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Skagit County Planning and Development Services



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**SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES
BEFORE THE ADMINISTRATIVE OFFICIAL**

ADMINISTRATIVE DECISION

Findings, Conclusion and Decision

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR
APPLICATION NUMBER: ADMINISTRATIVE DECISION #**PL09-0123**
APPLICANT/ OWNER: HOUSING AUTHORITY OF SKAGIT COUNTY
1650 PORT DRIVE
BURLINGTON, WA 98233

PROJECT LOCATION: Located at 20282 LaFayette Road, Burlington, within a portion of Section 33, Township 35N, Range 4E, W.M., situated within Skagit County, Washington. Parcel # P126057.

PROJECT DESCRIPTION: Administrative Decision Request #PL09-0123 per SCC 14.16.830(5)(i) to allow for an alternative landscape plan based on lot topography. The proposal is required to provide both Type II and Type IV landscaping to be in compliance with the requirements of SCC 14.16.830(4)(b)(d). The alternative landscape request states that *"The landscape plan that was approved for Raspberry Ridge II could not be completed as construction of the swales resulted in insufficient area to plant trees between the swales and adjoining properties to the north or to plant trees in the southeast corner without interfering with existing trees. The addition of a septic filter system on the southeast corner of the property also required a modification to screen the filter system."*

ASSESSOR'S ACCOUNT NUMBERS: 3867-000-025-1400
PROPERTY NUMBER: P126057

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within the Agricultural-Natural Resource Lands (Ag-NRL) zoning/comprehensive plan designated area, with a portion of the property located within the City of Burlington Urban Growth Area in the Urban Reserve Residential zone (URR), as indicated in the Skagit County Comprehensive Plan and associated maps adopted October 10, 2007 and as thereafter amended.

JURISDICTION

The Director of Planning and Development Services or his/her designee has jurisdiction to make a decision on this application without a public hearing. Skagit County Code (SCC) 14.06.050(1)(a)(xii) or SCC 14.06.050(1)(a)(xiii).

DEPARTMENTAL FINDINGS

Pursuant to 14.06.040(4), "Administrative Decision," "Administrative decisions are decisions regarding the applicability of a specific Code section in situations where typically no other discretionary review is needed. Examples include reductions of required landscape buffers, reductions of required parking or reduction of setbacks. Administrative decisions shall be processed as a Level I decision."

1. On March 27, 2007, Skagit County Planning and Development Services completed review of the State Environmental Policy Act (SEPA) checklist submitted in conjunction with Grading permit application #BPO7-0086. As a result of the SEPA review a Mitigated Determination of Nonsignificance (MDNS) was issued and published on March 29, 2009. The MDNS contained 7 conditions of project approval to mitigate the impacts of the proposal on the surrounding environment. Condition #6 stated that *"Prior to building permit approval, the applicant will be required to have a landscape plan approved that minimizes visual impacts on adjacent residential uses."*
2. On September 4, 2008, a letter was sent to Mark King (Zeck Butler Architects) requesting the required landscape plan be submitted for review in conjunction with Building Permit application #'s BPO7-0087 thru BPO7-0090. On October 22, 2008 a revised landscape plan was submitted, reviewed, and a site visit was completed to review and verify the landscaping installation. Base on review of the revised plan, on October 30, 2008, a follow up letter was mailed requesting further additional information. This letter stated, in part, that *"some of the trees shown on the Landscape plan do not belong to Skagit County Housing Authority/Raspberry Ridge".... "It will be necessary to provide Landscaping north of Building B. Please revise the Landscaping Plan to reflect this change."*
3. On November 24, 2008, a response was received and reviewed. The proposal still failed to meet the requirements of SCC 14.16.830 and condition #6 of the final MDNS. On January 27, 2009, Skagit County Building Official Tim DeVries sent a letter to Paul Colbert of the Housing Authority of Skagit County reaffirming the need for the required landscape plan and indicating that there is a process for review of alternative plans through the Administrative Decision process outlined within SCC 14.06.040 and 14.16.830(5).
4. On March 12, 2009, the Housing Authority of Skagit County filed an Administrative Decision request per SCC 14.16.830(5) to allow for an alternative landscape plan based on lot topography.
5. The Administrative Decision application was determined to be complete for review purposes only on March 31, 2009 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on April 2, 2009 per SCC Section 14.06.150. All property owners within 300 feet of the property were sent the Notice of Development. There was a fifteen-(15) day public comment period associated with the Notice which ended on April 17, 2009. One public comment letter was received on April 17, 2009 from Travis and Rosemary Walkup, 20308 LaFayette Road, Burlington, WA 98233, expressing concerns with decreased property values, the location of the bio-swale and the lack of the required landscaping.
6. After reviewing the comments received and the alternative landscape plan, on May 11, 2009, a letter was mailed to Steve Gulliford with the Housing Authority again requesting that landscaping be provided on site or that a landscape easement be obtained from the neighbor to the north with a "No Cut" clause to ensure that the visual buffer will remain in place.
7. On August 18, 2009, Building Official Tim DeVries and Senior Planner Brandon Black met with Executive Director Gustavo Ramos Jr. (Housing Authority of Skagit County) and Patrick Dylan of eccosDesign to discuss the proposed landscape plan. Patrick Dylan

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indicated that a plan can be prepared for review that would allow for an alternative landscape plan and be able to be contained entirely on the subject property.

8. On September 10, 2009, the Housing Authority of Skagit County submitted a revised landscape plan indicating various species of plants located on the subject property along the north property line.
9. After review of the revised alternative landscape plan, staff finds that the requested alternative is acceptable to meet the purpose and intent of SCC 14.16.830 and MDNS condition #6.

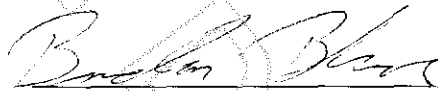
DECISION

The Director hereby approves the Administrative Decision to allow for the alternative landscape plan submitted on September 10, 2009 subject to the conditions listed below:

CONDITIONS

1. The applicant shall obtain all necessary permits.
2. The landscaping shall be installed prior to final approval of the occupancy permits of the structures.
3. A five (5) year maintenance and monitoring plan shall be provided prior to final approval of the occupancy permits.
4. A copy of this decision and landscape plan shall be submitted with the building permits (BP07-0087 thru BP07-0090) to be included with those files.
5. This decision addresses landscaping only and does not dismiss any other previous permit or MDNS conditions.

Prepared By:



Brandon Black, Senior Planner – Team
Supervisor

Reviewed By:



Bill Dowe, CBO, Deputy Director

Date of Decision: October 08, 2009

Date Transmitted to Applicant: October 08, 2009

A level I decision may be appealed to the Hearing Examiner by the applicant or by parties who have commented on the proposal by filing a written Notice of Appeal, together with the applicable appeal fee, with the Administrative Official within 14 days of the date the Notice of Decision was issued. If a Notice of Decision is not required, because the decision is exempt pursuant to SCC 14.06.200(1), then any appeal shall be filed within 14 days of the date the Administrative Official makes the decision. SCC 14.06.110(7).



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