

## **ORDER OF REMAND**

The City Council of the City of Forks, having considered the record on appeal, the arguments of the parties, and the applicable provisions of the Forks Municipal Code, hereby finds that additional review is necessary regarding issues material to the Conditional Use Permit (“CUP”) application submitted by Tom Tucker, as presented on the appeal of Cora Sasticum, pursuant to Forks Municipal Code 17.85.040.

### **I. FINDINGS**

1. The record reflects uncertainty regarding the intended occupancy of the proposed structures and the resulting impacts on the surrounding community, including but not limited to traffic, noise, intensity of use, and compatibility with adjacent properties.
2. The Council further finds that the record is unclear as to whether the proposed structures, as designed and intended to be used, would trigger building permit requirements, occupancy classifications, or other standards under the International Building Code, International Residential Code, or applicable local amendments.
3. Because occupancy classification and building-code applicability may materially affect the scope, scale, and impacts of the proposed use, the Council concludes that the Planning Commission did not have sufficient information to fully evaluate the CUP criteria related to intensity of use, public health and safety, and neighborhood compatibility.
4. Additional fact-finding and analysis are necessary to ensure a complete and accurate record before a final decision on the CUP can be made.

### **II. ORDER**

#### **IT IS HEREBY ORDERED:**

1. Pursuant to Forks Municipal Code 17.85.050, the matter is REMANDED to the Planning Commission for further proceedings consistent with this Order.
2. On remand, the Planning Commission shall develop additional findings and conclusions regarding:
  - The anticipated occupancy of the proposed structures, including maximum and typical occupancy levels.

- Whether the proposed structures, as designed and intended to be used, require building permits, occupancy classification, or compliance with applicable building or fire-safety standards.
  - The extent to which occupancy levels and applicable code requirements may affect impacts to the surrounding community, including traffic, noise, intensity of use, and neighborhood compatibility.
3. The Planning Commission may require the Applicant to submit supplemental materials, including but not limited to building-code analyses, occupancy studies, or revised site or structural plans.
  4. Following additional review, the Planning Commission shall issue amended findings, conclusions, and a determination addressing the issues identified in this Order.

### **III. RETENTION OF JURISDICTION**

The City Council retains jurisdiction over this appeal and will resume review upon receipt of the Planning Commission's amended determination.

Signed on 12 June 2026, and in so signing I certify that the above accurately reflects the findings and order of the City Council in this matter.

Mayor Tim Fletcher  
City of Forks

Dissemination of Notice of Decision and appeal:

Pursuant to Forks Municipal Code 17.85.050, this decision is issued in writing following the conclusion of the hearing and recites the Council's findings in support thereof. Pursuant to FMC 17.135.040, copies of this decision shall be delivered to the applicant or appellant, to the building inspector, and one copy shall be filed with the council as a permanent record. The decision of the council shall be final and conclusive unless within 10 days from the date of said decision the original applicant (or appellant) or an adverse party makes application to the Superior Court of Washington for Clallam County for a writ of certiorari, prohibition or mandamus.