

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
PL02-0495

PROJECT DESCRIPTION: Notice is hereby given that on November 12, 2002 Dana and Toni Ann Rust filed a complete Shoreline Variance/Substantial Development application to allow the following development: The construction and placement of a commercial artist studio, caretaker quarters and sculpture garden 21' (Corrected from 32') feet landward from the OHWM, with 6.7 and 11 foot side yard setbacks, and with a total site coverage of 15 % within in a Rural Village Commercial zoning. The proposal is located within a Rural shoreline designation and will be reviewed for shoreline residential and shoreline commercial uses. Commercial development in a Rural shoreline designation normally requires a 100-foot shoreline minimum setback and a side yard setback of 50 feet. This property is zoned as Rural Village Commercial.

PROPONENT: Dana and Toni Ann Rust, 5800 Cains Court, Edison, WA 982332

PROJECT LOCATION: The proposed project is located at 5732 Cains Court, Edison, within a portion of Section 33, Township 36 North, Range 3 East, W.M., Skagit County. The subject proposal is located on the shoreline of the Edison Slough designated Rural Commercial Development under the Shoreline Master Program. P# 72963.

LEAD AGENCY: Skagit County Planning and Permit Center.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This determination is subject to the mitigated measures as identified below and shall be deemed conditions of approval of the land use and/or permit pursuant to Skagit County Code 14.12. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

1. Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the placement of any fill material. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage/Erosion/Sedimentation Control Ordinance. Said measures shall remain in place until completion of the project.
2. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage, Water, Sedimentation Control Ordinance, as it relates to increased runoff resulting from additional impervious surfaces.
4. The applicant shall comply with Fire Code Standards.

5. An engineered soils compaction report shall be required for all structures placed on fill material.
6. The applicant shall comply with all relevant provisions of Chapter 14.24(Skagit County Critical Areas Ordinance) which also includes a PCA and the mitigation proposal contained in the Fish and Wildlife report.

This MDNS is issued under WAC 197-11-350(2). The lead agency will not act on this proposal for 15 days from the publication date below.

Comments must be submitted by: 1-24-03.

You May appeal this threshold determination in accordance with Skagit County Code 14.06 and 14.12 and then by filing such with the Skagit County Planning and Permit Center for service to the SEPA responsible official within fourteen (14) calendar days after the date of the threshold determination comment period.

Appeals must be submitted no later than: 2-7-03.

RESPONSIBLE OFFICIAL: Planning Director
CONTACT PERSON: Alison P. Mohns, Environmental Health Specialist II
ADDRESS: 200 W. Washington Street, Mount Vernon, WA 98273.
PHONE: (360) 336-9410

Date 1-9-03 Signature Alison P. Mohns
for Gary Christensen

cc: WDOE, Public Works, NWAPA, Fire Marshal, WSDF&W, Skagit Systems Coop, Dike District #16, Drainage Dist. #19, U.S. Army Corp., Applicant

Please Publish: 1-9-03

