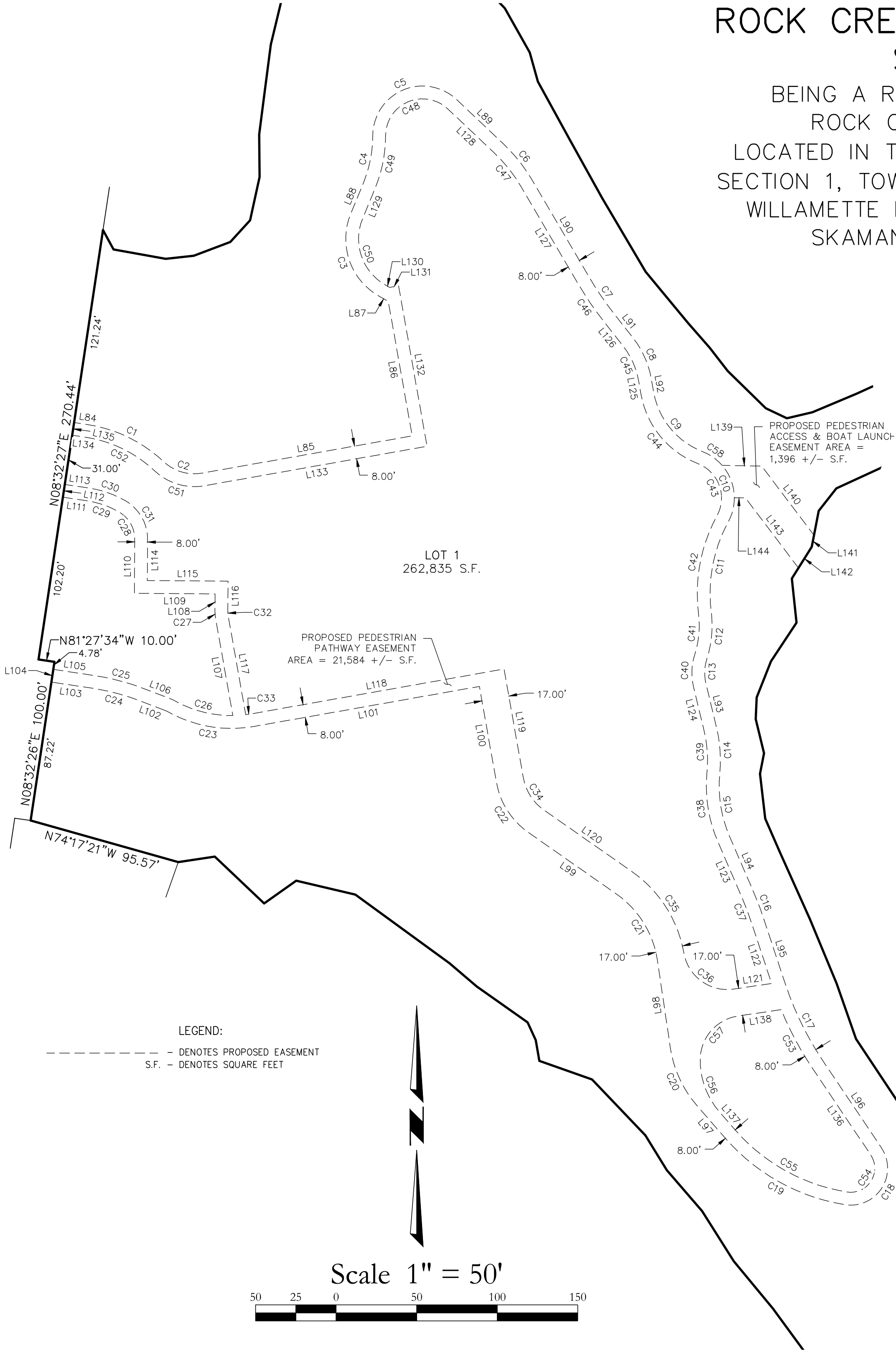
BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	53.63'	88.50'	034°43'09"	S64°05'21"E	52.81'
C2	26.06'	28.00'	053°19'42"	S73°23'38"E	25.13'
C3	59.20'	41.00'	082°43'50"	N18°59'20"W	54.19'
C4	30.60'	79.00'	022°11'25"	N11°16'53"E	30.41'

LINE TABLE		
LINE	LENGTH	DIRECTION
L84	8.31'	S81°26'56"E
L85	132.84'	N79°56'31"E
L86	85.06'	N10°03'29"W
L87	6.67'	N60°21'15"W
L88	20.47'	N22°22'35"E
L89	40.11'	S46°32'25"E
L90	71.13'	S30°27'49"E
L91	19.84'	S38°05'38"E
L92	8.57'	S10°03'29"E
L93	27.89'	S13°35'32"E
L94	37.83'	S23°19'44"E
L95	42.94'	S18°19'44"E
L96	64.42'	S33°58'05"E
L97	26.85'	N41°02'28"W
L98	54.94'	N08°25'16"W
L99	66.77'	N55°03'29"W
L100	60.66'	N10°03'29"W
L101	142.64'	S79°56'31"W
L102	18.75'	N69°06'56"W
L103	25.87'	N81°27'34"W
L104	8.00'	N08°32'26"E
L105	25.87'	S81°27'34"E
L106	19.40'	S69°06'56"E
L107	61.56'	N10°03'29"W
L108	10.17'	N00°38'20"E
L109	50.30'	N89°35'43"W
L110	33.64'	N00°24'17"E
L111	15.30'	N81°26'56"W
L112	8.00'	N08°32'27"E
L113	15.30'	S81°26'56"E
L114	25.64'	S00°24'17"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L115	50.34'	S89°35'43"E
L116	18.20'	S00°38'20"W
L117	62.42'	S10°03'29"E
L118	159.64'	N79°56'31"E
L119	68.66'	S10°03'29"E
L120	66.77'	S55°03'29"E
L121	23.82'	N81°34'44"E
L122	40.10'	N18°19'44"W
L123	37.83'	N23°19'44"W
L124	27.89'	N13°35'32"W
L125	8.57'	N10°03'29"W
L126	19.84'	N38°05'38"W
L127	71.13'	N30°27'49"W
L128	40.11'	N46°32'25"W
L129	20.47'	S22°22'35"W
L130	3.10'	S60°21'15"E
L131	5.64'	N79°56'31"E
L132	101.50'	S10°03'29"E
L133	140.84'	S79°56'31"W
L134	8.31'	N81°26'56"W
L135	8.00'	N08°32'27"E
L136	64.42'	N33°58'05"W
L137	14.78'	S41°02'28"E
L138	27.27'	S81°34'44"W
L139	24.61'	N89°03'25"W
L140	54.03'	N37°05'46"W
L141	7.39'	S10°56'59"W
L142	15.52'	S32°02'36"W
L143	54.75'	N37°05'46"W
L144	6.93'	N89°03'25"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C5	72.11'	31.00'	133°16'25"	N66°49'22"E	56.92'
C6	28.34'	101.00'	016°04'36"	S38°30'07"E	28.25'
C7	26.50'	199.00'	007°37'49"	S34°16'44"E	26.48'
C8	27.89'	57.00'	028°02'10"	S24°04'33"E	27.61'
C9	50.22'	49.00'	058°43'29"	S39°25'15"E	48.05'
C10	52.68'	31.00'	097°22'17"	S20°05'51"E	46.57'
C11	58.13'	93.00'	035°48'41"	S10°40'57"W	57.19'
C12	29.36'	67.00'	025°06'41"	S05°19'57"W	29.13'
C13	15.93'	29.00'	031°28'49"	S02°08'53"W	15.73'
C14	29.09'	87.00'	019°09'24"	S04°00'50"E	28.95'
C15	39.84'	79.00'	028°53'35"	S08°52'56"E	39.42'
C16	17.54'	201.00'	005°00'00"	S20°49'44"E	17.53'
C17	54.32'	199.00'	015°38'21"	S26°08'54"E	54.15'
C18	53.44'	23.00'	133°06'57"	S32°35'24"W	42.20'
C19	86.85'	125.00'	039°48'40"	N60°56'48"W	85.12'
C20	40.42'	71.00'	032°37'11"	N24°43'52"W	39.88'
C21	50.06'	61.50'	046°38'12"	N31°44'22"W	48.69'
C22	38.09'	48.50'	045°00'00"	N32°33'29"W	37.12'
C23	56.18'	80.50'	039°58'59"	N80°03'59"W	55.04'
C24	29.95'	139.00'	012°20'38"	N75°17'15"W	29.89'
C25	31.67'	147.00'	012°20'38"	S75°17'15"E	31.61'
C26	39.36'	72.50'	031°06'14"	S75°08'25"E	38.88'
C27	5.04'	27.00'	010°41'49"	N04°42'34"W	5.03'
C28	20.55'	19.50'	060°22'42"	N29°47'05"W	19.61'
C29	21.18'	56.50'	021°28'30"	N70°42'41"W	21.05'
C30	24.18'	64.50'	021°28'30"	S70°42'41"E	24.03'
C31	28.98'	27.50'	060°22'42"	S29°47'05"E	27.66'
C32	3.55'	19.00'	010°41'49"	S04°42'34"E	3.54'
C33	3.80'	72.50'	003°00'12"	N81°26'37"E	3.80'
C34	24.74'	31.50'	045°00'00"	S32°33'29"E	24.11'
C35	61.78'	78.50'	045°05'29"	S32°30'44"E	60.20'
C36	42.46'	27.50'	088°27'17"	S54°11'38"E	38.36'
C37	16.84'	193.00'	005°00'00"	N20°49'44"W	16.84'
C38	43.87'	87.00'	028°53'35"	N08°52'56"W	43.41'
C39	26.41'	79.00'	019°09'24"	N04°00'50"W	26.29'
C40	20.33'	37.00'	031°28'50"	N02°08'53"E	20.07'
C41	25.86'	59.00'	025°06'41"	N05°19'57"E	25.65'
C42	63.13'	101.00'	035°48'41"	N10°40'57"E	62.11'
C43	39.09'	23.00'	097°22'17"	N20°05'51"W	34.55'
C44	58.42'	57.00'	058°43'29"	N39°25'15"W	55.90'
C45	23.98'	49.00'	028°02'10"	N24°04'33"W	23.74'
C46	27.57'	207.00'	007°37'49"	N34°16'44"W	27.55'
C47	26.09'	93.00'	016°04'36"	N38°30'07"W	26.01'
C48	53.50'	23.00'	133°16'25"	S66°49'22"W	42.23'
C49	33.69'	87.00'	022°11'25"	S11°16'53"W	33.48'
C50	47.65'	33.00'	082°43'50"	S18°59'20"E	43.62'
C51	33.51'	36.00'	053°19'42"	N73°23'38"W	32.31'
C52	48.78'	80.50'	034°43'09"	N64°05'21"W	48.04'
C53	41.99'	207.00'	011°37'19"	N28°09'25"W	41.92'
C54	34.85'	15.00'	133°06'57"	N32°35'24"E	27.52'
C55	81.30'	117.00'	039°48'40"	S60°56'48"E	79.67'
C56	35.92'	49.00'	042°00'10"	S20°02'22"E	35.12'
C57	38.69'	27.50'	080°37'01"	S41°16'13"W	35.58'
C58	15.05'	31.00'	027°48'26"	S54°52'46"E	14.90'



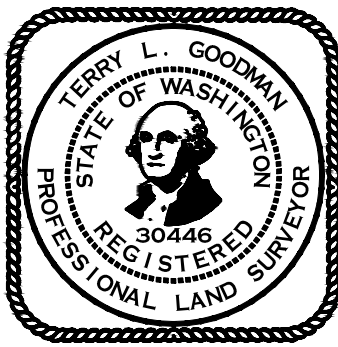
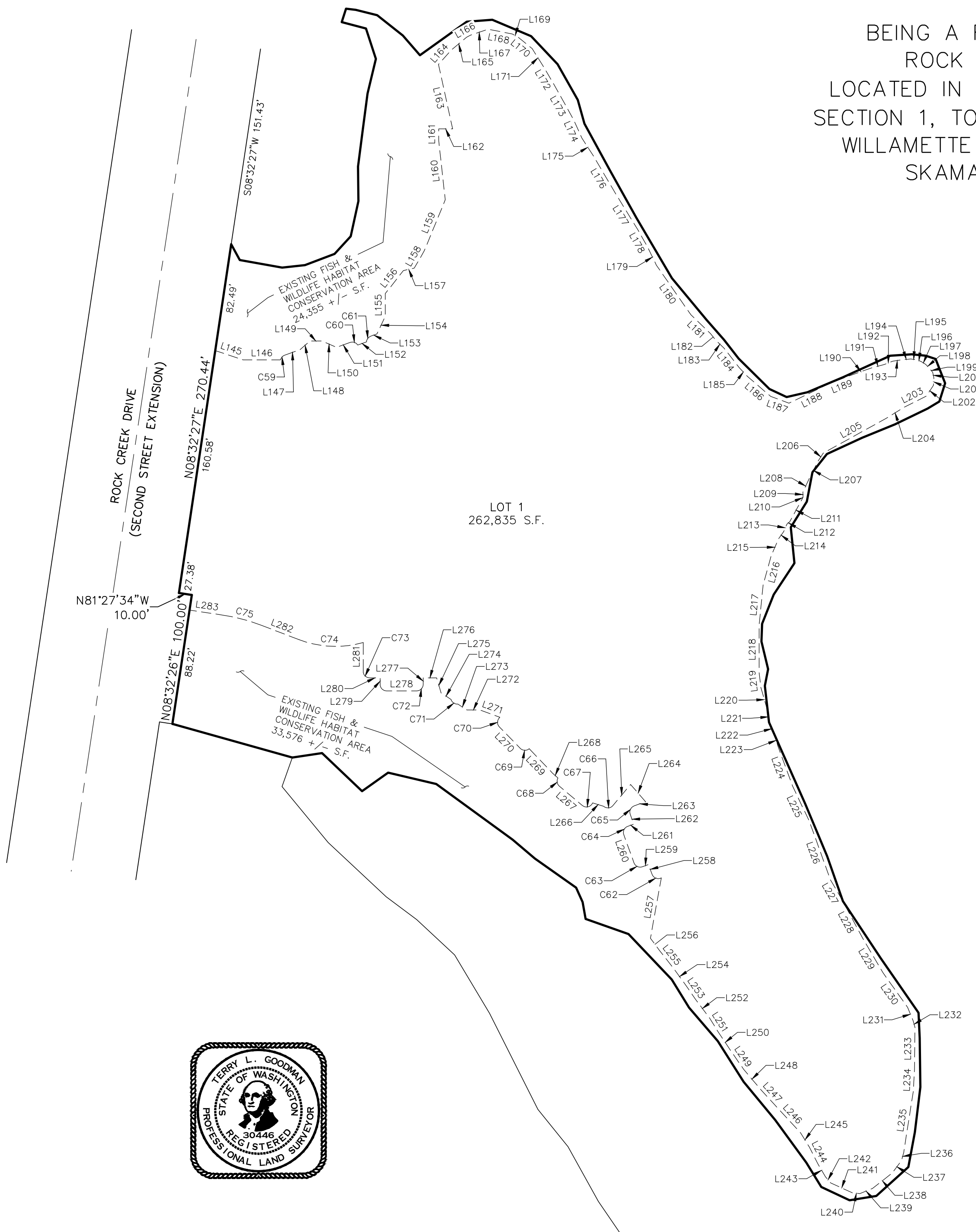


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Vancouver, WA 98683
360.695.3488
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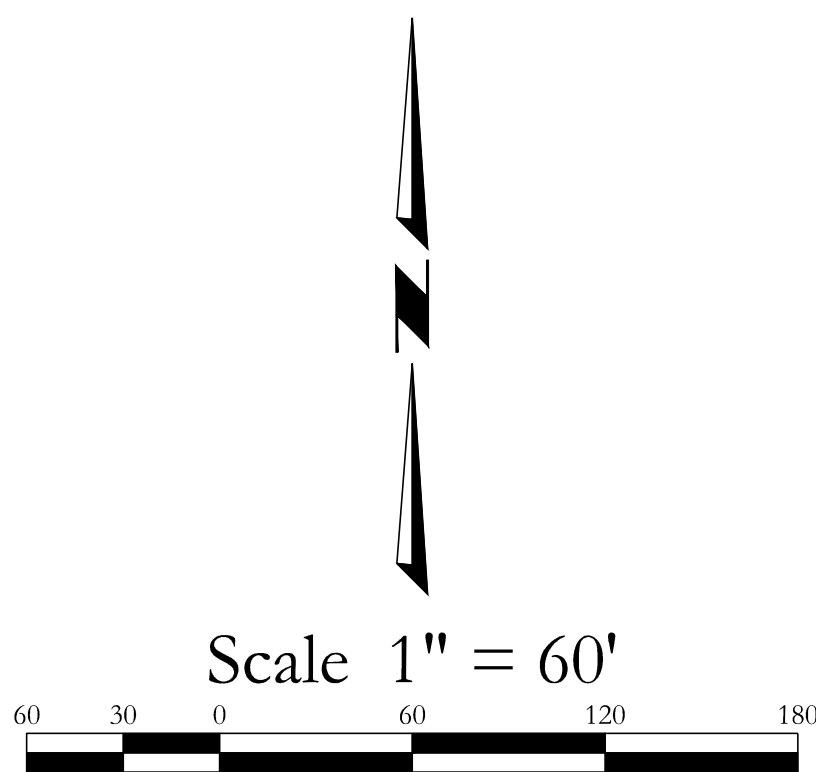
ROCK CREEK COVE HOSPITALITY SHORT PLAT


BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON



LEGEND:
- - - - - DENOTES PROPOSED EASEMENT
S.F. - DENOTES SQUARE FEET

NOTE:
LINE AND CURVE TABLES FOR THIS SHEET ARE SHOWN ON SHEET 5



 PBS			PBS Engineering and Environmental LLC 1325 SE Tech Center Dr., Ste. 140 Vancouver, WA 98683 360.695.3488 pbsusa.com
DRAWN BY: MLY	SCALE: 1"=60'	10/30/2024	
CHECKED BY: TLG	JOB NO.: 24011736	SHEET 4 OF 5	

ROCK CREEK COVE HOSPITALITY
SHORT PLAT

BEING A REPLAT OF LOTS 1 AND 2 OF
ROCK CREEK COVE SHORT PLAT,
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF
SECTION 1, TOWNSHIP 2 NORTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN, CITY OF STEVENSON,
SKAMANIA COUNTY, WASHINGTON

LINE TABLE		
LINE	LENGTH	DIRECTION
L145	22.70'	S71°37'50"E
L146	28.50'	N90°00'00"E
L147	12.79'	N70°00'49"E
L148	9.81'	N48°29'01"E
L149	9.02'	N90°00'00"E
L150	12.43'	S66°46'21"E
L151	11.04'	N70°00'49"E
L152	7.06'	N69°52'12"E
L153	5.01'	N70°00'49"E
L154	15.01'	N25°38'27"E
L155	17.48'	N00°00'00"E
L156	22.40'	N38°02'58"E
L157	8.59'	N77°35'57"E
L158	15.37'	N30°01'57"E
L159	42.25'	N22°22'35"E
L160	46.14'	N06°18'11"W
L161	8.54'	N00°00'00"E
L162	10.72'	N90°00'00"E
L163	50.69'	N12°22'45"W
L164	14.27'	N41°39'38"E
L165	15.80'	N50°11'35"E
L166	3.33'	N61°03'26"E
L167	14.32'	N71°26'26"E
L168	18.79'	S78°54'49"E
L169	5.21'	S61°59'13"E
L170	13.84'	S50°31'15"E
L171	16.64'	S32°16'44"E
L172	16.61'	S30°23'18"E
L173	30.10'	S29°05'40"E
L174	15.17'	S24°01'36"E
L175	17.06'	S32°57'46"E
L176	32.75'	S30°28'05"E
L177	33.26'	S31°37'25"E
L178	16.19'	S28°59'38"E
L179	14.02'	S25°47'05"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L180	46.22'	S34°50'51"E
L181	20.79'	S46°12'15"E
L182	6.87'	S38°49'50"E
L183	8.22'	S46°31'31"E
L184	19.19'	S37°58'58"E
L185	9.33'	S43°04'40"E
L186	23.44'	S49°15'50"E
L187	14.98'	S69°39'29"E
L188	33.59'	N64°01'38"E
L189	17.98'	N68°36'18"E
L190	17.52'	N70°30'29"E
L191	9.75'	N74°50'56"E
L192	7.14'	N69°05'04"E
L193	7.05'	N81°12'05"E
L194	6.89'	N85°06'03"E
L195	4.64'	S83°55'45"E
L196	3.73'	S66°49'06"E
L197	3.78'	S58°47'08"E
L198	4.85'	S45°00'18"E
L199	3.65'	S36°16'01"E
L200	4.40'	S11°34'18"E
L201	5.70'	S03°56'53"W
L202	9.75'	S33°16'09"W
L203	18.58'	S63°32'34"W
L204	17.24'	S58°29'16"W
L205	54.55'	S61°02'57"W
L206	7.02'	S32°57'40"W
L207	16.60'	S27°01'42"W
L208	10.25'	S24°51'40"W
L209	3.61'	S01°31'44"E
L210	1.41'	S20°51'12"W
L211	20.14'	S28°38'52"W
L212	2.76'	S48°34'48"W
L213	6.42'	S24°14'11"W
L214	6.54'	S35°27'16"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L215	14.38'	S23°36'54"W
L216	22.95'	S15°35'05"W
L217	32.05'	S05°35'27"W
L218	35.57'	S00°07'11"E
L219	11.78'	S06°39'27"E
L220	18.87'	S16°11'51"E
L221	8.34'	S06°31'35"E
L222	10.72'	S23°42'08"E
L223	8.46'	S16°11'51"E
L224	32.79'	S20°09'51"E
L225	30.20'	S25°25'00"E
L226	47.68'	S19°50'30"E
L227	18.24'	S30°14'54"E
L228	32.55'	S28°07'18"E
L229	31.36'	S30°30'46"E
L230	32.48'	S35°24'44"E
L231	11.02'	S22°16'44"E
L232	5.33'	S14°48'08"E
L233	32.45'	S00°39'42"W
L234	15.55'	S02°51'49"W
L235	48.25'	S08°53'24"W
L236	6.59'	S15°01'17"W
L237	11.88'	S36°46'20"W
L238	19.35'	S51°51'14"W
L239	10.38'	S68°02'57"W
L240	5.45'	N85°06'33"W
L241	18.62'	N65°21'52"W
L242	6.16'	N40°55'31"W
L243	11.69'	N30°19'27"W
L244	14.37'	N26°55'50"W
L245	12.74'	N31°34'17"W
L246	29.20'	N42°51'30"W
L247	16.36'	N42°11'01"W
L248	19.91'	N40°16'32"W
L249	16.38'	N34°36'06"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L250	17.20'	N33°59'12"W
L251	14.19'	N31°59'07"W
L252	17.26'	N36°58'57"W
L253	13.71'	N34°25'18"W
L254	15.52'	N36°04'42"W
L255	17.54'	N38°11'53"W
L256	11.58'	N36°35'01"W
L257	47.07'	N10°10'37"E
L258	8.00'	N20°00'00"W
L259	5.00'	S70°00'00"W
L260	23.00'	N20°00'00"W
L261	5.00'	N70°00'00"E
L262	8.00'	N20°00'00"W
L263	9.34'	N70°00'00"E
L264	17.53'	N40°48'31"W
L265	21.12'	S40°00'00"W
L266	8.79'	N73°20'35"W
L267	23.00'	N50°00'00"W
L268	5.68'	N47°57'06"W
L269	25.77'	N43°41'07"W
L270	23.00'	N44°17'43"W
L271	16.26'	N69°52'45"W
L272	10.05'	N90°00'00"W
L273	8.28'	N56°26'21"W
L274	9.14'	N56°26'21"W
L275	12.01'	N16°24'24"W
L276	10.39'	N90°00'00"W
L277	5.00'	S00°00'00"E
L278	23.00'	N90°00'00"W
L279	5.00'	N00°00'00"E
L280	8.00'	N90°00'00"W
L281	22.08'	N00°00'00"E
L282	31.40'	N69°06'56"W
L283	25.87'	N81°27'34"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C59	5.07'	5.00'	058°07'42"	S40°56'58"W	4.86'
C60	6.74'	5.00'	077°12'56"	N71°22'42"W	6.24'
C61	5.74'	5.00'	065°47'28"	S37°07'06"W	5.43'
C62	8.59'	5.00'	098°26'34"	S69°13'17"E	7.57'
C63	7.85'	5.00'	090°00'00"	S65°00'00"E	7.07'
C64	7.85'	5.00'	090°00'00"	S25°00'00"W	7.07'
C65	7.85'	5.00'	090°00'00"	S25°00'00"W	7.07'
C66	8.02'	5.00'	091°55'40"	N85°57'50"E	7.19'
C67	9.40'	5.00'	107°42'23"	N76°08'48"E	8.08'
C68	6.96'	5.00'	079°43'42"	S10°08'09"E	6.41'
C69	7.56'	5.00'	086°35'00"	S87°35'13"E	6.86'
C70	8.27'	5.00'	094°44'05"	S03°04'20"W	7.36'
C71	6.82'	5.00'	078°10'21"	S56°26'21"E	6.30'
C72	7.85'	5.00'	090°00'00"	N45°00'00"E	7.07'
C73	7.85'	5.00'	090°00'00"	S45°00'00"E	7.07'
C74	50.09'	78.50'	036°33'30"	S87°23'41"E	49.24'
C75	30.16'	140.00'	012°20'38"	N75°17'15"W	30.10'



**PBS Engineering and
Environmental LLC**
1325 SE Tech Center Dr., Ste. 140
Vancouver, WA 98683
360.695.3488
pbsusa.com

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CHECKED BY: TLG	JOB NO.: 24011736	SHEET 5 OF 5

**CITY OF STEVENSON
SMC 18 SHORELINE MANAGEMENT**

Regarding a request by FDM Development Inc. to construct up to)
19 cabins that will serve as nightly and weekly lodging, as well as)
an event space to be used for private weddings, reunions, and)
parties. On-site parking, public pedestrian access, landscaping, and)
enhancements to the riverbank will also be provided. Additionally,)
a plat vacation is proposed to provide a more cohesive property)
under one ownership group.)

**SHORELINE SUBSTANTIAL
DEVELOPMENT PERMIT**

January 22nd, 2024

PROPOSAL: The applicant requests a Shoreline Substantial Development Permit (SSDP) to construct up to 19 cabins that will serve as nightly and weekly lodging, as well as an event space to be used for private weddings, reunions, and parties. On-site parking, public pedestrian access, landscaping, and enhancements to the riverbank will also be provided. Additionally, a plat vacation is proposed to provide a more cohesive property under one ownership group.

APPLICANT: Brad Kilby, AICP
Harper Houf Peterson Righellis Inc.
205 SE Spokane Street, Suite 200
Portland, OR 97202
(503) 221-1131

ENGINEER: Bruce Haunreiter, P.E.
Harper Houf Peterson Righellis Inc.
1220 Main Street, Suite 150
Vancouver, WA 98660
(360) 750-1131

OWNER: Den Maldonado
FDM Development Inc.
PO Box 353
Ridgefield, WA 98642
(360) 719-0276

LOCATION: 968 SW Rock Creek Drive. 40 SW Cascade Avenue. The site has been assigned Tax Lot Numbers 02-07-01-0-0-1302-00 and 02-07-01-0-0-1303-00 by the County Assessor.

SHORELINE WATERBODY: Rock Cove

SHORELINE ENVIRONMENT DESIGNATION: Active Waterfront

SHORELINE USE PROPOSED: Commercial & Industrial (Water-Enjoyment), Land Division, Recreational (Trail Parallel to the Shoreline, View Platform), Transportation & Parking Facilities (Accessory Parking)

SHORELINE MODIFICATION PROPOSED: Vegetation Removal

BACKGROUND: Previously a veneer mill, the development site has been vacant for decades. Part of this time the site was under county ownership. In 1999, Skamania County divided the site into 3 legal lots. It remained vacant and was informally used for physical access to Rock Cove. In 2019, the County sold the property to an investment group. That investment group obtained a Mitigated Determination of Non-Significance under City File SEPA2020-01 for a proposal

involving “a three-phased development, beginning with the condo-style units. Phase 2 will add the commercial venue space and restore waterside portions of the property for enhanced, publicly-accessible observation and enjoyment. Phase 3 completes the development with the studio-sized units.”

A Shoreline Substantial Development Permit (SSDP) was issued for phase 1 of that proposal under City File SHOR2020-01. The SSDP was issued under the *Skamania County Shoreline Management Master Program* as it was adopted by the City in August 1975. The project was delayed during the COVID pandemic and SHOR2020-01 expired.

This proposal is for a new SSDP. The project's site plan is different from the previous approval and construction is proposed under a single phase. The proposal is subject to the *Stevenson Shoreline Master Program* as it was adopted in March 2022.

STANDARDS, FINDINGS AND CONCLUSIONS

SMC 18 SHORELINE MANAGEMENT

Chapter 18.08 of the Stevenson Municipal Code is separated into 17 sections relating to management of shoreline water bodies (Columbia River, Rock Cove, Rock Creek). These sections adopt the Stevenson Shoreline Master Program (SMP) and detail procedures for obtaining approvals under the SMP. The SMP contains 7 chapters detailing submittal requirements, policies and regulations applicable when review activities are proposed in Shoreline Jurisdiction. Certain review activities require approval by the Shoreline Administrator, others require approval by the Stevenson Planning Commission, still others require approval by the Stevenson Planning Commission and the Washington Department of Ecology. The sections below relate to Shoreline Substantial Development Permits (SSDP), the mechanism involved when the Planning Commission approves review activities.

SMC 18.08 – Shoreline Management

Chapter 18.08 of the Stevenson Municipal Code (SMC) establishes procedural standards for implementation of the City's shoreline management program. The chapter is separated into 17 sections detailing program administration and project review. There are 14 sections reviewed prior to issuance of a Substantial Development Permit, 6 of which are the responsibility of the applicant. Findings and conclusions related to each section are detailed below.

CRITERION §18.08.010 – ADMINISTRATION AUTHORIZED. “A. The “shoreline administrator” or “administrator” or that person’s designee, is hereby vested with: [5 specific duties/authorities]

B. The City of Stevenson Planning Commission is hereby vested with:

1. Authority to issue shoreline permits as required herein. “Shoreline permits” include shoreline substantial development permits, shoreline conditional use permits, and shoreline variances.”

FINDING(S): a. The proposal submitted involves activities, developments, and/or uses requiring issuance of a shoreline permit.
 b. The Planning Commission is authorized to issue this shoreline permit.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.010 subject to the review conducted herein.

CRITERION §18.08.020 – SHORELINE MASTER PROGRAM AND MAP ADOPTION. “A. There is made a part of this chapter a

management plan which shall be known as the "Stevenson Shoreline Master Program," adopted March 17th, 2022, as well as a map which shall be officially known as the "Stevenson Shoreline Environment Designation Map." These documents shall be made available to the general public upon request.

B. The Shoreline Environment Designation Map generally shows the shoreline areas of the city which are under the jurisdiction of the Act and the shoreline environments as they affect the various lands and waters of the city. The precise location of shoreline jurisdiction and shoreline environment boundaries shall be determined according the appropriate provisions of the SMP."

FINDING(S): a. The proposal is subject to review according to the provisions of the Stevenson Shoreline Master Program.
b. The proponents' application included precise locations of shoreline jurisdiction and shoreline environment boundaries pursuant to the Stevenson Shoreline Management Program.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.020 without conditions.

CRITERION §18.08.050 – APPLICABILITY OF PROVISIONS, SHORELINES DESIGNATED. "A. Unless specifically exempted by state statute, all proposed uses and development occurring within shoreline jurisdiction must conform to chapter 90.58 RCW, the Shoreline Management Act, and the Stevenson Shoreline Master Program.

B. This chapter applies to all areas within shoreline jurisdiction as designated in the SMP, including:

1. That portion of the Columbia River shoreline which lies within city limits. This chapter will apply to any Columbia River shoreline which lies within city limits. This chapter will apply to any Columbia River shoreline which is annexed into the city. The entire Columbia River shoreline is a Shoreline of State-Wide Significance;

2. The Rock Cove shoreline;

3. That portion of the Rock Creek shoreline which lies within city limits. This chapter will apply to any Rock Creek shoreline which is annexed into the city.

4. Any portion of the Ashes Lake shoreline which is annexed into the city; provided, the annexed shoreline has been predesignated within the SMP."

FINDING(S): a. The proposal is not specifically exempted by state statute.
b. The proposal is located within the shoreline jurisdiction of a portion of Rock Cove lying within city limits.
c. The proposal must conform to the Shoreline Management Act and the Stevenson Shoreline Management Program.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.050 without conditions.

CRITERION §18.08.080 – SHORELINE PERMITS & APPROVALS—REQUIRED WHEN. "A. Any person wishing to undertake activities requiring a Minor Project Authorization or a Shoreline Permit (Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, or Shoreline Variance) within shoreline jurisdiction shall apply to the Shoreline Administrator for appropriate approval.

B. In addition to the provisions contained herein, the authorization to undertake use or development in shoreline jurisdiction is subject to review according to the applicability, criteria, and process described in the SMP, especially SMP Chapter 2."

FINDING(S): a. The proponents wish to undertake an activity requiring a Shoreline Permit and submitted a complete application for a Substantial Development Permit on August 11th, 2023 and supplemented through December 11, 2023.
b. Review according to SMP Chapter 2 is addressed below.

CONCLUSIONS OF LAW: This will comply with SMC 18.08.080 without conditions.

CRITERION §18.08.100 – PERMITS—APPLICATION PROCEDURE. "A. Any person required to comply with the Shorelines

Management Act of 1971 and this chapter shall obtain the proper application forms from the city planning department. The completed application shall then be submitted to the shoreline administrator.

B. Upon receipt of an application, the shoreline administrator shall determine which category of proposal has been submitted:

1. Category A applications involve requests for all shoreline permits, including a) Shoreline Substantial Development Permits, b) Shoreline Conditional Use Permits, c) Shoreline Variances, and d) revisions to any previously authorized Category A proposal.

2. Category B applications involve requests for a) a Minor Project Authorization issued pursuant to WAC 173-27-050, b) limited utility extensions and bulkheads approved pursuant to WAC 173-27-120, c) revisions to any previously authorized Category B proposal, and d) extensions of shoreline substantial development permits and Minor Project Authorizations"

C. After determining the application category, the administrator will then review the application for completeness according to this chapter and the SMP.

FINDING(S): a. The proponents submitted a complete application on August 11, 2023 and supplemented through December 11, 2023.
b. Upon submission of the application, the Shoreline Administrator determined the application as complete for a proposal involving a Category A Shoreline Permit.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.100 without conditions.

CRITERION §18.08.110 – PERMITS—NOTICE PUBLICATION. "A. Within 14 days after a determination of completeness under SMC 18.08.100, the Shoreline Administrator shall provide a notice of application for all Category A proposals as follows:

1. Content. The content of the notice shall be identical to that set forth in WAC 173-27-110(2). In addition, the notice shall state the time and place of the open record public hearing to be held for the Category A proposal.

2. On-Site Notice. No less than 2 notices shall be posted by the administrator in conspicuous places on or adjacent to the subject property.

3. Mailing. The notice shall be mailed to a) the land owner, b) all property owners of record within a radius of 300 feet of the exterior boundaries of the subject property, c) all agencies with jurisdiction per chapter 43.21C RCW, and d) individuals, organizations, tribes, and agencies that request such notice in writing.

4. Newspaper. The notice shall be published at least once a week, on the same day of the week, for two consecutive weeks in a newspaper circulating and published within the city.

B. Category B proposals reviewed under WAC 173-27-120 require the same notice of application as Category A proposals. All other Category B proposals do not require notice of application."

FINDING(S): a. The notice prepared for this proposal includes the content set forth in WAC 173-27-110(2).
b. The notice was posted on site on August 22, 2023. On August 26, 2023 staff observed that the notice was removed. On August 29, 2023, the notices were replaced.
c. The notice was mailed to the required recipients on or about August 22, 2023.
d. The notice was published in *The Columbian* on August 29 and September 5, 2023.
e. Based on the continuation of the hearing, new notices were posted (November 16), mailed (November 16), and published (November 22 & 29).

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.110 without conditions.

CRITERION §18.08.120 – PERMITS—FEES. "A. An application for an approval under this chapter shall be accompanied by an application fee payable to the city in an amount established and periodically adjusted by the city council.

B. Payment of an application fee does not guarantee that a permit will be issued.

FINDING(S): a. The proponents submitted the applicable fee on August 11th, 2023.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 without conditions.

CRITERION §18.08.140 – PERMITS—INTERESTED PARTIES—COMMENT PERIOD. "A. For any Category A proposal, any member of the public may provide written comments for thirty days after the last publication of the notice of application.
B. For Category B proposals reviewed under WAC 173-27-120, any member of the public may provide written comments for twenty days after the last publication of the notice of application.
C. During the public comment periods established in this section, any member of the public may also request to be notified of the action taken by the city.

FINDING(S): a. The City received written comments from:
1. The Washington Department of Ecology,
2. The Washington Department of Fish & Wildlife.
b. The City received requests to be notified of action from: (none).

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 without conditions.

CRITERION §18.08.180 – PLANNING COMMISSION ACTION—CATEGORY A PROPOSALS. "A. No authorization to undertake proposed Category A use or development shall be granted by the planning commission until at least one open record public hearing has been held and the proposed use and development is determined to be consistent with the policy and provisions of the SMA and the SMP.
B. At the public hearing scheduled for consideration of a Category A proposal by the planning commission, the commission shall, after considering all relevant information available and evidence presented to it, either grant, conditionally grant, or deny the permit.
C. In granting or revising a permit, the commission may attach thereto such conditions, modifications and restrictions regarding the location, character and other features of the proposed development as it finds necessary. Such conditions may include the requirement to post a performance bond assuring compliance with other permit requirements, terms and conditions.
D. The decision of the planning commission shall be the final decision of the city on all applications for Category A proposals. The commission shall render a written decision including findings, conclusions and a final order, and transmit copies of its decision to the persons who are required to receive copies of the decision pursuant to Section 18.08.190.

FINDING(S): a. The Planning Commission held an open record public hearing on October 9, 2023 which was continued to November 13, 2023 and December 1, 2023.
b. The open record for this application review was closed after the final public hearing on December 11th, 2023 whereat the proposal was approved subject to the adoption of findings.
c. This document catalogues the Planning Commission's consideration of information available and evidence presented regarding this Category A proposal.
d. The Planning Commission has not required the posting of a performance bond to assure compliance with the permit.
e. This document constitutes the written decision of the Planning Commission and the City's final decision on this permit.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 upon satisfaction of the conditions contained herein.

CRITERION §18.08.185 –SHORELINE ADMINISTRATOR ACTION—CATEGORY B PROPOSALS. [THIS SECTION APPLIES TO A

DIFFERENT TYPE OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.190 –NOTIFICATION AND FILING OF ACTION. [THIS SECTION APPLIES TO CITY PROCEDURES AFTER A DECISION IS MADE. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.200 – APPEAL FROM PERMIT DECISION. “Any person aggrieved by the granting or denying of a substantial development permit, conditional use permit, variance, or by the rescinding of a permit pursuant to the provisions of this chapter may seek review from the shorelines hearing board. Such an appeal must be filed as a request for the same within twenty-one days of receipt of the final order and by concurrently filing copies of such request with ecology and the attorney general’s office. The state hearings board regulations of RCW 90.58.180 and Chapter 461-08 WAC apply. A copy of such appeal notice shall also be filed promptly with the City of Stevenson. Upon issuance of a final order after an appeal, the city shall provide said order to ecology according to WAC 173-27-130(10).

FINDING(S):

- a. The appeal process applies to the proponent and any person aggrieved by the City decision.
- b. The appeal period coincides with the timelines established in SMC 18.08.210.
- c. A condition is appropriate to provide guidance on this procedure.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.120 upon satisfaction the condition below.

CONDITIONS:

1. Timely appeals shall be filed by the proponent within 21 days of Receipt of the Final Decision.

CRITERION §18.08.205 –APPEAL FROM ADMINISTRATOR DECISION. [THIS SECTION APPLIES TO A DIFFERENT TYPE OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.210 – PERMIT ISSUANCE AND EFFECT. “A. The effective date of a substantial development permit shall be the date of filing as provided in RCW 90.58.140(6).
B. Each shoreline permit shall contain a provision that construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the date of filing with ecology, per WAC 173-27-190 or as subsequently amended, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated.
C. Issuance of a permit does not obviate the applicant from meeting requirements of other federal, state and county permits, procedures and regulations.

FINDING(S):

- a. A condition is appropriate to incorporate SMC 18.08.210(B) into the permit decision.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.210 upon satisfaction of the conditions contained herein.

CONDITIONS:

2. **Construction pursuant to this Permit shall not begin** and is not authorized until 21 days from the date of filing with Ecology, per WAC 173-27-190 or as subsequently amended, or until all review proceedings initiated within 21 days from the date of such filing have been terminated.

CRITERION §18.08.220 – PERMIT DURATION—EXTENSIONS. "A. Construction activities shall be commenced, or where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of an authorization or shoreline permit issued under this chapter. However, the city may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to ecology and parties of record on the original authorization or permit.
B. Authorization to conduct development activities shall terminate five years after the effective date of an authorization or shoreline permit. However, the city may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notices of the proposed extension is given to ecology and parties of record on the original authorization or permit.
C. Upon a finding of good cause, based on the requirements and circumstances of the specific project proposed and consistent with the policies and provisions of the SMP and WAC 173-27, the city may adopt different time limits from those set forth above as a part of action on a shoreline permit.
D. The time periods in this section do not include the time during which a use or activity was not actually pursued due to the pendency of administrative appeals or legal actions or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed, including all reasonably related administrative or legal actions on any such permits or approvals.

FINDING(S):

- a. Timelines differing from this set forth in SMC 18.08.220(A) & (B) are not necessary for this permit.
- b. Conditions are appropriate to incorporate the timelines of SMC 18.08.220(A), (B), and (D) into the permit decision.
- c. Conditions are necessary to ensure permit timelines continue to be met in the face of unforeseen delays under SMC 18.08.220(D).

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.220 upon satisfaction of the conditions contained herein.

CONDITIONS:

3. **Within 2 years of the effective date of this permit**, construction activities associated with this permit shall commence or a written request for a maximum 1-year extension shall be submitted to the City. If construction activities do not commence accordingly, the permit shall expire.
4. **Within 5 years of the effective date of this permit**, all development activities associated with this permit shall terminate or a written request for a maximum 1-year extension shall be submitted to the City.
5. **Prior to the start of construction**, the proponent shall submit the City documentation sufficient to establish an accurate timeline of any activity justifying an extension of the permit's duration based on SMC 18.08.220(D). No such documentation will be accepted by the City after construction commences.

CRITERION §18.08.235 –VARIANCE AND CONDITIONAL USE PERMITS—ECOLOGY REVIEW. [THIS SECTION APPLIES TO A DIFFERENT TYPE OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §18.08.250 – ENFORCEMENT—PENALTIES. "All provisions of this chapter shall be enforced by the shoreline administrator and/or a designated representative. The enforcement procedures and penalties contained in WAC 173-27 and RCW Chapter 90.58 are hereby incorporated by reference."

FINDING(S): a. A condition is appropriate to incorporate SMC 18.08.250 into the permit decision.

CONCLUSIONS OF LAW: This project will comply with SMC 18.08.250 upon satisfaction of the conditions contained herein.

CONDITIONS:

6. **Throughout the Duration of this Permit**, the proponents shall provide reasonable access to the Shoreline Administrator to ensure enforcement of this permit and the SMP.
7. **Throughout the Duration of Construction**, the proponents shall contact the Shoreline Administrator prior to constructing any change to the proposal to determine whether the change should be permitted and whether the permission should be through a revision to this Minor Project Authorization or through a Shoreline Permit.
8. **Prior to the Start of Construction** the applicants shall provide construction documents for approval by the Shoreline Administrator. The review shall be limited, ensuring the project's consistency with the proposal and ensuring the conditions of City permits have been appropriately incorporated. Should the Administrator fail to respond within 7 days of receipt, the construction documents shall be presumptively approved.

Stevenson Shoreline Master Program

The *Stevenson Shoreline Master Program* (SMP) is adopted by SMC 18.08.020 Chapter 18.08. The program is divided into 7 chapters. Each chapter contains several sections of standards addressing specific aspects of shoreline management. Findings and conclusions related to each section are detailed below.

CHAPTER 1 - INTRODUCTION

CRITERIA §1.1, §1.2, §1.3.1, §1.3.2, §1.4, §1.6, §1.7, §1.8, §1.9, §1.10. [THESE SECTIONS CONTAINS GUIDANCE APPLICABLE TO ALL CRITERION IN THE SMP BUT NO SPECIFIC REGULATIONS. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §1.3.3 – SHORELINE ENVIRONMENT DESIGNATION MAP. "The approximate shoreline jurisdictional area and the

Shoreline Environment Designations (SEDs) are delineated on the map(s), hereby incorporated as a part of this SMP that shall be known as the "Stevenson Shoreline Environment Designation Map" (See Appendix A).

The boundaries of the shoreline jurisdiction on the maps are approximate. The actual extent of shoreline jurisdiction for specific project proposals shall be based upon the actual location of the OHWM, floodway, and the presence and delineated boundaries of associated wetlands as determined after an on-site inspection and in accordance with SMP Sections 1.3.1 and 1.3.2, Chapter 3, Chapter 7, and RCW 90.58.030."

FINDING(S):

- a. The Critical Areas Report prepared by Ecological Land Services, Inc. and submitted with this proposal includes a map of shoreline jurisdiction based on the actual location of the OHWM as observed in the field.
- b. The proposal is located within an area designated as Active Waterfront and extends through an area designated Aquatic on the Stevenson Shoreline Environment Designation Map.

CONCLUSIONS OF LAW: This project will comply with SMP 1.3.2 without conditions.

CRITERION §1.5 – SHORELINE MASTER PROGRAM APPLICABILITY TO DEVELOPMENT. "The SMP shall apply to all land and waters under the jurisdiction of Stevenson as identified in SMP Sections 1.3.1, 1.3.2, and 1.3.3 above.

This SMP shall apply to every person (i.e., individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated) that uses, develops, owns, leases, or administers lands, wetlands, or waters that fall under the jurisdiction of the SMA. The SMP shall not apply to federal agency activities on federal lands.

See SMP Chapter 2 below for more information on when a permit is required. The SMP applies to all review activities (i.e., shoreline uses, development, and modifications) proposed within shoreline jurisdiction. Some review activities under this program do not require a shoreline substantial development permit. However, such activities must continue to demonstrate compliance with the policies and regulations contained in this SMP in accordance with WAC 173-27-040(1)(b) and be authorized by a minor project authorization."

FINDING(S): a. The SMP is applicable to this proposal by this proponent, for a project occurring within the jurisdiction of Stevenson as identified herein.

CONCLUSIONS OF LAW: This project will comply with SMP 1.5 without conditions.

CHAPTER 2 – ADMINISTRATIVE PROVISIONS

CRITERIA §2.1, §2.2, §2.3.2, §2.4.1, §2.5, §2.7, §2.8, §2.9. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT TYPES OF PROJECT THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §2.3.1 – PRE-APPLICATION CONFERENCE—REQUIRED. "A pre-application conference for all proposed review activities within shoreline jurisdiction is required. The Shoreline Administrator may waive this requirement if the applicant requests such in writing and demonstrates that the usefulness of a pre-application meeting is minimal."

FINDING(S): a. A series of pre-application conferences, emails, and phone calls throughout the Spring and Summer of 2023 occurred in advance of this project's application.

CONCLUSIONS OF LAW: This project will comply with SMP 2.3.1 without conditions.

CRITERION §2.3.3 – DETERMINATION OF ORDINARY HIGH WATER MARK. "For any development where a determination of consistency with the applicable regulations requires a precise location of the OHWM, the mark shall be located precisely with assistance from Ecology and City staff, or a qualified professional, and the biological and hydrological basis for the location shall be included in the development plan. Where the OHWM is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest OHWM of a shoreline."

FINDING(S): a. The Critical Areas and FWHCA Report prepared by Ecological Land Services, Inc., a qualified professional, and submitted with this proposal includes a determination of the OHWM as observed in the field.

CONCLUSIONS OF LAW: This project will comply with SMP 2.3.3 without conditions.

CRITERION §2.4.2 – APPLICATION CONTENTS. [THIS SECTION CONTAINS 2 LISTS OF REQUIRED SUBMITTALS FOR APPROVAL OR PROJECTS IN SHORELINE JURISDICTION AND PROVIDES THE SHORELINE ADMINISTRATOR AUTHORITY TO REQUIRE ADDITIONAL INFORMATION. FOR BREVITY, THE FULL TEXT OF THIS SECTION IS OMITTED.]

FINDING(S): a. The findings of SMC 18.08.100 related to the acceptance of a complete application are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 2.3.3 without conditions.

CRITERION \$2.4.3 – APPLICATION REVIEW & PROCESSING.

"1. When an application is deemed complete, the Administrator may request third-party peer review of any report, assessment, delineation, or mitigation plan by a qualified professional and/or state or federal resource management agency. Such request shall be accompanied by findings supporting the Administrator's decision, which is appealable to the City Council. The City may incorporate recommendations from such third-party reports in findings approving or denying an application. In general, the cost of any third-party review will be the responsibility of the applicant; however, where a project would provide a beneficial public amenity or service, on a case-by-case basis by City Council action, costs may be shared by the City.

2. The Shoreline Administrator shall review the information submitted by the applicant and, after an optional site visit shall determine the category of project proposed according to SMC 18.08.100.

3. Applications shall be processed according to the timelines and notice procedures listed in SMC 18.08.100 through SMC 18.08.190, the review criteria of this Chapter, and WAC 173-27.

4. The City shall use an existing, or establish a new, mechanism for tracking all project review actions in shoreline areas, and a process to evaluate the cumulative effects of all authorized development on shoreline conditions."

FINDING(S):

- a. Third-party peer review occurred during the 2020 permitting process. No additional third-party peer review was deemed necessary by the Shoreline Administrator for this proposal.
- b. The Shoreline Administrator determined this project is a Category A Shoreline Substantial Development Permit.
- c. The findings of related to the Stevenson Municipal Code related to application and review procedures are relevant to this criterion.

CONCLUSIONS OF LAW:

This project will comply with SMP 2.4.3 without conditions.

CRITERION \$2.6.1 – SHORELINE SUBSTANTIAL DEVELOPMENT PERMITS – PURPOSE – APPLICABILITY – CRITERIA.

"The purpose of a Shoreline Substantial Development Permit (SSDP) is to assure consistency with the provisions of the SMA and this SMP. In authorizing a SSDP, the City may attach conditions to the approval as necessary to assure the project is consistent with all applicable standards of the SMA and this SMP. The following criteria shall assist in reviewing proposed SSDPs:

1. SSDPs may not be used to authorize any use that is listed as conditional or prohibited in a shoreline designation.
2. SSDPs may not be used to authorize any development and/or use which does not conform to the specific bulk, dimensional, and performance standards set forth in this SMP.
3. SSDPs may be used to authorize uses which are listed or set forth in this SMP as permitted uses.
4. To obtain a SSDP, the applicant must demonstrate compliance with all of the following review criteria as listed in WAC 173.27.150:
 - a. That the proposal is consistent with the SMA;
 - b. That the proposal is consistent with WAC 173-27 – Shoreline Management Permit and Enforcement Procedures; and
 - c. That the proposal is consistent with this SMP and SMC 18.08 – Shoreline Management."

FINDING(S):

- a. The sum of the findings contained herein are relevant to review of this criterion.

CONCLUSIONS OF LAW:

This project will comply with SMP 2.6.1 upon fulfillment of the conditions contained herein.

CRITERION \$2.6.2 – SHORELINE SUBSTANTIAL DEVELOPMENT PERMITS – PERMIT PROCESS.

"Proposals for SSDPs are subject to the City's permit procedures articulated in SMC 18.08 – Shoreline Management and the State's permit procedures articulated in WAC 173-27 – Shoreline Management Permit and Enforcement Procedures."

FINDING(S):

- a. The findings of SMC 18.08 are relevant to this criterion.

CONCLUSIONS OF LAW:

This project will comply with SMP 2.6.2 without conditions.

CHAPTER 3 – SHORELINE ENVIRONMENT DESIGNATIONS

CRITERIA §3.1, §3.2.1, §3.2.2, §3.2.3, §3.2.4. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §3.2.5 – ACTIVE WATERFRONT ENVIRONMENT. "1 Purpose: The purpose of the Active Waterfront Environment is to recognize the existing pattern of mixed-use development and to accommodate new water-oriented commercial, transportation, recreation, and industrial uses while protecting existing ecological functions of open space, floodplain, and other sensitive lands and restoring ecological functions in areas that have been previously degraded.

2. Location Criteria: The Active Waterfront SED may apply to shorelands that 1) currently support or 2) are appropriate and planned for water-oriented commercial, transportation, recreation, and industrial development that is compatible with protecting or restoring of the ecological functions of the area.

3. Management Policies:

- a. Prefer uses that preserve the natural character of the area or promote preservation of open spaces and sensitive lands, either directly or over the long term. Allow uses that result in restoration of ecological functions if the use is otherwise compatible with the purpose of the environment and the setting.
- b. Give priority to water-oriented uses, with first priority to water-dependent, then second priority to water-related and water-enjoyment uses. For shoreline areas adjacent to commercially navigable waters, give highest priority to water-dependent uses.
- c. Prohibit new non-water-oriented uses, except: i) As part of mixed use development; ii) In limited situations where they do not conflict with or limit opportunities for water-oriented uses; iii) On sites where there is no direct access to the shoreline; iv) As part of a proposal that result in a disproportionately high amount of restoration of ecological functions.
- d. Assure no net loss of shoreline ecological functions as a result of new development through shoreline policies and regulations. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply in accordance with any relevant state and federal law.
- e. Require public visual and physical access and implement public recreation objectives whenever feasible and where significant ecological impacts can be mitigated."

FINDING(S):

- a. The proposal is located in the Active Waterfront Shoreline Environment Designation (SED) and involves water-enjoyment commercial, a use preferred in the SED.
- b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
- c. Public visual and physical access is feasible on this site where significant ecological impacts can be mitigated and avoided.

CONCLUSIONS OF LAW: This project will comply with SMP 3.2.5 without conditions.

CHAPTER 4 – GENERAL PROVISIONS FOR ALL SHORELINE ACTIVITIES

CRITERIA §4.1, §4.4.5, §4.5, §4.8. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS OR PROJECT TYPES THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §4.2.3 – [CULTURAL RESOURCES] REGULATIONS. "1 Site Inspections, Evaluations, and Surveys – Required When:

- a. When a shoreline use or development is within 500 feet of an area documented to contain, or likely to contain, archaeological, cultural, or historic resources based on information from DAHP, a prior archaeological report/survey, or a state or federal register, the applicant shall provide a site inspection and evaluation report prepared by a qualified cultural resource professional prior to issuance of any Shoreline Permit or approval, including a Minor Project Authorization. Work may not begin until the inspection and evaluation have been completed, and the City has issued its permit or approval.
- b. A survey to identify archaeological, cultural, and historic resources 50 years of age and older may be required to be conducted based on the recommendations of a cultural resources professional contained in the site inspection and

evaluation report. The cultural resource survey process shall conform to the most recent update of DAHP's Standards for Cultural Resource Reporting found at this link:

<https://dahp.wa.gov/sites/default/files/CR%20Update%20August%202018%20final.pdf>.

2. Cultural Resources Avoidance. If an archaeological site inspection or evaluation identifies the presence of significant archaeological, cultural, or historic resources at the site, the applicant shall first seek to avoid impacts to the resource.

3. Cultural Resources Management Plan. If an archaeological site inspection or evaluation identifies the presence of significant archaeological, cultural, or historic resources that will be impacted by a project and if recommended by a qualified cultural resource professional, a cultural resource management plan shall be prepared prior to the City's approval of the project. A qualified cultural resource professional(s) shall prepare the cultural resource management plan. Cultural resource management plans shall be developed in consultation with DAHP and affected Tribes. In addition, a permit or other requirement administered by DAHP pursuant to RCW 27.44 and RCW 27.53 may apply. If the cultural resource professional determines that impacts to an archaeological, cultural, or historic resource can be adequately avoided by establishing a work limit area within which no project work or ground disturbance may occur, then a cultural resources management plan is not required.

4. Inadvertent discovery. If any item of possible archaeological interest (including human skeletal remains) is discovered on site during construction or site work, all the following steps shall occur:

a. Stop all work in the immediate area (initially allowing for a 100' buffer, this number may vary by circumstance) immediately;

b. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;

c. Take reasonable steps to ensure the confidentiality of the discovery site;

d. Take reasonable steps to restrict access to the site of discovery;

e. Notify the City, DAHP, and Yakama, Nez Perce, Warm Springs, Umatilla, and Cowlitz tribes of the discovery.

f. A stop-work order will be issued.

g. The Shoreline Permit will be temporarily suspended.

h. All applicable state and federal permits shall be secured prior to commencement of the activities they regulate and as a condition for resumption of development activities.

i. Development activities may resume only upon receipt of City approval.

j. If the discovery includes human skeletal remains, the Skamania County Coroner and local law enforcement shall be notified in the most expeditious manner possible. The County Coroner will assume jurisdiction over the site and the human skeletal remains, and will make a determination of whether they are crime-related. If they are not, DAHP will take jurisdiction over the remains and report them to the appropriate parties. The State Physical Anthropologist will make a determination of whether the remains are Native American and report that finding to the affected parties. DAHP will handle all consultation with the affected parties as to the preservation, excavation, and disposition of the remains "

FINDING(S):

a. A cultural resources study, was prepared for this site on February 4, 2020 by Applied Archaeological Research, Inc. which recommended an inadvertent discovery plan be followed.

b. In 2020 under City File SEPA2020-01, a Mitigated Determination of Nonsignificance (MDNS) was issued on the basis of that report, and a mitigation measure incorporated an Inadvertent Discovery Policy into the project's expectations. The City received comments on the MDNS from DAHP requesting preparation and implementation of a monitoring plan. In its final decision on the Shoreline Substantial Development Permit under the old SMP, the City Council disregarded the DAHP request and no monitoring plan was required.

c. Construction activities completed under the 2020 approvals involved installation of underground utilities.

d. The Planning Commission considered and ultimately rejected conditioning the project based on submittal of an archaeological monitoring plan for review by the Department of Archaeology and Historic Preservation.

CONCLUSIONS OF LAW:

This project will comply with SMP 4.2.3 without conditions.

CRITERION §4.3.3 – [ENVIRONMENTAL PROTECTION & NO NET LOSS] REGULATIONS.

“1. Mitigation Sequence. In order to ensure that review activities contribute to meeting the no net loss provisions by avoiding, minimizing, and mitigating for adverse impacts to ecological functions or ecosystem-wide processes, applicants shall describe how the proposal will follow the sequence of mitigation as defined below:

- a. Avoid the impact altogether by not taking a certain action or parts of an action;
 - b. Minimize the impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps (e.g., project redesign, relocation, timing to avoid or reduce impacts, etc.);
 - c. Rectify the impact by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project or activity;
 - d. Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the action;
 - e. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - f. Monitor the impact and the compensation projects and take remedial or corrective measures when necessary.
2. The mitigation sequence is listed in the order of priority. Applicants shall consider and apply lower priority measures only where higher priority measures are determined to be infeasible or inapplicable.
3. SEPA Compliance. To the extent SEPA applies to a proposal, the analysis of environmental impacts and mitigation related to the proposal shall be conducted consistent with WAC 197-11—SEPA Rules and SMC 18.04—Environmental Policy.
4. Cumulative Impacts. As part of the assessment of environmental impacts subject to this SMP, new uses, developments, and modifications shall evaluate and consider cumulative impacts of reasonably foreseeable future development on shoreline ecological functions. Evaluation of cumulative impacts shall consider:
- a. Current circumstances affecting the shorelines and relevant natural processes;
 - b. Reasonably foreseeable future development and use of the shoreline; and
 - c. Beneficial effects of any established regulatory programs under other local, state, and federal laws.
5. Mitigating for Impacts. When impacts related to a proposal require mitigation, the following shall apply:
- a. The proposal shall achieve no net loss of ecological functions.
 - b. The City shall not require mitigation in excess of that necessary to assure the proposal 1) results in no net loss of ecological function and 2) does not have a significant adverse impact on other shoreline functions fostered by this SMP.
 - c. Compensatory mitigation shall give preference to measures that replace the impacted function directly and in the immediate vicinity of the impact. However, alternative compensatory mitigation located elsewhere in the same reach or watershed that addresses limiting factors or identified critical needs for shoreline resource conservation may be authorized, including appropriate actions identified in the Restoration Plan.
 - d. Unless waived by the City, authorization of compensatory mitigation shall require appropriate safeguards, terms or conditions (e.g. performance bonding, monitoring, conservation covenants) as approved by the City Attorney and necessary to ensure no net loss of ecological functions.
6. Environmental protection and no net loss shall be achieved by complying with the combination of use regulations, shoreline setbacks, critical area buffers, and vegetation removal restrictions:
- a. Shoreline Allowances & Setbacks – Table 5.1 establishes a list of permitted, conditional, and prohibited uses in each shoreline environment designation (SED). This table also establishes the minimum shoreline setback applicable to each use, activity, or development within each SED where development cannot occur; and
 - b. Critical Areas Buffers – Section 4.4 Critical Area provisions, including separately incorporated SMC 18.13 provisions that establish Wetland and Riparian buffer standards as additional areas where mitigation sequencing must be applied and unavoidable impacts must be mitigated; and
 - c. Modifications & Vegetation – Shoreline modification standards, vegetation standards, and prescriptive mitigation measures of Chapter 6 apply to all vegetation impacts occurring within shoreline jurisdiction.

FINDING(S):

- a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
- b. Via written comment, the Washington Department of Ecology contended the applicant had not met its the burden of proof in describing the mitigation sequence was followed for in the site plan's first iteration.
- c. The mitigation sequence—more fully described through supplemental

information submitted into the record prior to the December 11th public hearing on this application—involved the elimination of one cabin from the site program and minimized impacts from remaining cabins.

d. Follow-up written comment from the Department of Ecology indicated the changes adequately addressed the previous comments.

e. The mitigation sequence required of this section has been appropriately followed.

f. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 4.3.3 upon fulfillment of the conditions contained herein.

CRITERION §4.4.3 – GENERAL CRITICAL AREA REGULATIONS. “1 The City of Stevenson shall not issue any Shoreline Permit (i.e., SSDP, SCUP, shoreline variance) or Minor Project Authorization (MPA), or otherwise issue any authorization to alter the condition of any land, water, or vegetation, or to construct or alter any structure or improvement in, over, or on a shoreline critical area or associated buffer, without first assuring compliance with the requirements of this section and SMC 18.13, as applicable.

2. Early Disclosure and Verification. When an applicant submits an application for any development proposal, it shall indicate whether any critical areas or buffers are located on or within 300 feet of the site. The presence of critical areas may require additional studies and time for review. However, the City shall review proposals involving critical areas protection under a single application, timeline, fee, and permit as the required Shoreline Permit or MPA. Early disclosure of critical areas will reduce delays during the permit review process. If the applicant states there are no known critical areas, the City should review and confirm whether critical areas exist, and, if critical areas are present, require the applicant to complete a critical areas report.

3. Studies generated as part other federal or state permit processes (e.g., SEPA submittals, biological opinions, biological evaluations, etc.) shall be provided and may be determined by the Administrator as adequate to satisfy the critical areas report requirements of this SMP if the project has been developed in enough detail to have evaluated site-specific impacts and mitigation measures.

4. New development and the creation of new lots are prohibited in all SEDs when they would cause foreseeable risk from geological conditions, or require structural flood hazard reduction measures in the floodway or CMZ, during the life of the development, consistent with SMP Section 5.4.8 Land Division, and other provisions of this Program.”

FINDING(S):

a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.

b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

c. The applicant’s narratives and reports responding to SMP 4.3, SMP 4.4, and SMC 18.13 result in protective buffers from Rock Cove. However, the submittals do not document the project’s consistency with buffer demarcation requirements of SMC 18.13.057(A-C).

d. The applicants supplied a Critical Areas Report in support of the 2020 permit request, which was subsequently reviewed and determined consistent with the Stevenson Critical Areas Code (SMC 18.13) by an independent third-party.

e. Updated Critical Areas Report supplied in support of the current permit request retains the key findings of the previous assessment, while addressing additional development phases for which a permit was not previously requested.

f. Via written comment, the Washington Department of Ecology contended the applicant’s original proposed on-site mitigation is insufficient to satisfy the Stevenson Critical Areas Code (SMC 18.13).

- e. Off-site mitigation, as more fully described through supplemental information submitted into the record prior to the December 11th public hearing on this application, is proposed via a payment in-lieu of mitigation. The payment sufficient to address the additional development phases and satisfy the Stevenson Critical Areas Code.
- f. Via written comments, the Washington Department of Fish and Wildlife expressed concern over the functionally isolated determinations made for the critical area buffers. The determinations were made on the basis of rip rap.
- g. No data is available to establish a specific installation date of the rip rap.
- h. The applicants' supplied documentation of site disturbance from a former mill operating at this site between 1952 and 1973. The site has not had an economically productive use since that time.
- i. The City's first SMP was prepared in 1974.

CONCLUSIONS OF LAW: This project will comply with SMP 4.4.3 upon fulfillment of the conditions below.

CONDITIONS:

- 9. **Prior to the Start of Construction** the applicants shall update the Critical Areas and FWHCA Report to include construction staking and permanent demarcation of the functionally isolated buffer consistent with SMC 18.13.057(A and C) and, where appropriate, incorporate it into project construction documents.
- 10. **Prior to the Start of Construction** the property owner shall record a deed notice related to the critical habitat area. This approval, together with the updated Critical Areas Report and Buffer Enhancement Plan shall be attached to the notice.
- 11. **Prior to the Start of Construction** the applicant shall supply a payment in-lieu of on-site mitigation to an entity involved in habitat restoration (e.g., Lower Columbia Fish Enhancement Group, Columbia River Wetland Mitigation Bank, etc). The payment shall be no less than \$5,280. A receipt of the payment by the restoration entity shall be supplied to the City.

CRITERION §4.4.4 – FISH & WILDLIFE HABITAT CONSERVATION AREA REGULATIONS. "1 Any use, development, or modification proposed within or adjacent to an FWHCA with which state or federally endangered, threatened, or sensitive species have a primary association, shall ensure the FWHCA is protected as required by this SMP. If the Shoreline Administrator determines that a proposal is likely to impact an FWHCA adversely, additional protective measures (e.g., protective buffer standards, mitigation, and monitoring programs under SMC 18.13) may be required..

2. Applicants shall provide a preliminary FWHCA assessment for all proposals involving riparian areas. The assessment must recognize the buffer necessary to ensure no net loss of ecological functions occurring at the reach-scale for the riparian area in question.

3. The City shall condition the approval of activities located in the FWHCA or its buffer as necessary. Approval conditions shall require the applicant to mitigate any potential adverse impacts according to the approved critical area report, mitigation, and monitoring plans.

4. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided, as necessary, to allow the upstream and downstream migration of all salmonid life stages and shall prevent juveniles migrating downstream from being trapped or harmed."

- FINDING(S):**
- a. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
 - b. The proposal involves no structures preventing migration of salmonids.

CONCLUSIONS OF LAW: This project will comply with SMP 4.3.3 upon fulfillment of the conditions contained herein.

- CRITERION §4.6.3 – PUBLIC ACCESS REGULATIONS.** “1 Consistent with legal/constitutional limitations, provisions for adequate public access shall be incorporated into all proposals for Shoreline Permits that have one or more of the following characteristics:
- a. The proposed development or use will create a demand for, or increase demand for public access;
 - b. The proposed use is water-enjoyment, water-related, or non water-dependent, except for individual single-family residences not part of a development planned for 5 or more parcels;
 - c. The proposed use involves the subdivision of land into 5 or more parcels;
 - d. The proposed development or use will interfere with existing access by blocking access or discouraging use of existing access;
 - e. The proposed development or use will interfere with public use of waters of the state;
 - f. The proposed development or use will involve public funding or occur on public lands, provided that such access would not result in a net loss of ecological function. Public funding includes any funds from federal, state, municipal or local taxation districts.
2. Additional public access will not be required where suitable public access is already provided by an existing public facility on or adjacent to the site and the Planning Commission makes a finding that the proposed development would not negatively impact existing visual or physical public access nor create a demand for shoreline public access that could not be accommodated by the existing public access system and existing public recreational facilities in the immediate vicinity.
3. Public access will not be required where the applicant demonstrates it is infeasible due to at least one of the following:
- a. Unavoidable health or safety hazards to the public exist that cannot be prevented by any practical means;
 - b. Inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions;
 - c. The cost of providing the access, easement, or an alternative amenity are unreasonably disproportionate to the total long-term cost of the proposed development or other legal/constitutional limitations preclude public access;
 - d. Unacceptable environmental harm will result from the public access which cannot be mitigated;
 - e. Significant unavoidable conflict between the proposed access and adjacent uses would occur and cannot be mitigated.
4. To meet any of the conditions under Regulation 3 above, the applicant must first demonstrate to the satisfaction of the Planning Commission that all reasonable alternatives have been exhausted including, but not limited to, the following:
- a. Regulating access by such means as maintaining a gate and/or limiting hours of use;
 - b. Designing separation of uses and activities (e.g., fences, terracing, use of one-way glazings, hedges, landscaping);
 - c. Provisions for access at a site geographically separated from the proposal such as a street end, vista or trail system;
 - d. Sharing the cost of providing and maintaining public access between public and private entities.
5. For projects that meet the criteria of Regulation 3 above, the City may consider off-site public access or, if approved by the Planning Commission and agreed to by the applicant, the applicant may contribute a proportional fee to the local public access fund (payment in lieu).
6. If the City determines that public access is required pursuant to Regulation 1 above, the City shall impose permit conditions requiring the provision of public access that is roughly proportional to the impacts caused by the proposed development or use. The City shall demonstrate in its permit decision document that any such public access has a nexus with the impacts of the proposed development and is consistent with the rough proportionality standard.
7. When required, public access shall:
- a. Consist of a dedication of land or a physical improvement in the form of a walkway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat launch, dock or pier area, or other area serving as a means of view and/or physical approach to public waters and may include interpretive centers and displays, view easements, and/or decreased building bulk through height, setback, or façade limitations;
 - b. Include features for protecting adjacent properties from trespass and other possible adverse impacts;
 - c. Be fully developed and available for public use at the time of occupancy of the proposed use or activity;
 - d. Result in no net loss of shoreline ecological functions.

8. When required, physical public access shall be constructed to meet the following requirements for location, design, operation and maintenance:

a. Public access sites shall be connected directly to the nearest public street or non-motorized trail through a parcel boundary, tract, or easement, wherever feasible;

b. Signs indicating the public's right of access to shoreline areas shall be installed and maintained in conspicuous locations.

c. Public access easements and permit conditions shall be recorded on the deed of title and/or on the face of a plat or short plat as a condition running in perpetuity with the land, provided, that the Planning Commission may authorize a conveyance that runs contemporaneous with the authorized land use for any form of public access other than parallel pedestrian access. Said recording with the County Auditor's Office shall occur at the time of permit approval.

d. Maintenance of the public access facility shall be the responsibility of the owner unless otherwise accepted by a public or nonprofit agency through a formal agreement approved by the City and recorded with the County Auditor's Office.

e. Public access sites shall be made barrier-free for the physically disabled where feasible, and in accordance with the ADA.

f. Any trail constructed shall meet the conditions described for shoreline areas in any trail or parks plan officially adopted by the City Council.

9. Views of the shoreline from public properties or substantial numbers of residences shall be protected through adherence to height and setback limits specified in this SMP. Where new development would completely obstruct or significantly reduce the aesthetic quality of views from public properties or substantial numbers of residences, mitigation shall be required as follows:

a. The City may require administrative modifications to standard setbacks, clustering of proposed structures, and modifications to landscaping and building massing when the Planning Commission determines that such modifications are necessary to maintain public views of the shoreline.

b. The City shall work with the applicant to minimize the economic impacts of view mitigation. While upper story setbacks and other changes to building placement and form may be required to provide view corridors, in no case shall the applicant be required to reduce the maximum building height for more than 30% of the building's width.

c. The City may require specific public access improvements (e.g., public viewing decks, etc.) as mitigation in lieu of more significant modifications to site and building design when the Planning Commission finds such modifications would be an unreasonable financial burden on the applicant.

10. Where there is a conflict between water-dependent shoreline uses or physical public access and maintenance of views from public properties or substantial numbers of residences that cannot be resolved using the techniques in Regulation 9 above, the water-dependent uses and physical public access shall have priority, unless the Planning Commission finds a compelling reason to the contrary.

11. Future actions by the applicant, successors in interest, or other parties shall not diminish the usefulness or value of the public access provided."

FINDING(S):

a. The proposal has one or more of the characteristics requiring public access.

b. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.

c. The site is subject to numerous public access easements which conflict with and/or where no public access project is proposed, however, the application makes no contention regarding the infeasibility of providing such public access.

d. Via early written comment, the Washington Department of Ecology contended the proposal has not appropriately addressed public access.

e. Public access, as more fully described through supplemental information submitted into the record prior to the December 11th public hearing on this application, has been adequately provided at this site.

f. Via verbal testimony, the applicants contend infeasibility of an ADA compliant connection between this property and an existing public easement to the south, and construction absent participation by the City and adjacent property owner.

g. Follow-up written comment from the Department of Ecology after the site plan was amended indicated the changes adequately addressed the previous comments.

- h. The Planning Commission concurs with the applicants' contentions regarding the disproportionate share and feasibility of barrier-free access for the physically disabled (ADA) where the public pedestrian pathway would connect to the adjacent public pathway easement south of the site.
- i. The Planning Commission contends the applicant bears responsibility for its proportionate share of the eventual improvement and approves a payment in-lieu of this improvement into a City public access fund.
- j. The public access provided related to this proposal bears a rational nexus with its impacts and is roughly proportional thereto.
- i. The findings, conclusions and conditions related to Chapter 5 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 4.6.3 upon fulfillment of the conditions below.

CONDITIONS:

- 12. **Prior to the Start of Construction** the applicants shall, subject to review and approval by the shoreline administrator:
 - a) make a payment in-lieu of providing at trail connecting to the public pathway easement south of the site, or
 - b) enter into an agreement with the City to support development at a later date of a trail connecting to the public pathway easement south of the site.
- 13. **Prior to Occupancy** all public access amenities shall be fully developed and available for public use.
- 14. **Prior to Occupancy** the applicants shall provide signage at conspicuous locations indicating the public's right of access to shoreline areas.

CRITERION §4.7.3 – WATER QUALITY & NON-POINT SOURCE POLLUTION REGULATIONS. "1 Design, construction and operation of shoreline uses and developments shall incorporate measures to protect and maintain surface and groundwater quality in accordance with all applicable laws, so that there is no net loss of ecological functions.

2. Design, construction and operation of shoreline uses and developments shall incorporate measures to protect and maintain surface and groundwater quantity and quality in accordance with all applicable laws, so that significant impacts to aesthetic qualities or recreational opportunities do not occur. A significant impact to aesthetics or recreation would occur if a stormwater facility and accessory structures (e.g., fences or other features) have the potential to block or impair a view of shoreline waters from public land or from a substantial number of residences per RCW 90.58.320, or if water quality were degraded so as to discourage normal uses (e.g., swimming, fishing, boating, viewing, etc.).

3. Shoreline development and uses shall adhere to all required setbacks, buffers, and standards for stormwater facilities.

4. All review activities shall comply with the applicable requirements of all applicable City stormwater, drinking water protection, and public health regulations and the Stormwater Management Manual for Western Washington, including using low impact development techniques whenever feasible.

5. Sewage management. To avoid water quality degradation, sewer service is subject to the requirements outlined below.

- a. Any existing septic system or other on-site system that fails or malfunctions will be required to connect to the City sewer system if feasible, or make system corrections approved by Skamania County Community Development Department.
- b. Any new development, business, or multifamily unit shall connect to the City sewer system if feasible, or install an on-site septic system approved by Skamania County Community Development Department.

6. Materials requirements. All materials that may come in contact with water shall be untreated or treated wood, concrete, plastic composites or steel as approved by the USACE or WDFW, that will not adversely affect water quality or aquatic plants

or animals.”

- FINDING(S):**
- a. The proposal includes a Stormwater Report prepared consistent with the Stormwater Management Manual for Western Washington.
 - b. The findings related to Chapter 5 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 4.7.3 without conditions.

CHAPTER 5 – SHORELINE USE REGULATIONS

CRITERIA §5.1, §5.3, §5.4.1, §5.4.2, §5.4.3, §5.4.5, §5.4.6, §5.4.7, §5.4.10, §5.4.12, §5.4.13. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS OR PROJECT TYPES THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §5.2.2 – PROVISIONS APPLICABLE TO ALL USES. “1. When determining allowable uses and resolving use conflicts within the City’s shoreline jurisdiction, the following preferences shall apply in the order listed below:

- a. Reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health.
- b. Reserve shoreline areas for water-dependent and associated water-related uses.
- c. Allow mixed uses projects that include or support water-dependent uses.
- d. Reserve shoreline areas for other water-related and water-enjoyment uses that are compatible with ecological protection and restoration objectives.
- e. Located single-family residential uses where they are appropriate and can be developed without significant impact to ecological functions or displacement of water-dependent uses.
- f. Limit nonwater-oriented uses to those locations where the above described uses are inappropriate or where nonwater-oriented uses demonstrably contribute to the objectives of the SMA.

2. New use and development shall be subject to the setback requirements and height limitations contained in Section 5.3 Shoreline Use Table, including Table 5.1 – Shoreline Use & Setback Standards.”

- FINDING(S):**
- a. No Use conflicts are identified in association with this proposal.
 - b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 5.2 upon satisfaction of the conditions contained herein.

CRITERION §5.4.4.4 – COMMERCIAL & INDUSTRIAL REGULATIONS. “a. Water-dependent commercial and industrial uses shall be given preference over water-related and water-enjoyment commercial and industrial uses. Second preference shall be given to water-related and water-enjoyment commercial and industrial uses over non-water-oriented commercial and industrial uses.

- b. Prior to approval of water-dependent uses, the City shall review a proposal for design, layout and operation of the use and shall make specific findings that the use qualifies as a water-dependent use.
- c. When allowed, industrial development shall be located, designed and constructed in a manner that assures no net loss of shoreline ecological functions.
- d. Commercial development that is not water-dependent shall not be allowed over water except where it is located within the same existing building and is necessary to support a water-dependent use.
- e. Overwater and in-water construction of non-water-oriented industrial uses is prohibited. This provision is not intended to preclude the development of docks, piers, or boating facilities, or water-related uses that must be located in or over water (e.g., security worker booths, etc. that are necessary for the operation of the water-dependent or water-related use).
- f. Only those portions of water-oriented industrial uses that require over or in-water facilities shall be permitted to locate waterward of the OHWM, provided they are located on piling or other open-work structures, and they are limited to the minimum size necessary to support the structure’s intended use.

- g. Water-related and water-enjoyment uses shall avoid impacts to existing navigation, recreation, and public access.
- h. Non-water-oriented commercial and industrial development shall not be allowed unless:
 - i. The use is part of a mixed-use project that includes water-dependent uses, and provides a significant public benefit with respect to provisions of public access or ecological restoration; or
 - ii. Navigability is severely limited at the proposed site, and the commercial use provides a significant public benefit with respect to provision of public access or ecological restoration; or
 - iii. The site is designated for commercial use and is physically separated from the shoreline by another property or a public right-of-way.
- i. New commercial and industrial developments shall provide public access to the shorelines, subject to SMP Section 4.6.
- j. Public access and ecological restoration shall be considered as potential mitigation of impacts to shoreline resources and values for all water-related or water dependent development unless such improvements are demonstrated to be infeasible or inappropriate.
- k. New industrial developments shall mitigate for the impacts of the use's intensity by providing shoreline restoration consistent with the shoreline restoration plan adopted by the City.

FINDING(S): a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
 b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.4 upon fulfillment of the conditions contained herein.

CRITERION \$5.4.8.4 – LAND DIVISION REGULATIONS. "a. Plats and subdivisions shall be designed, configured and developed in a manner that assures no net loss of ecological functions results from the plat or subdivision at full build-out of all lots..

- b. The layout of lots within 1) new plats and subdivisions, 2) plat amendments, or 3) boundary line adjustments shall:
 - i. Prevent the need for new shoreline stabilization or flood hazard reduction measures that would cause significant impacts to other properties or public improvements or a net loss of shoreline ecological functions.
 - ii. Not result in lots containing inadequate buildable space due to critical areas and/or their buffers.
- c. To ensure the success of restoration and long-term maintenance, the City may require that critical areas and/or aquatic lands be placed in a separate tract which may be held by an appropriate natural land resource manager (e.g., homeowner's association, land trust, natural resource agency, etc.)."

FINDING(S): a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
 b. The proposed action under the City's Land Division Code is a combination of lots via boundary line adjustment. No additional lot is proposed.
 c. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.8 without conditions.

CRITERION \$5.4.9.4 – RECREATIONAL REGULATIONS. "a. Water-oriented recreational development shall be given priority and shall be primarily related to access, enjoyment, and use of the water and shorelines.

- b. Non-water-oriented recreational developments may be permitted only where it can be demonstrated that:
 - i. A water-oriented use cannot feasibly locate on the proposed site due to topography and/or other physical features, surrounding land uses, or the site's separation from the water;
 - ii. The proposed use does not usurp or displace land currently occupied by a water-oriented use and will not interfere with adjacent water-oriented uses;
 - iii. The proposed use will be of appreciable public benefit by increasing ecological functions together with public use, enjoyment, or access to the shoreline.
- c. Non-water-oriented accessory uses (e.g., offices and parking areas that are part of recreational facilities) should be

located landward of water-oriented facilities.

d. Recreational facilities shall include features such as buffer strips, screening, fences, and signs, if needed to protect the value and enjoyment of adjacent or nearby private properties and natural areas from trespass, overflow and other possible adverse impacts.

e. Recreation facilities shall demonstrate that they are located, designed, and operated in a manner consistent with the purpose of the shoreline environment designation in which they are located and will result in no net loss of shoreline ecological functions.

f. Where fertilizers and pesticides are used in recreational developments, waters in and adjacent to such developments shall be protected from drainage and surface runoff.

- FINDING(S):**
- a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
 - b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
 - c. The proposal does not involve nonwatery-oriented recreational development, recreational conflicts with adjacent uses, or persistent use of fertilizers or pesticides.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.9 upon fulfillment of the conditions contained herein.

CRITERION 5.4.11.4 – TRANSPORTATION & PARKING FACILITIES REGULATIONS. "a. Applications for redevelopment of transportation facilities in shoreline jurisdiction shall include:

- i. Analysis of alternative alignments or routes, including, where feasible, alignments or routes outside of shoreline jurisdiction;
 - ii. Description of construction, including location, construction type, and materials; and, if needed,
 - iii. Description of mitigation and restoration measures..
- b. Proposed transportation projects shall plan, design, and locate where routes:
- i. Will have the least possible adverse effect on unique or fragile shoreline features,
 - ii. Will not result in a net loss of shoreline ecological functions, and
 - iii. Will not adversely impact existing or planned water-dependent uses.
- c. Alternative designs for transportation facilities that have less impact on shoreline resources (i.e., narrower rights-of-way, realignment) shall be considered in compliance with the SMC.
- d. Roads and railroads of all types shall cross shoreline jurisdiction by the most direct route feasible, unless such a route would result in greater impacts on wetlands and fish and wildlife habitat conservation areas, or channel migration than a less direct route.
- e. Wherever feasible and in compliance with the SMC, transportation facilities, including local access roads and surface parking facilities, shall be shared across shoreline uses to reduce the need for redundant facilities.
- f. New, replacement and enlarged transportation facilities shall provide public access pursuant to SMP Section 4.6.
- g. The City shall seek opportunities to obtain public easements and construct pedestrian connections over or under the railroad and state highway. The City shall place the pedestrian connection in its capital improvement plan and may require it as a condition of approval for Shoreline Permits, including permits involving new or replacement bridges and other transportation facilities.
- h. Primary parking facilities (pay parking lots, park-and-rides) are not allowed within shoreline jurisdiction. Accessory parking (including parking for vista purposes) and loading facilities necessary to support an authorized shoreline use are permitted.
- i. All of the following conditions shall be met when an accessory parking facility is proposed in the shoreline jurisdiction:
 - i. The facilities shall be located landward, adjacent to, beneath or within the building being served.
 - ii. Upland parking facilities shall provide safe and convenient pedestrian circulation from the parking area to the shoreline.
 - iii. Loading spaces for development in the shoreline jurisdiction shall be located on the landward or side wall of non-water-dependent uses or activities.
 - iv. All facilities shall provide parking suitable to the expected usage of the facility, with preference given to pavement or other dust-free all-weather surfaces.

v. All facilities shall be screened from adjacent, dissimilar uses through the use of perimeter landscaping, fencing, or some other approved material.

FINDING(S): a. The application contains detailed narratives, stormwater, landscape and mitigation plans contending consistency with this criterion.
b. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.
c. The proposal does not involve new, replacement, enlarged or redeveloped transportation facilities, roads, railroads, or primary parking facilities.

CONCLUSIONS OF LAW: This project will comply with SMP 5.4.11 without conditions.

CHAPTER 6 – SHORELINE MODIFICATION PROVISIONS

CRITERIA §6.1, §6.4.2, §6.4.3, §6.4.4, §6.4.5, §6.4.6. [THESE SECTIONS CONTAIN GUIDANCE APPLICABLE TO ALL AND/OR DIFFERENT LOCATIONS OR PROJECT TYPES THAN HAS BEEN PROPOSED. NO CONSISTENCY REVIEW IS NECESSARY.]

CRITERION §6.2.2 – GENERAL PROVISIONS FOR ALL SHORELINE MODIFICATIONS - REGULATIONS. "All proposed shoreline modifications shall:

- a. Meet the mitigation sequencing requirements in SMP Section 4.3.
- b. Satisfy all specific shoreline modification provisions of this chapter.

FINDING(S): a. The findings of SMP Chapters 4, 5, and 6 are relevant to this criterion.

CONCLUSIONS OF LAW: This project will comply with SMP 6.2.2 upon satisfaction of the conditions contained herein.

CRITERION §6.3 – GENERAL PROVISIONS FOR ALL SHORELINE MODIFICATIONS - REGULATIONS. "The shoreline modification table below determines whether a specific shoreline modification is allowed within each of the shoreline environments. This table is intended to work in concert with the specific modification policies and regulations that follow, however, where there is a discrepancy between this table and the text of the SMP, the text shall take precedence....[Table 6.1 – Allowed Shoreline Modifications omitted for brevity]"

FINDING(S): a. The proposal involves Vegetation Removal, a permitted modification in the Active Waterfront SED.

CONCLUSIONS OF LAW: This project will comply with SMP 6.3 upon satisfaction of the conditions contained herein.

CRITERION §6.4.1.3 – VEGETATION REMOVAL - REGULATIONS. "a. Vegetation removal shall be limited to the minimum necessary to accommodate approved shoreline development that is consistent with all other provisions of this SMP. This includes the design, location, and operation of the structure or development, including septic drain fields, which shall minimize vegetation removal and meet all applicable requirements.
b. If removal of shoreline vegetation is unavoidable, vegetation removal shall be mitigated in accordance with the requirements in SMP Table 6.2 – Mitigation for Vegetation Removal within Shoreline Jurisdiction. Exceptions:
i. The removal of native vegetation within established gardens, landscaping that serve a horticultural purpose shall not require mitigation under SMP Table 6.2.
ii. Mitigation plans prepared by a qualified professional may establish mitigation ratios that deviate from SMP Table 6.2.
c. No tree containing an active nest of an eagle, osprey, or other protected bird (as defined by WDFW or the Bald and Golden Eagle Protection Act) shall be removed and the nest shall not be disturbed unless the applicant obtains approval from WDFW.

- d. Vegetation removal conducted for the purposes outlined in SMC 18.13.025(D)(1)(a through d) shall comply with the regulations therein.
- e. Aquatic weed control shall be allowed only where the presence of aquatic weeds will affect native plant communities, fish and wildlife habitats, or an existing water dependent use adversely. Aquatic weed control efforts shall comply with all applicable laws and standards. [Table 6.2 – Mitigation for Vegetation Removal within Shoreline Jurisdiction omitted for brevity]
- f. Mitigation Area, Location. The location of the mitigation area shall:
 - i. Be on site unless there is insufficient area on site;
 - ii. Improve an area of low habitat functionality;
 - iii. Be within 50 feet of the OHWM or as close as possible to the shoreline waterbody; and
 - iv. Prioritize south and west banks of waterbodies to provide shade.
- g. Mitigation Area, Monitoring.
 - i. The project shall be monitored annually for 5 years to document plant survivorship.
 - ii. Monitoring reports shall be provided to the Administrator once per year.
 - iii. The planted mitigation area shall achieve a plant survival standard of 80% at the end of 5 years.
 - iv. Monitoring results may require additional/replacement planting to meet the survival standard. If the survival standard is not met, then additional planting may be required and the monitoring period extended.
 - v. A conservation covenant may be established which prevents future development or alteration within the mitigation area."

- FINDING(S):**
- a. The proposal involves Vegetation Removal, a permitted modification in the Active Waterfront SED.
 - b. Vegetation removal is unavoidable and subject to mitigation within and outside Fish & Wildlife Habitat Conservation Areas.
 - c. The application contains detailed narratives, landscape and mitigation plans contending consistency with this criterion and SMP Table 6.2.
 - d. The proposal does not involve trees with active nests of protected birds, vegetation removal under SMC 18.13.025(D)(1), or aquatic weed control.

CONCLUSIONS OF LAW: This project will comply with SMP 6.4.1 upon satisfaction of the conditions contained herein.

CONDITIONS:

1. Timely appeals shall be filed by the proponent within 21 days of Receipt of the Final Decision.
2. **Construction pursuant to this Permit shall not begin** and is not authorized until 21 days from the date of filing with Ecology, per WAC 173-27-190 or as subsequently amended, or until all review proceedings initiated within 21 days from the date of such filing have been terminated.
3. **Within 2 years of the effective date of this permit**, construction activities associated with this permit shall commence or a written request for a maximum 1-year extension shall be submitted to the City. If construction activities do not commence accordingly, the permit shall expire.
4. **Within 5 years of the effective date of this permit**, all development activities associated with this permit shall terminate or a written request for a maximum 1-year extension shall be submitted to the City.

5. **Prior to the start of construction**, the proponent shall submit the City documentation sufficient to establish an accurate timeline of any activity justifying an extension of the permit's duration based on SMC 18.08.220(D). No such documentation will be accepted by the City after construction commences.
6. **Throughout the Duration of this Permit**, the proponents shall provide reasonable access to the Shoreline Administrator to ensure enforcement of this permit and the SMP.
7. **Throughout the Duration of Construction**, the proponents shall contact the Shoreline Administrator prior to constructing any change to the proposal to determine whether the change should be permitted and whether the permission should be through a revision to this Minor Project Authorization or through a Shoreline Permit.
8. **Prior to the Start of Construction** the applicants shall provide construction documents for approval by the Shoreline Administrator. The review shall be limited, ensuring the project's consistency with the proposal and ensuring the conditions of City permits have been appropriately incorporated. Should the Administrator fail to respond within 7 days of receipt, the construction documents shall be presumptively approved.
9. **Prior to the Start of Construction** the applicants shall update the Critical Areas and FWHCA Report to include construction staking and permanent demarcation of the functionally isolated buffer consistent with SMC 18.13.057(A and C) and, where appropriate, incorporate it into project construction documents.
10. **Prior to the Start of Construction** the property owner shall record a deed notice related to the critical habitat area. This approval, together with the updated Critical Areas Report and Buffer Enhancement Plan shall be attached to the notice.
11. **Prior to the Start of Construction** the applicant shall supply a payment in-lieu of on-site mitigation to an entity involved in habitat restoration (e.g., Lower Columbia Fish Enhancement Group, Columbia River Wetland Mitigation Bank, etc). The payment shall be no less than \$5,280. A receipt of the payment by the restoration entity shall be supplied to the City.
12. **Prior to the Start of Construction** the applicants shall, subject to review and approval by the shoreline administrator:
 - a) make a payment in-lieu of providing a trail connecting to the public pathway easement south of the site, or
 - b) enter into an agreement with the City to support development at a later date of a trail connecting to the public pathway easement south of the site.
13. **Prior to Occupancy** all public access amenities shall be fully developed and available for public use.
14. **Prior to Occupancy** the applicants shall provide signage at conspicuous locations indicating the public's right of access to shoreline areas.

FINAL ORDER

The preceding discussion describes the City's review of the information relevant to the SHOR2023-02

"Rock Cove Hospitality". The findings and conclusions of this document justify issuance of this Shoreline Substantial Development Permit under SMC 18.08.180. The project will be consistent with the policy and provisions of the SMA and the SMP upon satisfactions of the conditions listed herein.

DATED this 23 day of January 2024

A handwritten signature in black ink, appearing to read "Jeff Breckel", is written over a horizontal line.

Jeff Breckel, Chair
City of Stevenson Planning Commission

