

**NOTICE OF RECEIPT OF CONDITIONAL USE APPLICATION**

***Fern Acres  
1154 Big Burn Place  
Forks, Washington***

Pursuant to the Forks Zoning Code, specifically FMC 17.85 and FMC 17.120, notice is hereby provided that the City has received an application for a conditional use permit. The application was submitted by the applicant on 24 March 2020 and was submitted in anticipation of the property being annexed into the City of Forks on or about 8 June 2020 (action pending as of the time of this notice). Application included the necessary SEPA checklist. The following information is provided regarding the application:

Applicant & Location of Property: Tena & Brent Gagnon  
dba Fern Acres  
1154 Big Burn Place  
Forks, WA 98331

Legal Description: That portion of the SE ¼ of the NE ¼ & Government Lot 2 all in Sec. 4, T 28 N, R 13 W, W.M., described and annotated as filed in a record of survey filed at Vol. 20, Pg. 93 of Survey Records with the Clallam County Auditor on 6 Jun 1991.

Containing approximately 5.0 acres and identified as Clallam County Tax Parcel No. 132804110200

Project Description: Tena Gagnon is seeking to obtain a Conditional Use Permit for her outdoor wedding, baby shower, and special event venue that has operated within the County for the past few years. The property is currently in the process of being annexed by the City of Forks and may occur as early as 8 Jun 2020. Mrs. Gagnon's wedding venue business incorporated sculptured garden spaces and the family's existing single-family residence which they would continue to occupy. The type of use does not clearly fall within categories found within the Land Use Matrix and could be argued to be an "outdoor-oriented recreational use," however, does not clearly fall within that category; or, home enterprise within a home. Lacking a definitive match with the definition the utilizing of the more public engaged option for the use - outdoor-oriented recreational use was applied. See FMC 17.10.370 & 17.15.060. Applicant has indicated that they host approximately 45-60 events on site each year with the majority of those occurring between May and October.

Property has city water, county approved septic, and electricity provided by the PUD. Business utilizes existing storage, temporary canopies or tents for events that can be as large as 40' x 60', and portable restrooms. A 50' x 10' single-wide office trailer is also on site for use as for event dressing rooms. Existing onsite graveled parking for approximately 75 cars exists in a 250' x 150' parking area. Further, off-street parking would be handled on site, or if a larger event, via arrangement with the Forks Elks Lodge.

Hearing Required and Public Comment:

The Forks Zoning Code requires that a hearing on a conditional use permit be held after sufficient notice has been given to the public. Written comments may be filed up to and throughout the actual hearing. Such comments should be sent to Mr. Fleck at the address noted below. Notice of public hearing is being disseminated along with this notice. The public hearing on this matter is scheduled for **Wednesday, 24 June 2020 at 5:15 P.M.** via the internet (ZOOM) with details posted on the City website the week prior to the meeting. The

purpose of the hearing is to obtain information from nearby landowners regarding impacts or concerns they may have with this proposal.

#### Approval & Appeal

Process: Within 21 days of the public hearing, the Forks Planning Commission may authorize the conditional use permit.

In reviewing a conditional use permit, the Forks Planning Commission may attach thereto such conditions regarding the location, character, and/or other features of the proposed use as the commission deems necessary in the public interest, in the interest of furthering the purpose of the Forks Zoning Code, and for the purpose of fulfilling the Forks Comprehensive Plan. These conditions must be stated in writing as part of the permit and must state the connection between the use, condition and public interest being invoked.

#### Appeal Process

The Forks Planning Commission shall report to the City Council its findings regarding an application for a conditional use permit within fifteen (15) days of its decision. Any affected party, including a member of the City Council may appeal the decision to the City Council within fifteen (15) days of the date of the decision of the Forks Planning Commission is issued.

The appeal shall be filed in writing with the city clerk on forms established for this purpose. Once a hearing time is established proper notification shall be given concerning time, place and purpose of such a hearing and shall be in compliance with FMC 17.135, *et al.* Upon receipt of the appeal the city clerk shall publicize and schedule a public hearing by the council.

The City Council within twenty-one (21) days of the close of the hearing shall affirm, reverse, remand, or modify (including attaching additional conditions) the decision of the Forks Planning Commission.

Individuals needing a copy of the application materials, or requiring additional information regarding this notice should contact Rod Fleck, City Attorney/Planner at 360/374-5412, ext. 245 or at 500 East Division, Forks, WA 98331.

The purpose of the public hearing regarding the Conditional Use Permit is to determine whether the Forks Planning Commission should approve or deny the permit application of Tena and Brent Gagnon. In addition, the Planning Commission may attach requirements to the development as part of any approval of the Gagnon application. Such conditions could involve the location, character, and/or other features of the proposed use as the commission deems necessary in the public interest, in the interest of furthering the purpose of the Forks Zoning Code, and/or for the purpose of fulfilling the Forks Comprehensive Plan. These conditions would be stated in writing as part of the permit and would state the connection between the use, condition and public interest being preserved or protected.

WRITTEN COMMENTS WILL BE ACCEPTED BY THE FORKS PLANNING DIRECTOR UP TO THE CLOSE OF THE PUBLIC HEARING ON 24 June 2020. Address all such comments to Rod Fleck, City Attorney/Planner, 500 East Division, Forks, WA 98331. Comments may be delivered to City Hall at 500 East Division during the course of regular business hours. All written comments must be received by the City Planner prior to the close of the public hearing on 24 Jun 2020. Copies of the application or SEPA checklist can be obtained from Mr. Fleck.

Individuals requiring special accommodations to participate in this hearing should contact Mr. Fleck at 360/374-5412, ext. 245 so that such accommodations can be arranged prior to the hearing. Individuals with questions regarding this notice, and its attachment, should contact Mr. Fleck at the number above.

**NOTICE OF MEETING  
AND PUBLIC HEARING**

Forks Planning Commission  
Wednesday, 24 June 2020 5:15 P.M.  
VIA ZOOM  
(Details to be provided the week prior)

Conditional Use Permit  
*Fern Acres*  
*1154 Big Burn Place*  
*Forks, Washington*

Notice is hereby provided that the Forks Planning Commission will hold a public hearing as part of its rescheduled meeting to consider the Conditional Use Permit application of Tena and Brent Gagnon doing business as Fern Acres to continue operation of their existing bridal and special event venue at their residence located at 1154 Big Burn Place that is in the final process of being annexed into the City of Forks. As such use is closest to "Outdoor-oriented Recreational Use" a conditional use permit is required. Mrs. Gagnon's wedding venue business incorporated sculptured garden spaces and the family's existing single-family residence which they would continue to occupy. Lacking a definitive match with the definition the utilizing of the more public engaged option for the use - outdoor-oriented recreational use was applied. See FMC 17.10.370 & 17.15.060. Applicant has indicated that they host approximately 45-60 events on site each year with the majority of those occurring between May and October.

Property has city water, county approved septic, and electricity provided by the PUD. Business utilizes existing storage, temporary canopies or tents for events that can be as large as 40' x 60', and portable restrooms. A 50' x 10' single-wide office trailer is also on site for use as for event dressing rooms. Existing onsite graveled parking for approximately 75 cars exists in a 250' x 150' parking area. Further, off-street parking would be handled on site, or if a larger event, via arrangement with the Forks Elks Lodge.

Notice of the application for the Conditional Use Permit is attached. The meeting shall be held on 24 June 2020 at 5:15 p.m. on line via ZOOM web application with details available on the City's website the week prior to the hearing. The agenda for the meeting shall be:

- I. Call meeting to order and approval of agenda
- II. Conditional Use Application of Tena and Brent Gagnon for their Fern Acres special event operations.
  - a. Public Hearing
    1. Staff report regarding procedure, SEPA, and City staff concerns (if any)
    2. Presentation by the Applicant or its designated representative
    3. Reading into the record of written comments submitted to the Planning Commission
    4. Public comments from those in attendance
    5. Questions and answers from the Commission
  - b. Deliberations and decision of the Commission (if any)
- II. Other business of the Commission.

The purpose of a public hearing regarding a Conditional Use Permit is to determine whether the Forks Planning Commission may need to attach any conditions to the permit noted above. Such conditions could involve the location, character, and/or other features of the proposed use as the commission deems necessary in the public interest, in the interest of furthering the purpose of the Forks Zoning Code, and/or for the purpose of fulfilling the Forks Comprehensive Plan. These conditions would be stated in writing as part of

the permit and would state the connection between the use, condition and public interest being preserved or protected.

WRITTEN COMMENTS WILL BE ACCEPTED BY THE FORKS PLANNING DIRECTOR UP TO AND TO THE CLOSE OF THE PUBLIC HEARING ON 24 June 2020. Address all such comments to Rod Fleck, City Attorney/Planner, 500 East Division, Forks, WA 98331. Comments may be delivered to City Hall at 500 East Division during the course of regular business hours. All written comments must be received by the City Planner prior to the close of the public hearing on 24 June 2020. Copies of the Application or SEPA Checklist can be obtained from Mr. Fleck.

Individuals requiring special accommodations to participate in this hearing should contact Mr. Fleck at 360/374-5412, ext. 245 so that such accommodations can be arranged prior to the hearing. Individuals with questions regarding this notice, and its attachment, should contact Mr. Fleck at the number above.

**SEPA Rules -WAC 197-11-970  
Determination of Non-Significance (DNS)**

**Fern Acres Wedding Venue**

**Applicant & Location of Property:** Tena & Brent Gagnon  
dba Fern Acres  
1154 Big Burn Place  
Forks, WA 98331

**Legal Description:** That portion of the SE ¼ of the NE ¼ & Government Lot 2 all in Sec. 4, T 28 N, R 13 W, W.M., described and annotated as filed in a record of survey filed at Vol. 20, Pg. 93 of Survey Records with the Clallam County Auditor on 6 Jun 1991.

Containing approximately 5.0 acres and identified as Clallam County Tax Parcel No. 132804110200

**Lead Agency:** Rod Fleck, City Attorney/Planner  
City Planning Department, City of Forks  
500 East Division  
Forks, Washington 98331

**Proposed Project:** Tena Gagnon is seeking to obtain a Conditional Use Permit for her outdoor wedding, baby shower, and special event venue that has operated within the County for the past few years. The property was annexed by the City with an effective date of 18 June 2020. Mrs. Gagnon's wedding venue business incorporated sculptured garden spaces and the family's existing single-family residence which they would continue to occupy. The type of use does not clearly fall within categories found within the Land Use Matrix and could be argued to be an "outdoor-oriented recreational use," however, does not clearly fall within that category; or, home enterprise within a home. Lacking a definitive match with the definition the utilizing of the more public engaged option for the use - outdoor-oriented recreational use was applied. See FMC 17.10.370 & 17.15.060. Applicant has indicated that they host approximately 45-60 events on site each year with the majority of those occurring between May and October. Applicant has further indicated that compliance with City noise ordinances would be required as part of any activity and that event sizes would be limited to less than 50 participants.

Property has city water, county approved septic, and electricity provided by the PUD. Business utilizes existing storage, temporary canopies or tents for events that can be as large as 40' x 60', and portable restrooms. A 50' x 10' single-wide office trailer is also on site for use as for event dressing rooms. Existing onsite graveled parking for approximately 75 cars exists in a 250' x 150' parking area. Further, off-street parking would be handled on site, or if a larger event, via arrangement with the Forks Elks Lodge.

**Prior SEPA Documents:** None for these proposed amendments.

**Mitigation required: NONE.**

The lead agency has determined that the above items would not have a probable significant adverse impact on the environment if the mitigation noted above is completed. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2). This decision was made after review of a complete environmental checklist and other information on file with the lead agency and upon the following findings. This information is available to the public on request.

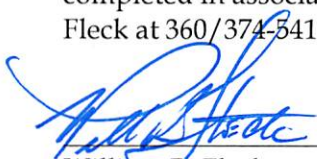
**This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for a period of 14 days from the date of issuance to allow for review and comments from the general public.**

Comments must be submitted to the City Planner at:

Rod Fleck, City Attorney/Planner  
Forks City Hall  
500 East Division  
Forks, Washington 98331

Comments will be accepted up to 5 p.m., 8 July 2020. The City will review said comments to determine the impact upon the stated DNS. Submittal of comments is not the same as a written appeal of this determination.

You may appeal this determination no later than 5 p.m., 8 July 2020, by filing a written appeal with the City Clerk of Forks at 500 East Division, Forks, Washington 98331. You should be prepared to make specific factual objections based upon the action being considered and the SEPA Checklist completed in association with this project. The appeal must be received prior to 5 P.M. Contact Rod Fleck at 360/374-5412, ext. 245 to ask about the procedures for appeals.

  
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William R. Fleck  
Attorney/Planner

Date: 24 June 2020