



Shoreline Conditional Use Application Requirements

Applicant Checklist		PDS Checklist
<input checked="" type="checkbox"/>	1 copy - Completed Shoreline Master Application and Shoreline Conditional Use Supplemental Application	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1 copy - Completed, signed and notarized Agent Authorization Form (if applicable) See Exhibit 1	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1 copy - Completed, signed and notarized Fee Responsibility Form See Exhibit 1	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1 copy - Provide a project narrative including a general description of the property as it now exists including its physical characteristics, improvements and structures as well as a general description of the proposed uses and activities necessary to accomplish the project See Exhibit 2	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1 copy - Copy of the recorded deed for the property (available from Auditor's office or title company) See Exhibit 3	<input type="checkbox"/>
<input type="checkbox"/>	1 copy - Copy of any easement or lease agreement(s) (if applicable)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy - Written documentation of water and sewage disposal (if applicable) See Governors Point Long Subdivision (LSS2018-0003), 3rd NOAR Submittal Jan 25, 2020 Attachments B, F & G	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<p>2 copies each - Site plan, drawn to a scale of one inch equals 20 feet for sites that are less than 5 acres and one inch equals 40 feet for sites of 5 acres or more, which depicts at a minimum all of the following (11x17 recommended for efficient review):</p> <ul style="list-style-type: none"> ◆ Name and address of property owner ◆ Site address and parcel number ◆ North arrow and scale ◆ Property lines, easements, and site dimensions ◆ Location, width and length of driveways ◆ Location of any wetlands, steep slopes, and other critical areas if known ◆ Location, setbacks and dimension of all structures on site ◆ Location of septic tank/drain field, and well or utility lines ◆ Location and dimensions of all parking areas ◆ Names and locations of all public or private roads ◆ Location of the Ordinary High Water Mark (OHWM) of all water bodies on or adjacent to the subject site ◆ Distance from any structures to the OHWM of any creeks, streams, rivers, lakes, or marine water bodies ◆ Location of any wetlands, steep slopes, and other critical areas if known ◆ Depth soundings at 5 foot intervals along the length of proposed docks See Exhibit 4 	<input type="checkbox"/>
<input checked="" type="checkbox"/>	2 copies each - Critical areas and mitigation report (for projects proposing new impacts to critical areas or buffers) See Governors Point Long Subdivision (LSS2018-0003), 3rd NOAR Submittal Jan 25, 2020 Attachments E, F & G	<input type="checkbox"/>
<input type="checkbox"/>	1 copy - Completed and signed SEPA Checklist (if applicable) See Governors Point Long Subdivision (LSS2018-0003), 3rd NOAR Submittal Attachment A	<input type="checkbox"/>



Applicant Checklist		PDS Checklist
<input checked="" type="checkbox"/>	1 copy – Topographic drawings if the site is other than flat See Exhibit 4	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Completed and signed Preliminary Traffic & Concurrency Information form (if applicable) (available on Engineering webpage) <small>See Governors Point Long Subdivision (LSS2018-0003), NOAR Submittal Attachment A Exhibit 8</small>	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Completed and signed Preliminary Stormwater Proposal form (if applicable) (available on Engineering webpage) <small>See Governors Point Long Subdivision (LSS2018-0003), 3rd NOAR Submittal Jan 25, 2020 Attachment F</small>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1 copy – List of names, mailing addresses and parcel numbers of all persons owning property within 300-feet (for Urban Growth Areas) or 1,000-feet (outside of Urban Growth Areas) of the property boundaries of the subject site in all directions (<i>must be obtained from County Assessor's records</i>) See Exhibit 5	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1 copy – Self-adhesive mailing labels for each of the above property owners (see instructions, attached) See Exhibit 5	<input type="checkbox"/>

Fees: Fees will be assessed in accordance with the Whatcom County Unified Fee Schedule (UFS) in effect at the time of application submittal. Please contact a Shoreline Planner to determine project specific fees. Click [here](#) to see the 2019/2020 UFS.

Note: Per UFS 2843 all permits and applications are subject to a 3% Technology fee. The 3% fee is calculated on the permit/application fees due.

*Checks can be made payable to Whatcom County Planning and Development Services
 Debit cards are subject to a \$1 fee per transaction
 Credit cards are subject to a 2.35% fee*

NOTE: The application requires a personal guarantee for the payment of fees incurred to undertake permit review by whoever signs the permit application. Applicants and agents must recognize they will be held accountable for fees if they sign the application.



Shoreline Conditional Use Master Land Use Application

FOR OFFICE USE ONLY	Date Stamp			
Received By: _____				
Date Paid: _____				
Total Fees: _____				
Receipt #: _____				
Case #(s): _____				
Required Reviews:				
<input type="checkbox"/> Archaeology	<input type="checkbox"/> Fire	<input type="checkbox"/> Flood	<input type="checkbox"/> Health	<input type="checkbox"/> Wetland/HCA/Mitigation
<input type="checkbox"/> Building	<input type="checkbox"/> Engineering	<input type="checkbox"/> Geo Hazards	<input type="checkbox"/> Watershed	<input type="checkbox"/> Zoning

Property Owner's Name Governors Point Land LP

Mailing Address 862 Peace Portal Drive Suite 101 City Blaine

State WA Zip 98230 Phone (604) 715-5477

Fax (_____) _____ Email randy@bocci.ca

Applicant's Name Governors Point Land LP

Mailing Address 862 Peace Portal Drive Suite 101 City Blaine

State WA Zip 98230 Phone (604) 715-5477

Fax (_____) _____ Email randy@bocci.ca

Agent/Representative Name Wayne Schwandt

Mailing Address 965 Grand Blvd City Bellingham

State WA Zip 98229 Phone (360) 739-0091

Fax (360) 925-3040 Email wayne@rimlandpacific.co

Assessor's Parcel Number 3702251001600000

Site address or location description South end of Chuckanut Bay off Pleasant Bay Road

Parcel size (acres or square feet) 99.91 acres (from Assessor Information)



1. **Project Proposal** - Include detailed information, such as scope of work, method of construction, timing/schedule, and any other details pertinent to the project (please use separate page if necessary):

[See Exhibit 2](#)

2. **Existing Development** - Describe the existing site conditions and include details on any site improvements:

[See Exhibit 2](#)

3. Total development cost or **fair market value***: \$500,000

***Fair market value** of a development means the open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials.



4. Land Disturbance Information – Please provide information on the existing and proposed building footprint area, and any grading associated with the project:

Building Footprint Area (sq. ft.):

Existing: 0

Proposed: 800 sf

Total sq. ft.: 800 sf

Grading (cu. yds.):

Excavation proposed: 0

Fill proposed: 405 cy

Destination: 35 cy Pathway
370 cy Road Embankment

5. Preliminary Stormwater Information - Complete all blank spaces in the following table for all property subject to the proposed development:

A		B	C	D
		Area, square feet (NOTE: 43,560 square feet = 1 acre)		
Surface Type		Total Existing	Once the proposed project is complete, the total will be	Net Change (+ or -); Subtract Column B from Column C
Native Vegetation ⁽¹⁾		6750	530	-6220
Pasture				
Landscaping				
Roofs ⁽²⁾	Conventional	0	800	800
	Green			
Sidewalks, trails, paths		0	2100	2100
Porches, decks Boardwalk		0	540	540
Roads, driveways, parking lots	Impervious			
	Pervious			
Grand Total		(3) 6750	(3) 3970	(4) -2780
			(3) The two "Grand Total" values above should be the same, unless you are constructing a roof, porch, or deck over an existing hard surface or over native vegetation, pasture, or landscaping.	(4) Unless the "Grand Total" values in Columns B and C are different, the Grand Total value above will be 0.

Table Notes:

(1) "Native Vegetation" means plant species typically found on an undeveloped marine shoreline that are indigenous to the Northern Puget Sound Lowland eco-region and suitable to the specific site conditions.

(2) New untreated metal roofs qualify as pollution generating impervious surface areas. If that area is equal to or greater than 5,000 square feet, it will require stormwater treatment.



6. **Legal Substantiation** (*For repair, replacement, or expansion proposals only*) - The applicant must demonstrate that an existing nonconforming development is legal. A development is considered nonconforming if it was lawfully constructed or established prior to the effective date of this program (August 27, 1976), but no longer conforms to present regulations. Therefore, the applicant must show that the development was either constructed prior to August 27, 1976, or show that the development was constructed with an approved permit from Whatcom County.

Constructed prior to August 27, 1976. **Date:** _____
Sufficient documentation (i.e. aerial photos, dated newspaper clippings, etc.) shall be enclosed with the application to lawfully establish the nonconformity of the existing development or use.

Permitted. **Permit #:** _____ **Date:** _____



Shoreline Conditional Use Supplemental Application

1. **Shorelines of the State** – Please demonstrate how the proposed use will be consistent with the policies of [RCW 90.58.020](#) and the [Whatcom County Shoreline Management Program \(SMP\)](#):

See Exhibit 6.

2. **Public Use** – Please demonstrate that the proposed use will not interfere with the normal public use of public shorelines:

The proposed dock structures do not interfere with public use of the shoreline in that it is located in an area that allows unfettered public access to the gravel beach along the Pleasant Bay/Governors Point shoreline. In addition, the dock structure is designed as an access float to vessels moored on buoys in Pleasant Bay for loading and unloading passengers and material. The only boats that might berth at the inside of the float are small crafts to access the vessels moored on buoys.

3. **Compatibility** – Please demonstrate that the proposed use is compatible with other permitted uses in the area:

The proposed dock structure is similar in concept and size in comparison to other residential docks serving homes along Pleasant Bay. It is located such that it's view from other homes along Pleasant Bay is minimized to the greatest extent possible.

4. **Adverse Effects** – Please demonstrate that the proposed use will not cause adverse effects to the shoreline environment:

The proposed dock structure will be constructed to avoid, minimize or mitigate any adverse effects to the shoreline environment as required by local, state and federal permits.



5. **Public Interest** – Please demonstrate that the proposed use will not cause a substantial detrimental effect to the public interest:

The proposed dock structure when constructed and in conjunction with the transfer of ~98 acres of property to the Whatcom Land Trust for preservation and public access, will not interfere with the public's use of the gravel beach along Pleasant Bay from either Pleasant Bay or the uplands.

6. **Cumulative Environmental Impacts** – Please demonstrate that cumulative impacts from the proposed project and other similar projects in the area would not produce a significant adverse effect to the shoreline environment:

The proposed dock structure use will be limited to 6 of the allowed 16 residents' rights to construct docks along Governors Point. This self-limited exercise of an allowed property right will not result in a significant adverse effect on the shoreline environment.

7. **Non-Conforming Use** – If the proposal involves a non-conforming use or other use which is not specifically classified by the Shoreline Management Program, please demonstrate that the proposed use requires a site located on the shoreline:

8. **Extraordinary Circumstances** – If the proposal involves a non-conforming use or other use not specifically classified by the Shoreline Management Program, please demonstrate that there are extraordinary circumstances which preclude reasonable use of the property in a manner consistent with the use regulations of the Shoreline Management Program:

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive,
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



J.E. "Sam" Ryan
Director

Agent Authorization

If you are authorizing an agent to apply for permits on your behalf you must complete this form, which will provide authorization for a designated agent to apply for permits on your behalf. This form is required for the protection of the property owner. Planning and Development Services will not accept an application that is not either signed by all property owners or accompanied by this form.

I/we, Governors Point Land LP, the owner(s) of the subject property, understand that by completing this form I hereby authorize _____ to act as my agent. I understand that said agent will be authorized to submit applications on my behalf. I also understand that once an application has been submitted that all future correspondence will be directed to the agent.

Governors Point Land LP
By Double DOT Holdings Corp, a Washington corporation,
Its General Partner

Property Owner(s) Printed Name

Date

n
Property Owner(s) Signature

Aug 22, 2018
Date

I certify that I know or have satisfactory evidence that Randy Bishop is/are the person(s) who appeared before me, and said person(s) acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated August 22, 2018

[Signature]
Notary Signature: **KIM A. KARRAS**
Barrister & Solicitor
#309-1688-1688 St
South Surrey, B.C. V4E 4N6
Tel: 804-542-5244 Fax: 804-542-5245
Printed Name: _____
Notary Public in and for the State of Washington
Residing at _____
My appointment expires: n/a



Fee Responsibility

Venue and Jurisdiction: The parties hereto recognize and agree that the venue of any action involving their rights or obligations related to this application shall be in Whatcom County, and the parties' rights and obligations hereunder shall be determined, in accordance with the laws of the State of Washington.

Fee Guaranty: Notwithstanding that this application has been submitted in the name of a company, I personally guarantee payment of fees accrued according to the terms listed in the Whatcom County Unified Fee Schedule and that my personal guarantee is part of the consideration for review of the application.

I/we, Wayne Schwandt, hereby certify that the above statements and the information contained in any papers or plans submitted herewith are true and accurate to the best of my knowledge, and that the list of surrounding property owners is complete and current.

Wayne Schwandt
Signature of Applicant Agent

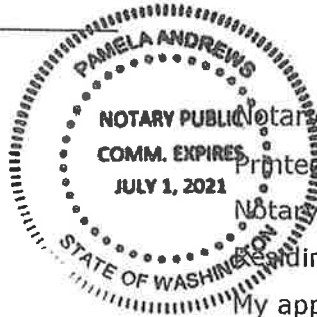
11/6/18
Date

Signature of Owner

Date

I certify that I know or have satisfactory evidence that Wayne Schwandt is/are the person(s) who appeared before me, and said person(s) acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated 11/6/18



Notary Signature: *Pamela Andrews*
Printed Name: Pamela Andrews
Notary Public in and for the State of Washington
Residing at Bellingham WA
My appointment expires: 07 / 01 / 2021

Application received by: _____

Date: _____

**Governors Point Shoreline Conditional Use Application
Project Description****Current Conditions**

The Project Site is unimproved within the 200' Shoreline Jurisdiction, except for a dirt footpath leading from a gravel road to the beach. The proposed dock structure is located south of a beach that is comprised of gravel, small stones and shell fragments. The immediate upland area is forested with mature fir, hemlock, cedar and alder. A small wetland borders the improvements as delineated in the Wetland and Habitat Conservation Assessment (Revised January 25, 2020) submitted with the Governors Point Preliminary Long Subdivision and Shoreline Substantial Development Permit submittals.

Project Site and beach
looking south

**Project Improvements**

Construction of a 6' wide x 90' long pier and 5' wide x 40' long ramp accessing an 8' wide x 50' long float with ramp landing extension to accommodate tidal fluctuations. The float will be secured by piles. Other improvements will be an 800 sf storage building with rest rooms and 275' of 6' wide gravel trails, along with stormwater management system improvements. Water will be provided to the pier for fire protection and to the storage building for sanitary and potable uses. An OSS will be provided on the parcel but not within Shoreline Jurisdiction.

See Exhibit 4 for location of improvements on the Property and preliminary design drawings. All sizing of improvements is preliminary and subject to final survey and engineering.

The Project has completed the preliminary design phase. Support was provided by Cascade Engineering Group for design issues and Jepson Engineering for surveying. Preliminary eelgrass and macroalgae surveys were conducted by Fairbanks Environmental Services, LLC, the results of which are presented in the revised January 25, 2020 Wetland and Habitat Conservation Assessment.

**Governors Point Shoreline Conditional Use Application
Project Description**

Use of the dock structure will be limited to 6 of the 16 homeowners of Governors Point. Users will only be allowed to moor small crafts suitable for accessing vessels mooring on buoys on Pleasant Bay. Vessel use of the dock structure is limited to passenger and materials pick-up and discharge. No mooring of vessels at the float will be permitted.

The pier, ramp and float design and project management are provided by Ashton Engineering. Bathymetry and near-shore surveying are provided by Wilson Engineering. Geological engineering, if required will be provided by GeoEngineers, Inc. An eelgrass and macroalgae survey update will be provided by Fairbanks Environmental Services, Inc. at the time of construction permit application.

Currently the preferred construction design includes a wooden float with fiberglass grated decking, anchored to the seabed with two steel pipe piles depending on the results of the final eelgrass and macroalgae survey. The anchoring system has not been determined. The pier and gangway will utilize aluminum construction to minimize pile requirements.

Final engineering design of the storage building and pathways will be provided by Cascade Engineering Group. An architect for the building has not been selected. Construction of the pathways will be undertaken concurrently with other civil construction.