

**BEFORE THE LAND USE HEARINGS EXAMINER  
FOR THE CITY OF CAMAS, WASHINGTON**

Regarding an application by Jack Loranger for Shoreline Substantial Development and Shoreline Variance approvals for a six foot long by 32 foot wide dock in the Columbia River at 2462 SE 11<sup>th</sup> Avenue, in the City of Camas, Washington ) **FINAL ORDER**  
 ) **SHOR22-01**  
 ) **(Nevin Dock)**

**A. SUMMARY**

1. The applicant, Jack Loranger, requests approval of a Shoreline Substantial Development Permit and a Shoreline Variance for a private floating dock in the section of the Columbia River abutting 2462 SE 11<sup>th</sup> Avenue; also known as parcel 87280-000 (the "site"). The site is located near Columbia River Mile 121.6. The site and abutting properties to the east, west and north are zoned R-10 (Single-Family Low, 10,000 square foot minimum lot size). Properties to the north are zoned MF-18 (Multi-Family, 18 units per acre maximum density). The Columbia River, which is a shoreline of statewide significance, abuts the south boundary of the site. The site is currently developed with a single-family residence.

2. With this application the applicant proposes to construct a 6-foot by 32-foot-long private recreational floating dock located 321 feet waterward of the Ordinary High Water Mark (the "OHM") of the Columbia River. The applicant will drive two 12-inch diameter steel pilings into the riverbed to support the dock.

a. The Camas Shoreline Master Program (SMP) classifies the shoreline management areas as "Medium Intensity" and "Aquatic". In both environments, a private dock is an allowed shoreline use, which requires a Shoreline Substantial Development permit as the total cost of the development exceeds \$7,047.00 per SMP section 2.3.2.1.

b. The applicant also requests approval of a shoreline variance as the site is located less than ¼ mile from the existing Port of Camas-Washougal marina east of the site. The SMP prohibits new docks within a 1/4 mile of an existing moorage.

c. Additional basic facts about the site and surrounding land and applicable approval standards are provided in the Staff Report to the Hearing Examiner dated June 27, 2022 (the "Staff Report").

3. City staff recommended that the examiner approve the application subject to conditions in the Staff Report. The applicant and the property owner accepted those findings and conditions without exceptions. No one else testified orally or in writing.

4. Based on the findings provided or incorporated herein, the examiner concludes that the applicant sustained the burden of proof that the proposed use does or can comply with the relevant approval standards of the Camas Development Code (the "CDC") and the SMP, provided the applicant complies with conditions of approval recommended by City staff to ensure the proposed use does comply in fact with those standards. Therefore, the examiner recommends the Department of Ecology approve the Shoreline Substantial

Development Permit and Shoreline Variance, subject to the conditions at the end of this final order.

## **B. HEARING AND RECORD HIGHLIGHTS**

1. The examiner received testimony at a public hearing about this application on June 27, 2022. All exhibits and records of testimony are filed at the City of Camas. At the beginning of the hearing, the examiner described how the hearing would be conducted and how interested persons could participate. The examiner disclaimed any *ex parte* contacts, bias, or conflicts of interest. The following is a summary by the examiner of selected testimony and evidence offered at the public hearing.

2. City planner Lauren Hollenbeck summarized her PowerPoint presentation, the Staff Report, and the applicable approval criteria.

3. Property owner Robert Nevin and applicant Jack Loranger testified in support of the application.

a. Mr. Nevin summarized the history of the site. In the past he moored his boat at the Port of Camas-Washougal marina east of the site. However, he recently purchased a larger boat and there are no slips available at the marina that can accommodate his new boat.

b. Mr. Loranger noted that there are only two properties within ¼ mile of the site that could request a dock; the property immediately east of the site and the property two parcels to the west of the site. All of the lots further west are part of a subdivision that is served by a community dock and personal docks are prohibited.

4. No one else testified at the hearing. At the conclusion of the hearing the examiner closed the record and announced his intention to recommend that the Washington State Department of Ecology approve the application subject to the findings and conditions of approval in the Staff Report.<sup>1</sup>

## **C. DISCUSSION**

1. City staff recommended approval of the application, based on the affirmative findings and subject to conditions of approval in the Staff Report. The applicant accepted those findings and conditions without exceptions.

2. The Examiner finds that the Staff Report identifies all of the applicable approval standards for the application and contains sufficient findings showing the application does or can comply with those standards, subject to conditions of approval. These findings were not disputed and are supported by substantial evidence in the record. The Examiner adopts the findings in the Staff Report as his own.

## **D. CONCLUSION**

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<sup>1</sup> The examiner actually announced his intention to approve the application. However, the examiner misspoke, as this application is subject final approval by the Department of Ecology.

Based on the above findings and discussion provided or incorporated herein, the examiner concludes that SHOR22-01 (Nevin Dock) should be approved, because it does or can comply with the applicable standards of the Camas Municipal Code, the Revised Code of the State of Washington.

#### **E. DECISION**

Based on the findings, discussion, and conclusions provided or incorporated herein and the public record in this case, the examiner hereby recommends the Department of Ecology approve SHOR22-01 (Nevin Dock), subject to the following conditions of approval:

#### **CONDITIONS OF APPROVAL**

1. The shoreline decision is valid for a period of five years.
2. The applicant shall comply with SEPA agency comments if submitted.
3. The applicant shall remove the existing decomposing wood dock and revegetate the area beneath to ensure no net loss of ecological functions.

DATED this 8 day of July 2022.

A handwritten signature in black ink, appearing to read "Joe Turner", is written over a horizontal line.

Joe Turner, AICP

City of Camas Land Use Hearings Examiner