

**Notice of Approval of
CONDITIONAL USE PERMIT**

Applicant: Vilkesb Patel & Bipinbhai Patel
On behalf of Shivaadya, Inc.
1080 South Forks Avenue
Forks, WA 98331

**Location of
Property:** 251 North Forks Avenue (SR 101), Forks, Washington

**Legal
Description
Property:** Lot 11 and the eastern half of Lot 12, Block 1, Howard's First Addition, located within the NW ¼ of the NW ¼ of the N ¼ of Sec. 9, T 28 N, R 13 W, W.M., Clallam County. Tax Id. Parcel 132809510163.

**Project
Description:** Shivaadya, Inc. are seeking to develop an 18 lot recreational vehicle (RV) park with a grassy recreation area that would have bbq pits; and, a building housing utilities and amenities available to visitors to include: coin laundry facility, toilets, and paid showers. Each lot would be approximately 50' x 21' and accessed off a pervious driveway into the park with a commercial approach from North Forks Avenue/SR 101. Each improved RV lot would have water, sewer and electrical connections for use by visitors. Additional improvements for each lot includes a flowerbed, gravel and concrete block pervious paving. Park would be secured with a gate system and surveillance security cameras. Users would have access to a common office shared with the Far West Motel. There would be a maximum stay of 30 days at one time and no-long term parking would be available.

Property has city water, city sewer, and electrical provided by the PUD. Further, a commercial approach was developed for this lot in the past and is proposed to be used by the proponents in the development of the property.

Notice is hereby given that the above referenced Applicant was granted a conditional use permit for the use described in the project description. The Forks Zoning Code requires a conditional use permit for an RV Park. *See* FMC 17.10.475.

A copy of the findings, the determination and decision of the Forks Planning Commission on awarding this permit is attached and incorporated herein by reference. However, only the Notice of Approval is being printed in the Forks Forum. A copy of those findings, determinations and the decision can be obtained from the City Attorney/Planner. It will be mailed to all attendees, and all receiving a mailed copy of this notice pursuant to the Zoning Code.

APPEAL PROCESS

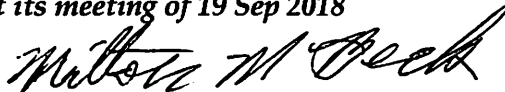
The Forks Planning Commission shall report to the City Council its findings regarding an application for a conditional use permit within fifteen (15) days of its decision. Any affected party, including a member of the City Council may appeal the decision to the City Council within fifteen (15) days of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

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 conformance 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, the determinations of the Commission, 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.

Dated 25 Sep 2018 pursuant to the authorization and direction of the Forks Planning Commission at its meeting of 19 Sep 2018



Milton Beck

Chair, Forks Planning Commission

Findings, Determinations and Decision
On the Conditional Use Application of
Shivaadya, Inc. for an RV Park

I. Findings.

- A. The City received a conditional use application on 10 Aug 2018 for consideration at the 19 Sep 2018 Forks Planning Commission. The application came from Vilkes Patel & his father Bipinbhai Patel doing business as Shivaadya, Inc.
- B. The property in question is zoned high density commercial. The proposal sought a permit for the development of an recreational vehicle (RV) park on a 1.42 acre parcel located at 251 North Forks Avenue.
- C. The proposed development would create an 18 lot RV park with amenities to include: BBQ pits, coin laundry and shower facilities, gazebo and recreation area. Each of the developed RV lots would have access to utilities to include water, sewer and power. Each of the RV parking lots would utilize gravel and impervious paving accessed from a centrally paved area.
- D. Applicant also provided the required State Environmental Policy Act (SEPA) checklist for this operation due to the "conditional use permit" being considered a major land use action triggering concurrent SEPA review.
- E. SEPA review resulted in a mitigated determination of non-significance (SEPA MDNS) with eleven stated requirements for mitigation. Notice of the MDNS was sent to the SEPA Register, WSDOT, Quileute Natural Resources, and a unit within the Department of Ecology. There was no appeal of the SEPA MDNS. DOE provided comments associated with actions expected of a developer and those were provided to the applicant. The mitigation requirements imposed were:
 1. Applicant will be required to obtain a Conditional Use Permit from the Forks Planning Commission which is scheduled to hear that request at a public meeting on 19 Sep 2018 for which notice has already been published.
 2. Applicant will obtain a grading permit from the City of Forks prior to undertaking grading.
 3. Applicant will be required to obtain a building permit, which may be subject to plan review by a 3rd party reviewer, from the City of Forks Building Inspector prior to construction.
 4. Applicant's contractor must be required to immediately notify the City if their Contractor, or any subcontractors, and their employees any archaeological resource(s), as well as, any discovery of human remains. Notification protocol shall include the District, the City of Forks (Forks Police Department and City Attorney's Office), the Quileute Tribal Council, and DAHP. Said protocol shall include stop work provisions, as well as penalty provisions if not followed by the Contractor and/or their subcontractors.
 5. Applicant will ensure that excavated materials from the site is either recycled and used at the project; or, properly disposed of in accordance with local, state and/or federal laws. Also, Applicant noted the existence of scotch broom and in the removal of the excavated spoils, if being disposed of at an offsite location, Applicant will ensure the disposal site is one accepting spoils with scotch broom.
 6. All stormwater drainage must be constructed to ensure that:

- a. it is kept on site;
 - b. if applicable, the drainage system's dry wells or similar such devices are registered in accordance with the Department of Ecology's injection well registration requirements; and,
 - c. that the drainage system is reviewed by the Building Inspector prior to construction.
7. Access from the City street will require a driveway permit with the existing commercial access being the primary entry point. If a new access point is required, Applicant will need to wait until the City and WSDOT Olympic Region have been consulted and the Applicant will be responsible for the construction of any new approach.
 8. Construction will occur during the period of time permitted by the City's existing noise ordinance.
 9. All utility connections must be done pursuant to the utility providers' requirements in a manner that meets local, state and/or federal code requirements. Further, each RV connection must be done in a manner that comports with local utility provider requirements and state law.
 10. Guest facility with showers, laundry, etc., will comply with existing legal requirements to address public access under the Americans with Disabilities Act.
 11. Exterior lighting of the building will be installed in such a way to ensure that lighting is directed downward and remains primarily on-site.

- F. Notice of the receipt of the conditional use application, public hearing notice, and SEPA MDNS were sent to all registered property owners located within 500 feet of the property site identified by the applicant.
- G. These items were also published in the Forks Forum.
- H. The Planning Commission met on Wednesday, 19 Sep 2018 Commissioners M. Beck, D. Beck and Northcut were present with the latter attending by telephone. Also in attendance was Planner Fleck, Villesh Patel & Bipinbhai Patel
- I. Commissioner M. Beck agreed to act as the chair for the meeting. Meeting commenced at 6:02 p.m. upon Commissioner Northcut joining from a remote location via phone.
- J. Agenda was adopted on by unanimous consent.
- K. The public hearing on the application started with Fleck giving the staff report and the mitigation found within the MDNS.
- L. V. Patel gave an overview of the development. He noted that they would be catering to short term stays, rather than long multi-month rentals.
- M. There were no other members of the public who sought to speak. Fleck did note the receipt of the DOE written comments referenced above.
- N. Public hearing was closed when no other member of the public wanted to comment.

II. Determinations. Based upon the above findings, the Commission made the following determinations:

- A. Commissioners felt that the materials and information provided was adequate to make a decision.
- B. The Commission agreed to incorporating the SEPA mitigation items as part of the permit.

C. The Commission approved the permit on a motion by M. Beck, seconded by D. Beck, which passed unanimously.

III. Decision.

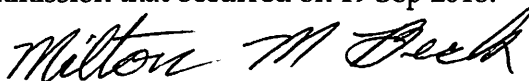
Based upon the above findings and determinations, the Forks Planning Commission decided by unanimous vote that the Conditional Use Permit Application be granted pursuant to the conditions noted in Section II above.

Pursuant to the Forks Zoning Code, specifically that section regarding appeals, notice of the decision shall be provided to the City of Forks City Council, participants in the hearing, and those who have already received notice of the permit. Said notice shall provide information regarding the process of appeal. Staff was authorized to prepare the necessary paperwork reflecting the Commissioners' decision.

Commissioner M. Beck was authorized to sign the decision based upon his determining that the documents adequately reflect the activities of the Commission during the meeting in question. Commissioner D. Beck made a motion providing such authorization with a second by Commissioner Northcut. Motion passed unanimously.

It was further agreed that the signed document would serve as the Commissions meeting minutes with any other business reflected in a footnote. Commissioner Beck made this motion which was seconded by Commissioner Northcut and which was passed unanimously.¹

Signed this 25 Sep 2018 and in so signing certifying that the above reflects the proceedings of the Forks Planning Commission that occurred on 19 Sep 2018.



Milton Beck

Chairman - Forks Planning Commission

¹ No other business came before the Planning Commission on this date.