

**SKAGIT COUNTY
OFFICE OF THE HEARING EXAMINER**

re: The application for a Type 3 Home Based Business Permit by **Sean and Tania Petersen on behalf of SNT Racing, LLC**

PL23-0268

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

SUMMARY OF APPLICATION AND DECISION

Application: The Applicants, Sean and Tania Peterson, owners of SNT Racing LLC are requesting approval for a motorcycle repair business as a Type 3 Home-Based Business pursuant to SCC 14.16.300(4)(i). The business would operate out of an existing 2,500 square foot storage building and will be run by the property owners with no additional employees between 8am and 5pm Monday to Friday.

Decision: The requested Type 3 Home Based Business Permit is granted, subject to conditions of approval.

INTRODUCTION

The following Findings of Fact and Conclusions of Law are based upon consideration of the exhibits admitted and evidence presented at a properly noticed public hearing.

FINDINGS OF FACT

I.

Applicant: SNT Racing LLC
17057 Brunswick Street
Mount Vernon, WA 98273

Agent: Sean and Tania Petersen

Site Address: 17057 Brunswick Street
Mt. Vernon, WA 98273

Assessor's Parcel No(s): P21597

<u>Legal Description:</u>	Southwest quarter of Section 12, Township 34N, Range 3E W.M.,
<u>Lot Size:</u>	2.05 acres (89,497 square feet)
<u>Zoning:</u>	Rural Intermediate (RI)
<u>Water Supply:</u>	PUD
<u>Sewage Disposal:</u>	On-Site Septic System
<u>Application Date:</u>	June 6, 2023
<u>Determination of Completeness:</u>	June 21, 2023 (following determination of incompleteness issued June 13, 2023 – exhibits 4 and 6)
<u>Requests for Further information:</u>	July 19, 2023 and November 21, 2023
<u>Adjacent Water Body:</u>	N/A
<u>Shoreline Designation:</u>	N/A
<u>Statewide Significance:</u>	N/A
<u>SEPA Review:</u>	-Notice of Development Application with Optional SEPA DNS noticed to the public and published June 29, 2023. -Mitigated Determination of Non-Significance (MDNS) was issued and published April 18, 2024.
<u>Notice Information:</u>	Application Date: June 7, 2023 Notice of application published, June 29, 2023

Primary Authorizing Codes, Policies, Plans, and Programs:

- Revised Code of Washington (RCW)
 - RCW 36.70A, Growth Management Act
 - RCW 36.70B, Local Project Review
 - RCW 90.58, Shoreline Management Act of 1971
- Washington Administrative Code (WAC) Chapter 197-11, SEPA Rules
- Skagit County Code (SCC)
 - SCC 11 – Roads and Bridges
 - SCC 12 – Health, Welfare, and Sanitation
 - SCC 14 – Unified Development Code
 - SCC 14.02 – General Policies
 - SCC 14.06 – Permit Procedures

- SCC 14.06.050 – Application Level
- SCC 14.16 – Zoning
 - SCC 14.16.300 - Rural Intermediate (RI) Zoning
 - SCC 14.16.730 - Home-based Businesses
 - SCC 14.16.900 - Special use permit requirements
- SCC 16 – Environment
- Skagit County Comprehensive Plan of 6/30/2016, as amended by Skagit County Board of Commissioners through 12/19/23.
- Skagit County Office of the Hearing Examiner Rules of Procedure for Hearings (SCRPH), as authorized by Skagit County Commissioners per Resolution #R20080511 on 11/24/08

Hearing Date: August 23, 2024 – 9:00 AM

Testifying Parties of Record:

County Staff

Angus Bevan, Senior Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

For Applicant

Tania Peterson
17057 Brunswick Street
Mt. Vernon, WA 98273

Public at Hearing In-Person / On-line

Shaun Duncan
Rolla Ritchey
Holly Haffey
Matt Loving
Chris Wegers
Abel Castilla
Sephanie Young
Angel Abbott
Keirsten Miles

Written/Emailed Comments:

Richard & Donna Liddle
13948 Holly Lane

John & Deborah Sanchez
13836 Avon Allen Road

James Darland
13799 Avon Allen Road

Louis and Jennifer Pantano
13916 Holly Lane

Scott Perry
13937 Holly Lane #A

Ed & Tracy Hruby
NW Concrete and Construction

Cecil Olin
104 Gardner Road

Abel Castilleja
17116 Avon Allen Street

Leslie Watts

Mason Brooks
13078 Beaver Lake Road

Mikki Drake

Hearing Examiner Exhibit List:

1. Staff Report and Departmental Findings, dated May 23, 2024.
2. Special Use Permit application, received June 7, 2023
3. Site Plan
4. Determination of Incompleteness, dated June 13, 2023
5. SEPA Checklist with Skagit Review Comments, dated June 15, 2023
6. Determination of Completeness, dated June 21, 2023
7. Notice of Development, dated June 29, 2023
8. Public Comments including a list of commentor details, dated July 14, 2023
9. List of Parties of Record who received notice of application
10. Request for further information, July 19, 2023
11. Response to request dated inclusive of landscape plan, November 16, 2023
12. Request for further information, dated November 21, 2023
13. Subsequent Clarification letter, dated November 29, 2023

14. Landscape Plan, received March 19, 2024
15. SEPA MDNS, published April 18, 2024¹
16. Notice of Public Hearing, published 1 August 2024
17. Public Comments, collected to date of hearing on August 23, 2024

II.

The applicant is requesting approval for the use of the land for a motorcycle repair business as a Type 3 Home-Based Business. The use would be contained within an existing 2,500 square foot storage building and will be operated solely by the property owners.

The subject parcel the used is proposed for was developed with an existing 1,156 square foot manufactured home and a 2,500 square foot storage building. The manufactured home was placed without a permit and is currently seeking approval through a building permit application (BP22-1026).

This application was made following a code enforcement matter (CE21-0052) which found that the proposed motorcycle repair business was already operating without a permit.

Key parameters of the proposed use include, operating hours that would be limited to between 8:00 am and 5:00 pm Monday to Friday, no additional employees, no customers visiting the site aside from motorcycle pick up and drop off, the storage of approximately 50 bikes within the building at any one time, the workshop doors being closed whilst motorbikes are worked upon, and the use of waste oils, solvents, and fuels that are stored in tanks being collected and disposed of bi-monthly by an external waste contractor.

III.

The Skagit County Planning and Development Services Staff have recommended approval of the requested permit in a Staff Report (“Staff Report” **Ex. 1**). The Applicant has indicated there are no factual inaccuracies in the Staff Report’s findings or conclusions, and that they agree to the conditions proposed.

¹ There was inconsistent referencing to Ex. 5 in the record. The “Staff Report” (Ex. 1) referred to this document being “issued” on April 6, 2024 in its exhibit list; but, in the Staff Report’s narrative it describes Ex. 15 as “issued and published 18 April 2024”; and in Ex. 15 itself it mentions having been decided on April 15, 2024 and published on April 18, 2024.

IV.

There were public comments received during the public comment period and testimony received during the hearing itself. The vast majority of the testimony was positive and spoke in contradiction to many of the concerned written comments submitted during the comment period. These concerned written comments were regarding noise levels, increased traffic in the area, property values, historical and cultural preservation, location of the business and wildlife impacts.

V.

SCRPH §§2.06 and 2.08 grants parties the right to object to evidence and to cross-examine. In the case at hand, with full knowledge of the evidence being admitted, no objection was made to any of the 17 exhibits that were admitted into the record.

VI.

The Findings of Fact of Skagit County Planning and Development Services Staff, as set forth in the Staff Report, dated May 23, 2024, a copy of which is attached hereto, are supported by the record as a whole and are hereby adopted and incorporated herein by this reference.

VII.

Any Conclusion of Law below which is deemed a Finding of Fact is hereby adopted as such. Based on the foregoing Findings of Fact, now are entered the following:

CONCLUSIONS OF LAW

I.

The applicant classifies the proposed use as a Type 3 Home Business. A Type 3 Home-Based Business is one that meets the following criteria:

- i.** Is carried out by a member or members of a family residing in the dwelling and may include up to three additional employees;
- ii.** Is clearly incidental and secondary to the use of the property for

dwelling purposes;

- iii. The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;
- iv. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;
- v. Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic, and other environmental impacts beyond that which is common to a residential area;
- vi. Does not create a level of parking demand beyond that which is normal to a residential area;
- vii. May have clients come to the site;
- viii. If established after June 1, 1997, shall not be used as justification for future Comprehensive Plan amendment and/or rezone requests.²

As proposed and conditioned, the applicant's proposal would meet the definition of a Tye 3 Home Business.

The purpose of the Rural Intermediate (RI) Zone is to provide and protect land for residential living in a rural atmosphere, taking priority over, but not precluding, limited nonresidential uses appropriate to the density and character of the zone; long-term open space retention and critical area protection are encouraged.³

In the RI Zone, a Type 3 Home-Based Business is an authorized Special Use subject to meeting criteria and being approved by the Hearing Examiner.⁴

² SCC 14.16.730(4)(a)

³ SCC 14.16.300(1)

⁴ SCC 14.16.300(4)(i)

II.

Many of those concerns addressed in the concerned written comments have been addressed by conditioning in the SEPA decision, and also by testimony given at the hearing regarding the state of the unpermitted use.

The totality of the evidence revealed that the already unpermitted existing use was generally compatible with the character of the neighborhood, produced minimal impacts on neighbors, and the environment. Prior unpermitted use might have applicability in a variance review, but not in a special use review; similarly, property values are not a criterion, except in regard to landscaping conditions.⁵ The Hearing Examiner finds that with both the SEPA conditions and the conditions of approval required herein, the concerned comments have been adequately addressed or mitigated, to the extent that there was substance to address.

III.

Any proposed Special Use Permit can be approved if consistent with the Special Use Criteria of SCC 14.16.900, administrative criteria and also specific substantive criteria including:

- (A) The proposed use will be compatible with existing and planned land use.
- (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 on privacy of surrounding uses.
- (E) The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.
- (F) For special uses in Industrial Forest—Natural Resource Lands, Secondary Forest—Natural Resource Lands, Agricultural—

⁵ See SCC 14.16.830(1)(c)

Natural Resource Lands, and Rural Resource—Natural Resource Lands, the impacts on long-term natural resource management and production will be minimized.

- (G) The proposed use is not in conflict with the health and safety of the community.
- (H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.
- (I) The proposed use will maintain the character, landscape, and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.⁶

Additionally, Type 3 Home-based Businesses must specifically meet the criteria that defines that classification in SCC 14.16.730.⁷

In this case, after reviewing the files and testimony, and making the specific findings in §II, the Hearing Examiner finds that with appropriate conditions of approval, the project would be compliant with all of the above applicable Special Use criteria. Consequently, subject to proposed conditions of approval, the proposed use should be approved.

IV.

Any Conclusion of Law deemed to be a Conclusion of Fact is hereby adopted as such. Based on the foregoing Findings of Fact and Conclusions of Law, now is entered the following:

DECISION

A permit shall be granted to the applicant for a Home-Based Business, Type 3 on Assessor's Parcel No. P21597, addressed as 17057 Brunswick Street, Washington, subject to the following conditions:

⁶ SCC 14.16.900(1)(b)(v)

⁷ SCC 14.16.900(2)(f)

1. **Building Permit:** A building permit is required to be approved by Skagit County Planning and Development Services prior to work/construction. The building is required to meet all applicable Fire and Building Code standards.
2. **Permitting:** All applicable permits (local, state, and federal) shall be obtained prior to construction activities begin onsite. Copies of permits shall be provided to the Skagit County Planning and Development Services Department at the time of building permit application submittal.
3. **Zoning:** The applicant shall comply with all relevant provisions of Skagit County Code 14.16 – Zoning.
4. **Performance Standards:** The applicant shall comply with all performance standards per SCC 14.16.840.
5. **Fire:** The commercial occupancy must demonstrate compliance with International Fire Code. The occupancy must coordinate annual fire life safety inspections and have one completed prior to the use commencing.
6. **SEPA MDNS:** The applicant shall comply with all conditions specified in the approved Mitigated Determination of Non-significance (MDNS).
7. **No outside storage:** No motorcycle parts, or any materials associated with motorcycle repairs and testing are permitted to be stored outside of the workshop.
8. **Signs:** No more than 4 square feet of non-illuminated business identification signage is permitted at any time unless explicitly approved by Skagit County.
9. **Access:** A commercial access permit is required.
10. **Parking:** All parking associated with the use, including customer drop-off and pick-up must be accommodated on-site.
11. **Landscaping:** All landscaping must be undertaken in accordance with SCC14.16.830(6).
12. **Landscaping adjacent access:** All landscaping within 30 feet of a driveway must not impair the sight vision between 30 inches and 8 feet from the ground. All trees shall have no branches or foliage below 8 feet above street level.

13. **Hydrogeology:** A hydrogeology report inclusive of a Spill Prevention Plan and Material Safety Data Sheet information must be submitted and approved by Skagit County prior to issuance of any building permits in conjunction with the use. The hydrogeology report must address the requirements of SCC 14.24.330 and 14.24.340.
14. **Stormwater:** The use, and any incidental works required as a result of this permit must satisfy the requirements of the NPDES Permit and the DOE Storm Manual.
15. **Public Utility District:** The use, and any incidental works required as a result of this permit must satisfy all Skagit Public Utility District requirements.
16. **Copy of Decision:** A copy of this decision shall be submitted with the building permit application.
17. **Permit Time Limit:** Per SCC 14.16.900(1)(d), the project shall be commenced within 2 years of Special Use Permit approval.
18. **Fees:** All outstanding fees, including recording fees, shall be paid prior to final approval of the Building Permit Application.

NOTICE OF POTENTIAL REVOCATION & PENALTIES

This Approval is subject to all of the above-stated conditions. Failure to comply with them may be cause for its revocation.

Complaints regarding a violation of this permit's conditions should be filed with Skagit County Planning and Development Services. Violations of permit conditions may result in revocation (or modification) of the permit, administrative action under SCC ch. 14.44 (including monetary penalties), and the violations being declared a public nuisance.

THIS PERMIT IS NOT VALID (AND NO CONSTRUCTION NOR OPERATION AUTHORIZED BY THIS PERMIT SHALL BEGIN) UNTIL THIRTY (30) DAYS AFTER THE DATE OF FILING AS DEFINED BY RCW 90.58.140(6) OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN THIRTY (30) DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCW 90.58.140(5)(A)(B)(C) and WAC 173-27-190.

NOTICE OF APPEAL PROCEDURES FROM FINAL DECISIONS OF THE SKAGIT COUNTY HEARING EXAMINER

This action of the Hearing Examiner is final.

The applicant, any party of record, or any county department may appeal any final decision of the hearing examiner to the Skagit County Board of Commissioners pursuant to the provisions of SCC 14.06.110. The appellant shall file a written notice of appeal within 14 calendar days of the final decision of the hearing examiner, as provided in SCC 14.06.110(13) or SCC 14.06.120(9), as applicable; for shoreline permit applications, by filing notice of appeal within five days of the decision.

More detailed information about reconsideration and appeal procedures are contained in the Skagit County Code Title 14.06 and which is available at <https://www.codepublishing.com/WA/SkagitCounty/>.

DATED this 4th day of September 2024



Rajeev D. Majumdar
Whatcom County Hearing Examiner



SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES STAFF REPORT

Date: May 23, 2024

The application of Sean and Tania Peterson (SNT Racing LLC) for a Hearing Examiner Special Use Permit	File Number: PL23-0268 FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS
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I. SUMMARY OF APPLICATION AND RECOMMENDATIONS

Summary: Sean and Tania Peterson, owners of SNT Racing LLC are requesting approval for a motorcycle repair business as a Type 3 Home-Based Business pursuant to SCC 14.16.300(4)(i). The business would operate out of an existing 2,500 square foot storage building and will be run by the property owners with no additional employees between 8am and 5pm Monday to Friday.

Recommendation: Skagit County Planning and Development Services staff recommends that the Skagit County Hearing Examiner approve the applicant's request, subject to the recommended conditions located in Section VII of this report.

Exhibit List:

1. Staff Report and Departmental Findings dated May 23, 2024.
2. Special Use Permit application received 7 June 2023
3. Site Plan
4. Determination of Incompleteness dated 13 June 2023
5. SEPA Checklist with Skagit Review Comments dated 15 June 2023
6. Determination of Completeness dated 21 June 2023
7. Notice of Development dated 29 June 2023
8. Public Comments including a list of commentor details dated 14 July 2023
9. List of Parties of Record who received notice of application
10. Request for further information 19 July 2023
11. Response to request dated inclusive of landscape plan 16 November 2023
12. Request for further information dated 21 November 2023
13. Subsequent Confirmation letter dated 29 November 2023
14. Landscape Plan received 19 March 2024
15. SEPA MDNS issued 6 April 2024
16. Notice of Public Hearing Published 1 August 2024

II. PRELIMINARY INFORMATION

<u>File Number:</u>	PL23-0268
<u>Owner/Applicant:</u>	SNT Racing LLC 17057 Brunswick Street Mount Vernon 98273
<u>Parcel Numbers:</u>	P21597
<u>Site Address:</u>	17057 Brunswick Street Mount Vernon 98273
<u>Zoning / Land Use:</u>	Rural Intermediate (RI)
<u>Lot Size:</u>	2.05 acres (89,497 sqft)
<u>Water Supply:</u>	PUD
<u>Sewage Disposal:</u>	On-Site Septic System
<u>Application Date:</u>	6 June 2023
<u>Determination of Completeness:</u>	21 June 2023 (following determination of incompleteness issued 13 June 2023) (Exhibits #4 and #6)
<u>Requests for Further Information</u>	19 July 2023 & 21 November 2023 (Exhibits #10 & #12)

Application Request: The applicant is requesting approval for the use of the land for a motorcycle repair business as a Type 3 Home-Based Business. The use would be contained within an existing 2,500 square foot storage building and will be operated solely by the property owners. Key parameters of the use include:

- Operating hours of 8am and 5pm Monday to Friday
- No additional employees
- No customers visiting the site outside of motorcycle pick up and drop off
- Approximately 50 bikes stored within the building at any one time while one is being worked on
- Workshop door is closed whilst motorbikes are worked on
- Involves the use of waste oils, solvents, and fuels that are stored in tanks collected and disposed of bi-monthly by external waste contractor

Exhibit #2 includes details of the application. Exhibit #3 includes the proposed site plan for the application.

See Figure 1 below for the proposed site plan and location of the workshop.

Survey: All Property Lines, Corners and Dimensions, as shown, are from information supplied by the county web sites. No liability is assumed for variances ascertained by actual or more recent surveys.

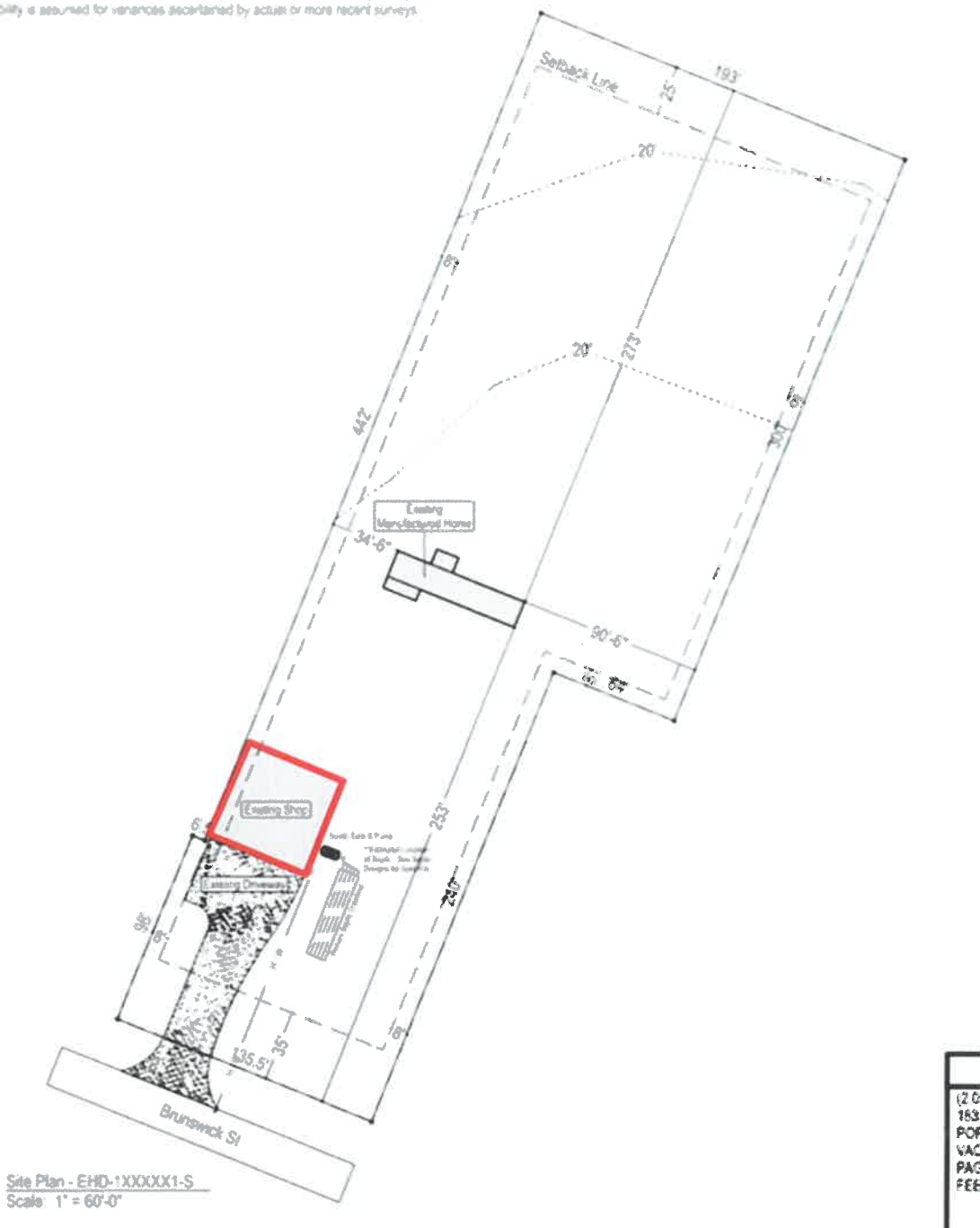


Figure 1 - Proposed site plan with workshop outlined in red

Site Description: The site is located on the northern side of Brunswick Street between Avon Allen Road to the west and Holly Lane to the east. The site is formally recognized as Parcel P21597 which is approximately 2.05 acres in size. The land is generally flat and features minimal vegetation and landscaping of note.

The land is developed with an existing 1,156 sqft manufactured home and a 2,500 square foot storage building that is subject to this special use permit application. The manufactured home was placed without a permit and is currently seeking approval through a building permit application (BP22-1026).

The land is accessed via an existing driveway to Brunswick Street to the south with secondary access via a driveway shared with the immediate eastern neighbor (17075 Brunswick Street, P21608).

The site is serviced with water by Skagit Public Utility District and features an on-site septic system previously approved by the County (SW22-0018).

The site is located within a flood prone area. FEMA FIRM Maps Panel 5301510250C identify the site as being within Zone A0 which is recognized as having a 1% or greater chance of shallow flooding per year and a 26% chance of flooding over a 30 year period.

See Figure 2 below for recent aerial imagery of the site and surrounds.



Figure 2 - Skagit County 2023 Aerial Imagery with subject site highlighted in red

The land is located within the Rural Intermediate (RI) zoning designation. Several parcels proximate to the site are located within the Rural Business and Small-Scale Business zoning designations.

See Figure 3 below for zoning context surrounding the site.



Figure 3 - Zone Context Plan, subject site highlighted in red

The following table provides a summary of neighboring zoning designation and observed land uses.

Direction:	Zoning:	Present Land Use:
North:	Rural Intermediate (RI)	Residential
East:	Rural Intermediate (RI), Rural Business (RB), and Small-Scale Business (SSB)	Residential and commercial
South:	Rural Intermediate (RI)	Residential
West:	Rural Intermediate (RI)	Part residential and part-vacant

Property History: Permit history of the site is summarized below:

- PL22-0542 – Home-Based Business 2 application for small engine repairs. Application withdrawn shortly after submission and resubmitted. This application represents the resubmitted application following the withdrawal of PL22-0542.
- S96-1082 – Onsite Sewage Permit approved 19 December 1996.
- PL16-0470 – Boundary Line Adjustment (BLA) approved 14 October 2016. This BLA adjusted the boundary between parcels P21597 (subject site) and P21601 (land immediately east of rear portion of parcel owned by the operator of Commercial Alarm and Detection and Commercial Fire Protection due east of subject site fronting Bennet Road).
- PL16-0497 – Lot Certification issued following BLA under PL16-0470.
- SW22-0018 – Onsite Sewage Permit approved 18 February 2022.
- BP22-1026, FP22-0075, BP22-1170 – Building Permits and Flood Area Development certificate associated with the manufactured home located in the northern portion of the site. These applications are yet to be determined.

It is noted that this application was made following a code enforcement matter (CE21-0052) which found that the proposed motorcycle repair business was operating without a permit.

Staff Routing: The application materials were routed to Natural Resources (Critical Areas and Water Resources), the Public Health Department, Stormwater Review, Fire Marshal, and Public Works staff for review on August 14, 2023. Discussion of their comments are provided below in Section V.

III. PUBLIC NOTICE AND COMMENT

Requirements for public notice are contained in Chapter SCC 14.06.150. Notice of this application has been issued in accordance with these requirements.

Notice of Application:

The Notice of Development Application for this proposal was published on June 29, 2023. The Notice of Development Application was also sent to neighboring property owners within 300 feet of the property boundaries and the site was posted with the notice. The fifteen (15) day comment period ended July 14, 2023 (Exhibit #7)

Public Comment:

During the public comment period for the Notice of Development Application, Skagit County Planning and Development Services received six comments (two from same party) from the public (Exhibit #8 & #9). A summary of comments received and a response to each is provided in the below table.

Comment	Response
Noise impacts to nearby residential use	<p>Noise is expected to be generated by the testing of motorcycles and possibly the use of powered tools to carry out repair works.</p> <p>SCC 14.16.730(4)(a)(v) states that home-based businesses must not create noise beyond the norm for a residential area.</p> <p>This matter is addressed in the SEPA MDNS (Condition 10 of MDNS). A condition requiring the use to comply with the SEPA MDNS will be included in this condition to tie the use to those requirements.</p>
Traffic impacts on nearby roads	<p>Roads surrounding the subject site are considered to have sufficient capacity to accommodate the proposed use. Whilst there will be an increase of traffic as a result, it is not considered to be above and beyond the capacity of the road network in the surrounding area.</p>
Property value concerns	<p>Property valuation is not a core consideration in the assessment of Home-Based Businesses (per SCC 14.16.730) nor the Rural Intermediate Zone. Protection of home value is however considered as part of the landscaping code pursuant to SCC 14.16.830.</p> <p>SCC 14.16.830(a)(c) states that landscaping should be used to help 'maintain property values'.</p> <p>As the landscape code is applicable to applications for special use, compliance with this code will be discussed in Section D of this report below.</p> <p>Conditions of the MDNS and as part of this application will ensure compliance with the landscaping provision at SCC 14.16.830 it will therefore not create any unreasonable impacts to property value within the context of the Skagit County Code.</p>

<p>Inappropriate location for motorcycle repair business</p>	<p>Home-Based Business 3 are special use permits within the Rural Intermediate Zone. They are not outright prohibited within the zone.</p> <p>This report will assess the proposal and determine the appropriateness of the location for the proposed used.</p>
<p>Traffic safety impacts arising from testing of motorcycles and inappropriate use of local roads for testing.</p>	<p>The applicant has stated that an average of one test ride is undertaken per week where the motorcycle leaves the premises and turns right onto Brunswick Street and heads off into the valley.</p> <p>Numerous submissions have cited the use of local roads for frequent motorcycle testing.</p> <p>The use of public local roads is beyond the scope of this planning permit and introducing some form of limits to the use of public roads would be unreasonable.</p> <p>The applicant may freely use public roads for any legal purpose provided that the use of those roads is conducted in a legal manner.</p>
<p>Illegal use of land</p>	<p>This application seeks review of the proposed use on a first-principles basis. The use of land for a Home-Based Business III is a permitted use under the Rural Intermediate zone as a Hearing Examiner Special Use Permit. While it is acknowledged that this use was established without a legally issued permit, the owner/operator is seeking this approval to bring the use into compliance with Skagit County Code.</p> <p>Prior illegal uses of the land are not valid planning concerns and does not reasonably weigh on the approval or refusal of this planning application.</p> <p>Should a permit not be issued, the use would continue to be illegal and would be subject to enforcement proceedings.</p>
<p>Smell associated with use impacting nearby residential use</p>	<p>Automotive and Motorcycle repairs are generally expected to create some level of odor and emissions as a result of the use.</p> <p>The proposal, involving one owner/employee working on one motorcycle at any one time is not considered to generate a hazardous level of fumes or emissions to the immediately neighboring area.</p> <p>In response to this comment, the applicant asserts that there is no smell arising from the use. They have however noted that the use is to operate inside with all doors close and that exhaust hoses have been acquired to provide ventilation to the shop.</p> <p>This matter is addressed in the SEPA MDNS (Condition 4 of MDNS). A condition requiring the use to comply with the SEPA MDNS will be included in this condition to tie the use to those requirements.</p>
<p>Use incompatible with character of neighborhood</p>	<p>There is no evidence to suggest that the use is incompatible with the character of the neighborhood. There are several businesses located within the immediate area. There is considered to be sufficient diversity to the broader character of the area and suitable flexibility within the zone to</p>

	<p>permit such a use provided it satisfies the requirements of applicable Skagit County Code.</p> <p>This report will review the applicable code requirements and make a determination on appropriateness and subsequent recommendation to the Hearing Examiner.</p>
Potential precedent setting for future business within neighborhood	<p>Each planning application is reviewed in the context of the applicable requirements of the Skagit County Code on a first-principles basis.</p> <p>Provided each new use satisfies the requirements of the code, it would be considered acceptable.</p> <p>Whilst precedent may assist future applications it does not obviate the requirements of the code.</p>
Use disruptive to wildlife (specifically birds)	<p>There is no evidence to suggest that the small use of the land for motorcycle repairs would unreasonably impact wildlife in the surrounding area.</p> <p>Conditions included in the SEPA MDNS and as part of the final recommendation of this report will provide for conditions addressing potential noise impacts. It is anticipated that these conditions will suitably mitigate any potential noise impacts to wildlife.</p>
Potential impacts of use and disposal of hazardous chemicals, oils, and solvents	<p>This matter has been addressed as part of the SEPA MDNS. All operations are required to be confined internally to the building which would be dry flood proofed as required by SEPA MDNS Condition 3. This dry flood proofing layer is anticipated to contain most accidental spills and any potential improper handling of chemicals, oils, solvents, etc.</p>
COVID rule violations due to large gatherings on SNT Racing land	<p>This matter is not relevant to this application nor is it a valid planning consideration.</p>

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

Chapter 43.21C RCW contains the State Environmental Policy Act (SEPA). The Act is implemented through the SEPA rules found at Chapter 197-11 WAC.

The State Environmental Policy Act (SEPA) requires applicants to disclose potential impacts to the environment unless the proposal is categorically exempt from SEPA threshold review. The proposal is not categorically exempt.

The optional DNS (WAC 197-11-355) process was used for public notice and circulation of the SEPA checklist. The Notice of Development Application with Optional SEPA DNS was noticed to the public, routed to agencies, and published in the SEPA register 29 June 2023.

Skagit County, as Lead Agency for SEPA purposes, reviewed the completed SEPA checklist (Exhibit #5) submitted by the applicant and determined that there would be no significant impacts to the environment subject to conditions. As such a Mitigated Determination of Non-significance (MDNS) was issued and published 18 April 2024 (Exhibit #15).

There was a fourteen (14) day appeal period which ended on 2 May 2024. No appeals were received.

The MDNS included the following conditions:

1. *The applicant shall comply with Northwest Clean Air Agency (NWCAA) requirements.*
2. *The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Stormwater Management Ordinance, as it relates to increased runoff resulting from additional impervious surfaces. Best Management practices shall be utilized throughout the life of the project.*
3. *The applicant shall comply with the provisions of Chapter 14.34 of the Skagit County Code (Flood Damage Prevention). Specifically, the applicant must comply with the requirements of SCC 14.34.150 and obtain floodproofing certification. This may be obtained as part of the relevant building permit process.*
4. *Mechanical ventilation in accordance with the 2021 International Mechanical Code must be provided and be approved by the Skagit County's Building Department. This may be obtained as part of the relevant building permit process.*
5. *The applicant shall comply with Fire Code Standards.*
6. *The applicant shall comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance).*
7. *The proposal must comply with all applicable requirements of Skagit County Code 14.16 and specifically SCC 14.16.300 (RI) and 14.16.730 (Home Based Business).*
8. *All motorcycle repairs and testing must be conducted indoors within the proposed workshop.*
9. *At all times when work is being undertaken or motorcycles are being tested, all doors and openings to the workshop must be closed.*
10. *No motorcycles, parts, or any associated materials associated with motorcycle repairs and testing are permitted to be stored outside of the workshop.*
11. *Noise levels shall not exceed max noise levels specified in WAC 173-60-040 at any time.*
12. *Landscaping must be installed along the south-eastern, southern, and south-western boundaries in accordance with the concept landscape plan received March 19 2024 (prepared by Travis Powell, Boulder Creek). All landscaping must be of Type 3 in accordance with SCC 14.16.830(4)(c) and must be installed to achieve a 6ft tall effective visual screen along the boundaries elected for landscaping in the concept plan received March 19 2024. Landscaping within 30 feet of the driveway must not impair the sight vision between 30 inches and 8 feet from the ground.*
13. *Boundary landscaping must be maintained as long as the business is in operation.*
14. *The operation must comply with performance standards outlined in SCC 14.16.840.*

These conditions, per the issued MDNS, are deemed conditions of any approval issued under this application. For certainty, a condition is recommended to require the use to be consistent with the approved SEPA MDNS. See recommended condition 6.

V. CONSISTENCY WITH REGULATIONS AND FINDINGS OF FACT

A. Roads and Bridges (SCC Title 11)

The Skagit County Public Works Department reviewed the proposal and states:

1. Commercial Access permit is required for the new use.

B. Health, Welfare, and Sanitation (SCC Title 12)

The Skagit County Public Health Department reviewed the proposal and confirmed that the site was adequately serviced by PUD and an approved septic permit (SW22-0018) has been issued.

C. Permit Procedures (SCC 14.06)

The application has been processed in accordance with the procedures set out in SCC 14.06.

A Lot Certification has been recoded with the property (AFN 201612280095). A permit is therefore eligible to be issued pursuant to SCC 14.06.045(2) and SCC 14.06.090(1)(b).

D. Zoning (SCC 14.16)

Rural Intermediate (SCC 14.16.300)

The purpose of the Rural Intermediate (RI) zone, pursuant to SCC 14.16.300(1) is to provide and protect land for residential living in a rural atmosphere, taking priority over, but not precluding, limited nonresidential uses appropriate to the density and character of the zone. Long-term open space retention and critical area protection are encouraged.

Pursuant to SCC 14.16.300(4)(i), the use of land for a Home-Based Business 3 is a Hearing Examiner special use.

The dimensional standards outlined at SCC 14.16.300(5) are not relevant noting that no new buildings are proposed as part of this application. The applicant is proposing the use in an existing building that was constructed prior to permitting requirements within Skagit County (circa 1960).

SCC14.16.300(6) states that additional requirements relating to the RI zone are found in SCC 14.16.600 through 14.16.900.

Findings: The proposal seeks approval to use the land for a Home-Based Business 3 use. Approval of a Special Use Permit from the Hearing Examiner is therefore required.

The proposed use is not considered incompatible from the surrounding neighborhood under the zone. There are several non-residential uses in the immediate area that provide sufficient diversity to the character of the area. This diversity does not preclude the use from approval subject to meeting balance code requirements specified in SCC 14.16.

Home-Based Business (SCC 14.16.730)

SCC 14.16.730 outlines three distinct categories of Home-Based Business. The proposal is excluded from being categorized as a home-based business 1 and 2 as it would be operated out of a building that is separate to, and exceeds 50% of the living area of, the dwelling on site.

SCC14.16.730(4)(a) outlines a number of criteria that a special use permit for a Home-Based Building 3 is subject to. The following table provides an assessment of the proposal against this criteria:

SCC 14.16.730(4)(a) Criteria	Assessment
<i>(i) Is carried out by a member or members of a family residing in the dwelling and may include up to three additional employees;</i>	The use would be carried out by a member of the family residing in the dwelling located on the land. No additional employees are proposed.
<i>(ii) Is clearly incidental and secondary to the use of the property for dwelling purposes;</i>	The use would be incidental and secondary to the use of the property as a dwelling.

<p><i>(iii) The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;</i></p>	<p>The use would be operated in a building separate to the dwelling. The building is existing but would not be considered incompatible with the residential area.</p>
<p><i>(iv) Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;</i></p>	<p>The use would not involve any outside storage on the land. Restricting outside storage is recommended as a condition of approval.</p> <p>The applicant has advised that one sign, not greater than 4 square feet will be provided. A larger sign was present on the land at one stage, however it has since been removed and reduced to the 4 sq ft size limit.</p> <p>A permit condition is recommended to explicitly limit the sign to no more than four square feet to provide for certainty for all parties and adequate code enforcement should the need arise.</p>
<p><i>(v) Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;</i></p>	<p>Some objections have cited unreasonable noise, odor, and traffic impacts associated with the use.</p> <p>A suite of conditions have been recommended to address potential noise and odor impacts as part of the SEPA MDNS and included in this recommendation.</p> <p>On compliance with these conditions, the proposal would not be considered to give rise to any level of noise or odor that would be unreasonable in this specific area.</p> <p>With respect to traffic, the use is not considered to give rise to any unreasonable increase in traffic impacts in the area. The use is operated by one individual from a relatively small workshop that has a limited capacity for future expansion. It is not considered to generate any unreasonable amount of traffic increases that would exceed the capacity of local roads.</p>
<p><i>(vi) Does not create a level of parking demand beyond that which is normal to a residential area;</i></p>	<p>There is not anticipated to be any on-street parking impacts associated with the use. It is recommended that a condition be included on any permit, if one is to be granted, to restrict all parking associated with the use to be located on the land.</p>
<p><i>(vii) May have clients come to the site;</i></p>	<p>It is expected that clients will visit the site for drop off and pick up of their motorbikes.</p>
<p><i>(viii) If established after June 1, 1997, shall not be used as justification for future Comprehensive Plan amendment and/or rezone requests.</i></p>	<p>Noted. No amendments to the Comprehensive Plan nor any rezoning requests will be entertained if this permit, if granted, is used as justification.</p>

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The above table suggests that, subject to stringent conditions controlling off-site impacts, the proposed Home-Based Business 3 meets the subject criteria.

Parking (SCC 14.16.800)

SCC 14.16.800(2) does not specify any minimum number of spaces for a motorcycle repair business/Home-Based Business 3. Instead, the minimum parking number would be classified as 'other uses not specified above' with an equivalent minimum number of spaces as determined by the Administrative Official based on anticipated parking demand.

The existing driveway servicing the site is large in size. This driveway would be capable of addressing any parking demands associated with the pickup and drop off of motorcycle repairs.

As such, the proposal is considered to meet the requirements of SCC 14.16.800.

Landscaping Requirements (SCC 14.16.830)

The purpose of this code, outlined at SCC 14.16.830(1) is to provide an aesthetically pleasing balance between the built and natural environment for the residents of Skagit County. It should be used to help, among other matters, soften and enhance the appearance of the built environment, buffer conflicting land uses, and maintain property values.

SCC 14.16.830(2) states that, an approved landscape plan is required for any special use. As such, this code is relevant to this application. A basic conceptual landscape plan was submitted as part of the application in response to submissions received by third parties and requests from the County. See Exhibit #14.

Landscaping was required as part of the MDNS issued under the State Environmental Policy Act. Conditions 11 and 12 of the MDNS are relevant and are reproduced below:

11. *Landscaping must be installed along the south-eastern, southern, and south-western boundaries in accordance with the concept landscape plan received March 19 2024 (prepared by Travis Powell, Boulder Creek). All landscaping must be of Type 3 in accordance with SCC 14.16.830(4)(c) and must be installed to achieve a 6ft tall effective visual screen along the boundaries elected for landscaping in the concept plan received March 19 2024. Landscaping within 30 feet of the driveway must not impair the sight vision between 30 inches and 8 feet from the ground.*
12. *Boundary landscaping must be maintained as long as the business is in operation.*

Per the MDNS and SCC 16.12.119(7) 'mitigation measures incorporated in the mitigated DNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the County'.

Noting this, the above landscape conditions will be considered as part of this assessment, but not reproduced in any recommendations of this permit if one is to be issued.

The submitted concept landscape plan (see Figure 4 below) does not elect types of property boundaries nor provides sufficient detail on type or number of landscaping proposed. Whilst not sufficient with respect to the requirements of SCC 14.16.830(4) the conceptual location of landscaping is considered acceptable.

A condition has been included in the SEPA MDNS requiring landscaping to be installed in accordance with SCC 14.16.830. For convenience, this condition has been included as a

recommended condition of approval of this Special Use Permit. Landscaping will be subsequently reviewed at building permit stage.

It is considered that the requirements of Type III are applicable to each of these boundaries noting that SCC 14.16.830(4)(c)(i) states that Type III are the typical landscape requirement that every commercial application shall meet.

Condition 11 of the MDNS specifies that each of the elected parts of the boundary be landscaped in accordance with the requirements of Type III specified in SCC 14.16.830(4)(c) and include the necessary landscaping restrictions to preserve safe ingress and egress sight lines.

This is considered acceptable in meeting the requirements of SCC 14.16.830. It is however recommended that an additional general condition be applied to the permit so that the general standards of SCC 14.16.830(6) are satisfied as part of the special use permit.

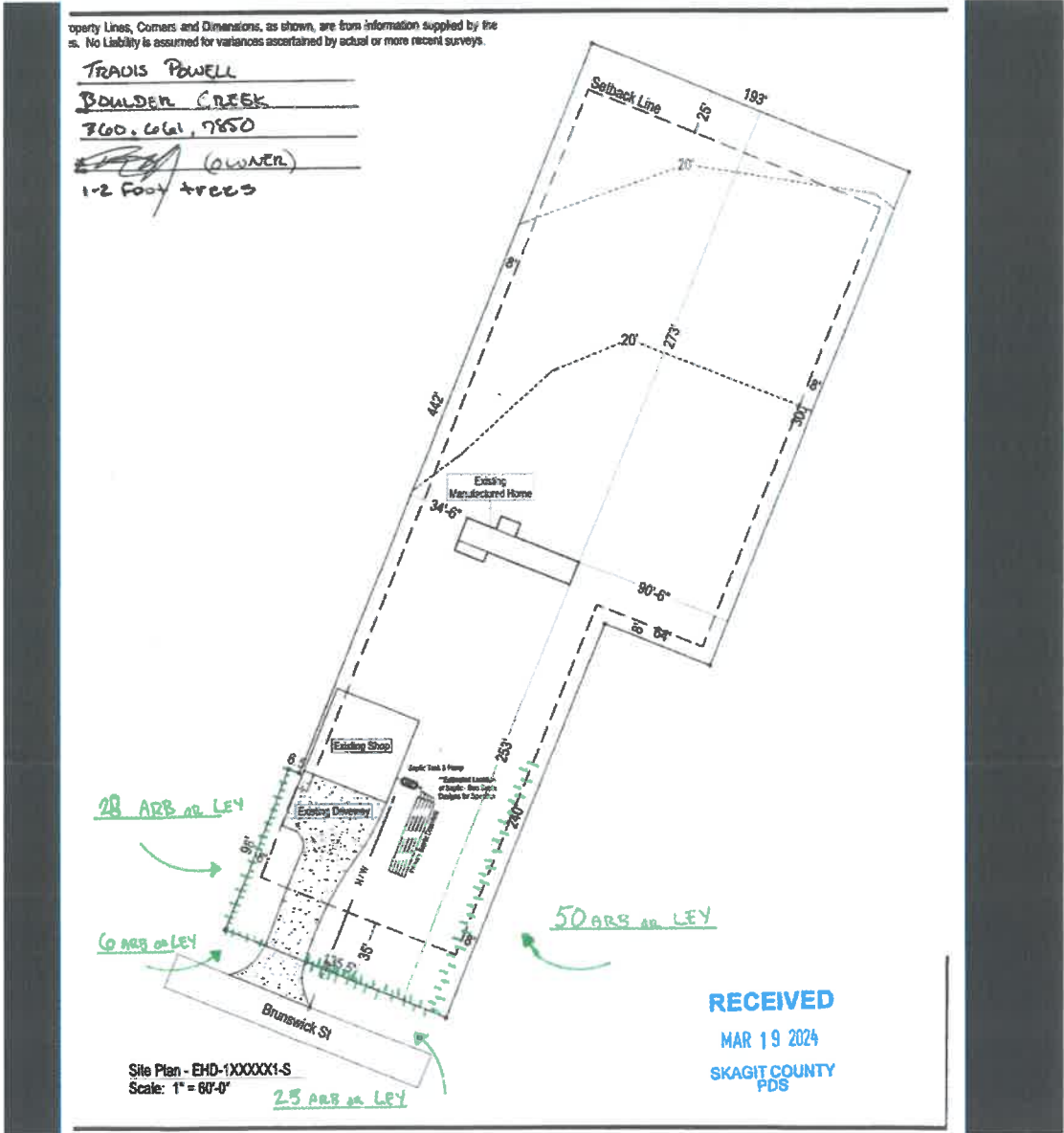


Figure 4 - Proposed concept landscape plan

Special Use Permit Requirements (SCC 14.16.900)

SCC 14.16.900(1)(b)(v) states that the burden of proof shall be on the applicant to provide evidence in support of the application and sets out the criteria for approval or denial.

The following will outline each decision criteria, the applicant's response and staff analysis.

SCC14.16.900(1)(b)(v)(A) – The proposed use will be compatible with existing and planned land use

Applicant: *Per 14-16-300 in Rural intermediate home based business is allowed.*

Staff Analysis: While home-based business is permitted under the Rural Intermediate zone, it is not an outright permitted use and requires further scrutiny. The site is located within a pocket of Rural Intermediate residing on the western side of the Skagit River. In close proximity to this site are a number of commercial zones (RB, SSB, RI, NRI). An additional home based business in this location would not adversely impact the long term future use of Rural Intermediate zoned land for the encouraged residential use. Subject to conditions outlined in the MDNS and this recommendation, staff is satisfied that the majority of off-site impacts would be appropriately managed to achieve compatibility with surrounding land uses.

SCC14.16.900(1)(b)(v)(B) – The proposed use complies with the Skagit County Code

Applicant: *Per 14.16.300*

Staff Analysis: This report provides a comprehensive review of consistency with SCC.

SCC14.16.900(1)(b)(v)(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

Applicant: *Only start units when done to ensure properly fixed and running. Noise doesn't exceed any medium levels.*

Staff Analysis: The MDNS has determined that noise may be problematic and as such a suite of conditions have been included to mitigate noise generation to surrounding land uses. These conditions are considered sufficient to address noise impacts.

SCC14.16.900(1)(b)(v)(D) – The proposed use will not generate intrusions on privacy of surrounding uses

Applicant: *No, work done inside shop.*

Staff Analysis: There are no privacy concerns associated with the proposal. Additionally, the required landscaping will mitigate physical and visual intrusions of the use to adjacent land.

SCC14.16.900(1)(b)(v)(E) – The proposed use will not cause potential adverse effects on the general public health, safety, and welfare

Applicant: *None. Work is repair of engines inside shop.*

Staff Analysis: Risks to public health, safety, and welfare are minimal. The proposed workshop would be operated by one individual between 8am and 5pm Monday to Friday with a maximum

of 50 bikes stored in the workshop at any one time. Furthermore, all doors and windows will be shut during use.

Public health, safety, and welfare hazards may arise in the event of severe flooding should chemicals, oils, and solvents be improperly stored or handled. This matter is addressed as part of the MDNS which requires the building to be dry flood proofed. This will prevent the off-site discharge of hazardous or toxic materials.

SCC14.16.900(1)(b)(v)(F) – For special uses in Industrial Forest – Natural Resource Lands, Secondary Forest – Natural Resource Lands, Agricultural—Natural Resource Lands, and Rural Resource—Natural Resource Lands, the impacts on long-term natural resource management and production will be minimized

Applicant: *Does not apply. Zone is RI.*

Staff Analysis: The property is located in the Rural Intermediate zone which is not a Natural Resource Land zone, and therefore this criterion does not apply.

SCC14.16.900(1)(b)(v)(G) – The proposed use is not in conflict with the health and safety of the community

Applicant: *Work is done inside shop for small engine repair.*

Staff Analysis: The proposal would not impact the health and safety of the community due to stringent conditions specified in the MDNS and this recommendation.

SCC14.16.900(1)(b)(v)(H) – The proposed use will be supported by adequate public facilities or services and will not adversely affect the public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities

Applicant: *No*

Staff Analysis: The site is located within the Skagit County Public Utility District service area. It is not anticipated to adversely impact these public services nor will it impact serviceability to surrounding areas. Irrespective, a standard condition requiring the use to comply with all PUD requirements will be included should a permit be recommended.

SCC14.16.900(1)(b)(v)(I) – The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permits shall be reviewed and considered for cumulative impact

Applicant: *Existing building since 1960, all work is done inside closed doors.*

Staff Analysis: Whilst no works are being proposed to substantially alter the site, the use itself raises questions of compatibility with surrounding area in terms of character and lifestyle.

The use of land for a home-based business 3 for a relatively small motorcycle repair shop is not considered to give rise to any detrimental impacts to character or lifestyle subject to the conditions specified in the MDNS and this recommendation.

The conditions would require the use to be undertaken indoors with doors and windows closed and would require further boundary landscaping. This would minimize impacts to surrounding land uses and resolve any questions of compatibility.

The proposal, when taken into context with the two businesses to the east of the site, is not anticipated to give rise to any cumulative impacts. The proposed home based business is relatively smaller than the other two physically and in order of the scale of use.

E. Critical Areas Ordinance (SCC 14.24)

Critical Areas: Critical areas staff reviewed the proposal for compliance with SCC 14.24 under file number PL20-0412. There were no critical area indicators noted within 200 feet of the proposed building location and the critical areas review was approved.

Aquifer Recharge: Water review was undertaken. Their response deferred to original preapplication comments issued in 2020. Those comments state:

Pre-development notes state a hydrogeology report is required including a spill response plan and MSDS sheets on stored chemicals and impacts.

It is recognized that the site is classed as Category II Aquifer Recharge Area pursuant to SCC 14.24.310.

The requirement for a hydrogeology report is recommended to be deferred to a condition of approval. This approach is considered reasonable given that there are significant hurdles to approval of this permit. It is more preferable to defer the cost associated with the hydrogeology report given the lack of concrete certainty on whether an approval would be issued for this proposal.

With respect to the spill response plan and MSDS sheets, these are considered acceptable to be addressed way of condition should a permit be granted.

F. Stormwater Management (SCC 14.32)

A stormwater review was undertaken by the County. They note:

The property is located within the NPDES Permit area and as such is subject to the requirements of the NPDES Permit and the DOE Stormwater Manual. Depending on the building/site use, land disturbing activity, and new and/or replaced hard surfaces the proposal may be subject to additional stormwater requirements such as runoff treatment, flow control, or source control best management practice provisions as examples.

Whilst no works are proposed as part of this use, it is understood that the requirements of the MDNS and this permit may result in stormwater improvements. As such, the requirements of the NPDES Permit and the DOE Storm Manual will be required to be satisfied by way of condition.

G. Flood Damage Prevention (SCC 14.34)

The subject site is located within Zone A of FEMA Flood Insurance Rate Mapping. As such it is within a 100 year floodplain.

Skagit County's Building Official has stated that a flood permit will be required for the structure as outlined in Part H below.

H. Building and Construction (SCC Title 15)

Building Code

The Skagit County Building Official reviewed the proposal and noted that a building permit will be required for the change of use and must include an ADA restroom if employees or customers visit the site, and also must include an engineer's design for dry flood proofing. The Official further noted that a flood permit will be required for the structure and must include an elevation certificate and must be flood proofed if not 1' above the base flood elevation. See FEMA technical bulletin 3.

Fire Code

The Skagit County Fire Marshal reviewed the proposal and states:

1. All commercial occupancies shall demonstrate compliance with International Fire Code and any applicable County Code. The business shall coordinate annual fire life safety inspections and have one completed prior to issuance of special use approval. Contact Fire Marshal Office at 360-416-1842

VI. DEPARTMENT RECOMMENDATION

Based on a review of all associated environmental studies, special use criteria, and the above findings, the Planning and Development Services staff recommends **APPROVAL** of the requested Special Use Permit for the SNT Racing LLC Home Based Business III proposal, subject to the conditions of approval listed below:

VII. CONDITIONS OF APPROVAL

1. **Building Permit:** A building permit is required to be approved by Skagit County Planning and Development Services prior to work/construction. The building is required to meet all applicable Fire and Building Code standards.
2. **Permitting:** All applicable permits (local, state, and federal) shall be obtained prior to construction activities begin onsite. Copies of permits shall be provided to the Skagit County Planning and Development Services Department at the time of building permit application submittal.
3. **Zoning:** The applicant shall comply with all relevant provisions of Skagit County Code 14.16 – Zoning.
4. **Performance Standards:** The applicant shall comply with all performance standards per SCC 14.16.840.
5. **Fire:** The commercial occupancy must demonstrate compliance with International Fire Code. The occupancy must coordinate annual fire life safety inspections and have one completed prior to the use commencing.
6. **SEPA MDNS:** The applicant shall comply with all conditions specified in the approved Mitigated Determination of Non-significance (MDNS).
7. **No outside storage:** No motorcycle parts, or any materials associated with motorcycle repairs and testing are permitted to be stored outside of the workshop.
8. **Signs:** No more than 4 sqft of non-illuminated business identification signage is permitted at any time unless explicitly approved by Skagit County.
9. **Access:** A commercial access permit is required.
10. **Parking:** All parking associated with the use, including customer drop-off and pick-up must be accommodated on-site.
11. **Landscaping:** All landscaping must be undertaken in accordance with SCC14.16.830(6).
12. **Landscaping adjacent access:** All landscaping within 30 feet of a driveway must not impair the sight vision between 30 inches and 8 feet from the ground. All trees shall have no branches or foliage below 8 feet above street level.

13. **Hydrogeology:** A hydrogeology report inclusive of a Spill Prevention Plan and Material Safety Data Sheet information must be submitted and approved by Skagit County prior to issuance of any building permits in conjunction with the use. The hydrogeology report must address the requirements of SCC 14.24.330 and 14.24.340.
14. **Stormwater:** The use, and any incidental works required as a result of this permit must satisfy the requirements of the NPDES Permit and the DOE Storm Manual.
15. **Public Utility District:** The use, and any incidental works required as a result of this permit must satisfy all Skagit Public Utility District requirements.
16. **Copy of Decision:** A copy of this decision shall be submitted with the building permit application.
17. **Permit Time Limit:** Per SCC 14.16.900(1)(d), the project shall be commenced within 2 years of Special Use Permit approval.
18. **Fees:** All outstanding fees, including recording fees, shall be paid prior to final approval of the Building Permit Application.

Prepared By:



Angus Bevan, Senior Planner

Reviewed By:



Brandon Black, Senior Planner



PLANNING & DEVELOPMENT SERVICES

1800 Continental Place • Mount Vernon, WA 98273 Office 360.416.1320 • www.skagitcounty.net/planning

Special Use Submittal Checklist

Approved prior to Special Use Application:

- Lot Certification** (Recorded copy required, no exemptions.)
 - Approved Lot Certification, previously recorded; OR, PL16-0497
 - Approved Lot Certification, PDS will submit it for recording.
- Critical Area Review** AS PL20-0412
 - Report due at submittal (If required)
 - Provide staff letter of approval at submittal.
- Pre-Application Meeting or Waiver** CONDUCTED 1/02/20

Submitted with Special Use Application

- Fees** \$ 3369.60 ^{HE} **Special Use** \$ 603.16 ^(A) **Publication** \$ 673.92 **SEPA** \$ 139.73 **Public Works** \$ 134.78 **Water** \$ 204.50 **Recordings** \$ 5125.69
- Fact Sheet** (Fully completed.)
- Ownership Certificate** (Notarized signature of Property Owner)
- Critical Area Report** (If required.) Provide 2 copies.
- Site Plan** No larger than 11 x 17
See attached page for all site plan requirements.
- Floor Plan** If applicable.

Project Description/Narrative

Answer all questions with complete sentences on following pages.

- Completed Sections I & II**
- Detailed Description of Business Functions** (If applying for forms C, D, E, F or J)
- Form** (14.16.900(3))
 - A** Temp Manufactured Home – Elderly or Disabled Family Member
 - B** Temp Manufactured Home – Accessory to Farm Dwelling Unit
 - C** Bed & Breakfast
 - D** Outdoor Outfitters Enterprises
 - E** Home Based Business II or III
 - F** Home Based Business III Marijuana
 - G** Mineral Resource Overlay
 - H** Personal Wireless Facility
 - I** Rural Business Expansion and/or Rural Business Change of Use
 - J** Master Planned Resort
 - K** Temporary Events
 - L** Kennels
- SEPA Checklist** (If required or not previously completed.)
- Pre-Addressed/Stamped Envelopes** for both owners of record and the physical addresses within 300 feet of property boundary. **Include a list of property owners and physical addresses.**
 - ONE set for Administrative.
 - TWO sets for Hearing Examiner.
- Landscaping Plan** (If required)
- Parking Plan** (If required)

Date application was accepted: 31 of 106

RECEIVED

NOV 03 2022

SKAGIT COUNTY PDS

Accepted by PL23-0268

Permit Number PL22-0542

Zoning / Setbacks R.I.

Flood Plain/Floodway 0250C AR 31

Shoreline 5 FPS Velocity

Notes:

CE21-0052

Section 1

Planning & Development Services Fact Sheet

PL#: _____

Community Development Division

Received
6/7/23

- Administrative Decision
- Agricultural Variance
- Binding Site Plan
- Boundary Line Adjustment
- Final Plat
- Long CaRD
- Lot Certification
- Modification
- Open Space
- Pre-application Review
- Preliminary Plat
- Shoreline Exemption
- Shoreline Substantial Use Permit
- Short CaRD
- Short Plat
- Special Use Permit Level I**
- Special Use Permit Level II**
- Variance Level I
- Variance Level II
- Other _____

Brief Project Description: Motorcycle repair - traffic drop off and pick up only
no employees

Other Related Permits or Approvals: _____

Applicant Name: _____

Parcel ID#: 21597 Assessor Tax #: 340312 - 0 - 061 - 0009

Parcel ID#: _____ Assessor Tax #: _____ - _____ - _____

Section 12 Township 34 Range 03

Site Address: 17054 Brunswick St. Mt. Vernon, WA 98273

Recorded Lot of Record: Yes No PL# 201612280095

Urban Growth Area: Yes No If yes, City: _____

Comprehensive Plan/Zoning Designation: R.I.

Comp Plan/Zoning within 200 feet: X Mineral Resource Overlay within 1/4 mile: Yes No

Critical Area/Shoreline within 200 feet: Yes No Fire District: 02

Acreage and/or Lot Dimensions: 2.05 Acres

Flood Zone: A0 FIRM Map Panel #: 0250C Map Date: _____

Road access: Private County - Permit #: 30300 State - Permit #: _____

Water Source: Drilled well - Permit #: _____ Community Well Public: PUD #1 Anacortes

Sewage Disposal: Septic - Permit #: SW22-0018 Public Sewer: _____

Legal Description: See Attached

(Attach additional sheet if necessary.)



Planning & Development Services

Community Development Division

Applicant

Sean and Tania Peterson

Name

17057 BRUNSWICK ST MT VERNON WA 98273

Address

(360) 303-7097

Phone

Fax

Petersonsean52@gmail

e-mail address

Signature: Sean Peterson

Owner

Sean Peterson

Name

17057 BRUNSWICK ST MT VERNON WA 98273

Address

(360) 303-7097

Phone

Fax

Petersonsean52@gmail

e-mail address

Contact

SAME AS ABOVE

Name

Address

Phone

Fax

e-mail address

Contractor (When applicable. If owner, write owner-builder)

owner-builder

Name

Address

Section 6

Please answer the following questions in complete sentences describing your proposal in detail. Attach a separate page if necessary.

1. Describe your proposal/business? husband repairs motorcycles
engines, suspension. Customers
drop off and pick up when done.
2. What days and hours will your operation be open? _____
Monday - Friday 8am - 5pm
3. How many employees will you have? 0
4. State their working hours: 0
5. Will the employees be working on-site? 0
If not, how many will be working off-site? 0
6. Will there be signs indicating the operation? business sign
If so, where will they be placed and what size will they be? above shop
door app. 3 x 8 ft. not lighted
7. Businesses need to be concealed from public view. How do you intend to do this? Will you use plants, shrubs or fences as a buffer? we only work on a bike
at a time so bikes are stored inside
building, so no bikes or parts stored
outside
8. Describe the parking area. (You will need to ensure that you don't encroach on neighbors or into the road right-of-way.) gravel driveway with
small concrete pad outside of shop
door.

Please state your schedule for the development of this business/operation. since 1960 building was already for business use.

If development is phased please describe timelines. building has been there since 1960

9. Describe the traffic impact of your operation on the County or State road system (such as the use of large trucks or constant vehicle traffic)? limited to customer drop to 1 a day or less.

10. Will your operation have an internal road system? *If so, please provide a layout plan of that system. no - single driveway and parking in front of shop.

11. How is your property accessed? By private, county or state road? 30300 county road - Brunswick St

12. Will the operation generate heat from machinery or equipment? Describe no machinery or equipment to produce heat

14. Will the operation generate noise or odors? If so, how do you plan to offset possible impacts? Describe only noise is starting bike to make sure it's fixed.

15. Will steam, smoke or dust be generated by the operation? Describe no

16. Is heavy equipment or machinery being used? Will there be vibrations that may be felt by adjoining properties? Describe no - small engine repair
no such activity

1. Will chemicals, waste oils, solvents, fuel, etc. be stored at the operation? yes
in tanks that are picked up by company

If so, please state what kinds, how much and how they will be stored. oil for recycle in approved tanks.

How will they be disposed of? company picks up for recycling

2. Will visitors, customers or employees have access to adjoining property? no
Please describe your plans for preventing trespassing. shop is locked when not in operation, system is monitored by police station

3. If your operation will be using a building please describe the size, height and construction type. This building must be shown on the site plan. Please provide a floor plan.

50 x 50 2500 sqft Metal pole building
see attachment on next page

17. Describe the sewage disposal plan for employees and the public—include permit numbers.

septic # SW22-0018 / 5911-1082
10 br. system

18. Describe the water supply for employees and the public. approved pub

19. Is water served by PUD, community water or drilled well (include permit numbers)

yes - see att. hook up & approval.

20. Address any fire flow issues.

see floor plans for placement of extinguisher installed

Section 6

Please address the General Special Use Permit Application Evaluation Criteria. SCC 14.16.900(1)(b)(v) Attach a separate page if necessary.

The burden of proof shall be on the Applicant to provide evidence in support of the application.

(A) The proposed use will be compatible with existing and planned land use.

per 14-16-300 in Rural intermediate home based business is allowed.

(B) How does the proposed use comply with the Skagit County Code? Please cite code section.

per 14-16-300

(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.

only start units when done to insure properly sized and running - noise does not exceed any maximum levels.

(D) The proposed use will not generate intrusions on privacy of surrounding uses.

(E) The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

(F) For special uses in Industrial Forest—Natural Resource Lands, Secondary Forest—Natural Resource Lands, Agricultural—Natural Resource Lands, and Rural Resource—Natural Resource Lands, the impacts on long-term natural resource management and production will be minimized.

(G) The proposed use is not in conflict with the health and safety of the community.

(H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

(I) The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

(c) Approved special [uses](#) identifiable through the [Department's](#) permit tracking system shall be mapped upon request.

(d) All special [uses](#), including master planned resorts, shall require a [development](#) project be commenced for the entire parcel within 2 years of the permit approval, unless [development](#) is phased. For the purposes of this Section, "commenced" shall mean either (1) the [use](#) permitted by the permit has been established or (2) a complete [building permit](#) has been filed with Planning and [Development](#) Services for the [principal building](#) which will allow the [use](#). Upon [building permit](#) approval, the [principal building](#) shall be completed (i.e., final inspections completed) within 3 years. Those portions of the property, which are not included within the [development](#) area and where the above time frames are not met, shall automatically be removed from the special [use](#) approval, unless a phasing plan is approved pursuant to Subsections (1)(d)(i) and (iii) of this Section. For purposes of this Subsection, "[development](#) area" shall mean all portions of the [site](#) needed to meet UDC requirements, such as [lot coverage](#) and [setbacks](#).

(i) If an [applicant](#) desires to phase [development](#) of a special [use](#), a phasing plan shall be submitted and reviewed as part of the special [use](#) permit [application](#). When a special [use](#) includes a phasing plan, the initial phase shall be commenced and completed within the time frames articulated above, except that for master planned resorts, [development](#) in the initial phase must be commenced consistent with the approved phasing plan. Subsequent phases for special [uses](#), except for master planned resorts, shall be commenced and/or constructed within the time frames established in the phasing plan, or within a 6-year period. Subsequent phases for master planned resorts shall be commenced and/or constructed within the time frames established in the approved phasing plan. Otherwise, the special [use](#) shall expire for those portions of the property where these requirements are not met.

(ii) Where a special [use](#) did not initially include a phasing plan, but prior to the automatic permit reversion an [applicant](#) desires the phasing of the operation, a phasing plan may be submitted to the [County](#) for consideration. This plan shall be reviewed through a Level II review process and be reviewed for compliance with the special [use](#) criteria.

(iii) The time limits established above shall be tolled pending resolution of any [appeals](#), and may be extended by the [Board of County Commissioners](#) upon a showing that the [applicant](#) is diligently taking actions to obtain necessary permits and approvals to establish the [use](#).

(2) Special [Uses](#) with Specific Criteria.

(1) Will the operation impact dwellings and property in the immediate area? If so, explain how.

no - most all work is inside
building with shop door closed.

(J) Will the proposed use intrude on the privacy of the surrounding areas? If not, why? no

work done inside shop.

(K) What potential effects could your proposal have to the general public health, safety and general welfare?

none - work is small repair of
engine inside shop

For special uses in Industrial Forest – Natural Resource Lands, Secondary Forest – Natural Resource Lands, Agricultural – Natural Resource Lands, and Rural Resource – Natural Resource Lands, How will the impacts on long-term natural resource management and production be minimized?

does not apply zone is R.I

(L) Describe how the proposed use complies with the health and safety of the community? _____

work is done inside shop for small
engine repair

(G) Will the proposed use be supported by adequate public facilities and services? _____

no

(1) Identify the public facilities and services. none

(2) Describe any impact to those facilities. none

(3) Describe the plan to minimize any impacts on these facilities? none

small repair shop inside work
much like an average home garage

(I) Describe how the proposed use will maintain the character, landscape and lifestyle

of the rural area?

existing building since 1910, all
work is done inside closed doors.

(1) Identify any existing business operating via special use permit within close proximity of the proposed use.

only business in close proximity is across
the street and has no special use permit.

Please address Special Uses with Specific Criteria. Attach a separate page if necessary.

Failure to address the required criteria will cause delays in processing your application.

Provide the corresponding form for your application type.

See Forms A - K

Form F. Home Based Business 3. SCC 14.16.900(2)(f)

Special Use permits are subject to the following criteria:

- i) Is carried out by a member or members of a family residing in the dwelling and may include up to 3 additional employees; Identify who is involved with the business. How many employees?

Home based businesses with no employees

- ii) Is clearly incidental and secondary to the use of the property for dwelling purposes; How are you achieving this? How much area is being devoted to the business?

This is our home, shop is secondary to our home.

- iii) The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;

yes its a 50x50 pole building similar to other business and residential shops

- iv) Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of 1 sign not to exceed 4 square feet, provided such sign shall not be illuminated; How is this criteria being met?

all equipment and tools are stored inside locked shop and sign meets size standards and is not illuminated

How large is your sign? Where will it be placed?

sign is 4 square feet and above shop door.

- v) Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental [impacts](#) beyond that which is common to a residential area; Please describe how your proposal meets this requirement.

Small engine repair shop, creates
not noise, odors, dust, vibration, creates
less disturbance than average traffic

- vi) Does not create a level of parking demand beyond that which is normal to a residential area during the hours that clients come to the site. Where are customers parking?

no parking, customer drop off
and pick up approx. twice @ week

- vii) May have clients come to the [site](#). Describe how many and when.

one or two a week for drop off
and pick up bikes

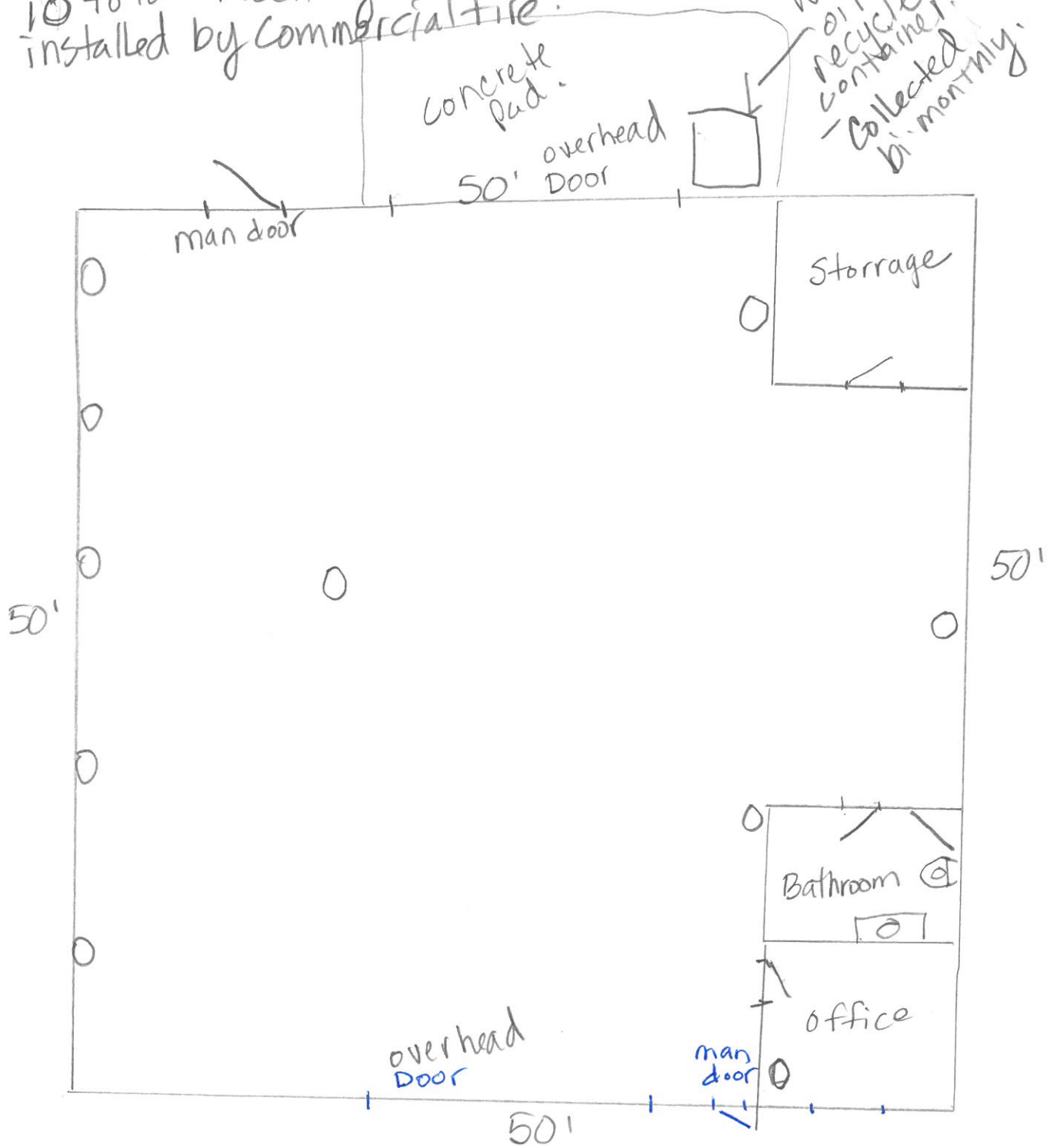
- viii) If established after June 1, 1997, shall not be used as justification for future [Comprehensive Plan](#) amendment and/or [rezone](#) requests.

It should be noted that the intent of this category of special [uses](#) is to allow [home based businesses](#) to operate with the above-noted limitations. When the [business](#) grows beyond the criteria established above and the conditions included in any approval, the [business](#) shall relocate to a zoning classification which would permit the activity.

we has no employes and do not
intend to ever expand our business
from what it is now.

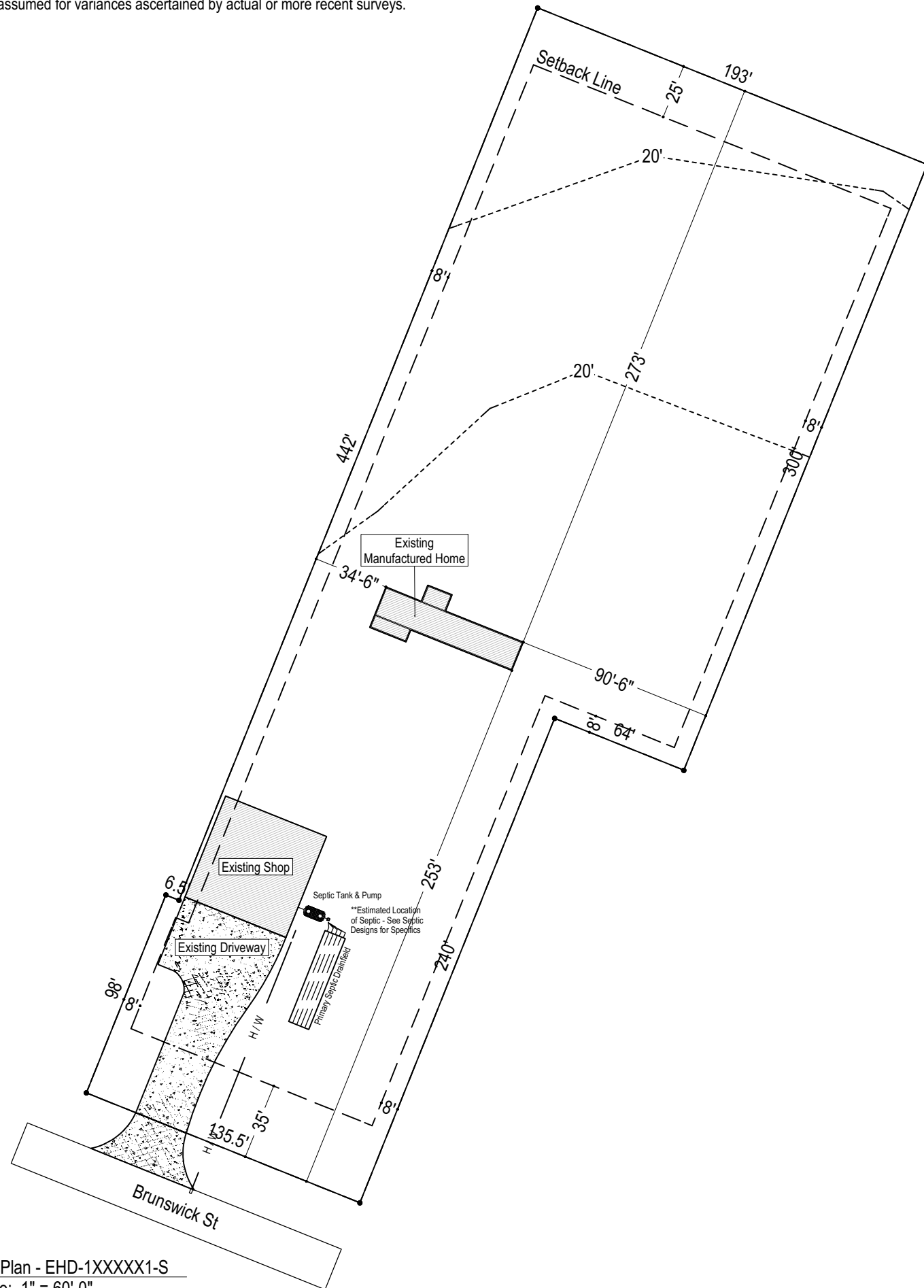
Shop Floor Plan

O = Fire Extinguishers,
10 total, recently
installed by Commercial Fire.



** This is not a survey. All Property Lines, Corners and Dimensions, as shown, are from information supplied by the homeowner or county web sites. No Liability is assumed for variances ascertained by actual or more recent surveys.

EXHIBIT #3



Site Plan - EHD-1XXXXX1-S
Scale: 1" = 60'-0"

Legend - New Construction

Conditioned Space
Unconditional Space
Existing Structures
Driveway/Sidewalk

- H/W — = Water Line
- S — = Sewer / Septic
- G — = Gas / Propane
- E/L — = Electrical

Elevation Points	
Location	Height (Ft)

SITE ANALYSIS

PROPERTY

Property Area =	89497 Sq.Ft.
Setback Area =	- 17811 Sq.Ft.
Easement Area =	- 0 Sq.Ft.
Wetland Area =	- 0 Sq.Ft.
Wetland Buffer Area =	- 0 Sq.Ft.
Buildable Area =	71686 Sq.Ft.

HABITABLE

- Existing 1st Floor =	1156 Sq.Ft.
Total Habitable =	1156 Sq.Ft.

IMPERMEABLE & PERMEABLE

- Existing 1st Floor =	1156 Sq.Ft.
- Existing Driveway =	3379 Sq.Ft.
- Existing Shop =	2500 Sq.Ft.
Total Impermeable =	7035 Sq.Ft.

Permeable Area = 82462 Sq.Ft.

Total Impermeable / Property Area
(7035 / 89497) = 7.86%

LOT COVERAGE (Structures over 42" High)

- Existing 1st Floor =	1156 Sq.Ft.
- Existing Shop =	2500 Sq.Ft.
Total Coverage =	3656 Sq.Ft.

Total Coverage / Property Area
(3656 / 89497) = 4.09%

FAR (Floor Area Ratio) Calculations

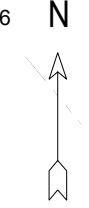
- Existing 1st Floor =	1156 Sq.Ft.
Total Coverage =	1156 Sq.Ft.

Total Coverage / Property Area
(1156 / 89497) = 1.29%

Received 06/15/2023
by RE

Legal Description

(2.0500 ac) DK 12: TRACT C OF A SURVEY RECORDED DECEMBER 7, 1995 IN VOLUME 17 OF SURVEYS, PAGE 183, UNDER AUDITOR'S FILE NO. 9512070025, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND BEING A PORTION OF GOVERNMENT LOT 4, SECTION 12, TOWNSHIP 34 NORTH, RANGE 3 EAST, W.M., AND OF VACATED SKALINGS ADDITION TO THE TOWN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 12, RECORDS OF SKAGIT COUNTY, WASHINGTON. EXCEPT THE EAST 35 FEET OF THE NORTH 300 FEET THEREOF.



ELEVATION
Elevation Home Designs LLC
2102 E Main #105 Puyallup, WA 98372
PH: 866.657.4371 | elevationhd.com

SNT Racing LLC

17057 Brunswick Street
Mount Vernon, WA 98273
360-682-0030
Parcel # - P21597

Disclaimers:
- These plans are the exclusive property of Elevation Home Designs (EHD) and may not be sold to any person or business without express written consent of EHD. These plans are for one (1) time use only for EHD's customer SNT Racing LLC and to be built on the customer's site at 17057 Brunswick Street in Mount Vernon, WA 98273.
- NOTICE: DO NOT SCALE. The written dimensions on this plan supersede any scaled measurements.
- Copyright notice: these plans are copyrighted and are subject to copyright protection as an "architectural work" under sec. 102 of the copyright act, 17 USC as amended December 1980. The protection includes but is not limited to the overall form as well as the arrangement and composition of spaces and elements of design. Under such protection, any unauthorized use of these plans, the design in whole or part, can legally be prosecuted. Written permission must be obtained and granted prior to any use and/or design changes to these plans.

Site Plan

Elevation Home Designs
Job #: 22-0255

Printed On:
6/14/2023 14:48:24

Layout Sheet #
1 of 1

Sheet:

A0.1



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

June 13, 2023

Sean & Tania Peterson
17057 Brunswick Street
Mount Vernon, WA 98273

**RE: Determination of Incompleteness – PL23-0268
Hearing Examiner Special Use Permit for Home Based Business**

Dear Sean and Tania:

In accordance with Skagit County Code ([SCC 14.06.100](#)), Skagit County Planning and Development Services (PDS) reviewed the above referenced application (#PL23-0268) that was received on June 7, 2023, and determined the application **incomplete** for review purposes on June 13, 2023. Additional information will need to be submitted to our office prior to continuing review of the application. PDS requests that you submit the following information:

1. Site Plan. A site plan is required to be submitted with all Special Use Permit applications (even for existing structures). Please submit a site plan that meets all of the applicable requirements of the Site Plan Requirements Checklist. Please be sure that the site plan is to scale and that it includes all existing and proposed structures, impervious surfaces, and utilities (septic, waterlines, etc.). I have included an exhibit from a boundary line adjustment involving your property that shows your property boundaries and the Site Plan Requirements Checklist for your convenience.

The requested information is required to be submitted to Skagit County PDS within 180-days of the date of this letter pursuant to SCC 14.06.100. Once PDS has received the above referenced information, review of the project will continue. Please submit all requested information at one time in a single packet to avoid further delays.

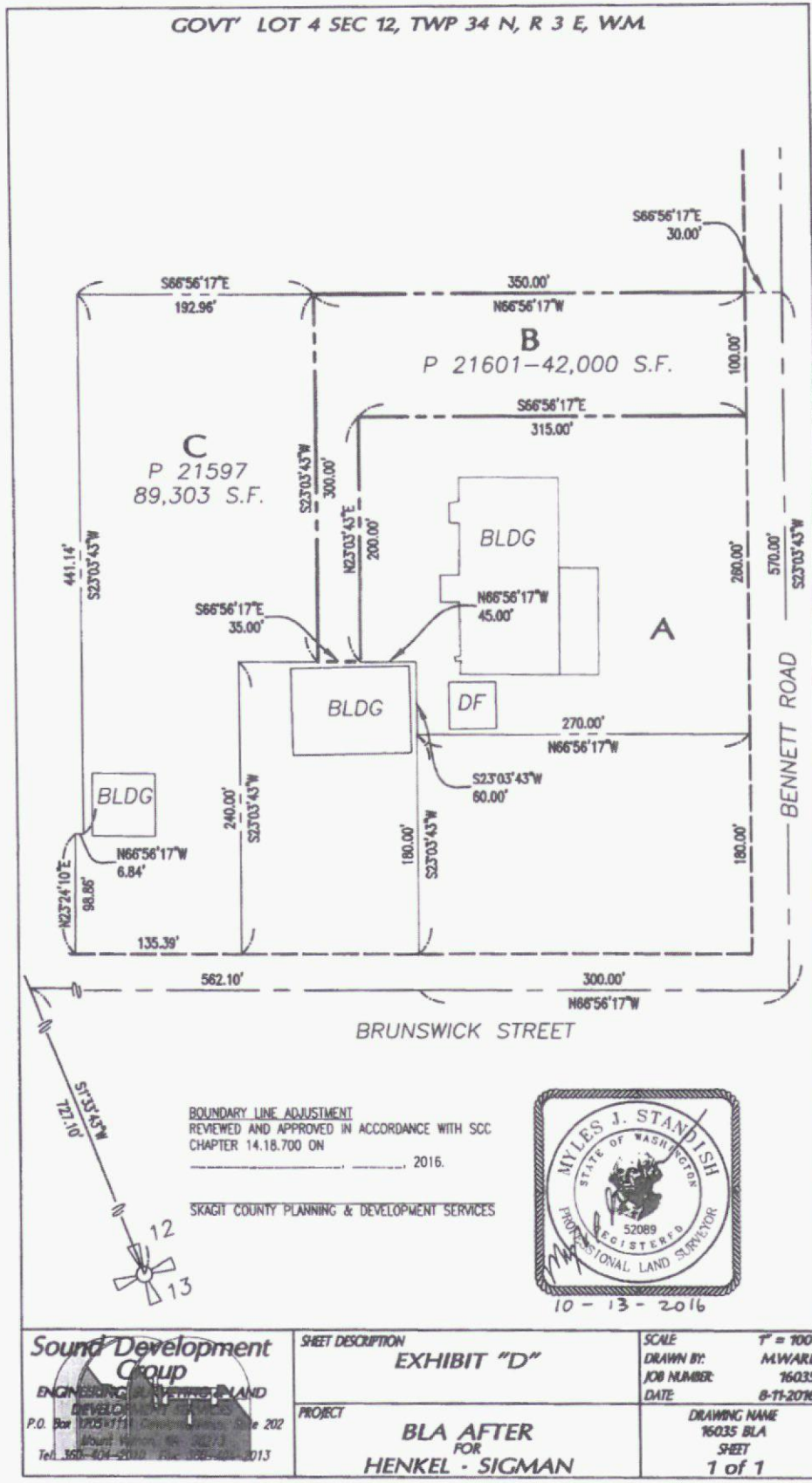
If you have any questions, please let me know. I can be reached by phone at (360) 416-1328 or via email at reckroth@co.skagit.wa.us. Thank you.

Sincerely,

Robby Eckroth, AICP
Senior Planner

Enclosures:

- Boundary Line Adjustment Exhibit
- Site Plan Requirements Checklist





Site Plan Requirements Checklist

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

47 of 106 Permit #:
Received by:

Instructions

- Check the box when you have placed the element on your site plan.
- Staff cannot accept applications without each of the required elements.
- Use the example provided following this checklist for examples of how to draw each element.
- Electronic site plans that follow our guidelines are also accepted.

Checklist

PDS-use
only ↓

1. Paper

- Draw on 8½" x 11" or 11" x 17" paper
- Use a standard scale with a minimum scale of 1" = 30'. Note:
 - If the project area is too large to fit on the page at the minimum scale, you may submit a view showing the proposed project area only and provide a separate overview of the entire property, OR you may logically divide your site using match lines and draw each portion on a different page, or use layers.
 - All critical areas, grading, stormwater, and building site plans must be drawn to the same scale.

2. Title Block

- Applicant's name Site address Assessor property ID (p-number) Date
- Show map scale (a graphic scale is preferred)
- Show an arrow indicating the north direction
- Show architect, engineer, and surveyor contact information if applicable
- If project will disturbing one acre or more of soil, show name and contact info for Certified Erosion & Sediment Control Lead (CESCL)

3. Boundaries

- Show the property lines of all relevant parcels
- Show all easements (e.g., utility, drainage, dike, access, railroad) with Auditor's File Number for each
- Show dashed lines for the required setbacks from all property lines, critical areas, and shorelines
- If project is in floodplain, show 100-year floodplain boundary
- If project is in floodplain, show Base Flood Elevation at building site
- If within 200 feet of the ordinary high water mark (OHWM), show the OHWM and setbacks from OHWM to all structures, including neighbors' structures, within 300 feet from both side property lines
- If within 500 feet of a dike or levee, show measurements from the landward toe of the dike to the project

4. Buildings

- Show footprints of ALL existing and proposed buildings on the parcels
- Show the dimensions of all buildings
- If project is in floodplain, label minimum required finished floor elevation of proposed buildings
- Label each building by its use (e.g., residence, garage)
- Show decks and porches (show height and indicate covered/uncovered), patios, retaining walls (show height)
- Show roof overhang lines
- Show downspouts and splash blocks

5. Access

- Show entire driveway to a public or private road
- Show length and width of driveway
- Show grade of driveway in percent of slope
- Show any required turnouts
- Label driveway surface material (e.g., asphalt, pervious pavement, gravel)

6. Wells and water lines

- Show the drinking water supply (existing and proposed, public or individual).
- Show all existing and proposed wells
- Show a 100' radius around each well
- Show public water mains
- Show water supply pipes to all buildings.

7. Septic/Sewer

- Show method of sewage disposal
- For public sewer, show:
 - location of sewer main
 - private pipes to buildings
- For private septic, show existing and proposed:
 - Tanks (must be 5' from the building foundation and 50' from any well)
 - Drain fields (must be 10' from the building foundation and 100' from any well)
 - Lines/pipes

8. Utilities

- Show utility poles, drainage ditches, culverts (including those in right-of-way adjacent to site)
- Show below-grade pipes (e.g., water, sewer, telecom); include size, material type, and invert elevations
- Show the location of any existing or proposed fuel tank (e.g., propane, fuel oil)
 - Indicate above/below ground
 - Show tank volume


9. Slope

- Show slope of building site using contour lines or arrows to show direction and percent of slope(s). Percentage % of slope = rise (change in elevation) divided by run (distance) multiplied by 100.
- Identify any erosion or landslide areas and any potentially unstable slopes greater than 15%

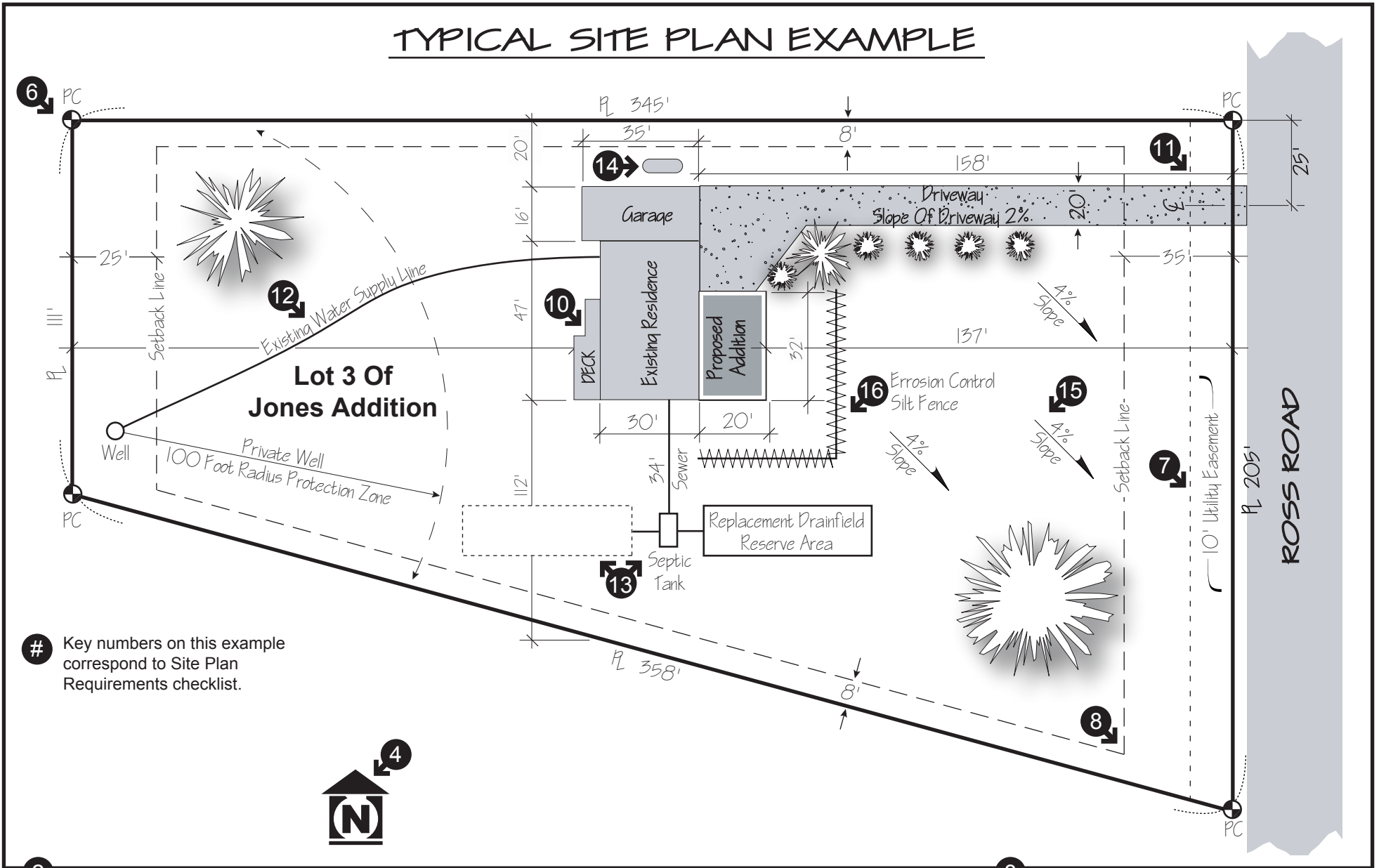
10. Stormwater

- Show the location and dimensions of existing and proposed:
 - Infiltration/dispersion systems
 - stormwater ponds or other facilities
 - roof and footing drain lines
 - work/clearing limits: a boundary defining the limit of the work area, and those areas to be protected. Examples of areas to be protected include trees, stormwater infiltration areas, and wetlands.
 - any significant site features (e.g., berms, levees, retaining walls, significant trees/shrubs (12+ inch diameter)
 - any compensatory flood storage
 - any rainwater catchment systems
- Show temporary erosion and sediment control ("TESC") techniques:
 - Location & type of TESC BMP: Show location of all applicable TESC best management practice (BMP) facilities
 - Location of stabilized construction entrance; minimum of 25 feet long for residential projects, minimum 100 feet long for all other project types.
 - Location of porta-pottie(s); should be at least 25 feet away from any storm inlets or critical areas
 - Location of materials stockpiles
 - Location of washout basin(s), e.g., concrete washout.

11. Miscellaneous

- Mark all existing buildings and features with (E)
- Draw  around any revisions from previous site plans you submitted for this application

TYPICAL SITE PLAN EXAMPLE



Name: JOHN R. DOE	Address: 1142 CROFT ROAD SEDRO-WOOLLEY, WA	Scale: 1" = 40'
Site Address: 12345 ROSS ROAD	Property ID#: P12345	Date: 6/15/2004



SEPA Checklist Packet

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Application #: <i>PL23-0268</i>
Date: <i>6/7/23</i> <i>[Signature]</i>

Please submit the following with your SEPA Checklist:

- Pre-Application/Pre-Development or Waiver
- Contact Information & Signature Form
- Agent Authorization (if submitting on behalf of the owner)
- Pre-addressed/stamped envelopes
 - List of property owners and physical addresses.
 - One set of pre-addressed stamped envelopes for owners of record and physical addresses within 300 feet of all subject property lines.
- Fees:
 - Application Fee _____
 - Publication Fee _____
 - One publication if submitting with a land use permit
 - Two publications if submitting as a stand-alone application or with a development permit (building or grading)



Contact Information & Signature Form

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
Voice 360-416-1320 · Inspections 360-416-1330 · www.skagitcounty.net/planning

An application will not be accepted without this form. By signing this form, the undersigned certifies that the statements, answers, and information both on this form and the remainder of this permit application are true and correct to the best of his or her knowledge and belief.

Property Owner

Name Sean Peterson

Parcel(s) P 21597

Mailing Address 17057 Brunswick

Phone 360-303-7097

City, State, Zip MT Vernon, WA 98273

Email PetersonSean52@gmail

Contractor Same as property owner

Name _____

Phone _____

Mailing Address _____

Email _____

City, State, Zip _____

License # _____ Expires _____

Contact Same as property owner Same as contractor

Name Tania Peterson

Phone _____

Mailing Address same as above

Email _____

City, State, Zip _____

License # _____ Expires _____

Financing¹ None Lender below is providing construction financing Firm below has issued payment bond

Name _____

Mailing Address _____

Phone _____

City, State, Zip _____

- I am the owner of the subject property and I grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application; OR
- I have the consent of the owners of the subject property and have attached Agent Authorization Form(s) (SCC 14.06.090); OR
- This is a fire suppression permit, mechanical/plumbing permit, water review, or pre-development/pre-app meeting request; the property owner's authorization is not required.

Signature(s): Sean Peterson

Title: owner

Printed Name: Sean Peterson

Company: SNT RaceShop

Date: 7-12-21

¹ Required by RCW 19.27.095(2)(d) for building permit applications.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

2. Name of applicant: Sean Peterson

3. Address and phone number of applicant and contact person:

360-303-7097
17057 Brunsmick St. Mt. Vernon Wa. 98273

- 4. Date checklist prepared: 11-2-2022
- 5. Agency requesting checklist: Skagit P.D.S.
- 6. Proposed timing or schedule (including phasing, if applicable): ongoing Home Based Business 1.
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No

- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. ~~NA~~. PL20-0412 Critical Area Review completed.
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. NA

- 10. List any government approvals or permits that will be needed for your proposal, if known. NA

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) 50x50 Pole Building for Home Base Business of small engine repair. Specified as motorcycle repairs, 50 bikes stored inside at anyone time. No bikes or parts stored outside AB 12/2024

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. On South end off Brunswick st. approximately 120'. 17057 Brunswick Street, Mount Vernon, WA 98273. Parcel No. 21597 AB 12/2024

B. Environmental Elements [\[HELP\]](#)

1. **Earth** [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other Flat-grassy soils.

b. What is the steepest slope on the site (approximate percent slope)?

None - completely flat.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. loamy dirt, gravel,

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. *No*

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

None - existing shop since 1960.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No - no clearing - site pre-existing

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

existing - approximately 1230 on a 2.5 acre lot.

7.86%
site
coverage

AB
12/2024

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

downspouts to splash blocks to grassy area on property

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A site built in 1960

Exhaust
emissions
from
motorbikes
and repairs

AB
12/2024

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. *No, none.*

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

No emissions.

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No. See PL20-0412

PL20-0412 Critical Areas Review observed wetlands within 200ft of site. Wetland site assessment provided thereafter confirmed Category IV wetlands within 200ft to the north-west of site.

AB
12/2024

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None - site built 1960 - no changes.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Panel 0250C Zone A0

Site is located within Zone A of FEMA Flood insurance rate mapping. As such, proposal lies within a 100 year floodplain.

AB
12/2024

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No - all waste oils stored in

b. Ground Water: [\[help\]](#)

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No well served by P.U.D.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Waste consists of residential waste - no chemicals or oils go into ground - All stored in approved recycle tank & picked up on a regular schedule.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

downspouts to splashblocks to grass.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No - stored in approved - closed tank containers for recycle.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

Building will need to be flood-proofed to engineering standards. This will substantially reduce risk of waste materials entering ground or surface waters. AB
12/2024

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

No runoff other than normal off existing shop, house & driveway.

4. Plants [\[help\]](#)

a. Check the types of vegetation found on the site:

Grass -

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None - existing site since R160

c. List threatened and endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None - site is long existing grassy yard

Landscaping proposed to south-eastern, southern, and south-western boundaries.

AB
12/2024

e. List all noxious weeds and invasive species known to be on or near the site.

None

Appropriate species to be determined as part of special use permit condition.

5. Animals [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other: Flyovers

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

None

c. Is the site part of a migration route? If so, explain.

NO

d. Proposed measures to preserve or enhance wildlife, if any:

No Wildlife

e. List any invasive animal species known to be on or near the site.

moleS

6. Energy and Natural Resources [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

electric.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

We shut the lights off when not in use.

7. Environmental Health [\[help\]](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

No

Hazardous chemicals, oils, and waste oils routinely used in repairs, maintenance, and operation of motorbikes. Not expected to create any significant off-site impacts.

AB
12/2024

1) Describe any known or possible contamination at the site from present or past uses.

None - we take recycle oil seriously

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Tank stored on concrete slab + sealed. oils stored in recycle tanks and picked up bi-monthly.

4) Describe special emergency services that might be required.

None.

5) Proposed measures to reduce or control environmental health hazards, if any:

Recycle oil container stored correctly.

b. Noise

Accidental spills, volatilization, and improper handling of hazardous chemicals and waste oils reasonably expected from time to time. Operation will be concealed indoors and building will be required to be flood proofed which will substantially reduce risk of off-site environmental health hazards.

AB
12/2024

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Small engine repair no unusual noise created.

Motorcycle repairs will likely involve testing and operation of motorcycles. This will create some level of off-site noise impacts.

AB
12/2024

3) Proposed measures to reduce or control noise impacts, if any:

no unusual noise - nothing greater than traffic.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Residential w/ home based repair shop - no impact

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site.

50x50 Pole building shop + a Manufactured home that we live in full-time.

- d. Will any structures be demolished? If so, what?

NO

- e. What is the current zoning classification of the site?

Rural Intermediate

- f. What is the current comprehensive plan designation of the site?

R.I. / Residential

- g. If applicable, what is the current shoreline master program designation of the site?

NA.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No - See PL20-0412

- i. Approximately how many people would reside or work in the completed project?

1 worker in shop with wife at times - 2 people - owner + wife live on site.

- j. Approximately how many people would the completed project displace?

None

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None

Adjacent properties are a mix of residential and rural business. The proposal would generate noise impacts to residential uses nearby. Mitigation measures described above. AB 12/2024

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

See 14.16.300

Purpose of Rural Intermediate is to prioritize residential living over, but not precluding, limited nonresidential uses appropriate to the density and character of the designation. Subject site is suitably collocated with nearby other business but will include a suite of conditions controlling for offsite noise impacts.

AB
12/2024

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

We live on site in our Manufactured home.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

- c. Proposed measures to reduce or control housing impacts, if any:

None

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

50x50 Shop - 1048 sq-ft manufactured home.
15' in height.

- b. What views in the immediate vicinity would be altered or obstructed?

None.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

maintained yard - all work inside shop not visible.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

None

- c. What existing off-site sources of light or glare may affect your proposal?

None

- d. Proposed measures to reduce or control light and glare impacts, if any:

None

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

none - it is a residential area

b. Would the proposed project displace any existing recreational uses? If so, describe.

no

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

none

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

no

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

no

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Does not apply

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None - existing shop since 1960 no expansion now or in future

14. Transportation [\[help\]](#)

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

located off Brunswick St.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

no

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

none - no one stop or parks - drop off basis only

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

1 to 2 a week

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

NO

- h. Proposed measures to reduce or control transportation impacts, if any:

None, does not apply.

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None - does not apply.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Shop has Power - P.S.E.
Shop has a bathroom for private use - P.U.D

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Tania Peterson

Name of signee Tania Peterson

Position and Agency/Organization Owner

Date Submitted: 11-2-2022

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

Flood-proofing requirements of building will likely contain spills, volatilization, and improper handling of hazardous chemicals to the building itself.

AB
12/2024

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks,



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

June 21, 2023

Sean & Tania Peterson
17057 Brunswick Street
Mount Vernon, WA 98273

**RE: Determination of Completeness – PL23-0268
Hearing Examiner Special Use Permit for Home Based Business**

Dear Sean and Tania:

In accordance with Skagit County Code, section 14.06.100, Planning and Development Services reviewed the above referenced application (#PL23-0268) that was received on June 7, 2023, and determined the application complete for review purposes on June 21, 2023 following submittal of the requested staff report on June 15, 2023. Skagit County will make the final decision on the application within 120 days from the date the application was determined complete with the following exceptions:

- (a) Any time required to correct plans, perform studies or provide additional information, provided that within 14 days of receiving the requested additional information, the Administrative Official shall determine whether the information is adequate to resume the project review. Provided further, the applicant shall be required to submit corrected plans, studies, or additional information within 120 days of the written request or said application may be returned without prejudice.
- (b) Substantial project revisions made or requested by an applicant, in which case the 120 days will be calculated from the time that the County determines the revised application complete.
- (c) All time required for the preparation and review of an environmental impact statement.
- (d) An extension of time mutually agreed upon by the County and the applicant.
- (e) Projects involving the siting of an essential public facility.
- (f) Any period for administrative appeals of project permits, if appeals are allowed.
- (g) Amendments to the Comprehensive Plan or Development Code.
- (h) Any remand to the hearing body.

If you have any questions, please let me know. I can be reached by phone at (360) 416-1328 or via email at reckroth@co.skagit.wa.us. Thank you.

Sincerely,

Robby Eckroth, AICP
Senior Planner

**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
NOTICE OF DEVELOPMENT APPLICATION WITH OPTIONAL SEPA DNS**

For
SNT Racing Motorcycle Repair Shop
File # **PL23-0268**

Notice is hereby given that on June 7, 2023, Sean and Tania Peterson submitted a Hearing Examiner Special Use Permit (#PL23-0268) and State Environmental Policy Act (SEPA) Environmental Checklist to allow a motorcycle repair business as a Type 3 Home-Based Business pursuant to SCC 14.16.300(4)(i). The proposed business will operate out of an existing 2,500 square foot storage building and will be run by the property owners with no additional employees. The proposed business hours are Monday - Friday, 8:00 AM - 5:00 PM. The motorcycles will be dropped off at the site and stored within the building. No outside storage is proposed. The proposed project is located within the Rural Intermediate (RI) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016, and as thereafter amended. The application was determined complete on June 21, 2023.

Project Location: The proposed project is located at 17057 Brunswick Street, Mount Vernon 98273, within the southwest quarter of Section 12, Township 34N, Range 3E W.M., situated within Skagit County, Washington. (**P21597**).

Public Comment Period: Written comments must be received no later than **4:30 PM on July 14, 2023**. Email correspondence will not be accepted. However, comments may be submitted via the PDS website under the “recent legal notices” tab. (www.skagitcounty.net/pdscomments).

Required Project Permits/Approvals: The following permits/approvals may be required in addition to the above: Critical Area Review & Building Permit.

SEPA Review: Based on the submitted application and available information, the County anticipates issuing an MDNS for this proposal and the optional DNS process as specified in WAC 197-11-355 is being utilized. Consequently, **this may be the only opportunity to comment on the environmental impacts of this proposal**. A copy of the subsequent SEPA threshold determination for the proposal may be obtained upon request.

Existing Environmental Documents: A Special Use Permit application, Environmental checklist, site plan, and other application materials are on file with Skagit County Planning and Development Services. This information is available to the public on request.

Public Hearing(s): A public hearing before the Skagit County Hearing Examiner will be scheduled in the future in the Board of County Commissioners Hearing Room located at 1800 Continental Place, Mount Vernon, Washington, for the purpose of determining whether the Hearing Examiner should approve, modify and approve or deny the application as soon as all reviews are completed. Public notification of the hearing will be made consistent with Skagit County Code 14.06.150(3).

How to become a party of record: You may become a party of record by submitting written comments, including a (USPS) mailing address, to the Skagit County Planning & Development Services Department at the address listed below. Any person desiring to express his or her views or to be notified of the action taken on this application should be in writing within the fifteen (15) day comment period.

Questions about this proposal, requests to receive future notices of hearings and/or the decision, once made, and/or appeal procedures should be directed to the contact person listed below. The application and complete case file are available for review at the Skagit County Planning & Development Services Department located at 1800 Continental Place, Mount Vernon, WA 98273. A decision on this application will be made within 120 days from the date of completeness.

For Project Information: Robby Eckroth, Senior Planner; Phone: (360) 416-1328; Email: reckroth@co.skagit.wa.us; Skagit County Planning & Development Services, 1800 Continental Place, Mount Vernon, WA 98273.

cc: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, Stormwater and Critical area review staff, WSDF&W, Skagit River Systems Coop, DAHP, Army Corps., Public Health, PUD, Upper Skagit Indian Tribe, Samish Indian Nation, City of Burlington, City of Mount Vernon, Drainage Dist. #12, Sean and Tania Peterson, Applicant

Date Transmitted to Skagit Valley Herald: June 27, 2023

Date Published in Skagit Valley Herald: June 29, 2023

Commenter List:

1. Richard C and Donna Liddle, 13948 Holly Lane, Mount Vernon
2. John & Deborah Sanchez, 13937 Avon Allen Road, Mount Vernon
3. James A Darland, 13799 Avon Allen Road, Mount Vernon
4. Louis & Jennifer Pantano, 13916 Holly Lane, Mount Vernon
5. Scott A Perry, 13937 Holly Lane Unit 1, Mount Vernon

July 13, 2023

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JUL 14 2023

SKAGIT COUNTY
PDS

Skagit County Planning & Development Services
ATTN: Robby Eckroth, Senior Planner
1800 Continental Place
Mount Vernon, WA 98273

Richard C and Donna Liddle
13948 Holly Lane
Mount Vernon, WA 98273

RE: Special Use Permit #PL23-0268, SNT Racing Motorcycle Repair Shop, 17057 Brunswick Street, Mount Vernon 98273

To Whom It May Concern:

We have lived on Holly Lane for eight years. We purchased property in Avon to enjoy the charm and quaintness of this historic area. We have worked intentionally on our 120+ year old property to improve it for ourselves, family, friends, and neighbors to enjoy. It gives us immense gratification to have neighbors drive or walk down the Lane comment on the many improvements including the expansive gardens. In the eight years we have lived in our forever home, we have immeasurably enjoyed the tranquility that comes with rural life in Skagit County.

We are writing this letter to express our *strong opposition* in granting SNT Racing Motorcycle Repair a Special Use Permit to operate in our neighborhood.

Noise Pollution

According to the EPA noise is defined as an “unwanted or disturbing sound which interferes with normal activities” (See EPA Clean Air Act Title IV). Since SNT began its operations, we have experienced consistent disruptions of normal activities due to the high decibel noises of revving engines coming from the SNT shop and from testing vehicles driven in and around our neighborhood. We have endured interruptions of friends and family gatherings, sleeping, gardening, relaxing in our backyard, and regular outdoor conversations. Noises throughout the day come directly from the shop as they continuously are revving engines and using equipment in their operations. As a regular practice, SNT use Holly Lane to test drive motorcycles and ATVs, then circle the neighborhood on Brunswick, Bennett and Avon Allen. This has become extremely disruptive to our quality of life. While the proposal has business hours of M-F, 8:00am-5:00pm, a thriving neighborhood like ours has varying schedules. Of the twenty residents who live on Holly Lane alone, three are retired and home throughout the day, four residents work shifts that cause them to sleep during daytime hours as well as days off on weekdays, and two are employed at home. Our most treasured resident is 92 years old and has lived in the home in which she raised her five children for over 50 years. She too is home 7 days a week. All these residents and schedules need to be respected; therefore, it is not enough to limit SNT operational hours to the weekdays.

Image having friends over for a quiet barbeque on your deck in the backyard, when you are interrupted with revving engine noises causing you to move indoors. Or working in solitude in your flower garden when you are startled by the sound of an ATV speeding down Holly Lane and then driving around the neighborhood numerous times. Or having your 6-month-old grandson who is taking his afternoon nap at Grandma’s house abruptly awakened by a motorcycle being tested. Or recovering on your couch from surgery only to be disturbed by revving engine sounds. Or having a well-earned sleep in on a Tuesday

morning. These experiences happened along with numerous others, disrupting the peace that should be expected in a rural neighborhood in Skagit County.

Skagit County Sheriff

Our experience with SNT became so disruptive we called upon the authorities looking for a reprieve on two occasions. While this practice is not our normal reaction, we found ourselves resorting to appealing to the sheriff to ask his advice on how to approach our neighbors. His response was an offer to speak to them on our behalf. Unfortunately, this did not improve the negative situation and we resorted to this request a second time. We also have had numerous on-going conversations with neighbors who are distressed as well by the interference of continual engine noises from the operations of SNT. The latest being just this week, as we were casually chatting in our driveway, noises from the shop once again interrupted our conversation.

Traffic

Holly Lane is a narrow short street giving access to just eight homes. It is not a thoroughfare, therefore any increase in traffic is obvious. In addition to the test driving, trucks pulling trailers loaded with motorcycles and ATVs come down Holly Lane on route to SNT. The added vehicles coming through our neighborhood amplified the noise as the trucks tend to be larger trucks towing heavier loads. These types of vehicles should be the exception, not the norm, in a residential neighborhood.

Historical and Cultural Preservation

We live in the historic former town of Avon. It is quaint, charming, and enduring. Turn off HWY 20 heading south along Avon Allen and you get a sense of history. Drive west along the river on Bennett and you will pass by Main Street and Avon Street, evidence of a town. Our home was built in 1902 and is one of three older homes on Holly Lane. We are thoughtfully restoring our home to reflect the charm of the Avon area. Revving motorcycle engines and buzzing ATVs is not compatible with the charm and beauty of Avon. We are deeply concerned about the precedent granting this Special Use Permit will have and the erosion of the distinct lifestyle of this historic, picturesque, and agriculturally robust area. The history of Avon to Skagit County should be respected and preserved for future generations.

Wildlife and Environment Impact

One of our greatest joys in living on Holly Lane has been to be on the flight path of the snow geese and Trumpeter Swans. During the season, mornings and evenings, they fly directly overhead as they make their way to and from surrounding fields and the Skagit River. The sight and sound often cause us to pause to watch their majestic flight. They fly low enough to see their underbellies and to hear their trumpet and honking sounds loud and beautifully clear. If the high decibel noises emitting from motorcycles, ATVs, and revving engines is disruptive to humans, wouldn't it be exceedingly likely to be disruptive to wildlife? Snow geese and the Trumpeter Swans are a unique feature of Skagit County whose welfare should be considered and protected.

We are 2 blocks from the Skagit River. A motorcycle shop will inevitably have toxic waste to dispose. We are deeply concerned of how SNT is disposing of these toxins and how they are being monitored.

COVID

During the height of the COVID pandemic, while lockdown restrictions from the Governor were implemented restricting gatherings of groups and mandating mask wearing, SNT hosted a large group event with cars filling their driveway and spilling out on both sides of Brunswick. Attendees did not wear masks. This was highly offensive and disturbing to witness. While the rest of the community were making sacrifices, including not gathering for traditional family events, SNT chose to entertain a large party in direct conflict with the CDC, WA State, and Skagit County restrictions. Although this variation does not directly conflict with the Special Use Permit, it is worth noting that it occurred. While it is

unclear if this event was private or related to the business of SNT, we are concerned SNT will host more large events as part of their business model.

A Special Use Permit is granted to those who can show their business will cause no harm in its environment. That it can manage the civic responsibilities and considerations that come with this highly priced exception. Unfortunately, SNT has shown a pattern of disregarding zoning and traffic laws, federal, state, and county mandates; all of which have been set in place to protect and preserve the welfare and best interest of all.

In conclusion, this type of business does not maintain the character, landscape or lifestyle surrounding it. To grant this Special Use Permit is at odds with what makes rural Skagit County a land of natural beauty, a place to live a tranquil life, and a haven that honors its residents the right to a quality of life in keeping with its surrounding agriculture and historic atmosphere. We cannot express strongly enough our opposition of having this type of business directly in our neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard C and Donna Liddle". The signature is written in a cursive, flowing style.

Richard C and Donna Liddle

RECEIVED
JUL 10 2023
SKAGIT COUNTY
PDS

July 2, 2023

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

Re: SNT Racing Motorcycle Repair Shop

File # PL23-0268

We do not support the motorcycle repair shop in our neighborhood. The noise levels from the reaving of the motorcycles would disrupt the quite neighborhood. Also, the testing of the motorcycles going up and down the small street of the proposed location would be unwanted. The people who are having their motorcycles repaired would be followed with another vehicle to give them a ride home and once again when picking up their motorcycles, this would also increase traffic on the small road. The business hours are stated to be Monday through Friday 8 to 5; however, those hours and days could easily be extended to meet repair deadlines. They state that there would not be any additional employees but there would not be any way to make sure this does not happen. We strongly feel that this type of business in our area would not be a positive idea and only cause a disruption to our lives.

Thank you,



John & Deborah Sanchez

Also send via your website

Robby Eckroth

From: Planning & Development Services
Sent: Monday, July 3, 2023 7:44 AM
To: Robby Eckroth
Subject: FW: PDS Comments

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, July 2, 2023 7:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : John & Deborah Sanchez
Address : 13937 Avon Allen Road
City : Mount Vernon
State : Washington
Zip : 98273

email : jdsanchez@comcast.net

PermitProposal : SNT Racing Motercylce Repair Shop File# PL23-0268

Comments : We do not support the motorcycle repair shop in our neighborhood. The noise levels from the reaving of the motorcycles would disrupt the quite neighborhood. Also, the testing of the motorcycles going up and down the small street of the proposed location would be unwanted. The people who are having their motorcycles repaired would be followed with another vehicle to give them a ride home and once again when picking up their motorcycles, this would also increase traffic on the small road. The business hours are stated to be Monday through Friday 8 to 5; however, those hours and days could easily be extended to meet repair deadlines. They state that there would not be any additional employees but there would not be any way to make sure this does not happen. We strongly feel that this type of business in our area would not be a positive idea and only cause a disruption to our lives. Thank you

From Host Address: 73.140.116.23

Date and time received: 7/2/2023 7:18:34 PM

Robby Eckroth

From: Planning & Development Services
Sent: Thursday, July 13, 2023 12:13 PM
To: Robby Eckroth
Subject: FW: PDS Comments

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, July 13, 2023 11:30 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : James A Darland
Address : 13799 Avon Allen Road
City : Mount Vernon
State : WA
Zip : 98273
email : j-bdarland@comcast.net
PermitProposal : PL23-0268

Comments : Our personal residence is just around the corner from this existing motorcycle repair shop. When we purchased our home this shop and land was vacant, and when the shop opened we assumed it was zoned for such. We have noticed that a number of motorcyclists have abused the 35 mph limit coming and going from the facility, but again, figured the zoning was not being violated. If just now the owners are requesting a rezoning, then I am not in favor of allowing it. This is a mostly single family residence area, and the traffic is already a concern, so allowing another business in an improperly zoned area is not acceptable. Thank you for enforcing present zoning.

From Host Address: 73.140.116.113

Date and time received: 7/13/2023 11:28:28 AM

Grace Roeder

From: website@co.skagit.wa.us
Sent: Friday, July 14, 2023 12:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Louis and Jennifer Pantano

Address : 13916 Holly Ln

City : Mount Vernon

State : Wa

Zip : 98273

email : lj pantano@yahoo.com

PermitProposal : File # PL23-0268

Comments : Not only illegal but a huge nuisance with the noise, traffic, and smell'

Illegal: This property is agriculture/rural. When this property went up on the market, we inquired about it thinking we may be able to put our business there. We are a small business owner ourselves. We were told absolutely not so we continued looking for property, but it seems to be laws are to be broken. I realize there are the few current businesses in our area but they go away from their shops to work, I believe grandfathered in. Whereas if this property gets approved I am going to open up a Boarding Kennel care with outside kennels.... without concern for my neighbors.

Noise: We have been listening to the roaring of motorcycles for 5 years now. I used to be able to sit in the lawn chair in our backyard to relax but not anymore. The smell, noise and extra traffic has stopped that.

I work out of our home office and enjoy the window being open, not any more.

We have lived in our home for 12 years now. When we purchased our home we bought in a rural area so there is less noise and traffic, no city noises. Quiet enjoyment is the right to inhabit our home which has been taken away from us.

Will also have a issue with the home value of our home and amount of buyers that would want to live by a motorcycle shop. As a real estate broker I am aware of the disadvantage of having a motorcycle business right across the street when it comes to selling our home.

Louis and Jennifer Pantano

From Host Address: 73.140.117.207

Date and time received: 7/14/2023 11:59:14 AM

Robby Eckroth

From: Planning & Development Services
Sent: Monday, July 10, 2023 7:50 AM
To: Robby Eckroth
Subject: FW: PDS Comments

From PDS email.

Thank you!

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, July 9, 2023 10:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Scott A.Perry
Address : 13937 Holly Lane Unit A
City : Mount Vernon
State : Washington
Zip : 98273
email : desertbum67@hotmail.com

PermitProposal : PL23-0268 (17057 Brunswick Street Mount Vernon, Wa. 98273

Comments : Dear Planning & Development Services,

I'm taking this time to write you a letter regarding my many concerns over the proposed licensing of SNT Racing Motorcycle Repair Shop. When the current owners moved in this location & started conducting business in a residential neighborhood with "No notice " from the county or licensing department that put a bad taste in my mouth to say the least as a property owner. Myself along with other neighbors here have small children that ride bikes & walk their animals & will now contend with more noise, traffic , & frankly property value concerns. I moved to this quiet street for peace & calmness. The other concerns I have are the constant test driving after the motorcycles are repaired. I myself own a motorcycle & enjoy riding too but I feel it is better served in a more commercial area instead of its present location. I've always been a supporter of small businesses but when you fly under the radar & then want the support of the area it affects. It's a little too late. Doing the right thing upfront would have been a better approach.

From Host Address: 172.56.105.70

Date and time received: 7/9/2023 10:34:15 PM

DARLAND JAMES A DARLAND REBECCA S	13799 AVON ALLEN ROAD MOUNT VERNON WA 98273
BLOM ELIOT BLOM SUSAN	13829 AVON ALLEN ROAD MOUNT VERNON WA 98273
GUNERIUS J D GUNERIUS LINDA K	17165 AVON ST MOUNT VERNON WA 98273
HELGESON GLADYS L	17054 AVON STREET MOUNT VERNON WA 98273
OCCUPIER	17183 BENNETT ROAD MOUNT VERNON WA 98273
CBT INVESTMENTS LLC	12131 CHINOOK DRIVE BURLINGTON WA 98233
RUTH BERT C RUTH DOROTHY L	17019 BRUNSWICK ST MOUNT VERNON WA 98273
TAYLOR KENNETH M TAYLOR LINDA L	17184 AVON STREET MOUNT VERNON WA 98273
SIGMEN REVOCABLE LIVING TRUST SIGMEN RICHARD J TRUSTEE	2517 29TH ST ANACORTES WA 98221
CASTILLEJA JANET E CASTILLEJA ABEL P	17116 AVON STREET MOUNT VERNON WA 98273
BRECKENRIDGE SCOTT BRECKENRIDGE LAURA J MINTON	17166 AVON ST MOUNT VERNON WA 98273
HOWARD JOEL R	17142 AVON ST MOUNT VERNON WA 98273
GILDNES RESIDUARY TRUST GILDNES GAYLE TRUSTEE	15006 CHANNEL LN LACONNER WA 98257
OCCUPIER	17075 BRUNSWICK STREET MOUNT VERNON WA 98273
OCCUPIER	17199 BENNETT ROAD MOUNT VERNON WA 98273
SIGMEN REVOCABLE LIVING TRUST SIGMEN RICHARD J TRUSTEE	2517 29TH ST ANACORTES WA 98221
OCCUPIER	17339 BENNETT ROAD MOUNT VERNON WA 98273
MULLIKIN KELLY L	16940 VIEW LANE LACONNER WA 98257
SUHR SHARON A & PERRY SCOTT A/ANGELA M	13937 HOLLY LANE # B MOUNT VERNON WA 98273
SCOTT DAVID A SCOTT MICHELLE	13927 HOLLY LANE MOUNT VERNON WA 98273
CISNEROS MARTINEZ RUBI MCGINNIS ANTHONY	13915 HOLLY LANE MOUNT VERNON WA 98273
PANTANO JENNIFER PANTANO LOUIS J	13916 HOLLY LANE MOUNT VERNON WA 98273
THORNE JOHN STUART ROSS	13936 HOLLY LANE MOUNT VERNON WA 98273
LIDDLE RICHARD LIDDLE DONNA K	13948 HOLLY LANE MOUNT VERNON WA 98273
WALLACE CONNOR JAMES	17040 BRUNSWICK STREET MOUNT VERNON WA 98273
SANCHEZ JOHN JR & SANCHEZ DEBORAH S	13937 AVON ALLEN ROAD MOUNT VERNON WA 98273
OCCUPIER	13913 AVON ALLEN ROAD MOUNT VERNON WA 98273
JOHNSON COLLEEN M	PO BOX 443 MOUNT VERNON WA 98273
WALLACE CONNOR JAMES	17040 BRUNSWICK STREET MOUNT VERNON WA 98273
BROWNING JAMES C BROWNING JOANNE	17145 AVON ST MOUNT VERNON WA 98273
BRULAND STEVEN N	17111 AVON ST MOUNT VERNON WA 98273
NELLES SHAWN M NELLES KATHLEEN M	17053 AVON ST MOUNT VERNON WA 98273
KADING ERIK	17065 AVON STREET MOUNT VERNON WA 98273
KADING CHRIS M KADING CHARLENE M	17073 AVON STREET MOUNT VERNON WA 98273
OCCUPIER	17089 AVON STREET MOUNT VERNON WA 98273
BERNICK LANEY M	5853 N FRUITDALE RD SEDRO WOOLLEY WA 98284
BRULAND STEVEN N	17111 AVON ST MOUNT VERNON WA 98273



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

July 19, 2023

Sean and Tania Petersen
17057 Brunswick Street
Mount Vernon, WA 98237

RE: Request for Additional Information, Hearing Examiner Special Use Permit #PL23-0268

Dear Sean and Tania:

Skagit County Planning and Development Services (PDS) has completed the initial steps of the review for the proposed use. Please review the comments received from **agencies and departments of jurisdiction**. Please address these concerns in a letter as well. If any revisions and/or additional material /items requested, please revise accordingly. At this time our department requests that you submit the following information to our office so that the review of your proposal can continue:

Current Planning – Zoning (Robby Eckroth)

Email: reckroth@co.skagit.wa.us **Phone:** (360) 416-1328

1. **Response to Public Comments:** PDS staff received five public comment letters (see attached) during the public comment period expressing concern with the proposal. Please review the attached letters and submit a response addressing the concerns, specifically the noise concerns (see below).
2. **Noise:** Per SCC 14.16.730(4)(a)(v), home-based businesses cannot create a level of noise beyond that which is common to a residential area. Neighboring property owners have noted that testing the motorcycles has generated a lot of noise from the motorcycle repair shop. In an updated project narrative, please propose a way to mitigate noise from the home-based business (examples: noise suppression systems, noise barriers, etc.).
3. **Screening:** Screening is required to mitigate visual impacts to neighboring properties and to maintain the residential character of the property. Please submit a revised site plan and updated project narrative showing and describing how the business will be screened, either in the form of fencing or landscaping.
4. **Sign:** SCC 14.16.730(4)(a)(iv) limits signs related to a home-based business to four (4) square feet. The application states that the sign existing sign is four (4) square feet. However, based on Skagit County Assessor's photos and based on a site visit, the sign seems much larger. Please note that a recommended condition of approval will be sent to the Hearing Examiner limiting the sign to four (4) square feet.

The requested information needs to be received by our department within **120 days of the date of this letter** as required by Skagit County Code 14.06.105. Once our department receives the above referenced information review of this project will continue. Please submit all requested information at one time in a single packet to avoid further delays.

If you have any questions regarding this matter, please contact me at (360) 416-1328 or via email at reckroth@co.skagit.wa.us. Thank you.

Sincerely,



Robby Eckroth, AICP
Senior Planner – Current Planning

Enclosures:

- Public Comments

Skagit County Planning and Development.
11-15-2023

1800 Continental Place
Mount Vernon WA. 98273

RECEIVED
NOV 16 2023
SKAGIT COUNTY
PDS

RE: Request for additional Information, Hearing Examiner Special Use Permit # PL23-0268

1. Response to concerns received from John and Deborah Sanchez:
 - A. Concerns: Noise levels- We do not rev the motorcycles to test them, we must start the machines to ensure they operate. When we do a test ride based on the services performed, we do not test ride in the neighborhood. On average we may do one test ride a week. When a test ride occurs, we leave the premises and turn right on Brunswick St. and head off into the valley abiding by all road and highway safety laws.
 - B. The majority of our cliental deliver machines that are not in running condition. These machines are delivered either in a trailer or the back of a pickup. This is the same upon the pickup of their machines.
 - C. Our business hours are Monday through Friday 8am-5pm and our customers are aware of this. We have a loving family, parents, children and grandchildren that all mean the world to us, we have a strong family network and a personal life.
 - D. We are a small proprietary home-based husband and wife business that consists of Sean and Tania Peterson.
2. Response to concerns received from James A. Darland:
 - A. Our current location had just a shop on it when we purchased it. We were informed that at one time it was a commercial warehouse with a prior business in it.
 - B. We have worked diligently on getting all the proper permits since we purchased the property.
 - C. Our property is not located on Avon Allen Road which is a public road used by numerous members of the public community. Skagit valley is a tourist attraction to many different vehicles that are outside of our control. We have no control on drivers who may speed on public roads.
 - D. Avon Allen Road has numerous businesses to include Avon Body Shop, Morten Signs, etc. We are on Brunswick Road and are close to Commercial Fire which is on Bennett Road.
3. Response to Concerns received from Scott A. Perry:
 - A. We do not rev the motorcycles to test them, we must start the machines to ensure they operate. When we do a test ride based on the services performed, we do not test ride in the neighborhood. On average we may do one test ride a week. When a test ride occurs, we leave the premises and turn right on Brunswick St. and head off into the valley abiding by all road and highway safety laws.
 - B. We have worked diligently on getting all the proper permits since we purchased the property. This is not a new business; we have been here for five years, and this is the first time Mr. Perry has expressed any concerns.
 - C. We also own personal motorcycles and occasionally ride and enjoy them in a very safe environment.

4. Response to Concerns received from Louis and Jennifer Pantano:
 - A. Illegal: We have worked diligently on getting all the proper permits since we purchased the property. This is not a new business; we have been here for five years. We cannot address the threat to open a Boarding Kennel without concerns for his neighbors. However, Mr. Pantano did not have issues with us until we asked him to stop backing his heavy equipment trailers onto our driveway as it was damaging the driveway.
 - B. Mr. Patano states he is operating a home-based business. Upon research of County records, we were unable to find any proof that he has a permit to do so. We find it disturbing that Mr. Pantano is upset that we are doing what is required for our permitting process.
 - C. There is no exterior smell coming from our shop.
 - D. There is very little traffic as we may have one or two machines delivered in a normal day. Our security cameras clearly show the public traffic daily on our road.
5. Response to Concerns received from Richard and Donna Liddle:
 - A. Noise: We do not rev the motorcycles to test them, we must start the machines to ensure they operate. When we do a test ride based on the services performed, we do not test ride in the neighborhood. On average we may do one test ride a week. When a test ride occurs, we leave the premises and turn right on Brunswick St. and head off into the valley abiding by all road and highway safety laws. This means there are no motorcycles, snowmobiles or jet skis being driven up and down Brunswick and especially not Holly Lane. The equipment we use are hand tools, IE, screwdrivers, wrenches, etc. Occasionally we use an air compressor to air up tires.
 - B. Traffic: Our customers are instructed to drive down Brunswick Street either form Avon Allen Road or Bennet Road. We receive and deliver one to two machines a day.
 - C. Historical and Cultural Preservation: Avon, in a 3-block radius around our shop has 8 businesses. Two of which are Avon Body Shop and Marks Marine Repair. Both of which are closer to Mr. Liddle's residence than our location. These businesses all make far more noise than our small home-based business.
 - D. Wildlife and Environment Impact: Trumpeter Swans and Snow Geese fly over the Valley and all business located in the Vally including our property, so I am sure there is no impact to the birds. We have our 5 years old very healthy Black Lab in our shop during business hours, we would never hurt animals. SNT by law properly contains and disposes of all liquids in the correct containers through the proper channels. This is a serious Washington State Law, Eco Lube Recovery is our licensed waste disposal company.
 - E. Covid: SNT did not host a gathering during Covid, we as parents held a memorial service for our son on our private property. Sean & Tania as honest tax paying American citizens are deeply offended that Mr. and Mrs. Liddle without knowing the facts would ever comment about grieving parents at the loss of their son.
6. Response to Signage Limits:
 - A. We have removed the sign that was deemed too large.
 - B. We have ordered a new sign that meets the size regulations.
7. Noise Response:
 - A. As stated in Response letters, we only start bikes to make sure the run after fixing them.
 - B. 9 months out of the year our doors are closed, so there is little to no outside noise coming from the shop.



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

November 21, 2023

Sean and Tania Petersen
17057 Brunswick Street
Mount Vernon, WA 98237

RE: Second Request for Additional Information, Hearing Examiner Special Use Permit #PL23-0268

Dear Sean and Tania:

Skagit County Planning and Development Services (PDS) received your letter responding to the initial request for additional information dated July 19, 2023, sent by Current Planning Staff on November 16, 2023. Thank you for your response to the topics requiring further clarification. However, issues regarding noise and screening were not adequately addressed. Please see below for the issues that require further clarification. At this time our department requests that you submit the following information to our office so that the review of your proposal can continue:

Current Planning – Zoning (Tara Satushek)

Email: taras@co.skagit.wa.us **Phone:** (360) 416-2030

1. **Noise:** Per SCC 14.16.730(4)(a)(v), home-based businesses cannot create a level of noise beyond that which is common to a residential area. Please provide an updated project narrative that identifies specific measures that will be used to mitigate noise from the home-based business (examples: noise suppression systems, noise barriers, etc.).

The initial response for additional information did not identify what prescriptive methods will be used to reduce noise from the Home-Based Business activities. The response provided states doors will be closed nine months out of the year. To reduce noise impacts to surrounding properties, doors will need to be closed when testing equipment year-round. The letter also states exhaust hoses have been purchased to run out of the back of the shop to keep doors closed. Please explain how this system operates, the proposed timeframe for installation, and how the system will suppress noise. If the proposed system does not suppress noise, another method will need to be proposed. Planning and Development Services staff suggests an exhaust system that incorporates sound suppression, such as a central vacuum system. Please note that this information will also be required as part of the building application process to get the existing commercial structure to meet International Building Code requirements.

2. **Screening:** The plan provided in the initial response for additional information with the cost estimate for landscaping work is not sufficient to address screening and landscape buffer purposes. Please submit a revised landscape plan and updated project narrative showing and describing how the business will be screened, either in the form of fencing or landscaping. The

revised plan must be drawn to scale, showing the location of buildings, any utilities and/or easements locations, and the location, quantities and sizes of proposed plants and other proposed materials in the landscape area. Potential conflicts between landscaping and utilities shall be minimized or avoided. The intent of the landscaping/screening is to provide a visual barrier from surrounding properties and maintain the residential character of the property. Please note that the landscape/screening plan needs to be shown on a scaled and legible site plan.

Please note, there are substantial structural improvements that will need to be completed as part of the building permit process. Please see the enclosed email from Building Official, Randy Johnson in addition included the predevelopment notes identifying code requirements to get the structure to building code. Additionally, there is a note from Skagit County Public Works regarding obtaining a Commercial Access Permit. While these requirements do not need to be addressed for the special use permit application, the requirements will be conditions of approval, will need to be reflected in building plans at building permit submittal, and will need to be implemented during the construction/renovation process.

The requested information needs to be received by our department within **120 days of the date of this letter** as required by Skagit County Code 14.06.105. Once our department receives the above referenced information the review of this project will continue. Please submit all requested information at one time in a single packet to avoid further delays.

If you have any questions regarding this matter, please contact me at (360) 416-2030 or by email at taras@co.skagit.wa.us.

Sincerely,



Tara Satushek, AICP
Senior Planner – Current Planning

Enclosures:

- Building Division Comments and Predevelopment Meeting Notes
- Public Works Comments

Tara Satushek

From: Randy Johnson
Sent: Thursday, June 22, 2023 3:59 PM
To: Robby Eckroth
Subject: RE: [Routing] SNT Racing Motorcycle Repair (Home Based Business 3)

Because the use of the building is for a commercial application.

Building permit

1. Change of use.
2. Engineer's design for "dry flood proofing".
3. If employees or customers visit site ADA restroom

Flood permit for structure.

1. Elevation Certificate
2. The existing structure will be required to be dry flood proof if not 1' above BFE . See FEMA Technical Bulletin
3. https://www.fema.gov/sites/default/files/documents/fema_technical-bulletin-3_1-2021.pdf

Randy Johnson

Building Official, CFM

Skagit County Planning & Development Service

1800 Continental Place WA 98273

360-416-1321

randyj@co.skagit.wa.us

From: Robby Eckroth <reckroth@co.skagit.wa.us>
Sent: Thursday, June 22, 2023 10:54 AM
To: Leah Forbes <leahf@co.skagit.wa.us>; Kelsey Bellavance <kelseyb@co.skagit.wa.us>; Erin Langley <erinl@co.skagit.wa.us>; Betsy D. Stevens <betsyds@co.skagit.wa.us>; Shaun Miller <shaunmillerdike22@gmail.com>; Bonnie LaCount <bonniel@co.skagit.wa.us>; Greg Geleynse <gregg@co.skagit.wa.us>; Rachel Wilkens <rachelw@co.skagit.wa.us>; Joe Amaro <jamaro@co.skagit.wa.us>; Randy Johnson <randyj@co.skagit.wa.us>
Subject: [Routing] SNT Racing Motorcycle Repair (Home Based Business 3)

Good Morning Everyone,

Attached are the application materials for a Hearing Examiner Special Use Permit for a motorcycle repair business which is being applied for as a Home-Based Business 3. Please review, comment, and update your approval in PP+ by July 14, 2023. Documents can also be reviewed in the [Office Link](#).

Please feel free to contact me if you have any questions.

Sincerely,

Robby Eckroth, AICP

Senior Planner – Current Planning

Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273
Direct 360-416-1328 | Main 360-416-1320



Email communications with county employees are public records and may be subject to disclosure, pursuant to RCW 42.56.



SKAGIT COUNTY PUBLIC WORKS DEPARTMENT

1800 Continental Place, Mount Vernon, WA 98273-5625
(360) 416-1400 FAX (360) 416-1405

MEMORANDUM

TO: Robert Eckroth, Planning and Development Services

FROM: Joey Amaro, PW Development Review

RE: PL23-0268 – Special Use Permit

DATE: July 17, 2023

Parcel #'s P21597

Skagit County Public Works has reviewed the above referenced Special Use Permit application and offers the following comments:

1. Commercial Access permit is required.

If you have any questions, please feel free to contact Joey Amaro at (360) 416-1435 or e-mail jamaro@co.skagit.wa.us.



Skagit County

Planning & Development Services

HAL HART, AICP Director

JACK MOORE, CBCO Building Official

January, 02, 2019

Sean and Tania Peterson
 17057 Brunswick Street P21597 Sec 12 Township 34 Range 03
 Mount Vernon WA 98273

Please note the following information relating to **Building Division** requirements:

1. Building permit is required for the placement of a manufactured home.
2. You will need to provide ANSI installation packet with the building permit.
3. The project is located in a AO Flood zone (Depth 3' with velocity of 5FPS) Flood permit is required.
4. Home will need to be installed 4' above adjacent ground. An engineer will be required to design the support structure (foundation) for this project. Along with required hold-downs.
5. Skirting or Foundation will require flood venting that shall be located 1' above adjacent grade. Venting shall equal 1 square inch for every square foot of building.
6. Any fill or grading over 100 yds requires a Fill & Grading permit.

SCC 14.34.150 Subsection 6 Anchoring:

Anchoring: All manufactured homes must be placed on a permanent foundation and be anchored to prevent flotation, collapse or lateral movement, and shall be installed to minimize flood damage. Independent footings supporting manufactured homes shall be placed a minimum of 12 inches below pre-development grade before any fill is installed. Fill shall be protected from erosion.

SCC 14.34.150 Subsection 8 Construction Materials and Methods:

(c) Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated to a level of 1 foot above base flood elevation or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Ducts that serve mechanical equipment shall be elevated and located so that the entire duct is at least 1 foot above the base flood elevation or located so as to prevent water from entering or accumulating within the ducts during conditions of flooding.

(d) Buildings utilizing crawl space construction, where any portion of the crawl space is below the grade on all sides, shall meet the following requirements as excerpted from FEMA Technical Bulletin 11-01, which is hereby adopted by reference:

- (i) Crawl space construction is not permitted in V zones.
- (ii) Crawl space construction is not permitted in zones A0 and A1-A30 where velocities exceed 5 feet per second, unless it can be shown through engineering analysis that the structural components will resist flotation, collapse and lateral movement from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (iii) The interior grade of a crawl space must not be more than 2 feet below the lowest adjacent exterior grade.

- (iv) The height of the crawl space, measured from the interior grade of the crawl space to the top of the foundation wall, must not exceed 4 feet at any point. The height measured from the crawl space grade to the top of the next higher floor shall not exceed 5 feet at any point.
- (v) There must be an adequate drainage system that removes floodwaters from the interior area of the crawl space, within a reasonable time, after a flood event.

SCC14.34.170 Standards for construction in shallow flooding areas (AO Zones).

(4) New construction and substantial improvements of nonresidential (commercial and industrial) structures within AO Zones shall:

- (a) Have the lowest floor elevated above the highest adjacent grade of the building site, and at least 1 foot or more above the depth number specified on the FIRM; or
- (b) Together with attendant utility and sanitary facilities be completely floodproofed to 1 foot or more above the base flood elevation; any space below that level is watertight with walls substantially impermeable to the passage of water; structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect.

Please let me know if there is anything else I can do to assist with your project.

Sincerely,



Randy Johnson
Plans Examiner
randyj@co.skagit.wa.us
360-416-1321

- C. We have purchased exhaust hoses, to run out of back of shop. This will allow us to keep our doors closed.
- D. Our business makes no more noise than someone running a yard equipment, starting a chain saw, etc.
- E. 50 % of the bikes we work on are vintage bikes that we restore

Sean & Tania Peterson
SNT Race Shop
17057 Brunswick St, Mount Vernon WA. 98273



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

November 29, 2023

Sean and Tania Petersen
17057 Brunswick Street
Mount Vernon, WA 98237

RE: Clarification to Second Request for Additional Information Letter, #PL23-0268

Dear Sean and Tania:

Thanks for reaching out regarding the clarification of items mentioned in the request for additional information letter sent on November 21, 2023. The outstanding items are focused on mitigating noise from commercial activities and creating a visual barrier for the commercial space from neighboring residences and public right-of-way (ROW).

1. **Noise Mitigation:** According to SCC 14.16.730(4)(a)(v), home-based businesses must not create noise beyond the norm for a residential area. Please provide an updated project narrative specifying measures to mitigate noise (e.g., noise suppression systems, barriers)

Per WAC 173-60-040, the maximum allowable noise pollution in a residential neighborhood for business at a residential property line is 57 dBA. Attached is the code section for your information. Please demonstrate that the proposed activities meet this criterion for noise or how noise reduction can be achieved. Methods, for example are shielding, paneling or landscaping. Another option is running mechanical devices all indoors to control noise. Ventilation requirements would be required for exhaust ventilation for S-1 automotive repair. See 2018 IMC 404.1. Below is a screenshot of the code section for reference.

2018 International Mechanical Code (IMC) BASIC Upgrade to Premium Fourth Version: Jul 2021

CHAPTER 4 VENTILATION

SECTION 404
ENCLOSED PARKING GARAGES

404.1 Enclosed parking garages.

Mechanical ventilation systems for enclosed parking garages shall operate continuously or shall be automatically operated by means of carbon monoxide detectors applied in conjunction with nitrogen dioxide detectors. Such detectors shall be listed in accordance with UL 2075 and installed in accordance with their listing and the manufacturers' instructions. Automatic operation shall cycle the ventilation system between the following two modes of operation:

1. Full-on at an airflow rate of not less than 0.75 cfm per square foot [0.0038 m³/(s • m²)] of the floor area served.
2. Standby at an airflow rate of not less than 0.05 cfm per square foot [0.0025 m³/(s • m²)] of the floor area served.

In buildings used for the repair of automobiles, each repair stall shall be equipped with an exhaust extension duct, extending to the outside of the building. Exhaust extension ducts over 10 feet in length shall mechanically exhaust at least 300 cfm. Connected offices and waiting rooms shall be supplied with conditioned air under positive pressure. For more specific information about these methods, please contact Randy Johnson, CBO. He is available by email at randyj@co.skagit.wa.us or 360-416-1321.

2. Screening/Landscaping: Attached is the submitted site plan where the screening/landscaping is required. This is identified by the red bubble markings. Examples of fencing for screening purposes can include treated lumber, composite materials, metal, etcetera. Plantings can include hedge varieties such as Leeland Cyprus, as listed in the planting sketch received on 11/16, in addition to arborvitae tree varieties. I recommend consulting with your landscape contractor or nursery about recommended plants that will serve the purpose of screening. The purpose of this requirement is to create a visual barrier from neighboring properties and public roadway of commercial use. As mentioned in the previous communication, kindly submit a revised, accurately scaled plan. This plan should delineate the building locations, utilities, easements, and details regarding the proposed landscape materials, including the types, quantities, and sizes of plants. You may utilize the original site plan submitted with the application and clearly indicate where the proposed planting or fencing will be implemented based on the location identified in the attached site plan. Please note that landscaping is not required in the middle of the yard, just the areas identified in the site plan provided with this letter.

The requested information needs to be received by our department no later than March 20, 2024. If you require additional time please submit a written request by February 28, 2023, for a three-month extension to submit the requested information. Once the information received regarding noise and screening is received and meets the criteria described, the review of the project can continue.

If you have any questions regarding this matter, please contact me at (360) 416-2030 or by email at taras@co.skagit.wa.us.

Sincerely,

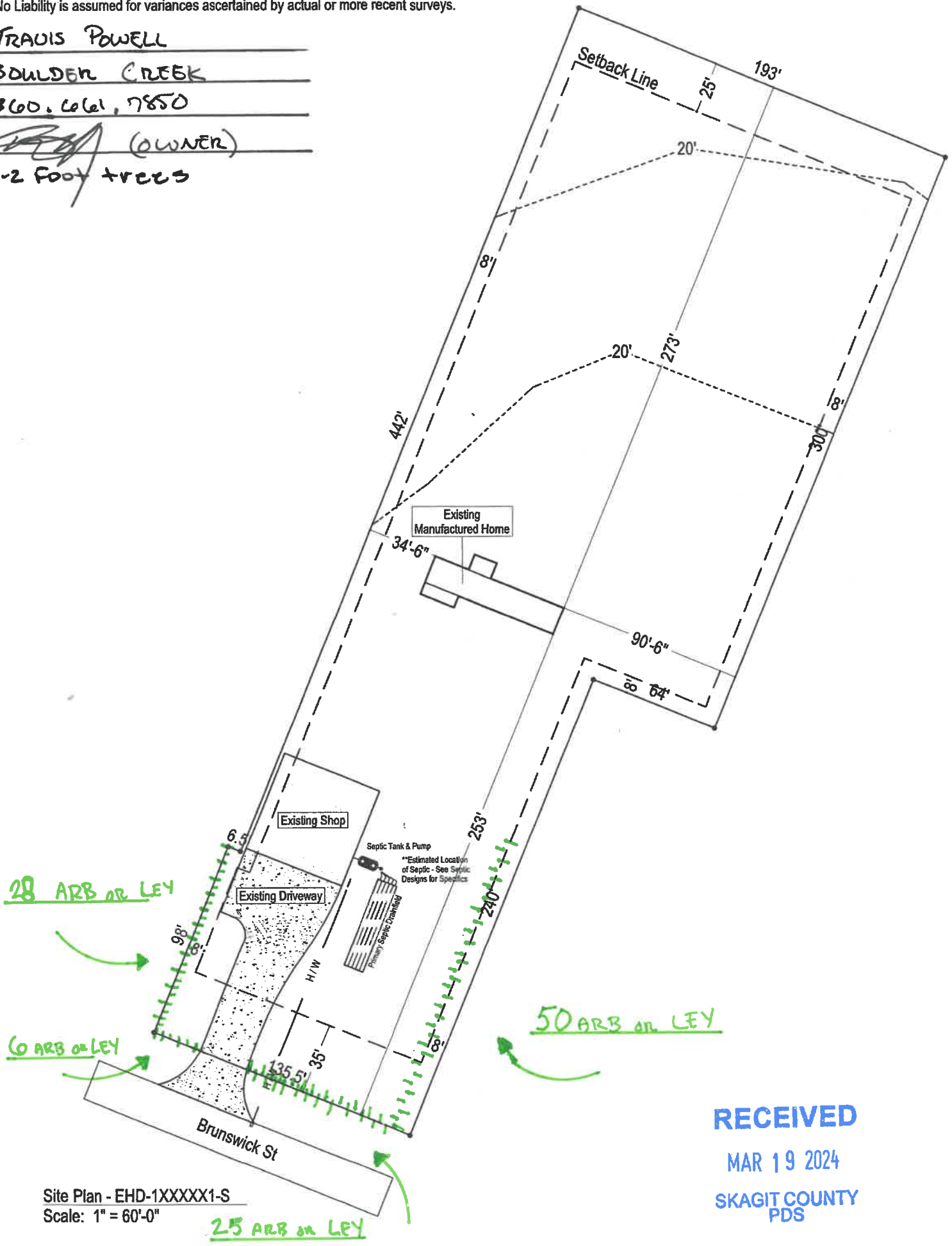


Tara Satushek, AICP
Senior Planner – Current Planning
Enclosures:

- WAC 173-60-040
- Site plan noting areas requiring screening

Property Lines, Corners and Dimensions, as shown, are from information supplied by the
as. No Liability is assumed for variances ascertained by actual or more recent surveys.

TRAVIS POWELL
Boulder Creek
360.6661, 7850
[Signature] (OWNER)
1-2 Foot trees



Site Plan - EHD-1XXXXX1-S
Scale: 1" = 60'-0"

RECEIVED
MAR 19 2024
SKAGIT COUNTY
PDS

**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)**

For
SNT Racing
File # **PL23-0268**

PROJECT DESCRIPTION: Notice is hereby given that on April 15 2024, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review in conjunction with #PL23-0268 to allow a motorcycle repair business as a Type 3 Home-Based Business pursuant to SCC 14.16.300(4)(i). The proposed business will operate out of an existing 2,500 square foot storage building and will be run by the property owners with no additional employees. The proposed business hours are Monday - Friday, 8:00 AM - 5:00 PM. The motorcycles will be dropped off at the site and stored within the building. No outside storage is proposed. The proposed project is located within the Rural Intermediate (RI) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016, and as thereafter amended.

Proponent: Sean and Tania Peterson (SNT Racing LLC), 17057 Brunswick Street, Mount Vernon, WA 98273

Property Owner: SNT Racing LLC, 17057 Brunswick Street, Mount Vernon, WA 98273

Project Location: The project is located at 17057 Brunswick Street, Mount Vernon 98273, within the southwest quarter of Section 12, Township 34N, Range 3E W.M., situated within Skagit County, Washington. (P21597).

Lead Agency: Skagit County Planning and Development Services.

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 16.12. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

1. The applicant shall comply with Northwest Clean Air Agency (NWCAA) requirements.
2. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Stormwater Management Ordinance, as it relates to increased runoff resulting from additional impervious surfaces. Best Management practices shall be utilized throughout the life of the project.
3. The applicant shall comply with the provisions of Chapter 14.34 of the Skagit County Code (Flood Damage Prevention). Specifically, the applicant must comply with the requirements of SCC 14.34.150 and obtain floodproofing certification. This may be obtained as part of the relevant building permit process.
4. Mechanical ventilation in accordance with the 2021 International Mechanical Code must be provided and be approved by the Skagit County's Building Department. This may be obtained as

part of the relevant building permit process.

4. The applicant shall comply with Fire Code Standards.
5. The applicant shall comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance).
6. The proposal must comply with all applicable requirements of Skagit County Code 14.16 and specifically SCC 14.16.300 (RI) and 14.16.730 (Home Based Business).
7. All motorcycle repairs and testing must be conducted indoors within the proposed workshop.
8. At all times when work is being undertaken or motorcycles are being tested, all doors and openings to the workshop must be closed.
9. No motorcycles, parts, or any associated materials associated with motorcycle repairs and testing are permitted to be stored outside of the workshop.
10. Noise levels shall not exceed max noise levels specified in WAC 173-60-040 at any time.
11. Landscaping must be installed along the south-eastern, southern, and south-western boundaries in accordance with the concept landscape plan received March 19 2024 (prepared by Travis Powell, Boulder Creek). All landscaping must be of Type 3 in accordance with SCC 14.16.830(4)(c) and must be installed to achieve a 6ft tall effective visual screen along the boundaries elected for landscaping in the concept plan received March 19 2024. Landscaping within 30 feet of the driveway must not impair the sight vision between 30 inches and 8 feet from the ground.
12. Boundary landscaping must be maintained as long as the business is in operation.
13. The operation must comply with performance standards outlined in SCC 14.16.840.

The Lead Agency previously issued a comment period for this proposal under the Optional DNS process outlined under WAC 197-11-355.

You may appeal this threshold determination in accordance with Skagit County Code 14.06 and 16.12 and then by filing such with the Skagit County Planning and Development Services for service to the SEPA responsible official within fourteen (14) calendar days after the date of the threshold determination.

Appeals must be submitted no later than: **May 2, 2024**

RESPONSIBLE OFFICIAL: Director of Planning and Development Services

CONTACT PERSON: Angus Bevan, Senior Planner

MAILING ADDRESS: 1800 Continental Place, Mount Vernon, WA 98273.

PHONE: (360) 416-1320

Date: April 15, 2024 Signature Angus Bevan .

On behalf of Jack Moore

Planning and Development Services Director

cc: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, Stormwater and Critical area review staff, Water Resources, WSDF&W, Skagit River Systems Coop, DAHP, Upper Skagit Indian Tribe, Samish Indian Nation, Samish Indian Nation, Skagit Public Utility District, Skagit Dike, Drainage, and Irrigation District 19, Applicant, Parties of Record

Date Transmitted to Skagit Valley Herald: April 16, 2024

Date Published in Skagit Valley Herald: April 18, 2024

NOTICE OF PUBLIC HEARING

THE SKAGIT COUNTY HEARING EXAMINER WILL HOLD A PUBLIC HEARING ON 23, August, 2024 beginning at 9:00 A.M, using remote access technology. A hearing room will also be made available on 23 August, 2024 in the Board of County Commissioners Hearing Room, 1800 Continental Place, Mount Vernon, Washington for the following:

PUBLIC HEARING:

Special Use Permit PL23-0268

The proposal is to use the land for the purpose of a Type 3 Home-Based Business as a motorcycle repair business. The proposed business will operate out of an existing 2,500 square foot storage building and will be run by the property owners with no additional employees. Operating hours will be Monday to Friday 8am to 5pm. Motorcycles will be dropped off at the site and stored within the building. No outside storage is proposed. The subject site is located within the Rural Intermediate (RI) zoning/comprehensive plan designated areas.

LOCATION OF PROPOSED DEVELOPMENT:

The proposed project is located within a portion of the property described as parcel number P21597. The project is located at 17057 Brunswick Street, Mount Vernon 98273, within the southwest quarter of Section 12, Township 34N, Range 3E W.M.

Applicant: Sean and Tania Peterson (SNT Racing LLC)

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
1800 CONTINENTAL PLACE
MOUNT VERNON, WASHINGTON 98273
360-416-1320

Hearings are now being held hybrid, meaning in-person and virtual (via Zoom). To participate in the public hearing virtually you can call +1(253)215-8782, US (Tacoma), or +1(719)359-4580 US, Meeting ID: 812 7077 5954# US (Passcode: 728120), or to join via video please visit:

<https://us06web.zoom.us/j/81270775954?pwd=YzdwSmxLeXp6cDdCbmlFXk0ZSVWNRdz09>

Log in information is also available on the Hearing Examiner website located at www.skagitcounty.net under the “Department Directory,” “Hearing Examiner.”

If you would like to speak at the hearing, please contact the Hearing Examiner Clerk at email HEhearings@co.skagit.wa.us or Kristen Stubben at (360) 416-1103, email kristens@co.skagit.wa.us to sign up.

Comments must be received by Planning and Development Services no later than **4:30 PM Tuesday, August 22, 2023**, or be presented at the public hearing. Email comments may be submitted with the PDS website under the current legal notices tab or to the Office of the Hearing Examiner.

Staff Contact: Angus Bevan, Senior Planner

Angus Bevan

From: Planning & Development Services
Sent: Wednesday, August 21, 2024 8:27 AM
To: Angus Bevan
Subject: FW: PDS Comments

From PDS Inbox

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, August 21, 2024 8:10 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : cecil olin
Address : 104 Gardner Rd
City : Burlington
State : Washington
Zip : 98233
email : cecil_olin@cable.comcast.com
PermitProposal : PL23-0268

Comments : I am for letting this business operate in Skagit county. The owner of this business is a great owner and has great customer service. They provide a service that is needed in the county, I own older motorcycles that the dealerships will not work on. If this shop is forced to close me and a lot of Skagit County residents will be forced to take our business out of the county. Thank you.

From Host Address: 192.168.21.67

Date and time received: 8/21/2024 8:07:34 AM

I am writing to bring to your attention a matter that concerns our neighborhood. As residents of the crossroads Avon Allen and Brunswick in Mount Vernon, we take pride in maintaining the peaceful residential/Agriculture nature of our area. However, recently a motorcycle repair business has opened in our neighborhood, specifically at 17057 BRUNSWICK STREET, known as SNT Racing.

While we respect entrepreneurship and local businesses, the location of this motorcycle business in a residential/Agriculture zone raises significant concerns for our community. First off they did not go through proper channels with Skagit zoning codes, they just moved in, hung a big sign and a lighted open sign. My concern along with a lot of the neighbors has been the increased traffic, noise of all the motorcycle revving will working on the engines of the bikes and of course their inconsideration of the neighborhood and laws.

As residents, we value the tranquility and safety of our neighborhood, and the presence of a commercial enterprise in our midst threatens to disrupt the harmony we have worked hard to maintain. We believe that such businesses should be located in areas zoned for commercial or industrial use, rather than in the heart of our residential community.

We did eventually report them to the county as I and like many of our neighbors have lived in our homes to 15 to 30 years and to have this happen is very frustrating. There will be a public hearing soon and would welcome anyone in our area to attend to show support of keeping our area peaceful and not turning it into a commercial area. We bought out here to have less noise and traffic. Not only will it hurt our right to enjoy our homes but it very well could hurt our sale of our home if we choose to. We are ex Harley riders and have NOTHING against motorcycles, just not a commercial repair shop across the street from us.

Thank you for your attention to this matter. We look forward to a resolution that preserves the best interests of our community.

Angus Bevan
Senior Planner

Skagit County Planning & Development Services

1800 Continental Place
Mount Vernon, WA 98273
Direct 360-416-2025 | Main 360-416-1320



From: jennifer pantano <ljpantano@yahoo.com>
Sent: Thursday, August 22, 2024 3:10 PM
To: Angus Bevan <abevan@co.skagit.wa.us>
Subject: RE: PL23-0268 - Staff Report - 23 August 2024 Hearing Examiner

[Yahoo Mail: Search, Organize, Conquer](#)

On Thu, Aug 22, 2024 at 2:44 PM, Angus Bevan
<abevan@co.skagit.wa.us> wrote:

Yes you can email it to me. That's fine.

The instructions for zoom are on the agenda that was emailed to you.

Hearings are now being held hybrid, meaning in-person and virtual (via Zoom). To participate in the public hearing virtually you can call +1(253)215-8782, US (Tacoma), or +1(719)359-4580 US, Meeting ID: 812 7077 5954# US (Passcode: 728120), or to join via video please visit:

<https://us06web.zoom.us/j/81270775954?pwd=YzdwSmxLeXp6cDdCbmlFXk0ZSVVNRdz09>

Log in information is also available on the Hearing Examiner website located at www.skagitcounty.net under the "Department Directory," "Hearing Examiner."

If you would like to speak at the hearing, please contact the Hearing Examiner Clerk at email HEhearings@co.skagit.wa.us or Kristen Stubben at (360) 416-1103, email kristens@co.skagit.wa.us to sign up.

Cheers

Angus Bevan

Senior Planner

Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

Direct 360-416-2025 | Main 360-416-1320



From: jennifer pantano <ljipantano@yahoo.com>
Sent: Thursday, August 22, 2024 2:37 PM
To: Angus Bevan <abevan@co.skagit.wa.us>
Subject: Re: PL23-0268 - Staff Report - 23 August 2024 Hearing Examiner

Hi

I heard we can email in a letter by 4pm today?

Do I send it to you?

[Yahoo Mail: Search, Organize, Conquer](#)

On Thu, Aug 15, 2024 at 10:40 AM, Angus Bevan

<abevan@co.skagit.wa.us> wrote:

Dear Sir/Madam,

In accordance with SCC14.06.160(5)(a), please find attached staff report in advance of the 23 August 2024 Hearing Examiner open record hearing for application PL23-0268.

You are receiving this as you previously submitted written comments to this application and as such are considered an appellant to the matter.

Please do not hesitate to contact me should you have any issues accessing the report.

Kind regards,

From: [Mikki Drake](#)
To: [HEhearings](#)
Subject: Friday's hearing regarding SnT LLC
Date: Tuesday, August 20, 2024 6:50:00 PM

Hello,

As a former neighbor & someone who has known the Peterson family for 16+ years I would like to write a letter on their behalf for Friday's upcoming hearing.

I have known Sean & Tania for 16 years. For as long as I have known them, Sean has been a mechanic. While in the years that I lived next to them in Glenhaven & the times I frequented their home, they were not operating business, he was still always working on something. His bike, his kids, etc. Noise was never an issue.

What I have witnessed since they moved & opened SnT is a hard working family that is well loved through our Skagit County. If you know someone who has any sort of recreational vehicle, they likely know Sean & Tania or know someone who does. His reputation as a mechanic is superb. I have visited their home & new location on more than one occasion. The shop is kept clean, there never seems to be much traffic & noise? It has never disturbed a conversation sitting outside with Tania.

While I do not know the full extent of this issue nor do I live in their neighborhood, I do know that Sean is a respectful, hardworking citizen who deserves to keep his business. I know that this area is mixed with business & residential nearby. I know that SnT is a positive impact on Skagit County.

I hope that you are able to share these thoughts Friday with those present as I will be unable to attend in person.

Thank you,

Mikki Valentine Drake

From: [ChiefAbel](#)
To: [Kristen Stubben](#)
Subject: Hearing for Special Use Permit PL23-0268
Date: Tuesday, August 20, 2024 5:40:06 PM

To whom it may concern:

My name is Abel Castilleja. My wife Janet and I reside at 17116 Avon Street, Mount Vernon WA 98273. Our house is directly behind 17057 Brunswick Street where Sean and Tanya Peterson are requesting a permit to operate a motorcycle repair shop. We have lived at this address for over three years. During this time we have found Sean and Tanya very good neighbors. They run a very clean business. There are never any junk bikes or debris on the outside of their shop. Noise has never been a problem. There is more noise coming from the two busy streets by our house. Sean and Tanya appear to be providing a very good service to our community. We support their application for a permit to run their business at this address.

To whom it may concern,

August 21, 2024

I wanted to write on behalf of Sean Peterson who has a motorcycle repair shop SNT at 17057 Brunswick Street in Mt. Vernon. Sean is well respected in his industry. Sean worked as a mechanic at Skagit Powersports for 15 years. He had a longstanding dream to own his own shop and provide honest service at a fair price well below the Skagit Powersports shop rates. Sean and his wife purchased a property zoned commercial and the dream came to fruition.

Sean works countless hours as the need for his services is so great. He repairs motorcycles, four wheelers and Jet Ski's. His business is affordable for customers trying to navigate this economy. Sean has also donated his time and service every Thursday at Hannegan Speedway for decades. He mentors kids including my son who took an interest in this career. Thanks to Sean, my son can now work on his own dirt bikes. I thank him for working to give his family and the community everything he has. His small business is an amazing way to serve and impact the community in which we live. SNT generates revenue that converts into local taxes into our community which leads to improvements in schools and parks just to name a few. I wish I could be there on Friday to show my support, but I am unable to.

Thank you for your time,

Leslie Watts

From: [Ed Hruby](#)
To: [HEhearings](#)
Subject: PL23-0268
Date: Thursday, August 22, 2024 2:39:20 PM

We would like to submit this in our support of SNT Race Shop, located at 17057 Brunswick St., Mt. Vernon, WA.

As small business owners ourselves we understand the importance of these entities and the hardship of keeping these legitimate companies lucrative in this day and age.

As customers and friends of the Peterson's we are aware of their purpose and reasoning for purchasing the property on Brunswick Street years ago— to live and run a small business, which previous owners had done, and, what was advertise to them as a continuance. Their passion for entrepreneurship should not be deterred by the overwhelming cost and hassle of having to evacuate the shop that they spent time and money on to create their own. The cost to lease of another building could potentially shut down just another small business in Skagit County.

We know the two to be respectful neighbors who are always there to help anyone out- especially those in close vicinity. They take pride in their property, neighborhood and their business.

We appreciate your time.

Ed Hruby – NW Concrete & Construction

Tracy Hruby – Tower Vending, Incorporated

--

Ed Hruby
NW Concrete and Construction
360-224-1913

From: [DEBBIE SANCHEZ](#)
To: [HEhearings](#)
Subject: Public Hearing PL23-0268
Date: Thursday, August 22, 2024 12:43:48 PM

Hello I was planning on attending the meeting but will not be able to attend. I would however like to have my comments read/seen for special use permit PL-23-0268. Thank you.

Known Facts:

- This is not a new company, so they were aware of the business licensing and permits needed for their motorcycle repair shop.
- They did not require the needed permits to move their motorcycle business to the new location.
- They had motorcycles running up and down the street what makes anyone think they will continue to do this.
- They did not get the permit to move their mobile home onto the property which they also knew they needed.

All these violations show everyone how they conduct business and get around the permit process. They did not come forward on their own for these permits but were turned in for these violations and only then were forced to go about the legal way for permits. The violations I listed are only the ones I am aware of and not any that they may have done. This goes to show the character of how the business will be run no matter the codes you place since they did not even follow the ones, we all must follow. Since they did not follow the rules on obtaining the needed permits knowing that they would need them I have know doubt that they will end up bending any rules you set.

The businesses that were currently located in our neighborhood were already in place when we bought our house so we do not have any right to say anything about those but adding a loud motorcycle repair place to our neighborhood would definitely lower our property value and quickly grow out of control. In the past they did have motorcycles running up and down the streets, setting outside, people hanging out there with the motorcycles.

There were 2 other business that tried to get a permit (Doggie Day Care and Weddings) that were turned down in our neighborhood. I am sure none of you would want this type or business in your neighborhood.

Thank you.

From: [Mason Brooks](#)
To: [HEhearings](#)
Subject: S&T race shop
Date: Wednesday, August 21, 2024 6:28:05 AM

To whom it may concern,

My name is Mason R. Brooks, I live at 13078 Beaver Lake Rd, Mt. Vernon, WA 98273.

I'm writing this letter on behalf on Sean and Tania Peterson of S&T race shop, A family owned and operated small business serving a majority of the Skagit County community with quality mechanical services of powersport equipment.

I've lived within Skagit county for 20+ years, and I've been riding dirtbikes at Walker Valley ORV park for a majority of those years.

If you were to walk through the parking lot on a Saturday morning and ask local riders, weather it be dirtbike, ATV, UTV, If they know of S&T Race Shop, 9 out of 10 would Answer YES.

I believe it would be difficult to find a another local business that better represents the moral values of honesty and quality service.

Besides going above and beyond to serve their customers Sean and Tania take pride in the sense of community that is Skagit County, donating personal time to various organizations locally for the improvement of our community and the people living in it.

S&T Race Shop is a local, family owned, and honest small business, built by lifetime citizens of Skagit county. In a time when small locally owned businesses have the odds stacked against them financially, we as the Skagit County community need to support businesses like S&T.

I believe it would be a detrimental loss to the community if S&T is unable to continue serving Skagit county as they have for many years.

We need more people and local businesses in this community with the same moral values of the Peterson's and S&T Race Shop.

Thank you for your time.
Sincerely,

Mason R. Brooks

From: [Olin, Cecil L](#)
To: [HEhearings](#)
Subject: Special Use Permit PL23-0268
Date: Wednesday, August 21, 2024 7:33:35 AM

I am for letting this business operate in Skagit county. The owner of this business is a great owner and has great customer service. They provide a service that is needed in the county, I own older motorcycles that the dealerships will not work on. If this shop is forced to close me and a lot of Skagit County residents will be forced to take our business out of the county. Thank you.

Cecil Olin
Cell 360-815-2535
Office 360-527-8333
15730 Peterson RD Burlington, WA 98233