

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS, CONCLUSIONS AND DECISION

Applicant: Skagit County Fire District #3
c/o Glen Harmon
P. O. Box 753
Conway, WA 98238

Agent: Josh Axthelm
Axthelm Construction
P. O. Box 2947
Mount Vernon, WA 98273

File No: PL09-0179

Request: Special Use Permit

Location: 21020 Greenfield Street, Conway, within a portion of the
NE1/4NW1/4 Sec. 19, T33N, R4E, W.M.

Parcel Nos: P16904, 16888, 16886

Land Use Designation: Rural Village Residential

Summary of Proposal: To construct a 2,475 square-foot truck bay addition to the
existing Conway Fire Station.

Public Hearing: After reviewing the report of Planning and Development Services,
the Hearing Examiner conducted a public hearing on September
23, 2009.

Decision: The application is approved, subject to conditions.

FINDINGS OF FACT

1. Skagit County Fire District #3 seeks to build a new truck bay addition at the existing Conway Fire Station.
2. The station is located at 21020 Greenfield Street, Conway, within a portion of the NE1/4NW1/4 Sec.19, T33N, R4E, W.M. It is south of Fir Island Road by the baseball field.
3. The existing fire hall was built in the late 1970's or early 1980's and there is no record of a permit for it. The approval of the present application will bring the structure and use into conformity with permit requirements of the current Code.
4. The subject property has a Comprehensive Plan designation of Rural Village and a zoning designation of Rural Village Residential. It lies within an A2 Flood Hazard Zone and is located within 500 feet of designated natural resource land. It is not within shorelines jurisdiction. No critical areas have been observed within 200 feet of the proposed project area.
5. The property is about eight acres in size, basically rectangular in shape, and essentially flat. It is oriented north-south. The baseball field and an asphalt parking lot lie to the west. The areas to the south and east are residential.
6. The existing building, located toward the north end of the property, measures 40' by 104'. It contains four truck bays, administrative offices, a meeting/training room, a kitchen and restrooms. The building receives PUD water and is served by an existing septic system.
7. The subject Special Use Permit request is for an addition of approximately 2,475 square feet. The addition will be a pre-engineered steel structure containing three additional bays located at the south end of the building. The height of the addition will be 20 feet. They new bays will be taller than the existing ones in order to accommodate bigger, more modern equipment.
8. The addition will measure 45' by 55' and will be located approximately 58 feet from the front (east) property line, 35 feet from the south property line and 67 feet from the west property line. There will adequate parking areas available south of the building and in front of the administrative portion of the building. Landscaping will be provided.
9. In total the fire hall and the addition will include more than 3,000 square feet of gross floor area. By definition this makes the facility a major public use. The existing building and the addition are supplied by adequate public services and will not make significant additional demands on the capacity of such services.
10. The application was circulated to various County departments. Their comments are reflected in conditions of approval.

11. There was no written public comment on the application and no public testimony at the hearing.
12. The criteria for a Special Use Permit are set forth at SCC 14.16.900(1)(b)(v), as follows:
 - (a) The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.
 - (b) The proposed use complies with the Skagit County Code.
 - (c) The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.
 - (d) The proposed use will not generate intrusions of privacy of surrounding uses.
 - (e) Potential effects regarding the general public health, safety, and general welfare.
 - (f) For special uses in . . . Natural Resource Lands . . . the impacts on long-term natural resource management and production will be minimized.
 - (g) The propose use is not in conflict with the health and safety of the community.
13. The Staff Report analyzes the application in light of the above criteria and finds that, as conditioned, the project will be consistent with them. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.
14. Environmental review was conducted pursuant to the State Environmental Policy Act (SEPA). As a result a Determination of Non-Significance (DNS) was issued on July 2, 2009. The DNS was not appealed. Critical Areas Review for the proposal is being carried out in conjunction with the building permit process.
15. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the persons and the subject matter of this proceeding. SCC 14.06.050((1)(b).
2. The requirements of SEPA have been met.

3. Major public uses within the Rural Village Residential zone require a Special Use Permit. SCC 14.16.310(4)(f).
4. As conditioned, the project meets the standards for Special Use Permit Issuance. SCC 14.16.900(1)(b)(v).
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

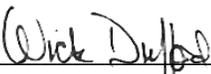
CONDITIONS

1. The project shall be constructed as described in the application materials, except as the same may be modified by these conditions.
2. The applicant shall obtain all necessary approvals, including building permits.
3. The applicant shall comply with the provisions of SCC 14.16.870 , Notification of Development Activities on or Adjacent to Designated Natural Resource Lands.
4. The project shall comply with Chapter 14.34, Flood Damage Prevention.
5. The applicant shall submit a conceptual landscaping plan with the building permit application. Final approval of the landscaping plan shall be obtained prior to commencement of construction.
6. The applicant shall comply with SCC 14.16.830(5), general landscaping standards.
7. The applicant shall comply with all other relevant County, State and Federal regulations and statutes, including but not limited to, Chapter 173-60 WAC (noise), SCC 14.16.840 (noise, vibration, light), Chapters 273-210A WAC and 173-200 WAC (surface and ground water quality), Chapter 14.32 SCC (drainage). Ventilation shall not be addressed by open doors or windows.
8. All outstanding permit fees shall be paid prior to the final approval of the building permit.
9. Planning and Development Services shall be notified within 30 days after any change in ownership of the parcel through submission of a letter to the Planning Director referencing permit number PL 09-179.
10. The project shall be commenced within two years of permit approval.
11. Failure to comply with any condition may result in permit revocation.

DECISION

The requested Special Use Permit is approved, subject to the above conditions.

DONE this 16th day of October, 2009.



Wick Dufford, Hearing Examiner

Date transmitted to Applicant: October 16, 2009

RECONSIDERATION/APPEAL

As provided in SCC 14.06.180, a request for reconsideration may be filed with Planning and Development Services within 10 days after the date of this decision. As provided in SCC 14.06.120(9), the decision may be appealed to the Board of County Commissioners by filing a written notice of appeal with Planning and Development Services within 14 days after the date of the decision, or decision on reconsideration, if applicable.