

**BEFORE THE LAND USE HEARING EXAMINER
FOR LONG BEACH, WASHINGTON**

Regarding Leroy Ostrem) **FINAL ORDER**
Shoreline Substantial)
Development Permit) Case No. 03-12-12.

I. SUMMARY OF PROPOSAL AND DECISION

Proposal. The applicant proposes to plat his property into 12 residential lots and build a public street to access to the subdivision. The street will included a 30-foot wide street right-of-way and an additional 10-foot wide utility easement. The surface of the street will be 22 feet in width and an 8-foot wide pedestrian walkway will also be constructed. All utilities will be underground. The City of Long Beach is the current owner of Tax 134. Development of Tax 134 and ownership transfer of Tax 134 is by a Developer agreement (on file) between the City of Long Beach and Mr. Ostrem.

Decision: Approved

II. BACKGROUND INFORMATION

Applicant: Mr. Leroy Ostrem
Applicant Address: PO Box
Applicant Phone:

Property Address/Location/Legal Description: The site includes Tax 184, Tax 159 and Tax 134. The proposed street is located west of 19th Street Northwest and on a portion of Tax 134. City of Long Beach, Pacific County, Washington. Development will occur within Tax 184, Tax 159, and Tax 134. Section 9, Township 10 North, Range 11 West, Willamette Meridian.

Comprehensive Plan Map Designation: Residential

Shoreline Master Program: Shoreline Residential

Zoning: S1 Shoreline Single Family Residential

Site Description: Westerly extension of a residential subdivision area. Lots are flat with modest relief slowly rising to the west.

Utilities and Services:

Water: Available

Sewer: Available

Transportation: Property is currently off Ocean Beach Boulevard by 5th Street, a Collector.

Public Education: Ocean Beach School District.

Electricity: Pacific County PUD # 2

Storm water: Storm water drains to open grass areas in and around homes.

Cable TV: Available.

Solid Waste: Area Served by Peninsula Sanitation

Police and Fire: City of Long Beach

Medical and
Emergency Facilities: City of Long Beach EMS and Ocean Beach Hospital District

Library: Timberland Regional Library Service in Ilwaco and Ocean Park.

Public Parks and
Recreation Area (s): Numerous park and recreation areas within the City of Long Beach

Public Transit: Pacific Transit District Service available including Dial-A-Ride

Flood Plain: FEMA FIRM Flood Insurance Rate Map Zone A0 depth (1'), Zone B, Zone C and Velocity Zone 21' Community-Panel Number 530128 0001 C
Effective Date: August 1, 1979

Surrounding Conditions: Primarily undeveloped residential land to the east, north, and west. Undeveloped commercial land and conservancy land to the south.

Staff Recommendation: Staff recommended approval

III. PROCEDURAL INFORMATION

Application Received: October 8, 2003

**Notice of Application:
to Property Owners;** December 16, 2004

Notice of Application

to Paper of Record: December 12, 2003

Notice Published: December 17th and December 24th

SEPA: Mitigated DNS issued January 12th, 2004

Site Visit: January 28th, 2004

Hearing Date: January 28th, 2004

Testimony and Comment:

- 1) Mr. Reiners, agent for Mr. Ostrem, testified on Mr. Ostrem's behalf.
Mr. Reiners noted for the record that the US Army Corps. Plat issues are the 10-foot trail to the beach and public right of way is retained. Turn around was expanded to Appendix H in Pacific County Road Standards.
- 2) Three letters were received
 - a. C. Kenneth and Morey Grosse of Leavenworth, WA. Commented that they objected to development of any area of natural dunes and wetlands and recommended that the application be denied
 - b. Mark C. Svore of Seattle WA commented that he is an adjacent property owner and 1) The construction of a pedestrian path was important, 2) street lighting was important and that 3) Storm water control was important.
 - c. Ronald W. Greenen of Vancouver, WA commented that 1) Mr. Ostrem has the right to develop within the current laws and codes, 2) development be coordinated and that development south of 19th Street be done in quality manner, that he and Mr. Svore's land is land locked, 3) development be functional and logical, and that appropriate requirements be met for fencing, exterior storage, and lighting abatement.

Review Date(s): January 28th to March 20th, 2004

Exhibits:

1. Letter from Dick Reiners with application
2. Wetland Delineation
3. Expanded Checklist
4. Developer Agreement
5. List of adjacent property owners
6. SEPA determination
7. Notice of Hearing
8. FIRM map
9. Future land use map
10. Transportation and circulation map
11. Shoreline Designation Map

12. Aerial photo
13. Aerial photo
14. 3 letters
15. 3 maps, preliminary
16. Future land use map

IV. Applicable Policies, Laws, and Regulations.

City of Long Beach Dune Management Plan: *The Dune Management Plan is a policy document of the City of Long Beach. Many of its recommendations have been incorporated into the Shoreline Master Program. The proposal is consistent with the intent of the Dunes Management Plan.*

Rural Residential Environment

The Rural Residential Environment should have policies and regulations that provide for residential neighborhoods and necessary restrictions to protect the residential character. Specific recommendations for this area are listed below:

1. Protect wetland functions by requiring buffer zones around wetlands that are 500 sq. ft. in size or larger (see Wetland Buffer Requirements below).
2. Minimize wetland losses by following mitigation sequencing guidelines (see Mitigation Sequencing sidebar).
3. Require compensatory mitigation for impacts (filling or excavation) to wetlands that are 500 sq. ft. in size or larger, once mitigation sequencing has been satisfied.

No compensatory mitigation will be required for impacts to small wetlands less than 500 sq. ft. in size, provided the cumulative wetland impacts (e.g., filling several small wetlands as part of a single project) do not exceed 500 sq. ft. If the impact exceeds 500 sq. ft., mitigation will be required.

Impacts associated with single-family residential developments on existing platted lots (at the time of the 1997 Shoreline Master Program amendments) can be mitigated by creating new on-site wetlands at a 1.5:1 ratio (i.e., create 1.5 acres of wetland for every 1 acre of wetland lost).

Mitigation can also include preserving coastal dune habitat or preserving high quality wetlands on the Long Beach Peninsula (see Wetland Mitigation Strategy).

Mitigation Sequencing

If wetland alterations are proposed as part of a project, the following mitigation sequence should be pursued as outlined in WAC 197-11-768:

1. Avoid the impact by not taking a certain action or parts of an action
2. Minimize impacts by limiting the degree of magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.
3. Rectify the impact repairing, rehabilitating or restoring the affected environment

4. Reduce or eliminate the impact overtime by preservation and maintenance operations during the life of the action
5. Compensate for the impact by replacing or providing substitute resources or environments, and/or
6. Monitor the Impact and take appropriate protective measures.

Wetland Mitigation Strategy

The mitigation strategy outlined below represents a new approach to managing wetlands and associated coastal dune resources. Its primary emphasis is to preserve the integrity of the dune ecosystem, thus protecting the most valuable functions and values. As noted earlier, this report addresses a shoreline resource and situation that is unique to the city of Long Beach. Therefore, the strategies presented are intended solely for use within the Long Beach study area, and are not meant to apply to the entire Long Beach Peninsula or any other shoreline areas of the state.

To preserve the integrity of the dune ecosystem, the following mitigation options could be used to compensate for wetland impacts once mitigation-sequencing requirements have been satisfied within the study area:

1. Preservation of Coastal Dune Habitats. Wetland losses can be mitigated by preserving coastal dune habitat west of the 1968 Seashore Conservation Line at a minimum 3:1 ratio (i.e., 3 acres of habitat preserved for every 1 acre of wetland filling, excavation and/or disturbance). The preserved habitat area may include either upland or wetlands. The habitat area preserved must be protected by the recording of a perpetual conservation easement or transfer of ownership to the City or State of Washington.
2. Off-Site Preservation of High Quality Wetlands. Wetland losses can be mitigated by preserving high quality wetlands on the Long Beach Peninsula at a minimum 6:1 ratio (i.e., 6 acres preserved for every 1 acre of wetland filling, excavation and/or disturbance). The Washington Department of Ecology and the U.S. Army Corps of Engineers must approve areas proposed for preservation. The habitat area preserved must be protected by recording a perpetual conservation easement or transferring ownership to the City, State of Washington or an approved land conservation organization.
3. On-Site Creation. Impacts associated with single-family residential developments on existing platted lots (at the time of the 1997 Shoreline Master Program amendments) can be mitigated by creating new on-site wetlands at a 1.5:1 ratio (i.e., create 1.5 acres of wetland for every 1 acre of wetland filling, excavation and/or disturbance).

Other mitigation proposals, other than those specifically described above, shall be reviewed on a case-by-case basis by the affected regulatory agencies. On-site mitigation shall be considered for developments other than those noted above.

Violation of these wetland mitigation regulations will result in double the proposed mitigation options if an after-the-fact ACOE permit is issued for the unauthorized work.

Applicable Sections of the City of Long Beach Comprehensive Plan Ordinance 719

Section I. Introduction

- Section II. Land Use
- Section III. Housing
- Section IV. Transportation
- Section V. Utilities
- Section VI. Capital Facilities
- Section VII. Implementation

Applicable Sections of the City of Long Beach Zoning Ordinance 721

- Section 1. Title and Purpose
- Section 2. Definitions
- Section 3. Basic Provisions
- Section 4. Use zones
- Section 5. Design Review Criteria
- Section 6. Supplemental Provisions
- Section 7. Off-street Parking and Loading
- Section 8. Landscaping Requirements
- Section 14. Administration

City of Long Beach Flood Plain Map

FIRM Flood Insurance Rate Map
 Community-Panel Number 530128 0001 C
Effective Date August 1, 1979

Applicable Sections of the City of Long Beach Unified Development Ordinance 732A and analysis of consistency

	Summary of consistency
Section 15.02.10 Title	Yes
Section 15.02.20 Authority	Yes
Section 15.02.30 Applicability	Yes
Section 15.02.40 Purposes and intent	Yes
Section 15.02.50 Title Minimum requirements	Yes
Section 15.02.60 Title Interpretation – language construction	Yes
Section 15.02.70 Title Computation of Time	Yes
Section 15.02.80 Title Interpretation – right-of-way	Yes
Section 15.62 Land Division in General	Yes
Section 15.66 Preliminary Plat	Yes
Section 15.68 Final Plat	
Part IV Development Standards	

Analysis of consistency with City of Long Beach Unified Development Ordinance. Authorizing Ordinance: 732A

Section 15.02.10 Title

This Ordinance, referred to as the Unified Development Code, was adopted September 30, 1999 and authorizes the City to regulate development within the jurisdictional boundary of the City. T

The proposed development is within the City of Long Beach and subject to this title.

Section 15.02.20 Authority

This code is adopted pursuant to the authority contained in RCAW 52A.63 (Planning and Zoning in code cities), RCW 35A.58 (Boundaries and Plats)), RCW36.70A (Growth Management Act), RCW 86.16 (Flood Prevention), RCW Title 58 (Boundaries and Plats), and any other appropriate state regulation.

The City of Long Beach, A Code City of Washington, has the authority to implement this ordinance.

Section 15.02.30 Applicability

- A. Every subdivision and short subdivision must comply with the provisions of this Chapter.
- B. No person may subdivide or develop land within the City of Long Beach except in accordance with the provisions contained in this code, unless specifically exempted from such provisions.
- C. No development permit will be issued for any parcel of land developed or divided in violation of the City of Long Beach Shoreline Master Program.
- D. A building or development permit must be obtained before construction or development begins within any area of special flood hazard, in accordance with LBMC Chapter 15.24.

This code applies to all land development within the City.

Section 15.02.40 Purposes and intent

There are eight purposes to this code: A) To establish regulatory procedures and standards for review and decision-making of all proposed development in the City; B) To foster and preserve public health, safety, comfort, and welfare, and to aid in the harmonious, orderly, aesthetically pleasing, and socially beneficial development of the City, in accordance with the Comprehensive Plan; C) To adopt a development review process that is efficient, effective, and equitable. D) To prohibit or condition incompatible land uses by regulating density and dimensional aspects of development, E) To ensure that new development(s) install all private and public infrastructure necessary to serve the new development and protect environmentally sensitive areas, F) To implement the Comprehensive Plan of the City, and G) To regulate the subdivision of land to ensure that:

- 1. Adequate utility and public facilities are provided in developing portions of the City,
- 2. Land development is coordinated; and
- 3. Uniform monumenting of land subdivisions and conveyance by accurate legal description is achieved

And H) to provide for a penalty for the violation of this code.

The proposed development provides transportation infrastructure including pedestrian and utility access, sewer infrastructure, domestic water infrastructure, power infrastructure and engineering to control runoff. Adequate utility and public facilities are provided, the land development is coordinated with applicable shoreline and zoning regulations and the final plat approvals will accurately convey legal descriptions of the property subdivision.

Section 15.02.50 Title Minimum requirements

In interpretation and application, the requirements set forth in this code are considered the minimum requirements necessary to accomplish the purposes of this code.

The minimum requirement is met.

Section 15.02.60 Title Interpretation – language construction

The following rules of construction apply to the text of this document:

- A. The words "must" and "will" are always mandatory and not discretionary. The words "should" and "may" are permissive and are discretionary.
- B. Words used in the present tense include the future; and words used in the singular number include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- C. A "building" or "structure" includes any part of a building or structure.
- D. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- E. The word "includes" does not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- F. The use of any gender-based pronoun should not be construed to be gender biased, but is only used for grammatical simplicity.

So noted for the record.

Section 15.02.70 Title Computation of Time

Unless otherwise specifically provided, the time within which an act is to be done will be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day will be excluded.

So noted for the record.

Section 15.02.080 Interpretation-Zoning Map

This Unified Development Code consists of the text of this code, together with a zoning map (Appendix A), which is on file at the office of the City Clerk-Treasurer, showing the boundaries of different use districts. Interpretations regarding boundaries of land use districts will be made in accordance with the following:

- A. Boundaries shown as following or approximately following any street will be construed as following the centerline of the street.

- B. Boundaries shown as following or approximately following any platted lot line or other property line will be construed as following such line.
- C. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines will be construed as following such lines.
- D. Boundaries shown as following or approximately following natural features will be construed as following such features.
- E. Vacated streets and alleys will assume the zone classification of abutting property with the former centerline as the new boundary.
- F. When any uncertainty exists as to zone boundaries, the Planning Commission and/or City Council may require the interested parties to determine the location of boundaries by survey.

The proposed development and subdivision occurs with an area wholly zoned Shoreline Single Family. There are no boundary issues that would conflict with the proposed use and land use designations.

Section 15.02.80 Title Interpretation – right-of-way

No building permit or land use approval in conflict with the provisions of this code will be issued. Structures or uses which do not conform to this code, except approved variances and legal non-conforming uses as specified in this document, are violations subject to the enforcement, penalty, and abatement provisions of this code. Violations include, but are not limited to:

- A. Establishing a use not permitted in the zone in which it is located;
- B. Constructing, expanding, or placing a structure in violation of setback, height, and other dimensional standards;
- C. Establishing a permitted use without complying with applicable development standards set forth in other codes, regulations, ordinances, rules, or other laws;
- D. Failing to carry out or observe conditions of land use or permit approval including contract development standards of property-specific agreements;
- D. Failing to secure required land use or permit approval prior to establishing a permitted use; and
- E. Failing to maintain site improvements, such as landscaping, parking, or drainage control facilities, as required in this code.

The proposed use, Single Family Residential is an outright permitted use of the S1 zone. Single Family residences are a permitted principal uses and garages are a permitted accessory use. The proposed development area will be subject to the setback requirements of the S1 zone with the addition of a 5-foot setback from the proposed Pedestrian/utility easement. The street site improvements will be maintained by the City at the time beginning after final plat approval and dedication to the City of Long Beach.

Section 15.62 Land Division in General

The proposal is subject to the requirements and procedures of Land Division. This proposal is for a preliminary plat of long subdivision for the creation of

Section 15.66 Preliminary Plat

The proposal includes a preliminary plat application.

Section 15.68 Final Plat

Final plat approval is contingent on the applicant completing construction of the road extension, utilities, mitigation, and survey of proposed lots.

Part IV Development Standards

The development must follow the development standards of the City of Long Beach in the construction of the road and sewer and water utilities.

Summary of consistency with City of Long Beach Unified Development Code Ordinance 732A.

The proposal as submitted is consistent with Ordinance 732A

Analysis of consistency with City of Long Beach Shoreline Master Program. Authorizing Ordinances: Ordinance 708 and 712

Applicable Sections of the Shoreline Master Program Ordinance 708 and as amended by Ordinance 712

**Consistency statements are in italics.*

		<i>Summary of Consistency</i>
Section 1.	Title, Applicability, Authority, and Purpose	Yes
Section 2.	Definitions	Yes
Section 3.	Goals	Yes
Section 4.	Introduction to Policies and Regulations	Yes
Section 7.	Rural Residential Environment	Yes
Section 10.	Wetlands	Yes
Section 11.	Transportation Infrastructure	Yes
Section 12.	Utilities	Yes
Section 15.	Landfill	Yes
Section 16.	Administration	Yes

Section 1. Title, Applicability, Authority, and Purpose

This Ordinance, referred to as the Shoreline Master Program, was adopted March 17, 1997 and authorizes the City to regulate Shorelines under RCW 90.58 and WAC 173.16.030 within the jurisdictional boundary of the City. The primary authority of the Shoreline Master Program is from RCW 35A.63, which gives the City authority to plan and RCW 36.70A, the Growth Management Act. The boundary of shoreline jurisdiction is from the western city limits to the 1889 Government Line, from south city limits to north city limits.

When provisions of the master program conflict with each other or other laws and regulations, the more restrictive provisions shall apply. The master program also serves as the critical areas ordinance for lands within shorelines jurisdiction.

The City of Long Beach Shoreline Master Program Ordinance 708 and Ordinance 712 (amendments to 708) have been adopted by the City of Long Beach and approved by the Washington State Department of Ecology.

Section 2. Definitions

Definitions are adopted by reference from RCW 90.58.030, WAC 173-22,2627, and Appendix A.

The proposal is a defined use: Residential

Section 3. Goals

The general goals of Sections 3.01 through 3.07 apply. These goals are from RCW 90.58.

Specific goals are:

Economic Development Goal 3.21 that encourages development of waterfront areas on the ocean beach to provide for a mixture of resort and residential uses.

Urban Design Goal 3.80 recognizes specific urban areas for residential uses.

Consistency Statement: The proposal is consistent with the overall goals of the Shoreline Master Program. The SMP encourages waterfront development in a mixture of resort and residential uses. This proposal is on residential land immediate adjacent to land designated for resort uses.

Section 4. Introduction to Policies and Regulations

This section recognizes controls as the basis of a permit system for shorelines. These controls regulate the uses and activities by policy and regulation. Rural Residential is recognized as a designated environment. All shoreline uses must conform to the shoreline master program. When provisions of the master program conflict with each other the more restrictive provisions shall apply unless specifically stated otherwise.

Consistency Statement: This proposal is administered under the rules and regulations of the Shoreline Master Program. Rural residential is a recognized shoreline environment.

Section 7. Rural Residential Environment

POLICIES

7.10 Rural residential are the shorelines that accommodate single and multi-family development.

7.11.1 Itinerant use of condominiums should be allowed, however if such developments become too intrusive on permanent residents an amendment may be necessary to prohibit transient oriented use.

Policy 7.10 supports rural residential areas of the shoreline accommodating single and multi-family housing development. The proposal is for permanent condominium use thus Policy 7.11 does not apply.

REGULATIONS

7.20 Boundaries for the Rural Residential Environment are as follows, according to the official city map at the time of adoption: The east boundary is the 1889 Government Line and west boundary is the 1980 Seashore Conservation Line, and inclusive are the following parcels of land; from 20th Street South to 50' north; from 18th Street South to 150' south; from 100' south of 17th Street South, north to 15th Street South; from 14th Street South, south 150'; from 13th Street South, north mid-block between 11th Street South and 12th Street South; from 11th Street South, south 100' and west to the Shoreview Drive; from 100' south of 5th Street North to 8th Street North; from 14th Street North to 16th Street North and west to Shoreview Drive; the area from 16th Street North to 24th Street North except for the lands west of tax lots 141, 181, 137, 161, 112, 115, and 132.

The proposal is in the defined area of Rural Residential in the City of Long Beach SMP.

7.21 The building setback line shall be east of the 1980 Seashore Conservation Line.

The proposal is east of the 1980 Seashore Conservation Line.

7.22 Allowed Uses:

A. Single and multi-family residential developments are permitted including condominiums. Permanent residential development is encouraged. Time-share condominiums are not currently prohibited. However condominiums shall not operate as an itinerant accommodation.

The proposal is for single-family dwellings, an allowed use.

7.24 The minimum lot size shall be 10,000 square feet for the first dwelling with an additional 2000 square feet for each additional dwelling unit.

The minimum lot size is 10,000 ft square. The proposal is for 12 total lots. The lots are 10,000 square feet or larger.

7.25 The maximum lot coverage, defined as the building footprint, shall be 50%.

Maximum lot coverage is limited to 5,000 feet square per lot.

7.27 Minimum setbacks for developments in the residential shoreline are as follows:

Front yard - 10 feet

Side yard - 5 feet

Rear yard - 10 feet

The proposal includes a 10-foot pedestrian/utility easement in the front yard for each lot and the setback for construction from the pedestrian/utility easement is 5 feet. The front yard setback: Lots 1, 2, 3, 4, 9, 10- 10 foot building setback from utility easement, lots 5, 6, 7, 8 5 foot set back from utility easement.

7.26 Applicable landscaping and architectural design shall be in conformance with the CITY'S Zoning Ordinance.

Not applicable until time of applicant's applying for building permits.

7.29 Maximum allowable height is 35 feet.

The proposal for residential construction and all residences can be no higher than 35 feet from the average building footprint grade of the home sites. This grade is determined before clearing and grubbing.

Consistency Statement: The proposal is consistent with Policy and all Regulation requirements of Section 7.

Section 10. Wetlands

Policies

10.10 The dune land area on the west edge of Long Beach is pocketed with wetland areas. These young wetlands were created by a combination of beach accretion, wind, and human activities. They perform valuable functions and provide a number of benefits. They support plant communities, which in turn provide habitat for a limited amount of wildlife and contribute to the recreational, educational, and aesthetic setting of Long Beach. The excerpt below, from 1997 Long Beach Dune Management Report, summarizes the characterization of the subject wetlands:

Regulations

- 10.20 Any impacts to any wetland greater than 500 square feet in size shall require mitigation. However fill of individual wetland(s) up to a total of 500 square feet per project shall be exempt.

The proposed impact to the north wetland and wetland buffer around the wetlands will be: Road fill 2,300 square feet. Wetland buffer impact is 5,000 square feet.

- 10.22 Mitigation/preservation proposals, other than those specifically noted above, shall be reviewed on a case-by-case basis by the affected regulatory agencies.

The agent for the applicant submitted documentation that the proposed mitigation ratio is 3:1 for impacts to road fill. The impact area is 2,300 square feet thus the mitigation area is 6,900 square feet. The buffer impacts are 5,000 square feet and are mitigated at 1:1. Total mitigation required is 11,900 square feet. The mitigation site is proposed on-site coastal dune habitat land. This mitigation is consistent with the City of Long Beach Dune Management Plan that allows for dune preservation as mitigation for wetland impacts.

- 10.23 In those instances where wetland alterations are proposed and the exemptions recommended above are to be exceeded, the following mitigation sequence shall be considered:

- Avoiding the impact altogether by not taking a certain action or parts of an action;

The applicant aligned the lots by moving them south of and extending them east and west where necessary to reduce impacts to wetlands and wetland buffers to a minimum and avoided impacts where possible. The impact to the wetland in the right-of-way is an unavoidable impact.

- Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

Impacts are avoided where possible.

- Rectifying the impact by repairing, rehabilitating or restoring the affected environment;

Not proposed.

- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

Dune preservation is proposed. This is a long-term goal of the City of Long Beach Dunes Management Plan.

- Compensating for the impact by replacing or providing substitute resources or environments; and/or

Proposed as preservation of coastal dune habitat land of 11,900 square feet.

- Monitoring the impact and taking appropriate corrective measures.

All developments are monitored over time by City Staff.

Consistency Statement

The proposal is consistent with this section. 11,900 square feet of coastal dune habitat is required for mitigation.

Section 11. Transportation infrastructure

POLICIES

- 11.10 New roads in shoreline areas should be minimized and allowed only when related to and necessary for the support of shoreline activities.

The proposal is for a new public right of way to support permitted uses (residential) in the shoreline areas. The road includes dedicated land for Shoreview Drive, a road recognized in the City of Long Beach Comprehensive Plan. This future road would provide north and south access to adjacent properties.

- 11.11 New transportation infrastructure should be located and designed to minimize the need for shoreline protection measures.

The proposal is for a road extension in an area that does not require shoreline protection measures. The road is east of the building setback line.

- 11.13 All transportation facilities in shoreline areas should be located, designed, constructed and maintained to cause the least possible adverse impacts on land water environments.

The road extension is on land owned in fee by the City of Long Beach. At one time, this land was a recognized right of way by Pacific County. It is proposed to use this fee simple land area because it aligns with existing street grid system and connects to an existing city street. The alternative is to build another road to service the project area and this is not practical.

11.14 Joint use of transportation corridors within shoreline areas for roads, utilities and non-motorized forms of transportation should be encouraged.

This is a joint use right of way for all modes of transportation and utilities.

REGULATIONS

11.20 Transportation and utility facilities shall be required to make joint use of rights-of-ways in order to minimize disturbance in shoreline areas.

The proposal is for joint use of the right of way.

11.21 Shoreline transportation infrastructure shall be designed to fit the existing topography in order to minimize cuts and fills.

The proposal makes use of changing the road alignment where possible to minimize the use of fill and avoid wetland impacts where possible.

11.22 Major roads shall cross-shoreline areas by the shortest most direct route feasible, unless such route would cause more damage to the environment.

The proposal is makes a slight out of alignment direction to avoid wetlands and do avoid damage to the environment.

11.23 Filling of wetlands to provide for road construction is subject to the criteria set forth in Section 10.

Filling of wetlands is consistent with Section 10 (See above Section 10).

11.24 Roads shall be located if possible, to minimize the need for routing surface waters into and through culverts.

Culverts may be required as necessary to avoid wetland impacts by maintaining continuity between wetland areas.

11.25 All shoreline areas disturbed by transportation infrastructure construction and maintenance shall be replanted and stabilized with native vegetation.

Natural re-vegetation will be used to stabilize the native vegetation.

11.26 Public access provided by shoreline street ends, public utilities and rights-of-way shall not be diminished (RCW 35.79.035 and RCW 36.87.130).

Public access to the beach will be provided by a 10 foot pedestrian/utility easement that will begin at the northeast corner of Lot 1 and continue along the north sides of Lots 2,

3, 4, 5, 6, 7, 8, 9, 10, a portion of the west side of Lot 10, the along the north side of Lot 11 and along the south Side of Lot 12.

SECTION 12. UTILITIES

POLICIES

12.10 Utilities should utilize existing transportation and utility rights-of-way whenever possible. Joint use of rights-of-way should be encouraged.

All utilities will be within an existing right-of-way.

12.11 Utility facilities should be located as to protect scenic views.

No facilities are proposed, utility extensions will be underground.

12.12 Utility facilities and rights-of-way should be designed to preserve the natural landscape and to minimize conflicts with present and planned use.

Utility extensions are underground.

REGULATIONS

12.20 All utility lines and extensions, including electricity shall be located underground.

The proposal has all underground utility extensions.

12.21 Transmission and distribution facilities shall cross shorelines areas by the shortest most direct route feasible, unless such route would cause significant environmental damage.

The extensions are within a right-of-way with direct connection to existing systems.

12.22 Applications for installation of utility facilities shall include the following:

- (a) Description of proposed facilities
- (b) Reason(s) why the utility facility requires the shoreline locations
- (c) Alternative locations considered and reasons for their elimination
- (d) Plans for reclamation of areas disturbed during construction

The proposal is for utility extensions and not the construction of utility facilities (i.e. pumping stations, main lines, substations, etc.)

V. Testimony

- The C. Kenneth and Morey Grosse of Leavenworth, WA. Commented that they objected to development of any area of natural dunes and wetlands and recommended that the application be denied.

The proposed development is an allowed use within the shoreline and dunal area of Long Beach. The conservancy land west of the 1980 line is designated such to conserve the open space and dunal environment.

- Mark C. Svore of Seattle WA. commented that he is an adjacent property owner and 1) The construction of a pedestrian path was important, 2) street lighting was important and that 3) Storm water control was important.

The pedestrian path is proposed, street lighting is required per the Long Beach development code and storm water management is contingent on submittal and adherence to an engineered storm water plan.

- Ronald W. Greenen of Vancouver, WA commented that 1) Mr. Ostrem has the right to develop within the current laws and codes, 2) development be coordinated and that development south of 19th Street be done in quality manner, that he and Mr. Svore's land is land locked, 3) development be functional and logical, and that appropriate requirements be met for fencing, exterior storage, and lighting abatement.

The dedication of Shoreview Drive provides north and south access to adjacent properties and is consistent with the City of Long Beach Circulation Plan. This provides for future access to properties adjacent to the proposed development. Fencing, Storage and lighting abatement are subject to current city codes and/or restrictive covenants that the applicant may place on the properties.

VI. Findings of Fact

- 1) Mr. Leroy Ostrem's submitted a proposal to build a road, with utilities and to subdivide property into 12 single-family lots within a S1 Shoreline Single Family environment.
- 2) The City submitted 16 exhibits.
 1. Letter from Dick Reiners with application
 2. Wetland Delineation
 3. Expanded Checklist
 4. Developer Agreement
 5. List of adjacent property owners

6. SEPA determination
 7. Notice of Hearing
 8. FIRM map
 9. Future land use map
 10. Transportation and circulation map
 11. Shoreline Designation Map
 12. Aerial photo
 13. Aerial photo
 14. 3 letters
 15. 3 maps, preliminary
 16. Future land use map
- 3) The development is a single-family residential development of 12 lots.
 - 4) The location is in and adjacent to an extension of the 19th Street Northwest and on property owned fee simple by the City of Long Beach (Tax 134) and on property owned fee simple by Leroy Ostrem (Tax 184, NW ¼ of the SW ¼ of Section 9, township 10 North Range 11 West, Willamette Meridian
 - 5) The property is within shorelines jurisdiction of the City of Long Beach
 - 6) The shoreline environments are designated Rural Residential on the mapping.
 - 7) The zoning districts are designated S1 Shoreline Single family on the zoning mapping.
 - 8) Single-family dwellings are an allowed use in the Shore Residential shoreline environment.
 - 9) The location of the development includes wetlands. Wetlands Impacts include:
 - The buffer impacts are 5,000 square feet and are mitigated at 1:1. Total mitigation required is 11,900 square feet. The mitigation site is proposed on-site coastal dune habitat land.
 - 10) 19th Street NW will be extended to serve the development.
 - 11) All utilities are underground and will be extended to serve the development.
 - 12) There will be short-term fill (placement of excavation material) of the upland and wetland ground surfaces as a consequence of excavation and backfilling for the street, water service, sewer service, and electrical utilities.
 - 13) Storm water will be discharged to immediate property as per the guidelines of an Engineering report to be produced by the applicant.
 - 14) The proposal meets all of the development regulations for the Rural Residential Shoreline environment.

V. CONCLUSION

The proposal is consistent with the overall policy and intent of the City of Long Beach Shoreline Master Program to allow residential development in the waterfront and shoreline areas of the City of Long Beach. The proposal is also consistent with permitted as regulated by specific site development regulations that address development and subdivision within the shoreline areas of the City of Long Beach.

VI. DECISION

Approved

DATED this 29th Day of March, 2004

Kristopher Kaino, Hearings Examiner
Long Beach, Washington.

PACIFIC
ENVIRONMENTAL
ECOSYSTEMS

DICK S. REINERS
CONSULTANT
360-642-2455

P.O. BOX 583
LONG BEACH, WA 98631

Division of Reiners Real Estate Inc.

City of Long Beach
PO Box 310
Long Beach, WA 98631



10/9/03

RE: Preliminary Plat, Leroy Ostrem
North 19th Street
Tax Lots 184,159 & 134
Sec 9, T10N., R11W., W.M.

Mr. Ostrem proposes to Plat his property into 12 single family lots. The plat will include a 30 ft. wide Public Right-a-way, 22ft asphalt road surface and 8 ft. pedestrian walkway. The Plat shall be served by Public Utilities, per the Developer Agreement signed with the City of Long Beach.

The City of Long Beach owns Tax lot 134, the Developers Agreement (attached) shall transfer ownership by sale to Mr. Ostrem and required that all conditions of the agreement be met before final plat approval. After final Plat approval Mr. Ostrem shall deed the Public the proposed 30 ft. Right-a-way. The attached preliminary survey shows the proposed lots and right-a-way, all utilities shall be placed within the proposed right-a-way, all improvements shall be engineered to City standards as described within the Developers Agreement.

The attached Joint Aquatic Resources Permit Application (JARPA), Wetland Delineation Report, SEPA Checklist discuss issues related to the proposed development.

Fee's required by the City are as follows: \$400.00 Shoreline Substantial Development Permit, \$100.00 SEPA review, \$700.00 plus \$5.00 per lot preliminary Plat review, total fees submitted \$1,260.00.

Thank you for your assistance, if you need additional information or would like to discuss this proposal, please give me a call.

Dick S. Reiners

Exh 1

City of Long Beach

P.O. Box 310
Long Beach, WA 98631

Application for Subdivision

Application Number _____

Applicants Name Leroy Ostrem Phone _____

Mailing Address 31443 Old Farm Road

City Wilsonville State OR Zip 97070

- This Application for subdivision applies to the property described below:

Property Address _____

Located On South Side of 19th Street North
(North, South, East or West) (Street, Road or Boulevard)

200 Feet From east of Ocean Beach Boulevard

Current City Zoning Single-Family (S1)

Legal Description: Lot 184 Block _____ Addition _____

Lot Size 1,293 x 140 Total Square Feet 181,020

Describe the proposed subdivision request: extend 19th Street North and provide 12 new single-family home lots

Support facts with the following attached document: Site Plan (To Include: boundaries, dimensions, cross sections, vicinity map, lot sizes and drawing to scale) Topography maps may be requested on larger proposals.

The foregoing information is true and complete. I hereby acknowledge the requirements set forth in the Zoning Ordinance of the City of Long Beach

Date 10-6-03

Signature [Signature]

AGENCY USE ONLY

Agency Reference #:

Date Received:

Circulated by:

(local govt. or agency)

JOINT AQUATIC RESOURCES PERMIT APPLICATION FORM (JARPA)

(for use in Washington State)

PLEASE TYPE OR PRINT IN BLACK INK



- Application for a Fish Habitat Enhancement Project per requirements of RCW 77.55.290. You must submit a copy of this completed JARPA application form and the (Fish Habitat Enhancement JARPA Addition) to your local Government Planning Department and Washington Department of Fish & Wildlife Area Habitat Biologist on the same day.

NOTE: LOCAL GOVERNMENTS – You must submit any comments on these projects to WDFW within 15 working days.

Based on the instructions provided, I am sending copies of this application to the following: *(check all that apply)*

- Local Government for shoreline: Substantial Development Conditional Use Variance Exemption Revision
 Floodplain Management Critical Areas Ordinance
- Washington Department of Fish and Wildlife for HPA (Submit 3 copies to WDFW Region)
- Washington Department of Ecology for 401 Water Quality Certification (to Regional Office-Federal Permit Unit)
- Washington Department of Natural Resources for Aquatic Resources Use Authorization Notification
- Corps of Engineers for: Section 404 Section 10 permit **NWP**
- Coast Guard for General Bridge Act Permit
- For Department of Transportation projects only: This project will be designed to meet conditions of the most current Ecology/Department of Transportation Water Quality Implementing Agreement

SECTION A - Use for all permits covered by this application. Be sure to ALSO complete Section C (Signature Block) for all permit applications.

1. APPLICANT

Leroy Ostrem

MAILING ADDRESS

31443 Old Farm Road, Wilsonville, OR 97070

WORK PHONE

E-MAIL ADDRESS

HOME PHONE

FAX #

If an agent is acting for the applicant during the permit process, complete #2. Be sure agent signs Section C (Signature Block) for all permit applications

2. AUTHORIZED AGENT

Dick Reiners, Consultant, Pacific Environmental Ecosystems

MAILING ADDRESS

P.O. Box 583, Long Beach, WA 98631

WORK PHONE

E-MAIL ADDRESS

HOME PHONE

FAX #

(360) 642-2455 dreiners@pacifier.com (360) 642-2455

3. RELATIONSHIP OF APPLICANT TO PROPERTY: OWNER PURCHASER LESSEE OTHER:

4. NAME, ADDRESS, AND PHONE NUMBER OF PROPERTY OWNER(S), IF OTHER THAN APPLICANT:

5. LOCATION (STREET ADDRESS, INCLUDING CITY, COUNTY AND ZIP CODE, WHERE PROPOSED ACTIVITY EXISTS OR WILL OCCUR)

200 feet west of the intersection of Ocean Beach Blvd. and 19th Street North

LOCAL GOVERNMENT WITH JURISDICTION (CITY OR COUNTY) **City of Long Beach, Washington**

WATERBODY YOU ARE WORKING IN

an-named intertidal wetland

TRIBUTARY OF

WRIA #

IS THIS WATERBODY ON THE 303(d) LIST? YES NO

IF YES, WHAT PARAMETER(S)?

http://www.c.wa.gov/programs/wq/links/impaired_wtrs.html WEBSITE FOR 303d LIST

1/4 SECTION	SECTION	TOWNSHIP	RANGE	GOVERNMENT LOT
SW 1/4	9	10N	11W	

SHORELINE DESIGNATION

Waterfront Residential

LATITUDE & LONGITUDE:

ZONING DESIGNATION

Single-family (S1)

TAX PARCEL NO:

184

DNR STREAM TYPE, IF KNOWN

6. DESCRIBE THE CURRENT USE OF THE PROPERTY, AND STRUCTURES EXISTING ON THE PROPERTY. HAVE YOU COMPLETED ANY PORTION OF THE PROPOSED ACTIVITY ON THIS PROPERTY? YES NO FOR ANY PORTION OF THE PROPOSED ACTIVITY ALREADY COMPLETED ON THIS PROPERTY, INDICATE MONTH AND YEAR OF COMPLETION.

Vacant property. No current use. No existing structures.
No development activity to date.

IS THE PROPERTY AGRICULTURAL LAND? YES NO

ARE YOU A USDA PROGRAM PARTICIPANT? YES NO

7a. DESCRIBE THE PROPOSED WORK THAT NEEDS AQUATIC PERMITS: COMPLETE PLANS AND SPECIFICATIONS SHOULD BE PROVIDED FOR ALL WORK WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE, INCLUDING TYPES OF EQUIPMENT TO BE USED. IF APPLYING FOR A SHORELINE PERMIT, DESCRIBE ALL WORK WITHIN AND BEYOND 200 FEET OF THE ORDINARY HIGH WATER MARK. IF YOU HAVE PROVIDED ATTACHED MATERIALS TO DESCRIBE YOUR PROJECT, YOU STILL MUST SUMMARIZE THE PROPOSED WORK HERE. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

Fill and grade approximately 2,300 sq. ft. of Category III wetland to provide for public access roadbed.

PREPARATION OF DRAWINGS: SEE SAMPLE DRAWINGS AND GUIDANCE FOR COMPLETING THE DRAWINGS. ONE SET OF ORIGINAL OR GOOD QUALITY REPRODUCIBLE DRAWINGS MUST BE ATTACHED. NOTE: APPLICANTS ARE ENCOURAGED TO SUBMIT PHOTOGRAPHS OF THE PROJECT SITE, BUT THESE DO NOT SUBSTITUTE FOR DRAWINGS. THE CORPS OF ENGINEERS AND COAST GUARD REQUIRE DRAWINGS ON 8-1/2 X 11 INCH SHEETS. LARGER DRAWINGS MAY BE REQUIRED BY OTHER AGENCIES.

7b. DESCRIBE THE PURPOSE OF THE PROPOSED WORK AND WHY YOU WANT OR NEED TO PERFORM IT AT THE SITE. PLEASE EXPLAIN ANY SPECIFIC NEEDS THAT HAVE INFLUENCED THE DESIGN.

To provide public access to twelve new single-family home residential properties and adjacent vacant properties

7c. DESCRIBE THE POTENTIAL IMPACTS TO CHARACTERISTIC USES OF THE WATER BODY. THESE USES MAY INCLUDE FISH AND AQUATIC LIFE, WATER QUALITY, WATER SUPPLY, RECREATION, and AESTHETICS. IDENTIFY PROPOSED ACTIONS TO AVOID, MINIMIZE, AND MITIGATE DETRIMENTAL IMPACTS, AND PROVIDE PROPER PROTECTION OF FISH AND AQUATIC LIFE. IDENTIFY WHICH GUIDANCE DOCUMENTS YOU HAVE USED. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

There will be negligible impact to unlisted aquatic life. No impact to water quality, water supply, recreation or aesthetics.

Mitigation measures will protect dunal areas west of the 1980 SSCL

7d. FOR IN WATER CONSTRUCTION WORK, WILL YOUR PROJECT BE IN COMPLIANCE WITH THE STATE OF WASHINGTON WATER QUALITY STANDARDS FOR TURBIDITY WAC 173.201A-1107 YES NO (SEE USEFUL DEFINITIONS AND INSTRUCTIONS)

8. WILL THE PROJECT BE CONSTRUCTED IN STAGES? YES NO

PROPOSED STARTING DATE: Spring/Summer 2004

ESTIMATED DURATION OF ACTIVITY: 4 months

9. CHECK IF ANY TEMPORARY OR PERMANENT STRUCTURES WILL BE PLACED:

WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH OR TIDAL WATERS; AND/OR

WATERWARD OF MEAN HIGHER HIGH WATER LINE IN TIDAL WATERS

10. WILL FILL MATERIAL (ROCK, FILL, BULKHEAD, OR OTHER MATERIAL) BE PLACED:

WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH WATERS?

IF YES, VOLUME (CUBIC YARDS) _____ AREA _____ (ACRES)

WATERWARD OF THE MEAN HIGHER HIGH WATER FOR TIDAL WATERS?

IF YES, VOLUME (CUBIC YARDS) _____ AREA _____ (ACRES)

11. WILL MATERIAL BE PLACED IN WETLANDS? YES NO
 IF YES:

A. IMPACTED AREA IN ACRES: 0.05 acres (2,300 sq ft)

B. HAS A DELINEATION BEEN COMPLETED? IF YES, PLEASE SUBMIT WITH APPLICATION. attached YES NO

C. HAS A WETLAND REPORT BEEN PREPARED? IF YES, PLEASE SUBMIT WITH APPLICATION. attached YES NO

D. TYPE AND COMPOSITION OF FILL MATERIAL (E.G., SAND, ETC.): clean sand

E. MATERIAL SOURCE: approved

F. LIST ALL SOIL SERIES (TYPE OF SOIL) LOCATED AT THE PROJECT SITE, & INDICATE IF THEY ARE ON THE COUNTY'S LIST OF HYDRIC SOILS. SOILS INFORMATION CAN BE OBTAINED FROM THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS): Westport fine sand #153 ; dune sand #35

G. WILL PROPOSED ACTIVITY CAUSE FLOODING OR DRAINING OF WETLANDS? YES NO
 IF YES, IMPACTED AREA IS ___ ACRES OF DRAINED WETLANDS.

NOTE: If your project will impact greater than 1/2 of an acre of wetland, submit a mitigation plan to the Corps and Ecology for approval along with the JARPA form
 NOTE: a 401 water quality certification will be required from Ecology in addition to an approved mitigation plan if your project impacts wetlands that are: a) greater than 1/2 acre in size, or b) tidal wetlands or wetlands adjacent to tidal water. Please submit the JARPA form and mitigation plan to Ecology for an individual 401 certification if a) or b) applies.

12. STORMWATER COMPLIANCE FOR NATIONWIDE PERMITS ONLY:
 THIS PROJECT IS (OR WILL BE) DESIGNED TO MEET ECOLOGY'S MOST CURRENT STORMWATER MANUAL, OR AN ECOLOGY APPROVED LOCAL STORMWATER MANUAL YES NO

IF YES - WHICH MANUAL WILL YOUR PROJECT BE DESIGNED TO MEET City of Long Beach

IF NO - FOR CLEAN WATER ACT SECTION 401 AND 404 PERMITS ONLY - PLEASE SUBMIT TO ECOLOGY FOR APPROVAL, ALONG WITH THIS JARPA APPLICATION, DOCUMENTATION THAT DEMONSTRATES THE STORMWATER RUNOFF FROM YOUR PROJECT OR ACTIVITY WILL COMPLY WITH THE WATER QUALITY STANDARDS, WAC 173.201(A)

13. WILL EXCAVATION OR DREDGING BE REQUIRED IN WATER OR WETLANDS? YES NO
 IF YES:

A. VOLUME: (CUBIC YARDS) / AREA (ACRES)

B. COMPOSITION OF MATERIAL TO BE REMOVED:

C. DISPOSAL SITE FOR EXCAVATED MATERIAL:

D. METHOD OF DREDGING:

14. HAS THE STATE ENVIRONMENTAL POLICY ACT (SEPA) BEEN COMPLETED? YES NO
 SEPA LEAD AGENCY: City of Long Beach SEPA DECISION: DNS, MDNS, EIS, ADOPTION, EXEMPTION DECISION DATE (END OF COMMENT PERIOD): _____
 SUBMIT A COPY OF YOUR SEPA DECISION LETTER TO WDFW AS REQUIRED FOR A COMPLETE APPLICATION

15. LIST OTHER APPLICATIONS, APPROVALS, OR CERTIFICATIONS FROM OTHER FEDERAL, STATE OR LOCAL AGENCIES FOR ANY STRUCTURES, CONSTRUCTION, DISCHARGES, OR OTHER ACTIVITIES DESCRIBED IN THE APPLICATION (I.E., PRELIMINARY PLAT APPROVAL, HEALTH DISTRICT APPROVAL, BUILDING PERMIT, SEPA REVIEW, FEDERAL ENERGY REGULATORY COMMISSION LICENSE (FERC), FOREST PRACTICES APPLICATION, ETC.) ALSO INDICATE WHETHER WORK HAS BEEN COMPLETED AND INDICATE ALL EXISTING WORK ON DRAWINGS.
 NOTE: FOR USE WITH CORPS NATIONWIDE PERMITS, IDENTIFY WHETHER YOUR PROJECT HAS OR WILL NEED AN NPDES PERMIT FOR DISCHARGING WASTEWATER AND/OR STORMWATER.

TYPE OF APPROVAL	ISSUING AGENCY	IDENTIFICATION NO.	DATE OF APPLICATION	DATE APPROVED	COMPLETED?
<u>Shoreline</u>	<u>City of Long Beach</u>		<u>10-9-03</u>		
<u>PLAT / LONG</u>	<u>" "</u>		<u>10-9-03</u>		
<u>SEPA</u>	<u>" "</u>		<u>10-9-03</u>		

16. HAS ANY AGENCY DENIED APPROVAL FOR THE ACTIVITY YOU'RE APPLYING FOR OR FOR ANY ACTIVITY DIRECTLY RELATED TO THE ACTIVITY DESCRIBED HEREIN? YES NO IF YES, EXPLAIN:

SECTION B - Use for Shoreline and Corps of Engineers permits only:

17a. TOTAL COST OF PROJECT. THIS MEANS THE FAIR MARKET VALUE OF THE PROJECT, INCLUDING MATERIALS, LABOR, MACHINE RENTALS, ETC.

17b. IF A PROJECT OR ANY PORTION OF A PROJECT RECEIVES FUNDING FROM A FEDERAL AGENCY, THAT AGENCY IS RESPONSIBLE FOR ESA CONSULTATION. PLEASE INDICATE IF YOU WILL RECEIVE FEDERAL FUNDS AND WHAT FEDERAL AGENCY IS PROVIDING THOSE FUNDS. SEE INSTRUCTIONS FOR INFORMATION ON ESA**
 FEDERAL FUNDING YES NO IF YES, PLEASE LIST THE FEDERAL AGENCY _____

18. LOCAL GOVERNMENT WITH JURISDICTION:
City of Long Beach, Washington

19. FOR CORPS, COAST GUARD, AND DNR PERMITS, PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ADJOINING PROPERTY OWNERS, LESSEES, ETC...
 PLEASE NOTE: SHORELINE MANAGEMENT COMPLIANCE MAY REQUIRE ADDITIONAL NOTICE — CONSULT YOUR LOCAL GOVERNMENT.

NAME	ADDRESS	PHONE NUMBER
<i>Frederick Price</i>	<i>114 Madrona Place East, Seattle, WA 98112</i>	
<i>Mark Svore</i>	<i>20629 SE 119th Street, Issaquah, WA 98027</i>	

SECTION C - This section MUST be completed for any permit covered by this application

20. APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES. I HEREBY GRANT TO THE AGENCIES TO WHICH THIS APPLICATION IS MADE, THE RIGHT TO ENTER THE ABOVE-DESCRIBED LOCATION TO INSPECT THE PROPOSED, IN-PROGRESS OR COMPLETED WORK. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.

SIGNATURE OF APPLICANT <i>See Attached Sheet</i>	DATE
SIGNATURE OF AUTHORIZED AGENT <i>Dick S. Reiners</i>	DATE <i>10-9-03</i>
I HEREBY DESIGNATE <i>Dick S. Reiners</i> DATE _____ TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT.	
SIGNATURE OF APPLICANT _____	DATE _____
SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)	
THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED.	

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

COMPLETED BY LOCAL OFFICIAL

A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any)

B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view:

C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought:

These Agencies are Equal Opportunity and Affirmative Action employers.
 For special accommodation needs, please contact the appropriate agency in the instructions.

SECTION B - Use for Shoreline and Corps of Engineers permits only:

175. TOTAL COST OF PROJECT. THIS MEANS THE FAIR MARKET VALUE OF THE PROJECT, INCLUDING MATERIALS, LABOR, MACHINE RENTALS, ETC.

176. IF A PROJECT OR ANY PORTION OF A PROJECT RECEIVES FUNDING FROM A FEDERAL AGENCY, THAT AGENCY IS RESPONSIBLE FOR ESA CONSULTATION. PLEASE INDICATE IF YOU WILL RECEIVE FEDERAL FUNDS AND WHAT FEDERAL AGENCY IS PROVIDING THOSE FUNDS. SEE INSTRUCTIONS FOR INFORMATION ON ESA**

FEDERAL FUNDING YES NO IF YES PLEASE LIST THE FEDERAL AGENCY

18. LOCAL GOVERNMENT WITH JURISDICTION:
City of Long Beach Washington

19. FOR CORPS, COAST GUARD, AND DNR PERMITS, PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ADJOINING PROPERTY OWNERS, LESSEES, ETC...
 PLEASE NOTE: SHORELINE MANAGEMENT COMPLIANCE MAY REQUIRE ADDITIONAL NOTICE - CONSULT YOUR LOCAL GOVERNMENT.

NAME	ADDRESS	PHONE NUMBER

SECTION C - This section MUST be completed for any permit covered by this application

20. APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES. I HEREBY GRANT TO THE AGENCIES TO WHICH THIS APPLICATION IS MADE, THE RIGHT TO ENTER THE ABOVE-DESCRIBED LOCATION TO INSPECT THE PROPOSED, IN-PROGRESS OR COMPLETED WORK. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.

SIGNATURE OF APPLICANT <u>D.S. Reiners</u>	DATE
SIGNATURE OF AUTHORIZED AGENT	DATE
I HEREBY DESIGNATE <u>Dick S. Reiners</u> TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT. <u>D.S. Reiners</u>	DATE
SIGNATURE OF APPLICANT	DATE
SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)	

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED.

18 U.S.C. §1001 provides that: "Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both."

COMPLETED BY LOCAL OFFICIAL

A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any)

B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view.

C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought:

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For special accommodation needs, please contact the appropriate agency in the instructions.

PACIFIC
ENVIRONMENTAL
ECOSYSTEMS

DICK S. REINERS
CONSULTANT

P.O. BOX 583
LONG BEACH, WA 98631
(360) 642-2455

WETLAND DELINEATION
Tax Lot 184, 159 & 134
Section 9, T10N, R11W, W.M

OWNER
Mr. Leroy Ostrem
31443 Old Farm Road
Wilsonville, OR 97070

October 6, 2003

Mr. Leroy Ostrem
31443 Old Farm Road
Wilsonville, OR 97070

October 6, 2003

RE: Wetland Delineation
Tax Lot 184,159 & 134
Section 9, T10N, R11W, W.M

Dear Mr. Ostrem:

This report documents a wetland delineation and categorization for Tax Lot 184, 159 & 134 (note: City of Long Beach owns lot 134, see Developers Agreement) located in Long Beach, Washington (see Figures 1 and 2). These activities are being conducted pursuant to the City of Long Beach Dune Management Report (2000) and Shoreline Master Program, (Ordinances 708 and 712).

Site Description

The site is located about 200 ft west of Ocean Beach Blvd. and south of 19th Street North in Long Beach. The site consists of a rectangular parcel of approximately 4.16 acres and is bordered on the west by the 1980 Seashore Conservation Line and extends east to about 200 ft west of Ocean Beach Blvd.(see Figure 2). The site occupies an interdunal area of Long Beach and is underlain by beach sediments accreted during the last several hundred years. The National Wetland Inventories (NWI) Map shows seasonal palustrine emergent (PEM) wetlands and temporary palustrine scrub/shrub (PSS) wetlands on and adjacent to the project site area (see Figure 3).

Delineation Methodology

Wetland delineation at the site was completed following the Routine Determination Method as per the U.S. Army Corps of Engineers, Wetland Delineation Manual (1987) and the Washington State Wetlands Identification and Delineation Manual (1997). A wetland classification was assigned using the Washington State Wetlands Rating System (1993). Wetlands Rating Field Data Forms used to classify wetland areas at the project site are

attached to this report. This classification examines three parameters - vegetation, soils and hydrology - to determine if wetlands exist in a given area. Since hydrologic conditions periodically change (hourly, daily, or seasonally), it is necessary to determine if hydrophytic (adapted to saturated conditions) vegetation and hydric (organic and mottled) soils exist which would indicate that water is present for long enough duration to support a wetland plant community. By definition, wetlands are "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions". Wetlands are regulated as "Waters of the United States" by the U.S. Army Corps of Engineers and locally by the City of Long Beach.

Wetland boundaries on the site have been verified by Gail Terzi of the U.S. Army Corps of Engineers.

SITE CONDITIONS

The following sections summarize observations made during site reconnaissance conducted on Monday, April 22, 2002. Site reconnaissance included the identification of vegetation, soil, and hydrologic characteristics, and wetland delineation. Wetland boundaries were identified in the field using bright orange flagging tape and flagging pins.

During the early 1990's the previous landowner mechanically cleared the area disturbing natural vegetation and contours. Some wetland material (vegetation, sediment, etc.) was pushed up out of the wetland and into the upland areas. The Corps of Engineers has determined that this rooted, wetland vegetative material existing on the uplands is non-jurisdictional.

Vegetation

The indicator status, shown under the attached data sheets for the vegetation found on the project site, indicates the likelihood of the species to be found in wetlands. Listed from the most likely to the least likely to be found in wetlands, the indicator categories are:

OBL (obligate) almost always occur in wetlands

FACW (facultative wetland) usually occur in wetlands
FAC (facultative) equally occur in wetlands or uplands
FACU (facultative upland) usually occur in uplands
UPL (obligate upland) almost always occur in uplands

Wetlands at the project site are dominated by slough sedge (*Carex obnupta*; OBL), Hooker's willow (*Salix hookeriana*; FACW-), sickleleaf rush (*Juncus falcatus*; FACW-), and coast pine (*Pinus contorta*; FAC). Also onsite were coastal strawberry (*Fragaria chiloensis*), mixed grasses including European beach grass (*Ammophila arenaria*) and common velvet-grass (*Holcus lanatus*), common dandelion (*Taraxacum officinale*), kinnikinnic (*Arctostaphylos uva-ursi*), trailing blackberry (*Rubus ursinus*), Himalayan blackberry (*Rubus discolor*), and black twinberry (*Lonicera involucrata*).

Soil

Pacific County Soils Survey (Survey) map No. 140 shows the majority of the project site underlain by Westport fine sand #153 with the westernmost project site underlain by dune land #35. According to this Survey, Westport soil is very deep, excessively drained, and forms on stabilized dunes at slopes of between 3 and 10 percent (2 to 6 degrees).

Four test pits were excavated on the project site including one wetland location, two upland locations and one transitional area (See Figure 2, Site Plan, TP-1 though TP-4). Wetland soil on the project site revealed approximately 3 inches of duff overlaying at least 13 inches of fine to medium, slightly silty, dark grayish brown (2.5Y 4/2) sand. Wetland soil was prominently and abundantly mottled to 4 inches below ground surface. Faint to distinct mottling was also noted in shallow soil within an upland area (TP-2), probably due to wetting and drying of uppermost soil during heavy storm events.

Hydrology

On the day of the site visit wetlands near the north boundary of the project site were visibly inundated to depths of up to approximately two feet (note: deepest area of wetland along old fill boundary). Inundated areas appeared to occur in topographic lows and appear to be largely ground water controlled. During periods of high precipitation, ground water (either perched or as part

of a more extensive ground water table) rises beneath the surface making ponded areas more prevalent and more extensive.

The site lies within a 100-year flood plain (see Figure 5). A Storm Water Runoff Engineering Report will be completed by a qualified State Licensed Engineer following submission of this report.

Aerial Extent

The aerial extent of the wetlands at the project site was estimated for this report using the City of Long Beach Dune Management Report (2000) and aerial photos. Two adjacent wetlands that appear to extend south into the project site area are identified by the City as between 0.10 and 0.249 acres in size(note: wetlands appear to be connected at this time. These wetlands are most likely the same wetlands delineated during this investigation. Two small wetlands are on site and are shown on the site map. The Corps of Engineers concurs with these findings.

CONCLUSIONS AND RECOMMENDATIONS

Both wetland areas at the site are Category III wetlands (see attached Wetland Rating Field Data Forms). The City of Long Beach requires a 25 ft buffer for wetlands between 500 sq. ft. and 1/4 acre in aerial extent. Therefore, as currently planned, the development on this site will impact the northern wetland delineated during this investigation and the 25 ft buffer surrounding the wetlands. Impacts will be mitigated by onsite preservation of coastal dune habitat at a ratio of 3 to 1 (3 acres of preservation for every acre of impacted wetland) for the proposed wetland impact and 1 to 1 for buffer impacts.

Proposed impacts:

* Road

- | | |
|-----------------------------|-------------------------------|
| - wetland fill 2,300 sq. ft | mitigation area: 6,900 sq.ft. |
| - buffer impact 5,000 sq.ft | “ “ 5,000 “ “ |

Thank you for allowing us the opportunity to submit this report for your review. Please contact us if you have questions or require additional information.

Sincerely,



Dick S. Reiners
Consultant

DSR/sen

Attachments:

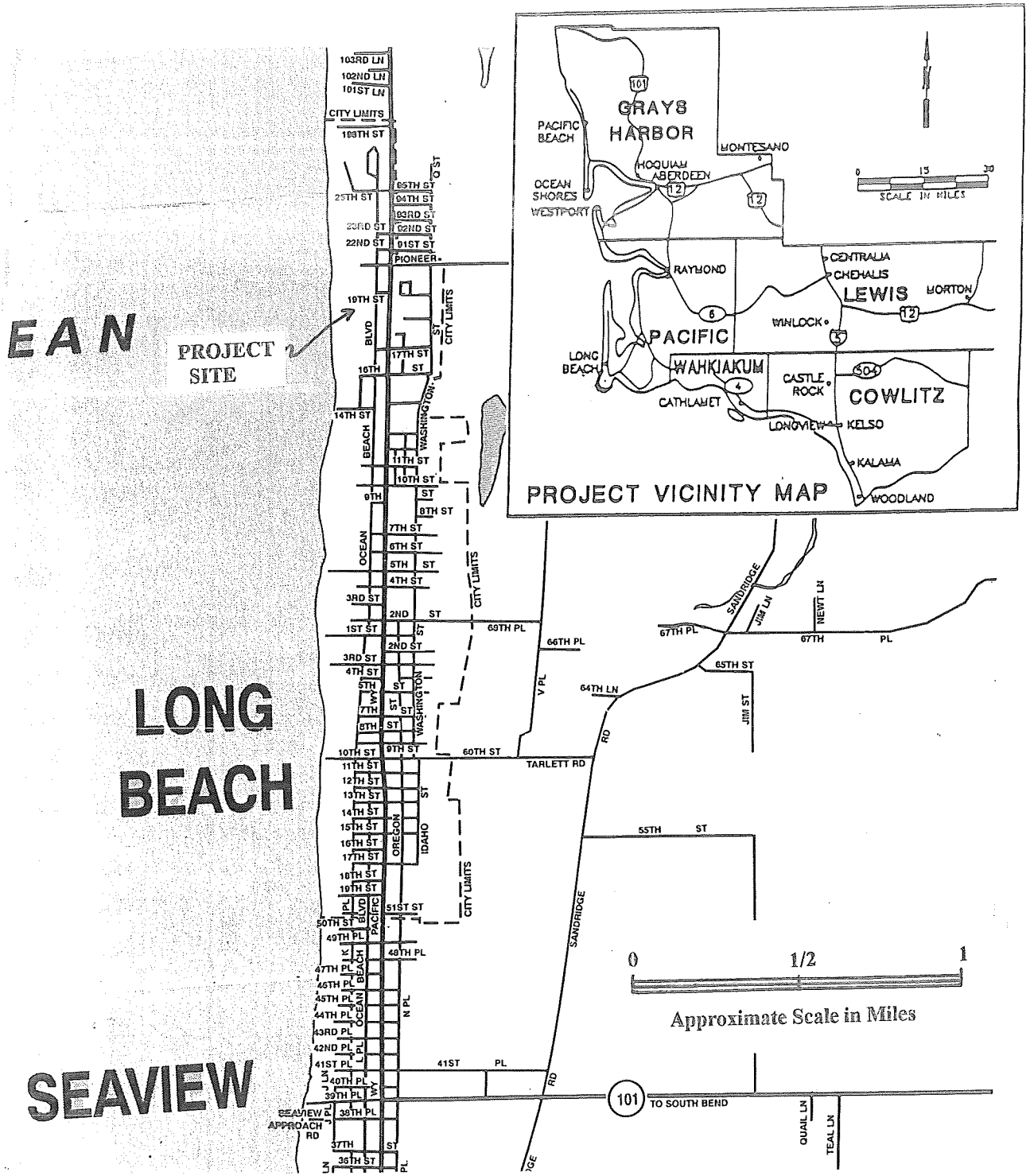
- Figure 1 - Location Map
- " 2 - Site Plan
- " 3 - NWI Map
- " 4 - Soils Map
- " 5 - Flood Insurance Rate Map

Site Photographs

Wetland Routine Onsite Determination Data Sheets

Wetland Rating Field Data Forms

Conclusions in this report are based on both standardized methods and best professional judgment by DSR and are in no way a substitute for current local, state and federal wetland regulations. Local state and federal regulatory agencies may or may not agree with the findings presented in this report.



EAN

PROJECT SITE

LONG BEACH

SEAVIEW

Purpose:

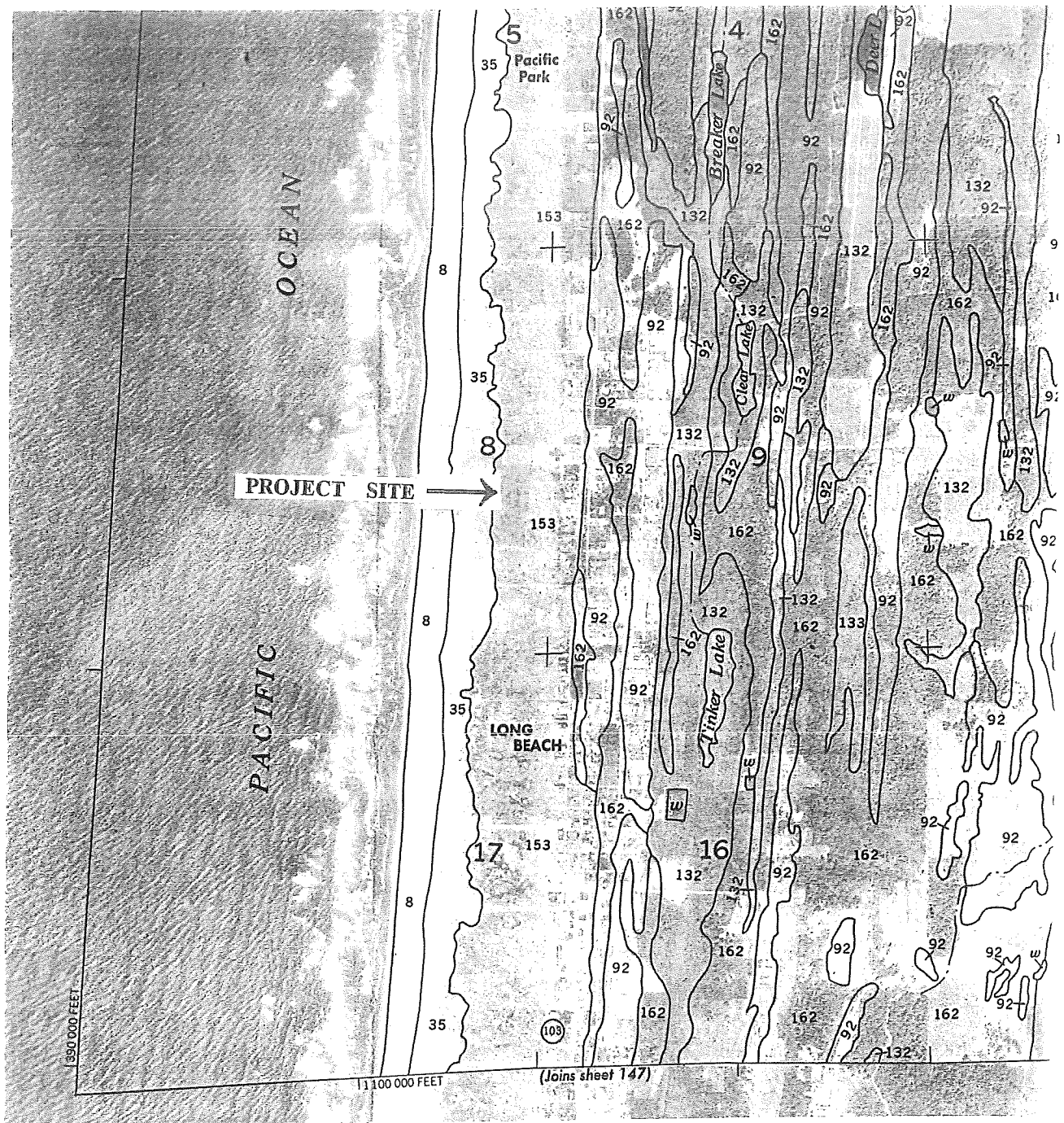
Figure 1

In: Wetlands
At: Long Beach

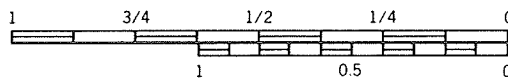
- Adjacent Property Owners:
- 1 City of Long Beach
 - 2 Elmer Ostrem
 - 3 Mark Svore

Site Vicinity Map

County of Pacific
State of Washington
Application by
Dick S. Reiners
Date June 6, 2002



SCALE 1:24,000



Purpose:

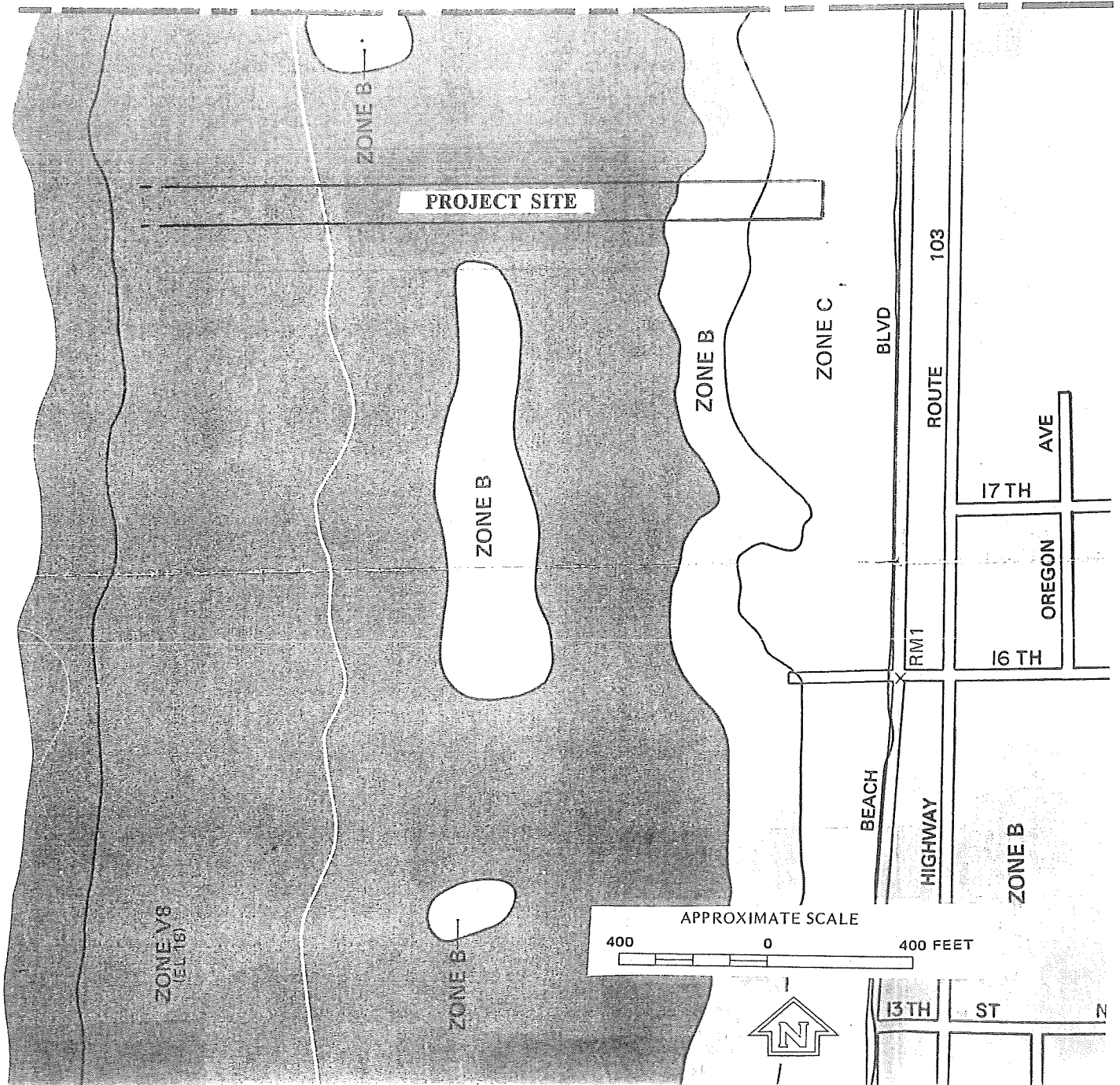
Figure 4

In: Wetlands
At: Long Beach

Pacific County Soil Survey Map

Adjacent Property Owners:
1 City of Long Beach
2 Elmer Ostrem
3 Mark Svore

County of Pacific
State of Washington
Application by
Dick S. Reiners
Date June 6, 2002



Purpose:

Figure 5

**In: Wetlands
At: Long Beach**

Flood Insurance Rate Map

Adjacent Property Owners:

- 1 City of Long Beach
- 2 Elmer Ostrem
- 3 Mark Svore

**County of Pacific
State of Washington
Application by
Dick S. Reiners
Date June 6, 2002**



Site: View west



Site: View east



On Site Wetland



View Road/Wetland Impact/East end



View Road/ Wetland Impact/ West end



View/ Mitigation Area/ Dunal Habitat/West of Project

Wetlands Rating Field Data Form

Background Information:

Name of Rater: Rob Poyer Affiliation: Purvis Service Date: 5/11/12

Name of wetland (if known): _____

Government Jurisdiction of wetland: City of Lombard

Location: 1/4 Section: 110 of 1/4 S: S10 Section: 9 Township: 10N Range: 11W

Sources of Information: (Check all sources that apply)

Site visit: USGS Topo Map: _____ NWI map: Aerial Photo: _____ Soils survey:

Other: _____ Describe: _____

When The Field Data form is complete enter Category here: III

Q.1. High Quality Natural Wetland

Answer this question if you have adequate information or experience to do so. If not find someone with the expertise to answer the questions. Then, if the answer to questions 1a, 1b and 1c are all NO, contact the Natural Heritage program of DNR.

1a. Human caused disturbances.

Is there significant evidence of human-caused changes to topography or hydrology of the wetland as indicated by any of the following conditions?
 Consider only changes that may have taken place in the last 5 decades. The impacts of changes done earlier have probably been stabilized and the wetland ecosystem will be close to reaching some new equilibrium that may represent a high quality wetland.

- 1a1. Upstream watershed > 12% impervious.
- 1a2. Wetland is ditched and water flow is not obstructed.
- 1a3. Wetland has been graded, filled, logged.
- 1a4. Water in wetland is controlled by dikes, weirs, etc.
- 1a5. Wetland is grazed.
- 1a6. Other indicators of disturbance (list below)

Circle Answers

- Yes: go to Q.2
- Yes: go to Q.2
- Yes: go to Q.2
- Yes: go to Q.2
- Yes: go to Q.2
- Yes: go to Q.2
- No: go to 1b.

1b. Are there populations of non-native plants which are currently present, cover more than 10% of the wetland, and appear to be invading native populations? Briefly describe any non-native plant populations and information source(s): _____

1c. Is there evidence of human-caused disturbances which have visibly degraded water quality. Evidence of the degradation of water quality include: direct (untreated) runoff from roads or parking lots; presence, or historic evidence, of waste dumps; oily sheens; the smell of organic chemicals; or livestock use. Briefly describe: _____

Q.2. Irreplaceable Ecological Functions:

Does the wetland:
 have at least 1/4 acre of organic soils deeper than 16 inches and the wetland is relatively undisturbed; OR
 [If the answer is NO because the wetland is disturbed briefly describe: Indicators of disturbance may include:
 - Wetland has been graded, filled, logged;
 - Organic soils on the surface are dried-out for more than half of the year;
 - Wetland receives direct stormwater runoff from urban or agricultural areas.];
 OR
 have a forested class greater than 1 acre;
 OR
 have characteristics of an estuarine system;
 OR
 have eel grass, floating or non-floating kelp beds?

2a. Bogs and Fens
 Are any of the three following conditions met for the area of organic soil?

2a.1. Are Sphagnum mosses a common ground cover (>30%) and the cover of invasive species (see Table 3) is less than 10%?
 Is the area of sphagnum mosses and deep organic soils > 1/2 acre?
 Is the area of sphagnum mosses and deep organic soils 1/4-1/2 acre?
 Is the area of herbaceous plants and deep organic soils > 1/2 acre?
 Is the area of herbaceous plants and deep organic soils 1/4-1/2 acre?

2a.2. Is there an area of organic soil which has an emergent class with at least one species from Table 2, and cover of invasive species is < 10% (see Table 3)?

YES: go to Q.2
 NO: go to 1c.

YES: go to Q.2
 NO: Possible Cat. I contact DNR

(NO to all: go to Q.3)
 YES: go to 2a

YES: Go to 2b
 YES: Go to 2c
 YES: Go to 2d

YES: Category I
 YES: Category II
 NO: Go to 2a.3

YES: Category I
 YES: Category II
 NO: Go to 2a.3

Q.4. Significant habitat value.

Answer all questions and enter data requested.

4a. Total wetland area
Estimate area, select from choices in the near-right column, and score in the far column:

Enter acreage of wetland here: _____ acres, and source: _____	Circle scores that qualify acres	points
	> 200	6
	40- 200	5
	10 - 40	4
	5 - 10	3
	1 - 5	2
	0.1 - 1	1
	< 0.1	0

4b. Wetland classes: Circle the wetland classes below that qualify:

Open Water: If the area of open water is > 1/4 acre

Aquatic Beds: If the area of aquatic beds > 1/4 acre,

Emergent: If the area of emergent class is > 1/4 acre,

Scrub-Shrub: If the area of scrub-shrub class is > 1/4 acre,

Forested: If area of forested class is > 1/4 acre,

Add the number of wetland classes, above, that qualify, and then score according to the columns at right.
e.g. If there are 4 classes (aquatic beds, open water, emergent & scrub-shrub), you would circle 8 points in the far right column.

4c. Plant species diversity.

4b above, count the number of different plant species you can find that cover more than 5% of the ground. You do not have to name them.

Score in column at far right:

e.g. If a wetland has an aquatic bed class with 3 species, an emergent class with 4 species and a scrub-shrub class with 2 species you would circle 2, 2, and 1 in the far column.

Note: Any plant species with a cover of > 5% qualifies for points within a class, even those that are not of that class.

# of classes	Points
1	0
2	3
3	6
4	8
5	10

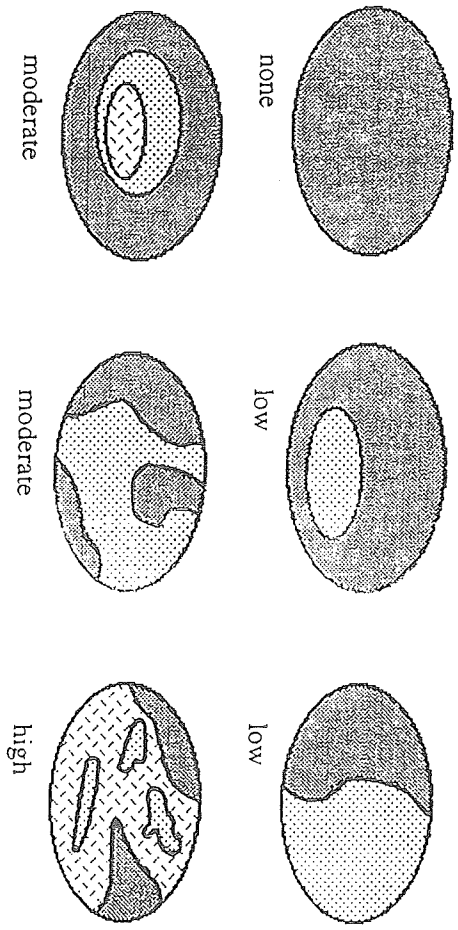
Class	# species in class	Points
Aquatic Bed	1	0
	2	1
	3	2
	> 3	3
Emergent	1	0
	2-3	1
	4-5	2
	> 5	3
Scrub-Shrub	1	0
	2	1
	3-4	2
	> 4	3
Forested	1	0
	2	1
	3-4	2
	> 4	3

4d. Structural diversity.

If the wetland has a forested class, add 1 point if each of the following classes is present within the forested class and is larger than 1/4 acre:
- trees > 50' tall
- trees 20'-49' tall
- shrubs
- herbaceous ground cover
Also add 1 point if there is any "open water" or "aquatic bed" class immediately next to the forested area (ie. there is no scrub/shrub or emergent vegetation between them).

YES - 1	High - 5
YES - 1	Moderate - 3
YES - 1	Low - 1
YES - 1	None - 0

4e. Decide from the diagrams below whether interspersed between wetland classes is high, moderate, low or none? If you think the amount of interspersed falls in between the diagrams score accordingly (i.e. a moderately high amount of interspersed would score a 4, while a moderately low amount would score a 2)



4f. Habitat features.

Answer questions below, circle features that apply, and score to right:
Is there evidence that the open or standing water was caused by beavers
Is a heron rookery located within 300'?
Are raptor nests/located within 300'?
Are there at least 3 standing dead trees (snags) per acre greater than 10" in diameter at "breast height" (DBH)?
Are there at least 3 downed logs per acre with a diameter > 6" for at least 10' in length?
Are there areas (vegetated or unvegetated) within the wetland that are ponded for at least 4 months out of the year, and the wetland has not qualified as having an open water class in Question 4b.?

YES = 2
YES = 1
YES = 1
YES = 1
YES = 1
YES = 2

10. List any governmental approvals or permits that will be needed for your proposal, if known.

Shoreline Substantial Development and Section 404 Permits

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description).

The applicant proposes to sub-divide 4.16 acres and improve public access.

Project size: 1,293 ft. long (East to West) by 140 feet wide (North to South) equals 181,020 square feet or 4.16 surface acres.

12. Location of the proposal. Sufficient information for a person to understand the precise location of your proposal, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

From 200 feet west of Ocean View Boulevard, westward to the 1980 Seashore Conservation Line 100 foot set-back, and south of 19th Street North.

Tax Lots 184 in the SW 1/4 of Section 9, T10N., R11W., W.M., Pacific County, WA

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS

1. EARTH

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

Interdunal Area/ Rolling

b. What is the steepest slope on the site (approximate percent slope)?
< 1 to 3%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Westport Fine Sands #153

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

NO

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Clean sand will be used to construct a suitable roadbed, approximately 2300 sq.ft. of fill will be deposited into the south edge of the wetland.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Limited/wind erosion/ control with silt fence

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Public Access Roadway and Pedestrian Walking Path: 1,150 feet long by 22 feet wide equals 14% of the site.

Buildings: 12 future single-family homes at 1,200 sq. ft. each equals 8% of the site.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Best Management Practices/ silt fencing and straw bales

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities known.

During 4 month site prep & construction limited dust from grading and dump trucks. Completed project area stabilized, limited emissions from 12 single-family sites.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Un-named interdunal wetland

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes; fill and grade approximately 2,300 sq. ft. of Category III wetland to provide for public access roadbed.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Approximately 125 cu. yds. of fill material.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes

6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities known.

No ground water withdrawal proposed; Engineered Drainage Plan Pending, drainage infiltrates into sandy soils.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any:

None

Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the systems(s) are expected to serve.

Sub-division will be connected to City Sewer

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (including quantities, if known). Where will this water flow? Will this water flow into other waters? If so describe.

Engineering Report will be available at a later date. Site designed to infiltrate building and street improvements run-off into soils by swale

2) Could waste materials enter ground or surface waters? If so, generally describe.

No

4. Plants

a. Check or circle types of vegetation found on the site

deciduous tree: Hooker Willow (*Salix hookeriana*)

evergreen tree: Coast Pine (*Pinus contorta contorta*)

shrubs:

grass: European beachgrass (*Ammophila arenaria*), Common velvetgrass (*Holcus lanatus*)

pasture:

crop or grain:

wet soil plants: Slough sedge (*Carex obnupta*),
other.....
water plants:
other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Dune grass sod and upland vegetation will be removed from the proposed roadbed to a depth of 3 inches. Roadbed is 1,150 feet long by 22 feet wide. Total volume is expected to be less than 235 cu.ft.

c. List threatened or endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: song birds, crows and gulls

mammals: deer

fish: Not applicable

shellfish: Not applicable

- invertebrates: None observed

b. List any threatened or endangered species known to be on or near the site.

None listed

c. Is the site part of a migration route? If so, explain.

No impact on Pacific Flyway species

d. Proposed measures to preserve or enhance wildlife, if any:

Mitigation measures will protect dunal areas west of 1980 SSCL

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

All future single-family homes on this site will use electricity for heat and lights in compliance with current Washington State Standards UBC Codes.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Future single-family homes will be built to Washington State Standards UBC code

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

No

1) Describe special emergency services that might be required.

None

2) Proposed measures to reduce or control environmental health hazards, if any:

None

b. Noise

None

1) What types of noise exist in the areas which may affect your project (for example: traffic, equipment, operation, other)?

None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?

Indicate what hours noise would come from the site:

Short term noise from road construction equipment approximately 4 months 8:00 am to 5:00 p.m.

3) Proposed measures to reduce or control noise impact, if any:
None

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?
Site and adjacent properties are vacant land.

b. Has the site been used for agriculture? Is so, describe.
No

c. Describe any structures on the site.
None

d. Will any structures be demolished? If so, what?
No

e. What is the current zoning classification of the site?
Shoreline Single-Family Residential District (S1).

f. What is the current comprehensive plan designation of the site?
Waterfront Residential Land

g. If applicable, what is the current shoreline master program designation of the site?
Rural Residential

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
No

i. Approximately how many people would reside or work in the completed project?
Single-Family Home occupants on 12 perspective lots

j. Approximately how many people would the completed project displace?
None

k. Proposed measures to avoid or reduce displacement impacts, if any:
None

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Pre-application meeting with City Administrator and Planner

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

There is potential for 12 middle income, single-family homes

b. Approximately how many units, if any would be eliminated? Indicate whether high, middle, or low-income housing.

None

c. Proposed measures to reduce or control housing impacts, if any:

None

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not to exceed 35 ft. Current Shoreline and Zoning Ordinances prohibit structures greater than 35 feet in height.

b. What views in the immediate vicinity would be altered or obstructed?

None

c. Proposed measures to reduce or control aesthetic impacts, if any:

No aesthetic impacts proposed

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may effect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts if any:

None

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?
Hiking/beachcombing, fishing/clamming, bird watching

b. Would the proposed project displace any existing recreational uses? If so describe.
No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers to be on or next to the site? If so, generally describe.
No

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
None

c. Proposed measures to reduce or control impacts, if any:
None

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any:
See Site Plan, access from proposed 19th Street extension

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Transit stop approximately 400 ft east of site, on S.R. 103

c. How many parking spaces would the completed project have? How many would the project eliminate?
None

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (Indicate whether public or private). Yes, construction of 1,150 feet by 22 feet of paved public roadway. Local Improvement District (LID) in process for extension of 19th Street North

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Pacific County Road Standards predict 10 trips per day for single-family dwelling units. Twelve potential home sites at 10 trips per day equals 120 trips per day.

g. Proposed measures to reduce or control transportation impacts, if any:

None

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

The project will result in an additional 1150 feet of City streets with potential for 12 single-family homes. Limited increase in services is expected.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

There are no utilities currently available. The applicant agrees to provide for these services per a City Of Long Beach Developer Agreement dated 08/06/2003.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

All utilities proposed with LID creation

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Date Submitted: 10-9-03

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the project, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air, production, storage, or release of toxic or hazardous substances; or production of noise?

Not likely to increase

Proposed measures to avoid or reduce such increases are:

None

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No proposed affect

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None

3. How would the proposal be likely to depleted energy or natural resources?

No proposed affect

Proposed measures to protect or conserve energy or natural resources are:

None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species, historic or cultural sites, wetlands, floodplain, or prime farmlands?

Does not apply

Proposed measures to protect such resources or to avoid or reduce impacts are:

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Future land use will be in compliance with City Ordinances.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Street design and utilities will conform to City of Long Beach minimum standards, per the Developer Agreement.

Proposed measures to reduce or respond to such demand(s) are:

None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Project meets local, state and federal regulations. Project design meets Shoreline Master Program.

CITY OF LONG BEACH

DEVELOPER AGREEMENT

THIS AGREEMENT, by and between the City of Long Beach, a municipal corporation, hereinafter referred to as "City", and Leroy Ostrem, hereinafter referred to as "Developer":

WITNESSETH: That whereas the City of Long Beach, a municipal corporation, provides water/sanitary/storm or roadway service within this area, and the above-named Developer is preparing to subdivide and develop property to be served by city street and utilities; and,

WHEREAS the City of Long Beach owns the westerly extend of 19th Street Northwest, to mean High tide, Tax Lot 101109 134 in fee; and,

WHEREAS the developer desire to purchase said property, modify the street right-of-way alignment in order to avoid wetlands and otherwise enhance the aesthetics and feasibility of the project; and,

WHREAS, the City of Long Beach desires to retain public access in the vicinity of Tax Lot 101109 134; and,

WHEREAS, the developer agrees to convey a right-of-way for easement for street and utility purposes over the modified extension of 19th Street Northwest to conform to all development requirements for city streets and utilities.

NOW THREFORE IT HERENBY AGREED AS FOLLOWS:

1. The City of Long Beach hereby agrees to sell, convey and transfer Tax Lot 101109 134, which is described in Exhibit A, to the developer for \$56,000 and upon the conditions, promises and representations made herein.
2. The developer agrees to pay \$56,000 to the City of Long Beach and agrees to convey, transfer the realigned westerly extension of 19th St. NW in such dimensions and condition as required by city development standards for city streets.
3. Developer agrees to construct the water/sanitary/storm and roadway system, or additions thereto, to be connected to the City's infrastructure, and to maintain such additions until such time as the City accepts the improvements, with the agreements conditioned as set forth below. The improvements, extension, or additions thereto, shall be located within that area commonly referred to as 19th St. NW, which property is described in Exhibit "B" attached hereto and referred to hereinafter as "Premises".

4. As a condition precedent to City obligations under this agreement, the Developer shall construct the proposed water/sanitary/storm/gas/or roadway system, or additions thereto, within said premises in conformance with the minimum standards as set forth in the City's currently adopted Development Standards as adopted together with any amendments thereto hereinafter made, and further to conform with the City's comprehensive planning documents, which agreement shall include furnishing and installing City owned utility mains. No comprehensive planning documents identify the general location of new facilities, but the exact location will be prescribed by the City of Long Beach.
5. The developer agrees that the construction of any infrastructure items, or additions thereto, shall not commence until the following conditions have been fulfilled:
 - a. Full payment is received for the sale of Tax Lot 101109 134.
 - b. The developer shall furnish the City with four (4) sets of detailed plans for the proposed improvements, or additions thereto, at Developer's own expense, prepared by a qualified engineer currently licensed in the State of Washington.
 - c. The above plans shall require the review and approval by the City and its Engineer, and the cost of such review shall be at the Developer's own expense.
 - d. Minimum requirements for all plans, or additions thereto, submitted to the City for review are:
 - (1) Four (4) sets of all plans and documents shall be submitted, wherein two (2) sets will be retained by the City, and two (2) sets will be returned to the applicant.
 - (2) A preliminary plat proposal of the area in which said improvement, or additions thereto, are to be constructed. Nothing in this agreement relieves the developer from the obligation to comply with City land use regulations and requirements.
 - (3) A map showing the location of the proposed plat in relation to the surrounding area.
 - (4) A contour map of the plat with contour intervals of five feet or less extending fifty (50') feet beyond the plat/property lines.
 - (5) A map showing the location and depth of all proposed utilities and any connections and/or interconnections to existing facilities or future extensions and connections.
 - (6) A 1" = 50' plan and profile view of the proposed improvements showing streets, lot lines, dimensions, and location of bench marks (City datum) and monuments for the proposed plat, together with an indication of the development of the adjacent property, as may be applicable.

- (7) A profile 1" = 50' horizontal and 1" = 5' vertical of the finished road grades with any proposed utility system improvements and other pertinent underground utilities located, with elevations noted thereon. The elevation datum shall be the same as used by the City. It shall be the responsibility of the Developer to confirm such datum with the City.
 - (8) Full-sized detail sheets shall be included as part of the construction drawings, as required to clearly indicate the details for all of the infrastructure improvements not otherwise provided for in this text, or additions thereto, to be constructed, consistent with City standards.
 - (9) Specifications sufficient to fully describe the work, consistent with the City's currently adopted Development Standards.
 - (10) Nothing in this agreement relieves the developer for obtaining the necessary permits from all subject regulatory agencies.
- e. Construction requirements in addition to the City standards and details for developer extensions, as adopted, are as follows:
- (1) All streets and/or roadways shall be graded to within six inches of final grade before installation of utility improvements, unless otherwise approved by the City Engineer.
 - (2) All lots shall be fully staked to assist all parties involved in the proper location of utility services.
 - (3) All contractors and subcontractors shall have a current Washington State Contractors License on file with the City.
 - (4) The Developer's proposed improvements, or additions thereto, shall not be connected to any City system until authorized by the City, and such connection shall be performed only under the supervision and approval of the City.
- f. For the purpose of applying RCW 4.24.115 to this Contract, the Developer and the City agree that the term "damages" applies only to the finding in a judicial proceeding and is exclusive of third party claims for damages preliminary thereto.

The Developer agrees to indemnify and hold harmless the City and/or its agents from all claims for damages by third parties, including costs and reasonable attorney's fees in the defense of claims for damages, arising from performance of the Developer's express or implied obligations under this Agreement. The Developer waives any right of contribution against the City.

It is agreed and mutually negotiated that in any and all claims against the City or any of its agents or employees by any employee of the Developer, any contractor or subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the indemnification obligation hereunder shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Developer or any contractor or subcontractor under Workman's Compensation Acts, disability benefits acts or other employees' benefit acts. The City and the Developer agree that all third part claims for damages against the City for which the Developer's insurance carrier does not accept defense of the City may be tendered by the City to the Developer who shall, if so tendered by the City, accept and undertake to defend or settle with the Claimant. The City retains the right to approve claim investigation and counsel assigned to said claim and all investigation and legal work product regarding said claim shall be performed under a fiduciary relationship to the City. In the event that the City agrees or a court finds that the claim arises from the sole negligence of the City, this indemnification shall be void and the City shall be responsible for all damages payable to the third party claimant. In the event that the City and the Developer agree or a court finds that the claim arises from or includes negligence of both the Developer and the City, the Developer shall be responsible for all damages payable by the Developer to the third party claimant under the court findings, and, in addition thereto, the Developer shall hereunder indemnify the City for all damages paid or payable to the City under the court findings in an amount not to exceed the percentage of total fault attributable to the Developer. For example, where the Developer is 25% negligent, the Developer shall not be required to indemnify the City for any amount in excess of 25% of the claimant's total damages.

- g. In the event the Developer in his operation damages or disrupts existing improvements, the repairs shall be made at the Developer's expense. In the event they are so damaged or the service disrupted and the Developer fails or is unable to immediately restore the service, then the Owners of the improvements may cause the repairs to be made by others and all costs for the same shall be at the Developer's own expense.

Where the construction crosses or is adjacent to existing utilities, the Developer shall exercise extreme care to protect such utilities from damage.

If any damage is done to an existing utility, the Developer shall notify the utility company involved, who will dispatch a crew to repair the damage at the Developer's expense. All costs for the same shall be at the Developer's own expense.

The Developer is cautioned that all existing drainage systems, whether open ditch, buried pipe, or drainage structures, are not on record. It shall be the responsibility of the Developer to repair or replace all such systems found during construction, which are damaged by the Developer's construction in a manner, which is satisfactory to the City.

Where the Developer is allowed to use private property adjacent to the work, the property so used shall be returned to its original or superior condition. The Developer shall make all arrangements in advance with such property owners, to insure that no conflicts will ensue after the property is restored as described above. The Developer will be required to furnish the City with a written release from said private property owners, if the City deems it to be necessary to obtain such document.

6. The construction of the Developer's proposed improvements, or additions thereto, on the Premises shall be supervised by the City in such a manner and at such times as the City deems reasonably necessary to assure that construction of the system will conform with the above-mentioned plans and specifications and minimum City Standards. The Developer herewith agrees to allow such inspections and agrees to cooperate providing reasonable advance notice of his construction schedule during the various construction phases as requested by the City. The Developer further agrees to reimburse the City for all engineering fees and expenses incurred by the City for such supervision.
7. The Developer's proposed improvements, or additions thereto, on Premises shall not be accepted for service and use until the same have been fully inspected and approved, and the following requirements have been performed:
 - a. Submit to the City in Auto-CADD format (2000i), electronic files supplied on a three and one half (3-1/2) inch disc accompanied by the original "fixed line" mylars, with all changes from the original design clearly marked to reflect the as-built conditions. Unless otherwise waived by the City, the Developer's engineer shall certify the accuracy of the record drawings and shall affix his seal and signature.
 - b. Payment of all permit fees, impact fees, assessment charges, engineering review fees, inspection fees, and any other applicable City charges required for Premises.
 - c. Prepare and furnish the required easements in accordance with City's standard form and this agreement, and furnish same to the City for approval by the City Attorney, prior to Developer recording same with County. Provide copy of recorded document.
 - d. Furnish the City with an affidavit warranting there are no liens against the improvements constructed or furnished by the Developers. This affidavit shall be in a form approved by the City Attorney.
 - e. Furnish the City with a Bill of Sale conveying the water/sanitary/storm or roadway system to the City, which shall include a one-year guarantee that the conveyed systems or improvements or additions thereto shall be free of defects in labor and materials. Said conveyance shall be in a form approved by the City.
 - f. Payment of all applicable bills, invoices, fees, etc., have been paid in full.

8. In the event any warranty repairs are required, the City agrees, whenever feasible, to provide the Developer with reasonable notice before directly undertaking such repairs. The City reserves the right, however, to effect emergency repairs as deemed necessary by the City. The City shall be reimbursed by the Developer for all costs thereof within sixty (60) days.
9. Upon performing all requirements, including those as set forth in Paragraph 5 above, the City shall accept the water/sanitary/storm or roadway improvements, and agree therewith to operate and maintain said system.
10. The \$56,000 the Developer is to pay and the transfer of the land shall not be due until the City has given preliminary plat approval and all permits are in place, and all plans approved by the City, upon which being accomplished, the Developer shall then pay the City \$56,000 and transfer the land, and the City shall give final plat approval.
11. If any other parties within ten (10) years hook-up to utilities paid for and installed by the Developer and/or the road, that on a reimbursement basis under City formula, the City would collect a pro-rata cost thereof from the party hooking on and pay the same to the Developer.

SUBMITTED this 6th day of Aug, 2003

BY DEVELOPER: Leroy E. Ostrem
Printed Name

[Signature]
Signature

8-6-03
Date

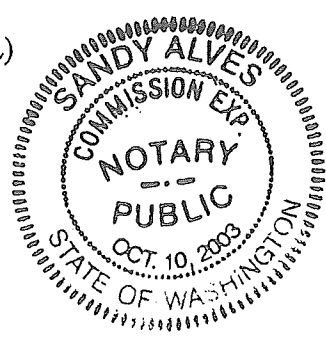
State of Washington)
County of Pacific) ss.

On this 6th day of Aug, 2003 before, me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Leroy E. Ostrem, to me known to be the person who executed the foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned, and acknowledged that he/she had the legal authority to execute said agreement on behalf of the "Developer".

WITNESS my hand and official seal affixed the day and year first above written.

[Signature]
Notary Public in and for the State
of Washington, residing at Long Beach, WA

(INDIVIDUAL)



SIGNED this 6th day of August, 2003

BY THE CITY OF LONG BEACH:

Nabiel Shawa

Printed Name

[Handwritten Signature]

Signature

City Administrator

Title

8-6-03

Date

State of Washington)
) ss.
County of Pacific)

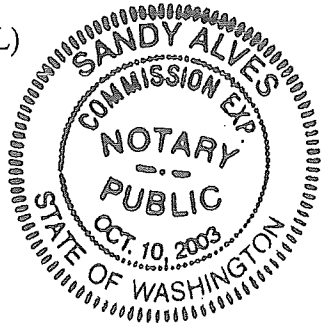
On this 6th day of Aug, 2003 before, me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Nabiel Shawa, to me known to be the person who executed the foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned, and acknowledged that he/she had the legal authority to execute said agreement on behalf of the "Developer".

WITNESS my hand and official seal affixed the day and year first above written.

Sandy Alves

Notary Public in and for the State of Washington, residing at Long Beach, WA

(INDIVIDUAL)



Report 1

PARC	FULLNAME	ADDRESS	CITY	ST	ZIPCODE
PORTLAND CORR 32 N1/2 SW	BRUMBAUGH, JANET R & SHAWN R	1071 BIRCHWOOD DRIVE	OREGON CITY	OR	97045
PORTLAND CORR 25 SE	CARUTH, CHARLES & GERALDINE	P O BOX 1595	LONG BEACH	WA	98631
101109 161 LB	CHABOT, JAMES E ET UX	P O BOX 224	LONG BEACH	WA	98631
PORTLAND CORR 25 S1/2 N1/2	CHABOT, JAMES E ET UX	P O BOX 224	LONG BEACH	WA	98631
101109 135 LB	GREENEN, RONALD W	9601 SE EVERGREEN HWY	VANCOUVER	WA	98664-3715
PORTLAND CORR 25 N1/2 NE	GREENEN, RONALD W ET AL	9601 SE EVERGREEN HWY	VANCOUVER	WA	98664-3715
101109 136 LB	HECKARD, AGATHA	6724 185TH STREET SE	SNOHOMISH	WA	98296-8381
PORTLAND CORR 31 SW	HECKARD, AGATHA	6724 185TH STREET SE	SNOHOMISH	WA	98296-8381
PORTLAND CORR 32 S1/2 SW	LAWHEAD, DONALD R & ANITA Y	P O BOX 1614	LONG BEACH	WA	98631
PORTLAND CORR 32 NW	MAYER, NEVA	4116 NORTH MASON	TACOMA	WA	98407
101109 214 LB	MERRILL, ROBERT C & ELDORA C	1719 OCEAN BEACH BLVD	LONG BEACH	WA	98631
PORTLAND CORR 19 N50'	MERRILL, ROBERT C & ELDORA C	1719 OCEAN BEACH BLVD	LONG BEACH	WA	98631
101109 152 LB	MORGAN, ELIZABETH PRICE/TRUSTEE	BOX 823	LONG BEACH	WA	98631
PIONEER 16 01	MORGAN, ELIZABETH PRICE/TRUSTEE	BOX 823	LONG BEACH	WA	98631
101109 194 LB	MORGAN, ELIZABETH PRICE/TRUSTEE	%4744 INDEPENDENCE DR SE	SALEM	OR	97302
101109 112 LB	OCEAN VIEW PARTNERS	P O BOX 723548	ATLANTA	GA	31139-0548
PIONEER 15 01	OCEAN VIEW PARTNERS	P O BOX 723548	ATLANTA	GA	31139-0548
PORTLAND CORR 31 01	OSTREM, ELMER & ROSE V	4905 NE 101ST CIRCLE	VANCOUVER	WA	98686
101109 159 LB	OSTREM, ELMER ET AL	4905 NE 101ST CIRCLE	VANCOUVER	WA	98686
PORTLAND CORR 31 02	OSTREM, LEROY E	31443 OLD FARM ROAD	WILSONVILLE	OR	97070
PORTLAND CORR 31 N1/2	OSTREM, LEROY E & CLAUDIA K	31443 OLD FARM ROAD	WILSONVILLE	OR	97070
101109 184 LB	OSTREM, LEROY E ET UX	31443 OLD FARM ROAD	WILSONVILLE	OR	97070
PIONEER 16 03 11	PRICE, FREDERICK M	%4744 INDEPENDENCE DR SE	SALEM	OR	97302
PORTLAND CORR 26 NW	RAMSEY, JOHN R & SHIRLEY G	1910 WASHINGTON AVENUE NORTH	LONG BEACH	WA	98631
PIONEER 17 02	RAYMOND FEDERAL SAVINGS BANK	P O BOX 271	RAYMOND	WA	98577
101109 158 LB	SHUCKA, FRANK A & MAVIS I	P O BOX 734	LONG BEACH	WA	98631
PORTLAND CORR 25 SW	SHUCKA, FRANK A & MAVIS I	P O BOX 734	LONG BEACH	WA	98631
PIONEER 17 01	STUMBO, RALPH W & ANN	4533 S 298TH PL	AUBURN	WA	98001

BRUMBAUGH, JANET R & SHA 1071 BIRCHWOOD DRIVE OREGON CITY OR 97045	MERRILL, ROBERT C & ELDOR 1719 OCEAN BEACH BLVD LONG BEACH WA 98631	OSTREM, LEROY E & CLAUDIA 31443 OLD FARM ROAD WILSONVILLE OR 97070
CARUTH, CHARLES & GERALDI P O BOX 1595 LONG BEACH WA 98631	MERRILL, ROBERT C & ELDOR 1719 OCEAN BEACH BLVD LONG BEACH WA 98631	OSTREM, LEROY E ET UX 31443 OLD FARM ROAD WILSONVILLE OR 97070
CHABOT, JAMES E ET UX P O BOX 224 LONG BEACH WA 98631	MORGAN, ELIZABETH PRICE/T BOX 823 LONG BEACH WA 98631	PRICE, FREDERICK M %4744 INDEPENDENCE DR SE SALEM OR 97302
CHABOT, JAMES E ET UX P O BOX 224 LONG BEACH WA 98631	MORGAN, ELIZABETH PRICE/T BOX 823 LONG BEACH WA 98631	RAMSEY, JOHN R & SHIRLEY G 1910 WASHINGTON AVENUE N LONG BEACH WA 98631
GREENEN, RONALD W 9601 SE EVERGREEN HWY VANCOUVER WA 98664-3715	MORGAN, ELIZABETH PRICE/T %4744 INDEPENDENCE DR SE SALEM OR 97302	RAYMOND FEDERAL SAVINGS P O BOX 271 RAYMOND WA 98577
GREENEN, RONALD W ET AL 9601 SE EVERGREEN HWY VANCOUVER WA 98664-3715	OCEAN VIEW PARTNERS P O BOX 723548 ATLANTA GA 31139-0548	SHUCKA, FRANK A & MAVIS I P O BOX 734 LONG BEACH WA 98631
HECKARD, AGATHA 6724 185TH STREET SE SNOHOMISH WA 98296-8381	OCEAN VIEW PARTNERS P O BOX 723548 ATLANTA GA 31139-0548	SHUCKA, FRANK A & MAVIS I P O BOX 734 LONG BEACH WA 98631
HECKARD, AGATHA 6724 185TH STREET SE SNOHOMISH WA 98296-8381	OCEAN VIEW PARTNERS P O BOX 723548 ATLANTA GA 31139-0548	STUMBO, RALPH W & ANN 4533 S 298TH PL AUBURN WA 98001
LAWHEAD, DONALD R & ANITA P O BOX 1614 LONG BEACH WA 98631	OSTREM, ELMER ET AL 4905 NE 101ST CIRCLE VANCOUVER WA 98686	OSTREM, ELMER ET AL 4905 NE 101ST CIRCLE VANCOUVER WA 98686
MAYER, NEVA 4116 NORTH MASON TACOMA WA 98407	OSTREM, LEROY E 31443 OLD FARM ROAD WILSONVILLE OR 97070	OSTREM, LEROY E 31443 OLD FARM ROAD WILSONVILLE OR 97070

City of Long Beach
SEPA Mitigated Determination of Non-Significance

CASE NO: SSDP/JARPA Application 2003-12-12

Proponent: Leroy Ostrem. The applicant proposes to plat property into 12 residential lots and build a public street to access to the subdivision. The street will include a 30-foot wide street right-of-way and an additional 10-foot wide utility easement. The surface of the street will be 22 feet in width and an 8-foot wide pedestrian walkway will also be constructed. All utilities will be underground. The City of Long Beach is the current owner of Tax 134. Development of Tax 134 and ownership transfer of Tax 134 is by a Developer agreement (on file) between the City of Long Beach and Mr. Ostrem.

Location of Proposal: The site includes Tax 184, Tax 159 and Tax 134. The proposed street is located west of 19th Street Northwest and on a portion of Tax 134. City of Long Beach, Pacific County, Washington.
Development will occur within Tax 184, Tax 159, and Tax 134. Section 9, Township 10 North, Range 11 West, Willamette Meridian.

Lead Agency: City of Long Beach:

The lead agency for this proposal has determined that if mitigation measures are completed as provided for in the application, the proposal does not have a probable significant adverse impact on the environment. The lead agency has determined that those mitigation measures necessary for final approval are:

Avoidance of wetland impacts as indicated in the site development plan and wetland delineation submitted with the application. The applicant submitted information and data to demonstrate compliance with the City of Long Beach Shoreline Master Program, Washington State Department of Ecology and US Army Corps of Engineers criteria for avoiding wetland impacts and those measures to avoid and/or mitigate impacts. These measures propose off-site mitigation for impacts to wetlands.

Mitigation measures addressed in the applicant's SEPA checklist that address impacts to and measures to reduce those impacts to: erosion [limit erosion to immediate construction area], storm water [submission of Storm water Engineering Report/Plan], sewer [submission and approval of sewer engineering drawings], landscaping/wildlife [mitigation of wetland impacts by preserving dune habitat], construction noise [limit hours of operation], land use [conform to cities land use ordinances], light/glare [conform to city development code].

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

This Mitigated DNS is issued under WAC 197-11-340(2); Comments must be submitted by 5:00 pm, January 27, 2004.

Responsible Official:

Position/Title:

Phone:

Address:

Date: January 12, 2004

James R. Sayce
Director, Community Development
(360) 642-4421
PO Box 310,
Long Beach, WA 983631

Published January 21, 2004

City of Long Beach Application and Notice of Hearing
Shoreline Substantial Development Permit (SSDP)
Joint Aquatic Review Application (JARPA)
Long Plat Subdivision Application

CASE No. SSDP/JARPA/SUBDIVISION Application 03-12-12. Notice is hereby given that Mr. Leroy Ostrem of Wilsonville, Oregon has filed an application for a Shoreline Substantial Development Permit/ Joint Aquatic Review Application and Long Plat Subdivision for: The applicant proposes to plat his property into 12 residential lots and build a public street to access to the subdivision. The street will include a 30-foot wide street right-of-way and an additional 10-foot wide utility easement. The surface of the street will be 22 feet in width and an 8-foot wide pedestrian walkway will also be constructed. All utilities will be underground. The City of Long Beach is the current owner of Tax 134. Development of Tax 134 and ownership transfer of Tax 134 is by a Developer agreement (on file) between the City of Long Beach and Mr. Ostrem.

The general location of the property is: The site includes Tax 184, Tax 159 and Tax 134. The proposed street is located west of 19th Street Northwest and on a portion of Tax 134. City of Long Beach, Pacific County, Washington. Development will occur within Tax 184, Tax 159, and Tax 134. Section 9, Township 10 North, Range 11 West, Willamette Meridian.

Said Development is proposed to be within the Pacific Ocean and/or its associated wetlands.

Any persons desiring to express his or her views or to be notified of the action taken on this application should notify the City of Long Beach, Department of Community Development, P.O. Box 310, Long Beach, WA 98631 in writing within thirty (30) days from the final date of publication of this notice. The application is available for review and Long Beach City Hall. Written comments must be received by 5:00 P.M. January 26th, 2005.

The City of Long Beach Hearing Examiner will hold a Public Hearing on this application. The hearing will begin at 4:30 pm or soon after on January 28th, 2004 in the City Council Chamber at Long Beach City Hall, 115 Bolstad West Long Beach WA.

Lead Agency: City of Long Beach

The Meeting Room is ADA accessible. For those planning to attend who have special accessibility requirements, please contact the City of Long Beach by phone, 360-642-4421 or at PO Box 310, Long Beach, WA 98631.

Responsible Official:

James R. Sayce
Director, Community Development
Phone: (360) 642-4421
Address: PO Box 310
Long Beach, WA 983631

Publish in December 17th and December 24th editions

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION



EFFECTIVE DATE:
AUGUST 1, 1979

COMMUNITY-PANEL NUMBER
530128 0001 C

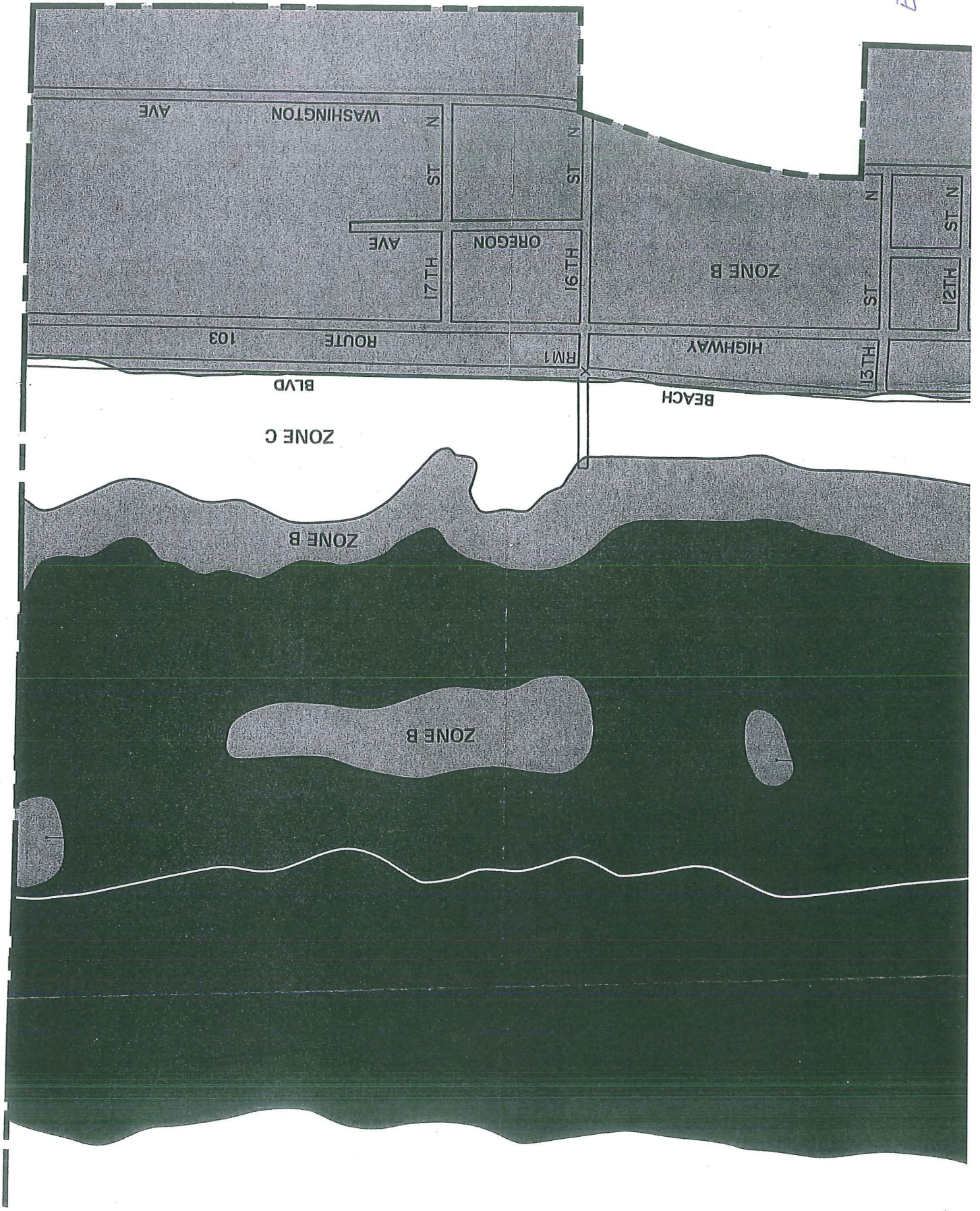
ONLY PANEL PRINTED

TOWN OF
LONG BEACH,
WASHINGTON,
PACIFIC COUNTY

FIRM
FLOOD INSURANCE RATE MAP

NATIONAL FLOOD INSURANCE PROGRAM

Ex 3

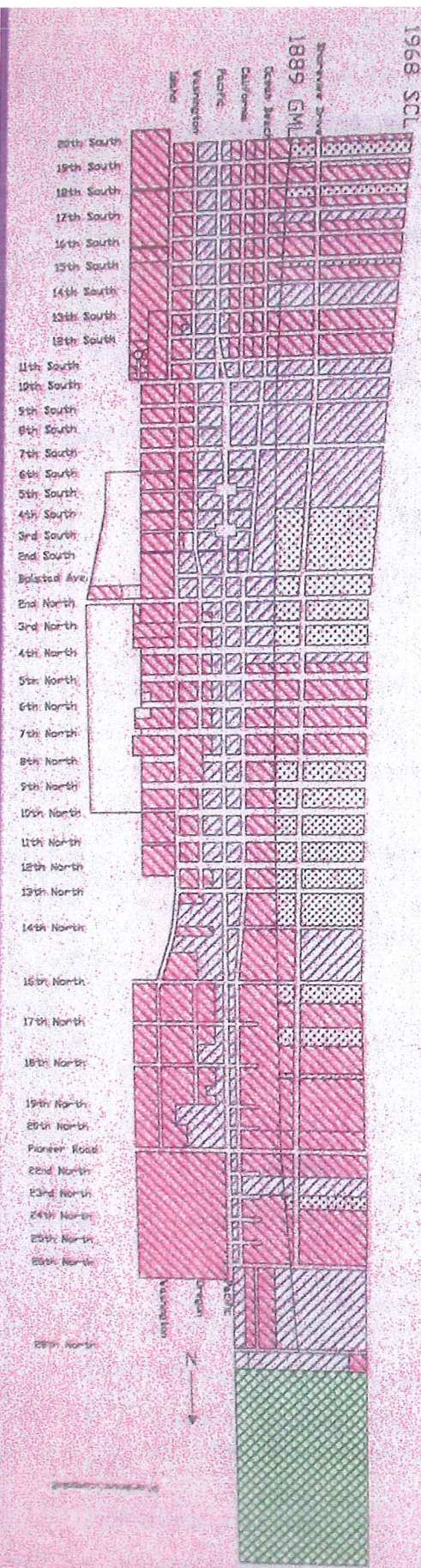


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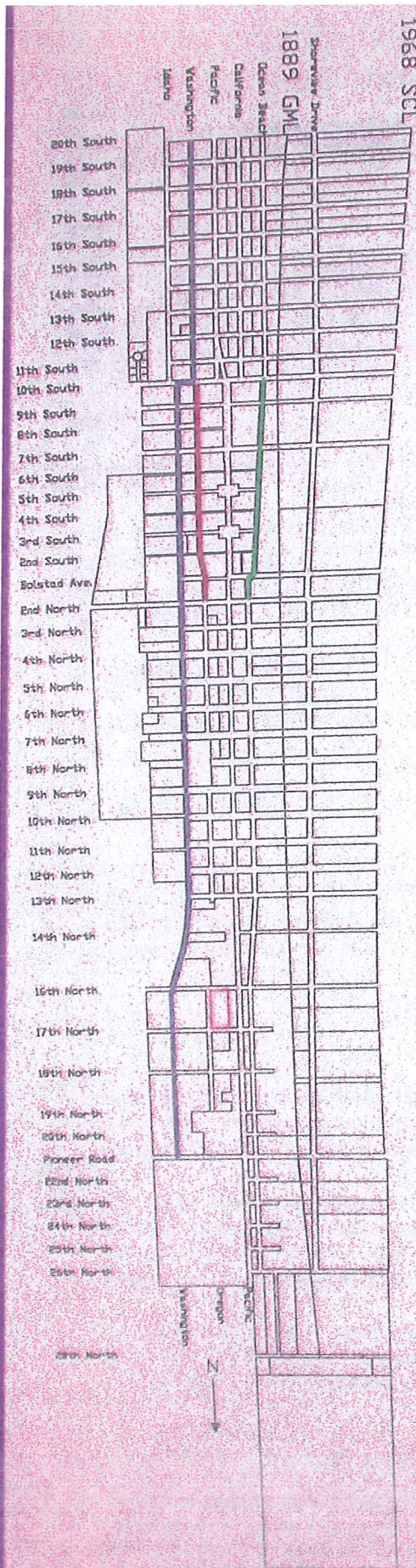
Exn 9

City of Long Beach Future Land Use Map

-  Commercial
-  Residential
-  Recreation
-  Clustered Mixed Use



Map II-1 Future Land Use Plan Map

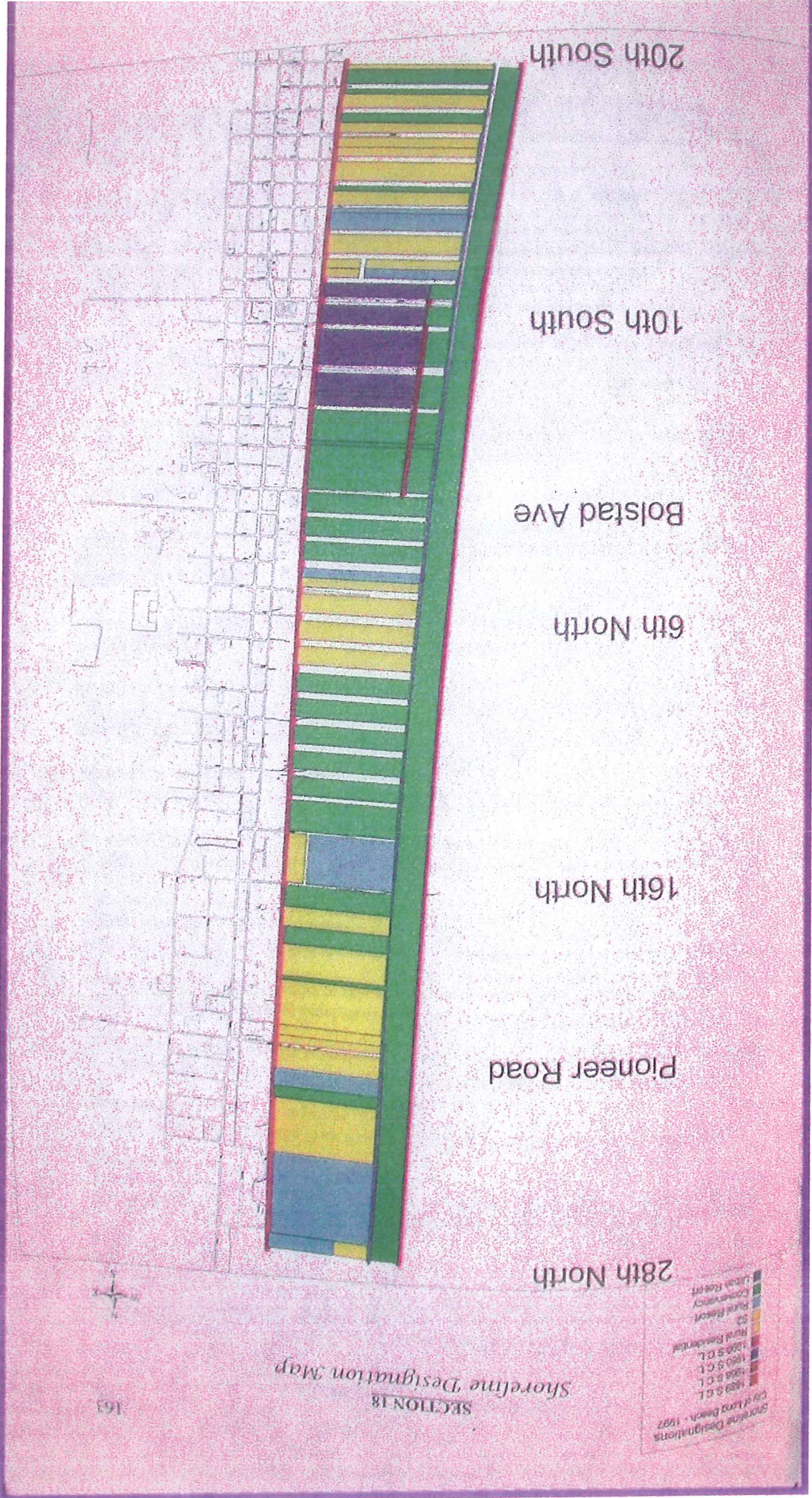


Transportation and Circulation Plan

- Ocean Beach Boulevard
- Oregon Avenue
- Washington Avenue

Map IV-1 Existing and Future Transportation Map (With Expansions and Improvements) Actions (Projects) needed to meet the proposed Level of Service Standards

Ex 11

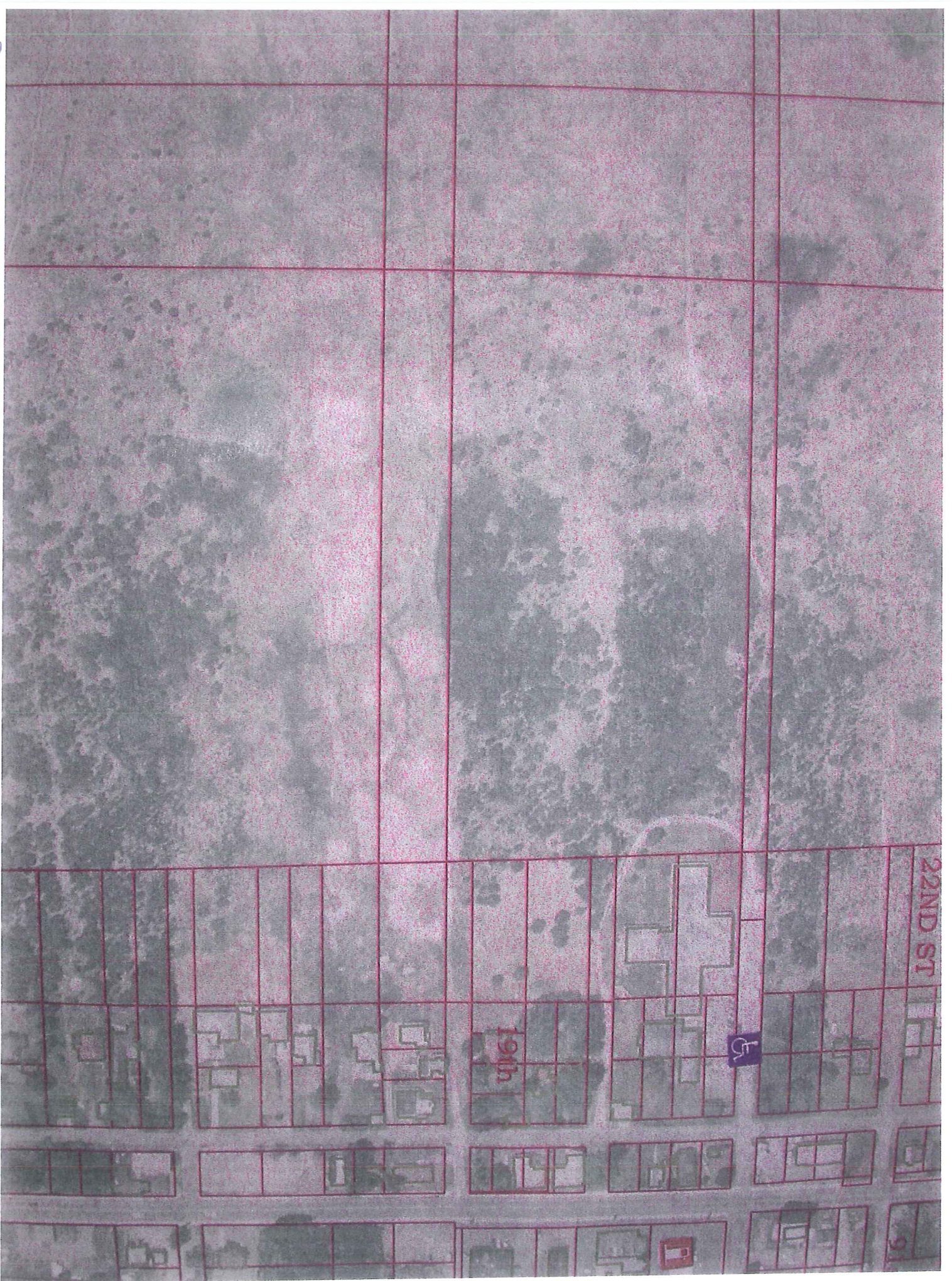


SECTION 18
Shoreline Designation Map

- Urban Forest
- Park Forest
- Rural Residential
- 1989 S.C.L.
- 1960 S.C.L.
- 1989 S.C.L.
- 1960 S.C.L.
- 1989 S.C.L.



UNIVERSITY



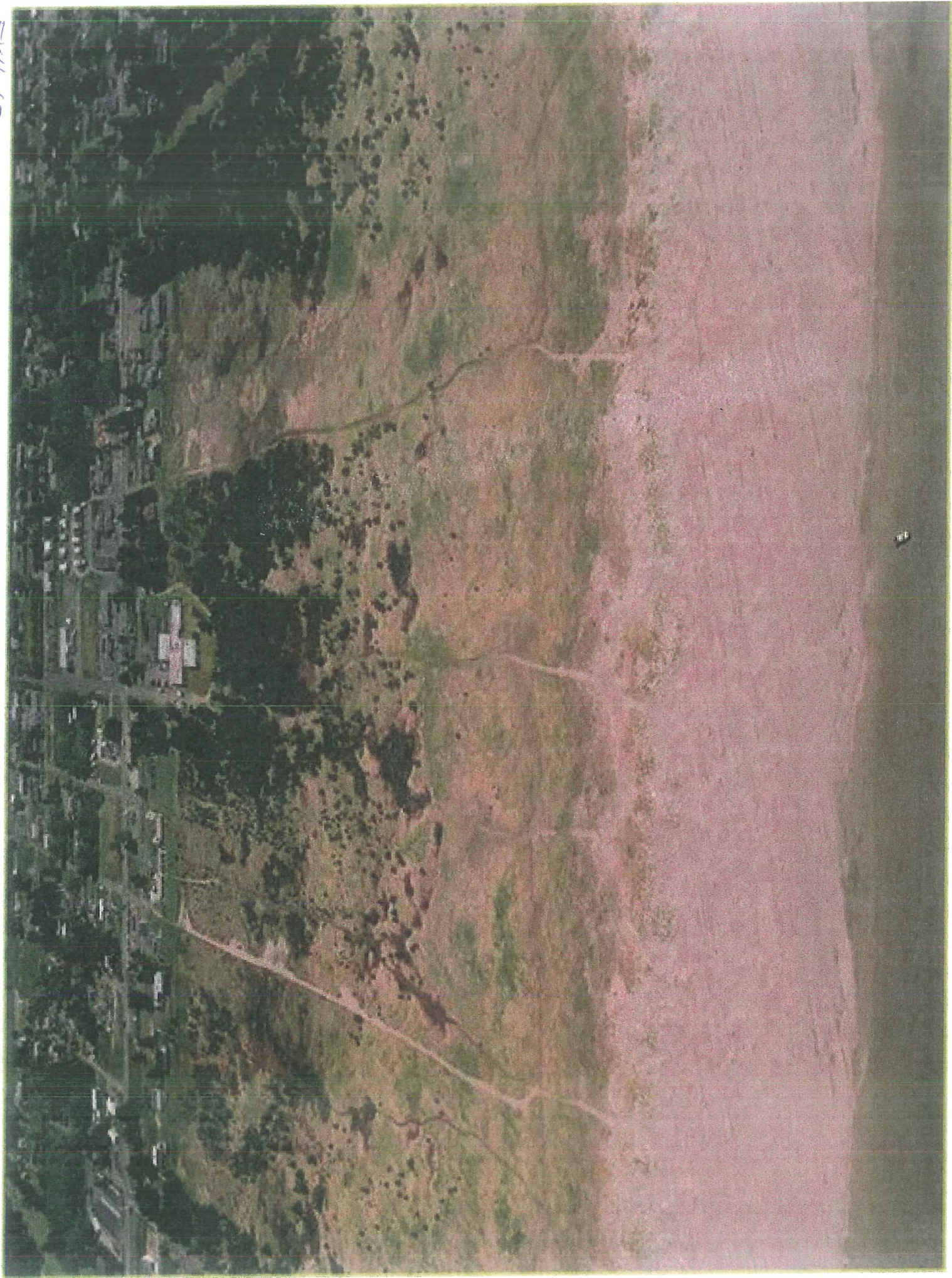
22ND ST

19th

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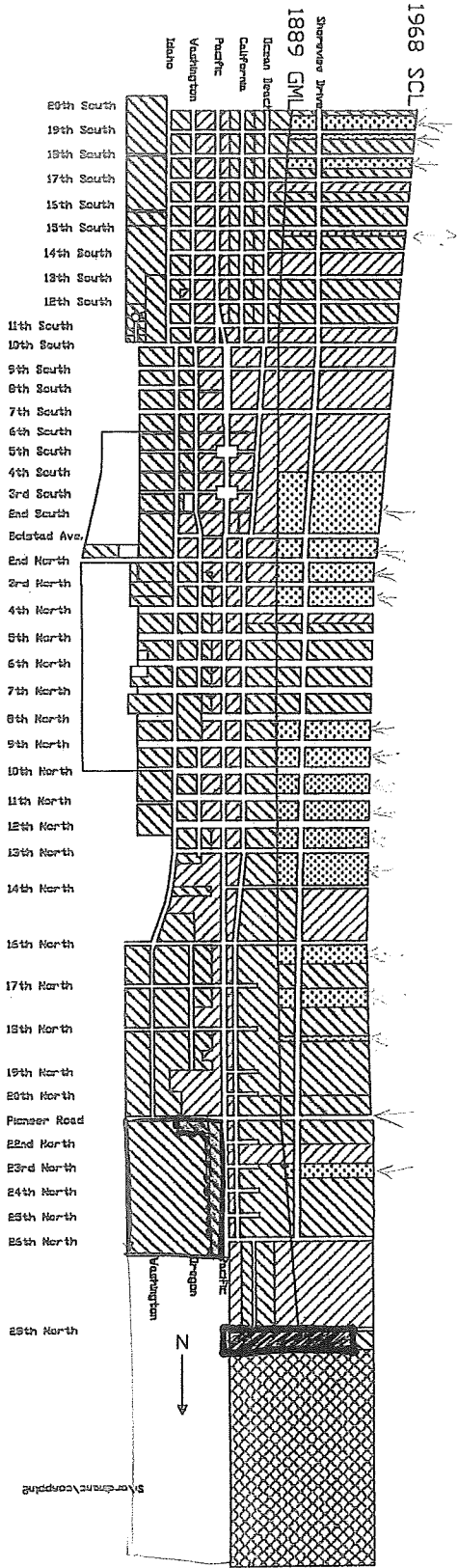
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7/27/10



City of Long Beach Future Land Use Map

- Commercial
- Residential
- Recreation
- Clustered Mixed Use



Handwritten notes:
 17
 9 parcels own
 parcels with
 Dec 1, 1988 & 1989
 4

January 19, 2004

James R. Sayce, Director
Department of Community Development
City of Long Beach
PO Box 310, Long Beach, WA 983631

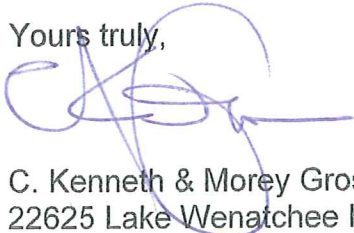
Re: Case No. SSDP/JARPA/SUBDIVISION Application 03-12-12

Dear Mr. Sayce,

Please take notice that the undersigned wishes to be notified of the action taken on the above application.

Further, please take notice that the undersigned objects to any substantial development in any area encompassing natural dunes and any wetlands. The application for subdivision should be denied and development permitted only to the extent absolutely necessary to preserve a residential use for the property, one single-family residence per parcel. Any other use is incompatible with the overall policy of the state of Washington for preservation of shorelines and aquatic lands.

Yours truly,

A handwritten signature in blue ink, appearing to be 'C. Grosse', is written over the 'Yours truly,' text.

C. Kenneth & Morey Grosse
22625 Lake Wenatchee Hwy.
Leavenworth, WA 98826
Telephone: 509-763-2753

Mark C. Svore D. D. S.
2611 N. E. 125th Suite #110
Seattle, WA 98125
(206) 363-3240

.....
Mark C. Svore D. D. S.

January 12, 2004

City of Long Beach
Department of Community Development
P. O. Box 310
Long Beach, WA 98631

Dear Sirs,

I am writing in regards to the proposed subdivision of Mr. Leroy Ostrem on 19th avenue, city of Long Beach. I do have several concerns and comments regarding this proposed 12 lot development as I am the homeowner of the property immediately adjacent and south of the plat proposal. I own property west to the 1968 shoreline. I purchased our summer home in July 2001 and love the beach, surrounding dunes, wildlife and sunsets our property affords. My suggestions to the development are as follows.

1. Delineation of the planned pedestrian path: I believe the path is very important as 19th avenue property has been used for many years by the public to access the beach. I believe this path should be 10 feet wide and should have some type of separation from the street and auto traffic. I believe curbs would serve the purpose of protecting the public from traffic and also would give a more appealing feel in walking to the beach, v. s. walking along side the street shoulder. It also would serve to prevent cars from parking on the designated

path. This path is very important to the overall esthetic of the development and also in keeping with existing paths, boardwalks in Long Beach and will promote pedestrian activities.

2. Secondly, I believe the type of street lighting of the development is important to study. Our family and friends have always enjoyed the expansive night sky in this neighborhood and the serenity that exists as a result of minimal light intrusion. I would strongly favor Bollard style lamps. Similar to those on the boardwalk in Ilwaco. They would light the street but would not disturb the beauty and serenity of the night sky. In addition the esthetics would be much greater than the alternative tall lamp posts. With underground utilities planned, it makes good sense to use low profile Bollards.
3. A 3rd concern is that of increased water run off as a result of the paved street housing etc. This delicate land is very susceptible to flooding and I believe storm drains connecting to the city storm drains are very important.

Thank you for your consideration of these suggestions.

Sincerely,



Mark C. Svore D. D. S.

RONALD W. GREENEN
9601 SE Evergreen Hwy
Vancouver, WA 98664

January 23, 2004

Mr. James R. Sayce
Dept. of Community Development
City of Long Beach
P.O. Box 310
Long Beach, WA 98631

Re: Case No. SSDP/JARPA/SUBDIVISION
Application 03-12-12

Dear Mr. Sayce:

I recently received two copies of the notice of hearing for the above-referenced application. I have not had an opportunity to view any documentation, plat maps or surveys for this project, but I understand that nothing is being proposed, which is not currently authorized or for which a variance may be required. If that is the case, then Leroy has the absolute right to develop it within the confines of the current laws and codes.

As I expressed to Leroy, I would prefer to see the coordinated development of the 250-foot ocean front parcel south of 19th Street, including my property, in the formal upscale development, which would protect the aesthetics and views of all property owners in the development. Since that appears to not be an option, I would only want to insure that any development south of 19th Street is done in a quality manner, which I presume will require paved streets, sidewalks, lighting, and north/south easements to the adjoining properties to the south of 19th Street.

As it stands right now, my 50-foot strip is landlocked. Essentially, our intervening neighbors' property, Dr. Svor, is also landlocked. I do hope that Leroy's development has been laid out in such a manner to allow the functional and logical development of the properties to the south so as not to end up with one development adjoining a cobbled-up development.

Mr. James R. Sayce
January 23, 2004
Page 2

I am not personally familiar with the city requirements for a development, but I would hope that in ocean front developments, there are requirements for appropriate fencing, exterior storage and lighting abatement.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Greenen', with a long horizontal flourish extending to the right.

RONALD W. GREENEN
Attorney at Law

RWG/sjw

cc: Leroy Ostrem

BEFORE THE LAND USE HEARING EXAMINER
FOR LONG BEACH, WASHINGTON

Regarding Leroy Ostrem)
Shoreline Substantial) **FINAL ORDER**
Development Permit) Case No. 03-12-12.

I. SUMMARY OF PROPOSAL AND DECISION

Proposal. The applicant proposes to plat his property into 12 residential lots and build a public street to access to the subdivision. The street will included a 30-foot wide street right-of-way and an additional 10-foot wide utility easement. The surface of the street will be 22 feet in width and an 8-foot wide pedestrian walkway will also be constructed. All utilities will be underground. The City of Long Beach is the current owner of Tax 134. Development of Tax 134 and ownership transfer of Tax 134 is by a Developer agreement (on file) between the City of Long Beach and Mr. Ostrem.

Decision: Approved

II. BACKGROUND INFORMATION

Applicant: Mr. Leroy Ostrem
Applicant Address: 31443 Old Farm Road, Wilsonville OR 97070

Property Address/Location/Legal Description: The site includes Tax 184, Tax 159 and Tax 134. The proposed street is located west of 19th Street Northwest and on a portion of Tax 134. City of Long Beach, Pacific County, Washington. Development will occur within Tax 184, Tax 159, and Tax 134. Section 9, Township 10 North, Range 11 West, Willamette Meridian.

Comprehensive Plan Map Designation: Residential

Shoreline Master Program: Shoreline Residential

Zoning: S1 Shoreline Single Family Residential

Site Description: Westerly extension of a residential subdivision area. Lots are flat with modest relief slowly rising to the west.

Utilities and Services:

Water: Available

Sewer: Available

Transportation: Property is currently off Ocean Beach Boulevard by 5th Street, a Collector.

Public Education: Ocean Beach School District.

Electricity: Pacific County PUD # 2

Storm water: Storm water drains to open grass areas in and around homes.

Cable TV: Available.

Solid Waste: Area Served by Peninsula Sanitation

Police and Fire: City of Long Beach

Medical and
Emergency Facilities: City of Long Beach EMS and Ocean Beach Hospital District

Library: Timberland Regional Library Service in Ilwaco and Ocean Park.

Public Parks and
Recreation Area (s): Numerous park and recreation areas within the City of Long Beach

Public Transit: Pacific Transit District Service available including Dial-A-Ride

Flood Plain: FEMA FIRM Flood Insurance Rate Map Zone A0 depth (1'), Zone B, Zone C and Velocity Zone 21' Community-Panel Number 530128 0001 C
Effective Date: August 1, 1979

Surrounding Conditions: Primarily undeveloped residential land to the east, north, and west. Undeveloped commercial land and conservancy land to the south.

Staff Recommendation: Staff recommended approval

III. PROCEDURAL INFORMATION

Application Received: October 8, 2003

Notice of Application:
to Property Owners; December 16, 2004

Notice of Application

to Paper of Record: December 12, 2003

Notice Published: December 17th and December 24th

SEPA: Mitigated DNS issued January 12th 2004

Site Visit: January 28th, 2004

Hearing Date: January 28th, 2004

Testimony and Comment:

- 1) Mr. Reiners, agent for Mr. Ostrem, testified on Mr. Ostrem's behalf.
Mr. Reiners noted for the record that the US Army Corps. Plat issues are the 10-foot trail to the beach and public right of way is retained. Turn around was expanded to Appendix H in Pacific County Road Standards.
- 2) Three letters were received
 - a. C. Kenneth and Morey Grosse of Leavenworth, WA. Commented that they objected to development of any area of natural dunes and wetlands and recommended that the application be denied
 - b. Mark C. Svore of Seattle Wa commented that he is an adjacent property owner and 1) The construction of a pedestrian path was important, 2) street lighting was important and that 3) Storm water control was important.
 - c. Ronald W. Greenen of Vancouver, WA commented that 1) Mr. Ostrem has the right to develop within the current laws and codes, 2) development be coordinated and that development south of 19th Street be done in quality manner, that he and Mr. Svore's land is land locked, 3) development be functional and logical, and that appropriate requirements be met for fencing, exterior storage, and lighting abatement.

Review Date(s): January 28th to March 20th, 2004

Exhibits:

1. Letter from Dick Reiners with application
2. Wetland Delineation
3. Expanded Checklist
4. Developer Agreement
5. List of adjacent property owners
6. SEPA determination
7. Notice of Hearing
8. FIRM map
9. Future land use map
10. Transportation and circulation map
11. Shoreline Designation Map

12. Aerial photo
13. Aerial photo
14. 3 letters
15. 3 maps, preliminary
16. Future land use map

IV. Applicable Policies, Laws, and Regulations.

City of Long Beach Dune Management Plan: *The Dune Management Plan is a policy document of the City of Long Beach. Many of its recommendations have been incorporated into the Shoreline Master Program. The proposal is consistent with the intent of the Dunes Management Plan.*

Rural Residential Environment

The Rural Residential Environment should have policies and regulations that provide for residential neighborhoods and necessary restrictions to protect the residential character. Specific recommendations for this area are listed below:

1. Protect wetland functions by requiring buffer zones around wetlands that are 500 sq. ft. in size or larger (see Wetland Buffer Requirements below).
2. Minimize wetland losses by following mitigation sequencing guidelines (see Mitigation Sequencing sidebar).
3. Require compensatory mitigation for impacts (filling or excavation) to wetlands that are 500 sq. ft. in size or larger, once mitigation sequencing has been satisfied.

No compensatory mitigation will be required for impacts to small wetlands less than 500 sq. ft. in size, provided the cumulative wetland impacts (e.g., filling several small wetlands as part of a single project) do not exceed 500 sq. ft. If the impact exceeds 500 sq. ft., mitigation will be required.

Impacts associated with single-family residential developments on existing platted lots (at the time of the 1997 Shoreline Master Program amendments) can be mitigated by creating new on-site wetlands at a 1.5:1 ratio (i.e., create 1.5 acres of wetland for every 1 acre of wetland lost).

Mitigation can also include preserving coastal dune habitat or preserving high quality wetlands on the Long Beach Peninsula (see Wetland Mitigation Strategy).

Mitigation Sequencing

If wetland alterations are proposed as part of a project, the following mitigation sequence should be pursued as outlined in WAC 197-11-768:

1. Avoid the impact by not taking a certain action or parts of an action
2. Minimize impacts by limiting the degree of magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.
3. Rectify the impact repairing, rehabilitating or restoring the affected environment

4. Reduce or eliminate the impact overtime by preservation and maintenance operations during the life of the action
5. Compensate for the impact by replacing or providing substitute resources or environments, and/or
6. Monitor the Impact and take appropriate protective measures.

Wetland Mitigation Strategy

The mitigation strategy outlined below represents a new approach to managing wetlands and associated coastal dune resources. Its primary emphasis is to preserve the integrity of the dune ecosystem, thus protecting the most valuable functions and values. As noted earlier, this report addresses a shoreline resource and situation that is unique to the city of Long Beach. Therefore, the strategies presented are intended solely for use within the Long Beach study area, and are not meant to apply to the entire Long Beach Peninsula or any other shoreline areas of the state.

To preserve the integrity of the dune ecosystem, the following mitigation options could be used to compensate for wetland impacts once mitigation-sequencing requirements have been satisfied within the study area:

1. Preservation of Coastal Dune Habitats. Wetland losses can be mitigated by preserving coastal dune habitat west of the 1968 Seashore Conservation Line at a minimum 3:1 ratio (i.e., 3 acres of habitat preserved for every 1 acre of wetland filling, excavation and/or disturbance). The preserved habitat area may include either upland or wetlands. The habitat area preserved must be protected by the recording of a perpetual conservation easement or transfer of ownership to the City or State of Washington.
2. Off-Site Preservation of High Quality Wetlands. Wetland losses can be mitigated by preserving high quality wetlands on the Long Beach Peninsula at a minimum 6:1 ratio (i.e., 6 acres preserved for every 1 acre of wetland filling, excavation and/or disturbance). The Washington Department of Ecology and the U.S. Army Corps of Engineers must approve areas proposed for preservation. The habitat area preserved must be protected by recording a perpetual conservation easement or transferring ownership to the City, State of Washington or an approved land conservation organization.
3. On-Site Creation. Impacts associated with single-family residential developments on existing platted lots (at the time of the 1997 Shoreline Master Program amendments) can be mitigated by creating new on-site wetlands at a 1.5:1 ratio (i.e., create 1.5 acres of wetland for every 1 acre of wetland filling, excavation and/or disturbance).

Other mitigation proposals, other than those specifically described above, shall be reviewed on a case-by-case basis by the affected regulatory agencies. On-site mitigation shall be considered for developments other than those noted above. Violation of these wetland mitigation regulations will result in double the proposed mitigation options if an after-the-fact ACOE permit is issued for the unauthorized work.

Applicable Sections of the City of Long Beach Comprehensive Plan Ordinance 719

Section I. Introduction

- Section II. Land Use
- Section III. Housing
- Section IV. Transportation
- Section V. Utilities
- Section VI. Capital Facilities
- Section VII. Implementation

Applicable Sections of the City of Long Beach Zoning Ordinance 721

- Section 1. Title and Purpose
- Section 2. Definitions
- Section 3. Basic Provisions
- Section 4. Use zones
- Section 5. Design Review Criteria
- Section 6. Supplemental Provisions
- Section 7. Off-street Parking and Loading
- Section 8. Landscaping Requirements
- Section 14. Administration

City of Long Beach Flood Plain Map

FIRM Flood Insurance Rate Map
 Community-Panel Number 530128 0001 C
Effective Date August 1, 1979

Applicable Sections of the City of Long Beach Unified Development Ordinance 732A and analysis of consistency

	Summary of consistency
Section 15.02.10 Title	Yes
Section 15.02.20 Authority	Yes
Section 15.02.30 Applicability	Yes
Section 15.02.40 Purposes and intent	Yes
Section 15.02.50 Title Minimum requirements	Yes
Section 15.02.60 Title Interpretation – language construction	Yes
Section 15.02.70 Title Computation of Time	Yes
Section 15.02.80 Title Interpretation – right-of-way	Yes
Section 15.62 Land Division in General	Yes
Section 15.66 Preliminary Plat	Yes
Section 15.68 Final Plat	
Part IV Development Standards	

Analysis of consistency with City of Long Beach Unified Development Ordinance. Authorizing Ordinance: 732A

Section 15.02.10 Title

This Ordinance, referred to as the Unified Development Code, was adopted September 30, 1999 and authorizes the City to regulate development within the jurisdictional boundary of the City. T

The proposed development is within the City of Long Beach and subject to this title.

Section 15.02.20 Authority

This code is adopted pursuant to the authority contained in RCAW 52A.63 (Planning and Zoning in code cities), RCW 35A.58 (Boundaries and Plats)), RCW36.70A (Growth Management Act), RCW 86.16 (Flood Prevention), RCW Title 58 (Boundaries and Plats), and any other appropriate state regulation.

The City of Long Beach, A Code City of Washington, has the authority to implement this ordinance.

Section 15.02.30 Applicability

- A. Every subdivision and short subdivision must comply with the provisions of this Chapter.
- B. No person may subdivide or develop land within the City of Long Beach except in accordance with the provisions contained in this code, unless specifically exempted from such provisions.
- C. No development permit will be issued for any parcel of land developed or divided in violation of the City of Long Beach Shoreline Master Program.
- D. A building or development permit must be obtained before construction or development begins within any area of special flood hazard, in accordance with LBMC Chapter 15.24.

This code applies to all land development within the City.

Section 15.02.40 Purposes and intent

There are eight purposes to this code: A) To establish regulatory procedures and standards for review and decision-making of all proposed development in the City; B) To foster and preserve public health, safety, comfort, and welfare, and to aid in the harmonious, orderly, aesthetically pleasing, and socially beneficial development of the City, in accordance with the Comprehensive Plan; C) To adopt a development review process that is efficient, effective, and equitable. D) To prohibit or condition incompatible land uses by regulating density and dimensional aspects of development, E) To ensure that new development(s) install all private and public infrastructure necessary to serve the new development and protect environmentally sensitive areas, F) To implement the Comprehensive Plan of the City, and G) To regulate the subdivision of land to ensure that:

- 1. Adequate utility and public facilities are provided in developing portions of the City,
- 2. Land development is coordinated; and
- 3. Uniform monumenting of land subdivisions and conveyance by accurate legal description is achieved

And H) to provide for a penalty for the violation of this code.

The proposed development provides transportation infrastructure including pedestrian and utility access, sewer infrastructure, domestic water infrastructure, power infrastructure and engineering to control runoff. Adequate utility and public facilities are provided, the land development is coordinated with applicable shoreline and zoning regulations and the final plat approvals will accurately convey legal descriptions of the property subdivision.

Section 15.02.50 Title Minimum requirements

In interpretation and application, the requirements set forth in this code are considered the minimum requirements necessary to accomplish the purposes of this code.

The minimum requirement is met.

Section 15.02.60 Title Interpretation – language construction

The following rules of construction apply to the text of this document:

- A. The words "must" and "will" are always mandatory and not discretionary. The words "should" and "may" are permissive and are discretionary.
- B. Words used in the present tense include the future; and words used in the singular number include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- C. A "building" or "structure" includes any part of a building or structure.
- D. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- E. The word "includes" does not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- F. The use of any gender-based pronoun should not be construed to be gender biased, but is only used for grammatical simplicity.

So noted for the record.

Section 15.02.70 Title Computation of Time

Unless otherwise specifically provided, the time within which an act is to be done will be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day will be excluded.

So noted for the record.

Section 15.02.080 Interpretation-Zoning Map

This Unified Development Code consists of the text of this code, together with a zoning map (Appendix A), which is on file at the office of the City Clerk-Treasurer, showing the boundaries of different use districts. Interpretations regarding boundaries of land use districts will be made in accordance with the following:

- A. Boundaries shown as following or approximately following any street will be construed as following the centerline of the street.

- B. Boundaries shown as following or approximately following any platted lot line or other property line will be construed as following such line.
- C. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines will be construed as following such lines.
- D. Boundaries shown as following or approximately following natural features will be construed as following such features.
- E. Vacated streets and alleys will assume the zone classification of abutting property with the former centerline as the new boundary.
- F. When any uncertainty exists as to zone boundaries, the Planning Commission and/or City Council may require the interested parties to determine the location of boundaries by survey.

The proposed development and subdivision occurs with an area wholly zoned Shoreline Single Family. There are no boundary issues that would conflict with the proposed use and land use designations.

Section 15.02.80 Title Interpretation – right-of-way

No building permit or land use approval in conflict with the provisions of this code will be issued. Structures or uses which do not conform to this code, except approved variances and legal non-conforming uses as specified in this document, are violations subject to the enforcement, penalty, and abatement provisions of this code. Violations include, but are not limited to:

- A. Establishing a use not permitted in the zone in which it is located;
- B. Constructing, expanding, or placing a structure in violation of setback, height, and other dimensional standards;
- C. Establishing a permitted use without complying with applicable development standards set forth in other codes, regulations, ordinances, rules, or other laws;
- D. Failing to carry out or observe conditions of land use or permit approval including contract development standards of property-specific agreements;
- D. Failing to secure required land use or permit approval prior to establishing a permitted use; and
- E. Failing to maintain site improvements, such as landscaping, parking, or drainage control facilities, as required in this code.

The proposed use, Single Family Residential is an outright permitted use of the S1 zone. Single Family residences are a permitted principal uses and garages are a permitted accessory use. The proposed development area will be subject to the setback requirements of the S1 zone with the addition of a 5-foot setback from the proposed Pedestrian/utility easement. The street site improvements will be maintained by the City at the time beginning after final plat approval and dedication to the City of Long Beach.

Section 15.62 Land Division in General

The proposal is subject to the requirements and procedures of Land Division. This proposal is for a preliminary plat of long subdivision for the creation of

Section 15.66 Preliminary Plat

The proposal includes a preliminary plat application.

Section 15.68 Final Plat

Final plat approval is contingent on the applicant completing construction of the road extension, utilities, mitigation, and survey of proposed lots.

Part IV Development Standards

The development must follow the development standards of the City of Long Beach in the construction of the road and sewer and water utilities.

Summary of consistency with City of Long Beach Unified Development Code Ordinance 732A.

The proposal as submitted is consistent with Ordinance 732A

Analysis of consistency with City of Long Beach Shoreline Master Program. Authorizing Ordinances: Ordinance 708 and 712

Applicable Sections of the Shoreline Master Program Ordinance 708 and as amended by Ordinance 712

**Consistency statements are in italics.*

		<i>Summary of Consistency</i>
Section 1.	Title, Applicability, Authority, and Purpose	Yes
Section 2.	Definitions	Yes
Section 3.	Goals	Yes
Section 4.	Introduction to Policies and Regulations	Yes
Section 7.	Rural Residential Environment	Yes
Section 10.	Wetlands	Yes
Section 11.	Transportation Infrastructure	Yes
Section 12.	Utilities	Yes
Section 15.	Landfill	Yes
Section 16.	Administration	Yes

Section 1. Title, Applicability, Authority, and Purpose

This Ordinance, referred to as the Shoreline Master Program, was adopted March 17, 1997 and authorizes the City to regulate Shorelines under RCW 90.58 and WAC 173.16.030 within the jurisdictional boundary of the City. The primary authority of the Shoreline Master Program is from RCW 35A.63, which gives the City authority to plan and RCW 36.70A, the Growth Management Act. The boundary of shoreline jurisdiction is from the western city limits to the 1889 Government Line, from south city limits to north city limits.

When provisions of the master program conflict with each other or other laws and regulations, the more restrictive provisions shall apply. The master program also serves as the critical areas ordinance for lands within shorelines jurisdiction.

The City of Long Beach Shoreline Master Program Ordinance 708 and Ordinance 712 (amendments to 708) have been adopted by the City of Long Beach and approved by the Washington State Department of Ecology.

Section 2. Definitions

Definitions are adopted by reference from RCW 90.58.030, WAC 173-22,2627, and Appendix A.

The proposal is a defined use: Residential

Section 3. Goals

The general goals of Sections 3.01 through 3.07 apply. These goals are from RCW 90.58.

Specific goals are:

Economic Development Goal 3.21 that encourages development of waterfront areas on the ocean beach to provide for a mixture of resort and residential uses.

Urban Design Goal 3.80 recognizes specific urban areas for residential uses.

Consistency Statement: The proposal is consistent with the overall goals of the Shoreline Master Program. The SMP encourages waterfront development in a mixture of resort and residential uses. This proposal is on residential land immediate adjacent to land designated for resort uses.

Section 4. Introduction to Policies and Regulations

This section recognizes controls as the basis of a permit system for shorelines. These controls regulate the uses and activities by policy and regulation. Rural Residential is recognized as a designated environment. All shoreline uses must conform to the shoreline master program. When provisions of the master program conflict with each other the more restrictive provisions shall apply unless specifically stated otherwise.

Consistency Statement: This proposal is administered under the rules and regulations of the Shoreline Master Program. Rural residential is a recognized shoreline environment.

Section 7. Rural Residential Environment

POLICIES

7.10 Rural residential are the shorelines that accommodate single and multi-family development.

7.11.1 Itinerant use of condominiums should be allowed, however if such developments become too intrusive on permanent residents an amendment may be necessary to prohibit transient oriented use.

Policy 7.10 supports rural residential areas of the shoreline accommodating single and multi-family housing development. The proposal is for permanent condominium use thus Policy 7.11 does not apply.

REGULATIONS

7.20 Boundaries for the Rural Residential Environment are as follows, according to the official city map at the time of adoption: The east boundary is the 1889 Government Line and west boundary is the 1980 Seashore Conservation Line, and inclusive are the following parcels of land; from 20th Street South to 50' north; from 18th Street South to 150' south; from 100' south of 17th Street South, north to 15th Street South; from 14th Street South, south 150'; from 13th Street South, north mid-block between 11th Street South and 12th Street South; from 11th Street South, south 100' and west to the Shoreview Drive; from 100' south of 5th Street North to 8th Street North; from 14th Street North to 16th Street North and west to Shoreview Drive; the area from 16th Street North to 24th Street North except for the lands west of tax lots 141, 181, 137, 161, 112, 115, and 132.

The proposal is in the defined area of Rural Residential in the City of Long Beach SMP.

7.21 The building setback line shall be east of the 1980 Seashore Conservation Line.

The proposal is east of the 1980 Seashore Conservation Line.

7.22 Allowed Uses:

A. Single and multi-family residential developments are permitted including condominiums. Permanent residential development is encouraged. Time-share condominiums are not currently prohibited. However condominiums shall not operate as an itinerant accommodation.

The proposal is for single-family dwellings, an allowed use.

7.24 The minimum lot size shall be 10,000 square feet for the first dwelling with an additional 2000 square feet for each additional dwelling unit.

The minimum lot size is 10,000 ft square. The proposal is for 12 total lots. The lots are 10,000 square feet or larger.

7.25 The maximum lot coverage, defined as the building footprint, shall be 50%.

Maximum lot coverage is limited to 5,000 feet square per lot.

7.27 Minimum setbacks for developments in the residential shoreline are as follows:
Front yard - 10 feet
Side yard - 5 feet
Rear yard - 10 feet

The proposal includes a 10-foot pedestrian/utility easement in the front yard for each lot and the setback for construction from the pedestrian/utility easement is 5 feet. The front yard setback: Lots 1, 2, 3, 4, 9, 10- 10 foot building setback from utility easement, lots 5, 6, 7, 8 5 foot set back from utility easement.

7.26 Applicable landscaping and architectural design shall be in conformance with the CITY'S Zoning Ordinance.

Not applicable until time of applicant's applying for building permits.

7.29 Maximum allowable height is 35 feet.

The proposal for residential construction and all residences can be no higher than 35 feet from the average building footprint grade of the home sites. This grade is determined before clearing and grubbing.

Consistency Statement: The proposal is consistent with Policy and all Regulation requirements of Section 7.

Section 10. Wetlands

Policies

10.10 The dune land area on the west edge of Long Beach is pocketed with wetland areas. These young wetlands were created by a combination of beach accretion, wind, and human activities. They perform valuable functions and provide a number of benefits. They support plant communities, which in turn provide habitat for a limited amount of wildlife and contribute to the recreational, educational, and aesthetic setting of Long Beach. The excerpt below, from 1997 Long Beach Dune Management Report, summarizes the characterization of the subject wetlands:

Regulations

- 10.20 Any impacts to any wetland greater than 500 square feet in size shall require mitigation. However fill of individual wetland(s) up to a total of 500 square feet per project shall be exempt.

The proposed impact to the north wetland and wetland buffer around the wetlands will be: Road fill 2,300 square feet. Wetland buffer impact is 5,000 square feet.

- 10.22 Mitigation/preservation proposals, other than those specifically noted above, shall be reviewed on a case-by-case basis by the affected regulatory agencies.

The agent for the applicant submitted documentation that the proposed mitigation ratio is 3:1 for impacts to road fill. The impact area is 2,300 square feet thus the mitigation area is 6,900 square feet. The buffer impacts are 5,000 square feet and are mitigated at 1:1. Total mitigation required is 11,900 square feet. The mitigation site is proposed on-site coastal dune habitat land. This mitigation is consistent with the City of Long Beach Dune Management Plan that allows for dune preservation as mitigation for wetland impacts.

- 10.23 In those instances where wetland alterations are proposed and the exemptions recommended above are to be exceeded, the following mitigation sequence shall be considered:

- Avoiding the impact altogether by not taking a certain action or parts of an action;

The applicant aligned the lots by moving them south of and extending them east and west where necessary to reduce impacts to wetlands and wetland buffers to a minimum and avoided impacts where possible. The impact to the wetland in the right-of-way is an unavoidable impact.

- Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

Impacts are avoided where possible.

- Rectifying the impact by repairing, rehabilitating or restoring the affected environment;

Not proposed.

- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

Dune preservation is proposed. This is a long-term goal of the City of Long Beach Dunes Management Plan.

- Compensating for the impact by replacing or providing substitute resources or environments; and/or

Proposed as preservation of coastal dune habitat land of 11,900 square feet.

- Monitoring the impact and taking appropriate corrective measures.

All developments are monitored over time by City Staff.

Consistency Statement

The proposal is consistent with this section. 11,900 square feet of coastal dune habitat is required for mitigation.

Section 11. Transportation infrastructure

POLICIES

- 11.10 New roads in shoreline areas should be minimized and allowed only when related to and necessary for the support of shoreline activities.

The proposal is for a new public right of way to support permitted uses (residential) in the shoreline areas. The road includes dedicated land for Shoreview Drive, a road recognized in the City of Long Beach Comprehensive Plan. This future road would provide north and south access to adjacent properties.

- 11.11 New transportation infrastructure should be located and designed to minimize the need for shoreline protection measures.

The proposal is for a road extension in an area that does not require shoreline protection measures. The road is east of the building setback line.

- 11.13 All transportation facilities in shoreline areas should be located, designed, constructed and maintained to cause the least possible adverse impacts on land water environments.

The road extension is on land owned in fee by the City of Long Beach. At one time, this land was a recognized right of way by Pacific County. It is proposed to use this fee simple land area because it aligns with existing street grid system and connects to an existing city street. The alternative is to build another road to service the project area and this is not practical.

11.14 Joint use of transportation corridors within shoreline areas for roads, utilities and non-motorized forms of transportation should be encouraged.

This is a joint use right of way for all modes of transportation and utilities.

REGULATIONS

11.20 Transportation and utility facilities shall be required to make joint use of rights-of-ways in order to minimize disturbance in shoreline areas.

The proposal is for joint use of the right of way.

11.21 Shoreline transportation infrastructure shall be designed to fit the existing topography in order to minimize cuts and fills.

The proposal makes use of changing the road alignment where possible to minimize the use of fill and avoid wetland impacts where possible.

11.22 Major roads shall cross-shoreline areas by the shortest most direct route feasible, unless such route would cause more damage to the environment.

The proposal is makes a slight out of alignment direction to avoid wetlands and do avoid damage to the environment.

11.23 Filling of wetlands to provide for road construction is subject to the criteria set forth in Section 10.

Filling of wetlands is consistent with Section 10 (See above Section 10).

11.24 Roads shall be located if possible, to minimize the need for routing surface waters into and through culverts.

Culverts may be required as necessary to avoid wetland impacts by maintaining continuity between wetland areas.

11.25 All shoreline areas disturbed by transportation infrastructure construction and maintenance shall be replanted and stabilized with native vegetation.

Natural re-vegetation will be used to stabilize the native vegetation.

11.26 Public access provided by shoreline street ends, public utilities and rights-of-way shall not be diminished (RCW 35.79.035 and RCW 36.87.130).

Public access to the beach will be provided by a 10 foot pedestrian/utility easement that will begin at the northeast corner of Lot 1 and continue along the north sides of Lots 2,

3, 4, 5, 6, 7, 8, 9, 10, a portion of the west side of Lot 10, the along the north side of Lot 11 and along the south Side of Lot 12.

SECTION 12. UTILITIES

POLICIES

12.10 Utilities should utilize existing transportation and utility rights-of-way whenever possible. Joint use of rights-of-way should be encouraged.

All utilities will be within an existing right-of-way.

12.11 Utility facilities should be located as to protect scenic views.

No facilities are proposed, utility extensions will be underground.

12.12 Utility facilities and rights-of-way should be designed to preserve the natural landscape and to minimize conflicts with present and planned use.

Utility extensions are underground.

REGULATIONS

12.20 All utility lines and extensions, including electricity shall be located underground.

The proposal has all underground utility extensions.

12.21 Transmission and distribution facilities shall cross shorelines areas by the shortest most direct route feasible, unless such route would cause significant environmental damage.

The extensions are within a right-of-way with direct connection to existing systems.

12.22 Applications for installation of utility facilities shall include the following:

- (a) Description of proposed facilities
- (b) Reason(s) why the utility facility requires the shoreline locations
- (c) Alternative locations considered and reasons for their elimination
- (d) Plans for reclamation of areas disturbed during construction

The proposal is for utility extensions and not the construction of utility facilities (i.e. pumping stations, main lines, substations, etc.)

V. Testimony

- The C. Kenneth and Morey Grosse of Leavenworth, WA. Commented that they objected to development of any area of natural dunes and wetlands and recommended that the application be denied.

The proposed development is an allowed use within the shoreline and dunal area of Long Beach. The conservancy land west of the 1980 line is designated such to conserve the open space and dunal environment.

- Mark C. Svore of Seattle WA. commented that he is an adjacent property owner and 1) The construction of a pedestrian path was important, 2) street lighting was important and that 3) Storm water control was important.

The pedestrian path is proposed, street lighting is required per the Long Beach development code and storm water management is contingent on submittal and adherence to an engineered storm water plan.

- Ronald W. Greenen of Vancouver, WA commented that 1) Mr. Ostrem has the right to develop within the current laws and codes, 2) development be coordinated and that development south of 19th Street be done in quality manner, that he and Mr. Svore's land is land locked, 3) development be functional and logical, and that appropriate requirements be met for fencing, exterior storage, and lighting abatement.

The dedication of Shoreview Drive provides north and south access to adjacent properties and is consistent with the City of Long Beach Circulation Plan. This provides for future access to properties adjacent to the proposed development. Fencing, Storage and lighting abatement are subject to current city codes and/or restrictive covenants that the applicant may place on the properties.

VI. Findings of Fact

- 1) Mr. Leroy Ostrem's submitted a proposal to build a road, with utilities and to subdivide property into 12 single-family lots within a S1 Shoreline Single Family environment.
- 2) The City submitted 16 exhibits.
 1. Letter from Dick Reiners with application
 2. Wetland Delineation
 3. Expanded Checklist
 4. Developer Agreement
 5. List of adjacent property owners

6. SEPA determination
 7. Notice of Hearing
 8. FIRM map
 9. Future land use map
 10. Transportation and circulation map
 11. Shoreline Designation Map
 12. Aerial photo
 13. Aerial photo
 14. 3 letters
 15. 3 maps, preliminary
 16. Future land use map
- 3) The development is a single-family residential development of 12 lots.
 - 4) The location is in and adjacent to an extension of the 19th Street Northwest and on property owned fee simple by the City of Long Beach (Tax 134) and on property owned fee simple by Leroy Ostrem (Tax 184, NW ¼ of the SW ¼ of Section 9, township 10 North Range 11 West, Willamette Meridian
 - 5) The property is within shorelines jurisdiction of the City of Long Beach
 - 6) The shoreline environments are designated Rural Residential on the mapping.
 - 7) The zoning districts are designated S1 Shoreline Single family on the zoning mapping.
 - 8) Single-family dwellings are an allowed use in the Shore Residential shoreline environment.
 - 9) The location of the development includes wetlands. Wetlands Impacts include:
 - The buffer impacts are 5,000 square feet and are mitigated at 1:1. Total mitigation required is 11,900 square feet. The mitigation site is proposed on-site coastal dune habitat land.
 - 10) 19th Street NW will be extended to serve the development.
 - 11) All utilities are underground and will be extended to serve the development.
 - 12) There will be short-term fill (placement of excavation material) of the upland and wetland ground surfaces as a consequence of excavation and backfilling for the street, water service, sewer service, and electrical utilities.
 - 13) Storm water will be discharged to immediate property as per the guidelines of an Engineering report to be produced by the applicant.
 - 14) The proposal meets all of the development regulations for the Rural Residential Shoreline environment.

V. CONCLUSION

The proposal is consistent with the overall policy and intent of the City of Long Beach Shoreline Master Program to allow residential development in the waterfront and shoreline areas of the City of Long Beach. The proposal is also consistent with permitted as regulated by specific site development regulations that address development and subdivision within the shoreline areas of the City of Long Beach.

VI. DECISION

Approved

DATED this 29th Day of March, 2004

A handwritten signature in black ink, appearing to read 'K. Kaino', written over a horizontal line.

Kristopher Kaino, Hearings Examiner
Long Beach, Washington.