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District Three

**HEARING EXAMINER**



*Creating Solutions for Our Future*

**FINDINGS, CONCLUSIONS AND DECISION  
OF THE HEARING EXAMINER FOR  
THURSTON COUNTY**

**CASE NO:** 2009103446 (Cedarwood water system special use permit and substantial development permit)

**APPLICANT:** Public Utility District No. 1 of Thurston County

**SUMMARY OF REQUEST:**

The Applicant requests a special use permit and shoreline substantial development permit to carry out the following improvements for the Cedarwood public water system: remove existing booster pumps and their building, construct a new, smaller booster pump building with new booster pumps, construct a new well house building attached to the new booster pump building, construct a new water reservoir, and relocate an existing generator and propane tank.

**LOCATION OF PROPOSAL:**

A portion of Lots 22 and 23 in the Cedarwood Terrace subdivision in Thurston County Assessor's Parcel No. 39350102201 and 39350102301.

**SUMMARY OF DECISION:**

The special use permit and substantial development permit are granted, subject to conditions.

**HEARING AND RECORD:**

The hearing on this request was held before the undersigned Hearing Examiner on October 18, 2010. The following exhibits are admitted as part of the record:

Exhibit 1. Staff Report by Thurston County Resource Stewardship Department for Case No. 2009103446, prepared by Robert Smith and dated October 18, 2010. This Exhibit includes the 11-page Staff Report and Attachments a through o listed on Page 11 of the Staff Report.

Exhibit 2. Site Plan.

Exhibit 3. Photographs of posted notice at project site.

Exhibit 4. Memorandum dated September 8, 2010 from Doug Eklund to Robert Smith.

At the hearing, the following individuals testified under oath:

Robert Smith, Senior Planner  
Thurston County Resource Stewardship Department  
2000 Lakeridge Drive SW  
Olympia, WA 98502

Doug Eklund  
Jerome W. Morrisette & Associates, P.S.  
1700 Cooper Point Road SW, #B-2  
Olympia, WA 98502-1110

After consideration of the testimony and exhibits described above, the Hearing Examiner makes the following findings of fact, conclusions of law, and decision.

### **FINDINGS OF FACT**

1. The Applicant is a municipal corporation of the state of Washington and operates a domestic water utility serving the residents of the Cedarwood Terrace subdivision, located just north of McIntosh Lake in southern Thurston County.

2. The Cedarwood Terrace subdivision was recorded in 1962, before the adoption of zoning regulations in the County. The subdivision, including the project site, is currently zoned Residential LAMIRD – One Dwelling Unit per Two Acres (RL 1/2). The proposed improvements are within 200 feet of the shoreline of McIntosh Lake, and the site is designated Rural under the Thurston Region Shoreline Master Program.

3. The Applicant requests a special use permit and shoreline substantial development permit to carry out the following modifications to the existing public water system: remove existing booster pumps and their building, construct a new, smaller booster pump building with new booster pumps, construct a new well house building attached to the new booster pump building, construct a new water reservoir, and relocate an existing generator and propane tank.

4. The new booster pump building with attached well house will be located in the center of the project site, as shown on Ex. 2, at roughly the same location as the existing pump building. The booster pump building will be 10 feet by 10 feet, and the attached well house will be three feet by three feet. Both the booster pump and well house buildings will be ten feet high.

5. The booster pump building will be insulated. The new booster pumps are expected to be quieter than those replaced. They will generate sound inside the building similar to a residential washing machine on spin cycle. The sound of the booster pumps at the property line is expected to be essentially the same as with the existing pumps. Mr. Smith and Mr. Eklund testified that the noise from the pumps will be within applicable WAC limits.

6. The new water reservoir will be 20 feet high and 14 feet in diameter, with a capacity of 23,040 gallons. It will be located just south of the new booster pump building, as shown on Ex. 2. A reservoir overflow and drain structure will be built just south of the reservoir to contain some water if the reservoir overflows and when it is drained. If an overflow occurs, a float switch will turn off the well pumps and trigger an alarm to alert the operator. When the reservoir is drained for service, the well pumps will be turned off and the majority of the water in the reservoir will be pumped into the distribution system. A portable pump will be placed in the reservoir overflow and drain structure to pump the remaining water to a tank truck for disposal off-site.

7. The propane tank and standby generator will be moved to the locations in the north half of the site shown on Ex. 2. This will place them further away from the nearest residence than is the case currently. The generator is run no more than once a week for maintenance for 15 minutes and would also be used during power outages. Test. of Eklund. The 15-minute periods of operation would not be at night. The generator is presently housed in an uninsulated corrugated metal building, which will be demolished. The relocated generator will be in a sound attenuated enclosure, which will reduce the sound heard at 23 feet from 83 to 66 dBA. This will reduce the sound from the generator at the property lines from current levels. Mr. Smith and Mr. Eklund testified that the noise from the generator will be within applicable WAC limits.

8. The project site consists of two lots, and the Applicant has submitted a request for a boundary line adjustment to consolidate them. This decision requires this request to be approved and recorded before any construction permits are issued. The consolidated lots, together, are .14 acres. Vegetation on the site is primarily lawn, with a couple of existing trees on the southern boundary.

9. The nearest residence to the site is to the south, as shown on Ex. 1, Att. j. Another residence lies to the southeast of the site, as also shown on Ex. 1, Att. j. Immediately to the west of the site is a cul-de-sac right-of-way for Cedarwood Drive. Existing residences screen the project site from views from the shoreline.

10. The site structures will be located at least 12.5 feet from the nearest property line. The Applicant has received an administrative variance reducing the required front setback from 25 to 12.5 feet. The required setbacks for the remaining sides are 10 feet.

11. The proposed uses will require parking for one maintenance vehicle. The driveway shown on the site plan affords space for parking at least one vehicle.

12. The Applicant proposes the landscape plantings along street frontages shown in the Landscaping Plan at Ex. 1, Att. k. The Applicant proposes also to erect a six-foot high chain link fence with earth tone slats and no barbed wire along the perimeter, as also shown in the Landscaping Plan.

13. Runoff from the roofs and impervious surfaces will be directed using berms to a dispersion trench. Any runoff from the dispersion trench will flow to a Thurston County drainage easement. A berm will also be constructed to divert sheet surface flow away from the adjacent house and to the drainage easement. The County Public Works Department has reviewed the proposal for compliance with the Drainage Manual and recommends approval, subject to conditions.

14. There is no defined drainage path from the project site to McIntosh Lake. Runoff from the project site appears to infiltrate before reaching the lake.

15. The site will not be staffed. The Applicant will visit the site approximately once a month for maintenance.

## **CONCLUSIONS OF LAW**

### **A. Special use permit.**

1. Thurston County Code (TCC) 20.03.040 defines "public utility" as:

"a business or service, either governmental or having appropriate approval from the state, which is engaged in regularly supplying the public with some commodity or service which is of public consequence and need such as electricity, gas, water, transportation or communications."

The proposed facilities are a public utility under this definition.

2. Public utilities are allowed in the RL 1/2 zone subject to approval of a special use permit.

3. The heart of special use permit review is examining whether the proposed use is compatible with surrounding uses and properties. This requirement is seated in TCC 20.54.040 (3), which states:

"No application for a special use shall be approved unless a specific finding is made that the proposed special use is appropriate in the location for which it is proposed. This finding shall be based on the following criteria:

a. Impact. The proposed use shall not result in substantial or undue adverse effects on adjacent property, neighborhood character, natural environment, traffic conditions, parking, public property or facilities, or other matters affecting the public health, safety and welfare . . .

b. Services. The use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, or services existing or planned to serve the area."

4. In addition, TCC 20.54.070 (30) states:

"Public Utilities—New or Major Additions to Existing Facility. There shall be no rotary converters, generating machinery or other equipment that would cause substantial noise, electrical interference or similar disturbances."

5. As conditioned, the proposed facilities will not result in substantial or undue adverse effects on adjacent property, neighborhood character, natural environment, traffic conditions, parking, public property or facilities, or other matters affecting the public health, safety and welfare. The proposed use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, or services existing or planned to serve the area. For these reasons, the proposed special use is appropriate in the location for which it is proposed. The proposal meets the requirements for special uses in TCC 20.54.040 (3), above.

6. The Findings show that there will be no rotary converters, generating machinery or other equipment that would cause substantial noise, electrical interference or similar disturbances.

7. Special uses must also comply with the Thurston County Comprehensive Plan and all applicable federal, state, regional, and Thurston County laws or plans, including zoning regulations and the general purposes and intent of the applicable zoning regulations and subarea plans. TCC 20.54.040 (1) and (2).

8. The Findings and the evidence shows that these requirements are met, with one exception. The lot size of .14 acre violates the two-acre minimum lot size for nonresidential uses in the RL 1/2 zone. TCC 20.10A.040. However, under TCC 20.56.010 this water system is a legal nonconforming use, with the substandard lot size. The proposed improvements represent an expansion of this legal nonconforming use.

9. TCC 20.56.030 allows nonconforming, nonresidential uses to be expanded as provided in its subsections (2), (3), and (4) and if "all applicable special use standards

described in Section 20.54.070" are met. Read literally, this would enter into a type of vicious circle preventing the expansion of this use, since one of the standards described in TCC 20.54.070 is the two-acre minimum lot size, which this proposal violates. However, the intent of the ordinance is plainly to allow nonconforming uses to be expanded under certain conditions. If one of those conditions was remedying the noncompliance which makes it a nonconforming use in the first place, then nonconforming uses could never be expanded. Thus, TCC 20.56.030 must be read to allow expansion of this use, even though it will not comply with the minimum lot size.

10. TCC 20.56.030 (3) states:

"A nonconforming, nonresidential use may be expanded up to fifteen percent if the hearing examiner issues a special use permit for the expansion of the nonconforming use, pursuant to the application and review procedures prescribed in Chapter 20.60. The percentage shall be cumulative, based on the extent of the use at the time of the initial expansion request following March 19, 2001. The examiner may issue the permit only after finding that:

- a. The expansion of the structure conforms to the requirements of this title, provided that the vertical enlargement of a structure which fails to conform to horizontal setback requirements need not conform to that setback requirement;
- b. Measures will be taken, if necessary, to protect the neighborhood from detrimental land use effects which might result from the expansion of the nonconforming use;
- c. The expansion will occur on the same lot upon which the existing nonconforming use is located;
- d. A nonconformance will not be created with other standards that conform to the development regulations elsewhere in this title;"

10. The evidence does not show precisely whether the proposal falls within the 15% cap for expansion in TCC 20.56.030 (3). However, the Staff Report assumes it does at Ex. 1, pp. 4-5, and no evidence indicates the contrary. The Findings above show that each of the standards of TCC 20.56.030 (3) for expanding a nonconforming use is met.

11. The proposal meets the requirements for issuance of a special use permit and for expansion of a nonconforming use. This special use permit authorizes the requested expansion of the nonconforming use.

## **B. Shoreline substantial development permit.**

12. With exceptions not pertinent to this proposal, the state Shoreline Management Act (SMA), Chap. 90.58 RCW, defines shorelines of the state to include "all of the water areas of the state, including reservoirs, and their associated shorelands, together with the lands underlying them . . ." RCW 90.58.030 (2) (d). Shorelands, in turn, are defined as "those lands extending landward for two hundred feet . . . from the ordinary high water mark . . ." RCW 90.58.030 (2) (f). The SMA requires a substantial development permit for any "substantial development" on the shorelines of the state. RCW 90.58.140 (2). "Substantial development" includes any development "of which the total cost or fair market value exceeds five thousand dollars . . ." RCW 90.58.030 (3) (e). By operation of statute, that threshold is now \$5718. The proposal here at issue is within 200 of the ordinary high water mark of McIntosh Lake, and its fair market value exceeds \$5718. Therefore, the proposal may be carried out only if a substantial development permit is issued.

13. A substantial development permit may be granted only if the proposal is consistent with the SMA and the local shoreline master program (SMP). RCW 90.58.140 (2) (b). The SMP for Thurston County is the Thurston Region Shoreline Master Program, as amended by TCC 19.01.010.

14. The proposed improvements to the public water system are classed as a utility under SMP Section Three, XX, A. Section Three, XX, D allows this sort of utility in the rural shoreline environment.

15. The SMP at Section Three, XX, B lists the following policies governing utilities:

"1. Wherever utilities must be placed in a shoreline area, the locations should be chosen so as not to obstruct or destroy scenic views. Utilities should be placed underground, or designed to do minimal damage to the aesthetic qualities of the shoreline area.

2. Where construction connected with utility placement occurs on shorelines, banks should be restored to their pre-project configuration, replanted with native species and maintained until the new vegetation is established.

3. Sewage treatment, water reclamation, desalinization and power plants should be designed and located so as not to interfere with, and to be compatible with recreational, residential or other public uses of the water and shorelands.

4. Sewage outfalls to waterbodies should be avoided in preference to recycling or land disposal of sewage wastes. Where no alternative to outfalls into water exist, location of such outfalls should be part of the appropriate regional plan for solutions to sewage management problems.

5. Utility rights-of-way should be used for public access to and along waterbodies where feasible.
6. If utilities must be located over the water, they should be placed on bridge-like structures rather than fill, and said structures should provide clearance for all marine vessels normally using the area.
7. New major transmission facilities should follow existing utility corridors unless prohibited by the environmental designation and regulations."

To the extent applicable, the proposal meets these policies.

16. The SMP at Section Three, XX, C lists the following regulations governing utilities:

"1. Applicants for permits to locate utility lines in the shoreline jurisdictional area shall submit a location plan with their application which shows existing utility routes in the vicinity of the proposed utility line. The proposed utility lines shall follow existing utility, natural drainage or transportation routes where feasible.

2. All utility facilities shall be located on lots or routes no larger than necessary.

3. The approved projects shall identify a method of reclamation which provides for revegetation and protection of wetland areas from erosion. As a minimum, this shall include the restoration of the affected area to pre-development elevation, replanted with native or pre-existing species and provisions for maintenance care for the newly planted or seeded vegetation until it is established.

4. Utility services accessory to individual projects shall be regulated by the specific use regulations for the activity in addition to the standards of this section and shall not require separate Substantial Development Permits for utility service installations.

5. Where feasible, utilities shall be placed underground unless such undergrounding would be economically or technically prohibitive or significantly detrimental to the environment.

6. Utility facilities shall be designed for minimal environmental and aesthetic impact and shall be coordinated with local comprehensive plans.

7. Underwater utilities shall be located at a depth sufficient to prevent interference between the utility and other shoreline use activities.



8. All utility facilities must provide safeguards to ensure that no long-term damage will be caused to the adjacent or downstream environment should an accident occur involving the utility.

9. No discharge of waste material which could result in decertification of aquacultural areas or products or cause lowering of water quality ratings is permitted.

10. No new hydroelectric generating facilities are allowed on the Nisqually River pursuant to the recommendations of the Nisqually River Management Plan." To the extent applicable, the proposal complies with these regulations.

17. Apart from the more specific policies and regulations discussed above, Section 2 V of the SMP sets out a number of Regional Criteria which also apply to this proposal. That provision states:

"All development within the jurisdiction of this Master Program shall demonstrate compliance with the following policies:

A. Public access to shorelines shall be permitted only in a manner which preserves or enhances the characteristics of the shoreline which existed prior to establishment of public access.

B. Protection of water quality and aquatic habitat is recognized as a primary goal. All applications for development of shorelines and use of public waters shall be closely analyzed for their effect on the aquatic environment. Of particular concern will be the preservation of the larger ecological system when a change is proposed to a lesser part of the system, like a marshland or tideland.

C. Future water-dependent or water-related industrial uses shall be channeled into shoreline areas already so utilized or into those shoreline areas which lend themselves to suitable industrial development. Where industry is now located in shoreline areas that are more suited to other uses, it is the policy of this Master Program to minimize expansion of such industry.

D. Residential development shall be undertaken in a manner that will maintain existing public access to the publicly-owned shorelines and not interfere with the public use of water areas fronting such shorelines, nor shall it adversely affect aquatic habitat.

E. Governmental units shall be bound by the same requirements as private interests.

F. Applicants for permits shall have the burden of proving that a proposed substantial development is consistent with the criteria which must be met before a Permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.18.180 (1), the person requesting the review shall have the burden of proof.

G. Shorelines of this Region which are notable for their aesthetic, scenic, historic or ecological qualities shall be preserved. Any private or public development which would degrade such shoreline qualities shall be discouraged. Inappropriate shoreline uses and poor quality shoreline conditions shall be eliminated when a new shoreline development or activity is authorized.

H. Protection of public health is recognized as a primary goal. All applications for development or use of shorelines shall be closely analyzed for their effect on the public health."

18. These Regional Criteria were not discussed by the Applicant or the Department. However, the evidence and the Findings show that this proposal meets them.

19. For the reasons above, the proposal is consistent with the policies of the SMA set out in RCW 90.58.020.

20. The proposal is consistent with the Thurston County Comprehensive Plan.

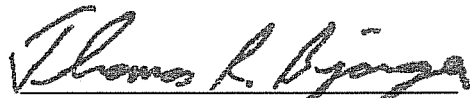
## **DECISION**

The substantial development permit and the special use permit are granted, subject to the following conditions:

- A. Prior to or in conjunction with the issuance of any building permit, all applicable regulations and requirements of the Thurston County Public Health and Social Services Department, Public Works Department, Fire Marshal and Thurston County Resource Stewardship Department shall be met.
- B. Group A public water systems are under the regulatory authority of the Washington State Department of Health (WSDOH), Office of Drinking Water. Prior to installation/construction of the proposed water system upgrades the plans and specifications from the water system engineer must be reviewed and approved by the WSDOH.
- C. All additional permits required for this project will need to meet the applicable edition of the Thurston County Road Standards and Drainage Design and Erosion Control Manual at the time of application.

- D. Prior to issuance of construction permits, the proposed lot consolidation Boundary Line Adjustment, County permit folder number 09 110446 ZA, shall be finalized and recorded with the Thurston County Auditor's Office.
- E. Prior to final approval of construction and operation of the new facilities, all proposed landscaping, including fencing, shall be installed as proposed in the landscape plan.
- F. Erosion control measures must be in place prior to any clearing, excavation, grading or construction and must be approved by the Land Use and Environmental Review Section. These measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.
- G. If contamination is currently known or suspected during construction, testing of potentially contaminated media must be conducted. If contamination of soil or groundwater is readily visible, or is revealed by testing, The Washington State Department of Ecology must be notified (Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300).

Dated this 1st day of November, 2010.



Thomas R. Bjorgen  
Thurston County Hearing Examiner





Project No. 2009103446 SUP/SSDP  
 Appeal Sequence No.: \_\_\_\_\_

Check here for: **RECONSIDERATION OF HEARING EXAMINER DECISION**

THE APPELLANT, after review of the terms and conditions of the Hearing Examiner's decision hereby requests that the Hearing Examiner take the following information into consideration and further review under the provisions of Chapter 2.06.060 of the Thurston County Code:

(If more space is required, please attach additional sheet.)

Check here for: **APPEAL OF HEARING EXAMINER DECISION**

TO THE BOARD OF THURSTON COUNTY COMMISSIONERS COMES NOW \_\_\_\_\_  
 on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as an APPELLANT in the matter of a Hearing Examiner's decision rendered on \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ relating to \_\_\_\_\_

THE APPELLANT, after review and consideration of the reasons given by the Hearing Examiner for his decision, does now, under the provisions of Chapter 2.06.070 of the Thurston County Code, give written notice of APPEAL to the Board of Thurston County Commissioners of said decision and alleges the following errors in said Hearing Examiner decision:

Specific section, paragraph and page of regulation allegedly interpreted erroneously by Hearing Examiner:

1. Zoning Ordinance \_\_\_\_\_
2. Platting and Subdivision Ordinance \_\_\_\_\_
3. Comprehensive Plan \_\_\_\_\_
4. Critical Areas Ordinance \_\_\_\_\_
5. Shoreline Master Program \_\_\_\_\_
6. Other: \_\_\_\_\_

(If more space is required, please attach additional sheet.)

AND FURTHERMORE, requests that the Board of Thurston County Commissioners, having responsibility for final review of such decisions will upon review of the record of the matters and the allegations contained in this appeal, find in favor of the appellant and reverse the Hearing Examiner decision.

**STANDING**

On a separate sheet, explain why the appellant should be considered an aggrieved party and why standing should be granted to the appellant. This is required for both Reconsiderations and Appeals.

Signature required for both Reconsideration and Appeal Requests

\_\_\_\_\_  
 APPELLANT NAME PRINTED

\_\_\_\_\_  
 SIGNATURE OF APPELLANT

Address \_\_\_\_\_  
 \_\_\_\_\_ Phone \_\_\_\_\_

Please do not write below - for Staff Use Only:

# THURSTON COUNTY

## PROCEDURE FOR RECONSIDERATION AND APPEAL OF HEARING EXAMINER DECISION TO THE BOARD

**NOTE:** THERE MAY BE NO EX PARTE (ONE-SIDED) CONTACT OUTSIDE A PUBLIC HEARING WITH EITHER THE HEARING EXAMINER OR WITH THE BOARD OF THURSTON COUNTY COMMISSIONERS ON APPEALS (Thurston County Code, Section 2.06.030).

If you do not agree with the decision of the Hearing Examiner, there are two (2) ways to seek review of the decision. They are described in A and B below. Unless reconsidered or appealed, decisions of the Hearing Examiner become final on the 15th day after the date of the decision.\* The Hearing Examiner renders decisions within five (5) working days following a Request for Reconsideration unless a longer period is mutually agreed to by the Hearing Examiner, applicant, and requester.

The decision of the Hearing Examiner on an appeal of a SEPA threshold determination for a project action is final. The Hearing Examiner shall not entertain motions for reconsideration for such decisions. The decision of the Hearing Examiner regarding a SEPA threshold determination may only be appealed to Superior Court in conjunction with an appeal of the underlying action in accordance with RCW 43.21C.075 and TCC 17.09.160. TCC 17.09.160(K).

### A. RECONSIDERATION BY THE HEARING EXAMINER (Not permitted for a decision on a SEPA threshold determination)

1. Any aggrieved person or agency that disagrees with the decision of the Examiner may request Reconsideration. All Reconsideration requests must include a legal citation and reason for the request. The Examiner shall have the discretion to either deny the motion without comment or to provide additional Findings and Conclusions based on the record.
2. Written Request for Reconsideration and the appropriate fee must be filed with the Development Services Department **within ten (10) days of the written decision**. The form is provided for this purpose on the opposite side of this notification.

### B. APPEAL TO THE BOARD OF THURSTON COUNTY COMMISSIONERS (Not permitted for a decision on a SEPA threshold determination for a project action)

1. Appeals may be filed by any aggrieved person or agency directly affected by the Examiner's decision. The form is provided for this purpose on the opposite side of this notification.
2. Written notice of Appeal and the appropriate fee must be filed with the Development Services Department **within fourteen (14) days of the date of the Examiner's written decision**. The form is provided for this purpose on the opposite side of this notification.
3. An Appeal filed within the specified time period will stay the effective date of the Examiner's decision until it is adjudicated by the Board of Thurston County Commissioners or is withdrawn.
4. The notice of Appeal shall concisely specify the error or issue which the Board is asked to consider on Appeal, and shall cite by reference to section, paragraph and page, the provisions of law which are alleged to have been violated. The Board need not consider issues, which are not so identified. A written memorandum that the appellant may wish considered by the Board may accompany the notice. The memorandum shall not include the presentation of new evidence and shall be based only upon facts presented to the Examiner.
5. Notices of the Appeal hearing will be mailed to all parties of record who legibly provided a mailing address. This would include all persons who (a) gave oral or written comments to the Examiner or (b) listed their name as a person wishing to receive a copy of the decision on a sign-up sheet made available during the Examiner's hearing.
6. Unless all parties of record are given notice of a trip by the Board of Thurston County Commissioners to view the subject site, no one other than County staff may accompany the Board members during the site visit.

### C. STANDING All Reconsideration and Appeal requests must clearly state why the appellant is an "aggrieved" party and demonstrate that standing in the Reconsideration or Appeal should be granted.

### D. FILING FEES AND DEADLINE If you wish to file a Request for Reconsideration or Appeal of this determination, please do so in writing on the back of this form, accompanied by a nonrefundable fee of **\$595.00** for a Request for Reconsideration or **\$820.00** an Appeal). Any Request for Reconsideration or Appeal must be **received** in the Permit Assistance Center on the second floor of Building #1 in the Thurston County Courthouse complex no later than 4:00 p.m. per the requirements specified in A2 and B2 above. **Postmarks are not acceptable.** If your application fee and completed application form is not timely filed, you will be unable to request Reconsideration or Appeal this determination. The deadline will not be extended.

\* Shoreline Permit decisions are not final until a 21-day appeal period to the state has elapsed following the date the County decision becomes final.