

**SKAGIT COUNTY  
OFFICE OF THE HEARING EXAMINER**

**re:** The application for Special Use  
Permits by **Donald C. and Kimberly S.  
Bryan** for Stable and for Temporary  
Events

**PL24-0192 (SUP)**

FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND DECISION

**Crossroads Arena – Stables and  
Riding Club**

**SUMMARY OF APPLICATION AND DECISION**

Application: The Applicants, Donald and Kimberly Bryan, request approval of a Special Use Permit to construct and operate a non-profit equestrian youth mentoring program (Crossroads Arena) that includes a covered riding arena on a 5.01-acre parcel, within the Rural Reserve (RRv) zoning/comprehensive plan designated area.

Decision: The requested Special Use Permit is denied, without prejudice.

**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/Property Owner: Donald and Kimberly Bryan  
PO Box 185  
Sedro Woolley, WA 98284

Agent: Facet, Inc.  
Ellen White, Selena Stanley and Kristine Smith  
2210 Riverside Drive, Suite 110  
Mt. Vernon, WA 98273

Site Address: 5334 Tenneson Road  
Sedro Woolley, WA 98284

Legal Description: Tract 23 of a portion of Section 31, Township 36 North, Range 5 East, W.M., Recorded on May 6, 1974, Under AF#800321, In Volume 1 of Surveys, Page 52, Records of Skagit County, Washington.

Assessor's Parcel No(s). 360531-1-003-0407

Lot Size: 5.01 acres

Zoning: Rural Reserve (RRv)

Water Supply: Well

Sewage Disposal: Onsite Septic

Fire Protection: Skagit county Fire District #8

Law Enforcement: Skagit County Sherriff's Office

Application Date: May 30, 2024

Determination of Completeness: September 18, 2024

Shoreline Designation: NA

Statewide Significance: NA

SEPA Review: Mitigated Determination of Nonsignificance (MDNS) issued June 12, 2025

Notice Information: Notice of Application, posted on-site, September, 25, 2024  
Notice of Application, published in the Skagit Valley Herald and mailed to property owners w/n 300 feet, September 26, 2024  
Notice of Public Hearing, posted on-site, August 20, 2025  
Notice of Public Hearing, published in the Skagit Valley Herald, August 21, 2025  
Notice of Public Hearing, cancelled, August 29, 2025  
Notice of Revised Public Hearing, posted on-site, November 25, 2025  
Notice of Revised Public Hearing, published in the Skagit Valley Herald, November 25, 2025

Primary Authorizing Codes, Policies, Plans, and Programs:

- Revised Code of Washington (RCW)
  - RCW 36.70A, Growth Management Act
  - RCW 36.70B, Local Project Review
- Washington Administrative Code (WAC)
  - WAC 197-11, SEPA Rules
- Skagit County Code (SCC)
  - SCC 14 – Unified Development Code
    - SCC 14.02 – General Provisions
      - SCC 14.02.070 – Office of the Hearing Examiner
    - *Former* SCC 14.06 – Permit Procedures
    - *Former* SCC 14.16 – Zoning

- SCC 14.16.320, Rural Reserve (RrR)
  - SCC 14.16.900, Special Use Permit Requirements
- *Former* SCC 14.22 – Land Disturbance
- SCC 14.24 – Critical Areas Ordinance
- SCC 14.32 – Stormwater Management
- Skagit County Comprehensive Plan 2024-2025, as adopted by Skagit County Board of Commissioners on 6/23/25 (SCP or “Comprehensive Plan”)
- Skagit County Hearing Examiner’s Rules of Procedure (SCRE), as authorized by Skagit County Commissioners per Resolution #R20240280 on 12/16/24

Hearing Date: December 19, 2025 at 8:30 AM

Testifying Parties of Record:

Deepti Khanna, Associate Planner  
 Skagit County Planning & Development Services  
 1800 Continental Place  
 Mount Vernon, WA 98273

DeAnn Long  
 5208 Tenneson Rd  
 Sedro Woolley, WA 98284

Jim Beutler  
 5210 Tenneson Rd  
 Sedro Woolley, WA 98284

Doug Long  
 5208 Tenneson Rd  
 Sedro Woolley, WA 98284

Carolann Townsend  
 5483 Tenneson Rd  
 Sedro Woolley, WA 98284

Glenn McGoff

5206 Tenneson Rd  
Sedro Woolley, WA 98284

Bea Robson  
5124 Tenneson Rd  
Sedro Woolley, WA 98284

Hearing Examiner Exhibit List:

1. Special Use Permit Application - Received May 30, 2024.
2. Drainage Report - Received May 30, 2024.
3. Site Plan - Received May 30, 2024.
4. Determination of Incompleteness and Letter requesting additional information - Dated June 24, 2024.
5. Submittal Received - Manure Management Report – August 7, 2024.
6. Submittal Received – Wastewater Calculations – August 27, 2024.
7. Additional information received, Revised application & Narrative - September 04, 2024.
8. Revised Drainage Landscaping Parking Plan - September 6, 2024.
9. Notice of Development Application (NODA) issued September 24, 2024, published September 26, 2024.
10. Proof of Notice of Development Application (NODA) posting Photos - September 25, 2024.
11. Certificate of Posting for Notice of Development Application – September 25, 2024.
12. Certificate of Mailing for Notice of Development Application with attached mailing list – September 25, 2024.
13. Proof of Publication from Skagit Valley Herald - September 26, 2024.
14. Public Comment from Douglas and DeAnn Long, 5208 Tenneson Road, Sedro Woolley, WA 98284 (longs.mail@wavecable.com), received October 4, 2024.
15. Public Comment from Bea Robson, 5124 Tenneson Road, Sedro Woolley, WA 98284, received October 4, 2024.
16. Public Comment from Tenneson Ranch Road Association, P.O. Box 143, Sedro Woolley, WA 98284, received October 4, 2024.
17. Public Comment from Lindy Beutler, 5210 Tenneson Road, Sedro Woolley, WA 98284 (plumcrazylady56@gmail.com)), received October 8, 2024.
18. Agency comments submitted during the Notice of Application comment period.

19. Letter request for additional information and response to Public and Skagit County Staff Comments dated October 14, 2024.
20. Level I TIA (trip generation and distribution study), received February 06, 2025.
21. Letter requesting extension to submitted additional information requested - February 07, 2025.
22. Letter Approving extension to submit additional information – February 10, 2025.
23. Public Works comments on TIA review, received March 05, 2025.
24. Additional Submittal Received - Civil Plans BP24-0818 (Approved July 3, 2025) – Received May 14, 2025
25. Additional Submittal Received - Drainage Report BP24-0818 (Approved July 3, 2025) – Received May 14, 2025
26. Applicant response to the public comments – Received May 14, 2025
27. Mitigated Determination of Non-Significance (MDNS) – June 10, 2025
28. Proof of publication of MDNS on Skagit Valley Herald – June 10, 2025
29. Proof of SEPA Publishing on the WSDOE website – June 10, 2025
30. MDNS Sign Posting Photos – June 11, 2025
31. Certificate of Posting MDNS – June 11, 2025
32. Certificate of Mailing and Mailing List for MDNS – June 11, 2025
33. Notice of Public Hearing published August 21, 2025.
34. Proof of publication of Public Hearing published August 21, 2025. Skagit Valley Herald
35. Public Hearing Sign Posting Photos – August 20, 2025
36. Certificate of Mailing and Mailing List for Public Hearing – August 20, 2025
37. Certificate of Posting Public Hearing Notice – August 20, 2025
38. Notice of Public Hearing Cancelled August 29, 2025
39. Notice of Public Hearing Republished November 25, 2025.
40. Proof of publication of Public Hearing Republished November 25, 2025. Skagit Valley Herald
41. Public Hearing Sign Posting Photos – November 25, 2025.
42. Certificate of Posting Public Hearing Notice – November 25, 2025.
43. Certificate of Mailing and Mailing List for Public Hearing – November 25, 2025.
44. Skagit County Title 14.16 Code References in place at time of review (Included: RRv zoning, Parking, Performance Standards, Special Use Permit requirements section (1)).
45. Vested Code Skagit County Code Chapter 14.02 GENERAL PROVISIONS
46. Vested Skagit County Code Chapter 14.04 DEFINITIONS
47. Vested Code Skagit County Code Chapter 14.06 PERMIT PROCEDURES
48. Staff Report and Departmental Findings *dated* December 5, 2025.
49. Public Comments, Boyd, *received* December 11, 2025

- 50. Public Comment, Scott McFadden, *received* December 11, 2025
- 51. Emergency Order, *entered* December 11, 2025
- 52. Photographs of Townsend, *filed* at Hearing on December 19, 2025

## II.

The applicants, Donald and Kimberly Bryan, request approval of a Special Use Permit (PL24-0192) to construct and operate a non-profit equestrian youth mentoring program (Crossroads Arena) that includes a covered riding arena on a 5.01-acre parcel located within the Rural Reserve (RRv) zoning/comprehensive plan designated area.

The application seeks approval to operate the non-profit equestrian youth mentoring program and for the following. Construction of a 7,200 square foot pole building (covered riding arena), construction of a 1,920 square foot barn for horse stalls, tack room, and minor support functions, an outdoor fenced riding area, gravel parking area to accommodate program staff, volunteers, and trailers, and manure storage area, along with associated fencing, and vegetative buffers for screening.

The proposed covered riding arena, barn and outdoor riding area would be used for a non-profit equestrian youth mentoring program, intended to provide a safe and supportive environment for youth to engage with horses in the presence of trained adult volunteers. The program is designed to provide therapeutic and developmental benefits.

## III.

There were written public comments received during the public comment period for the Notice of Application, and also received afterwards by the Office of the Hearing Examiner. Those comments addressed potential traffic impacts on the single-lane access road, stormwater runoff, off-street parking at time of construction and events, capacity of the existing septic system, site exposure to high wind conditions, manure storage and management practices. Many of those concerns were addressed in the Staff Report and responsive memos by the Applicant and Staff.

However, the Applicant did not manifest at the hearing and facts were not able to be elicited in particular about the concerns about road impacts.

#### **IV.**

The Skagit County Planning and Development Services Staff (the “Department”) have recommended approval of the requested Special Use Permit in a “Skagit County Planning and Development Services Staff Report,” dated December 5, 2025 (“Staff Report” **Ex. 48**).

The Applicant was not present to indicate whether or not there were any factual or legal inaccuracies in the Staff Report’s findings or conclusions, or whether they agreed with the conditions proposed. There were questions outstanding about how the applicant would interpret the conditions imposed that could not be answered because of their absence; in particular with regard to road maintenance.

The Findings of Fact and Conclusions of Law in the Staff Report, a copy of which is attached hereto and incorporated herein, are supported by the record as a whole and are hereby adopted and incorporated herein by this reference, except where explicitly contradicted by the findings herein.

#### **V.**

SCRE §20(B) allows the Hearing Examiner to issue subpoenas and compel attendance of witnesses— but in this case no party requested the Hearing Examiner to compel a witness to appear in person and be cross examined.

#### **VI.**

SCRE §14 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 by the Department was made to any of the 52 exhibits that were admitted into the record.



## **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.**

##### Scope of Hearing, Jurisdiction, & Concurrency

Whenever possible, development applications are consolidated and reviewed according to the highest standard of all the permits, with some exceptions outlined in the law.<sup>1</sup>

In this case the highest application level is the Special Use Permit proposal that contemplates a Stables and Riding Club which must be heard by the Hearing Examiner,<sup>2</sup> as a Level II review by the Hearing Examiner.<sup>3</sup>

##### Nature of Use

Stables and Riding Clubs are defined by SCC 14.16.320(4)(dd) as a facility designed for equestrian activities and events, including boarding, breeding, and training. Such uses may offer occasional spectator events but are intended primarily for routine daily equestrian activities. Stables and Riding Clubs are allowed in the Rural Reserve zone with an approved Hearing Examiner Special Use Permit.

Temporary Events are defined by SCC 14.16.320(3)(o) as the commercial use of property for any musical, cultural, or social event held indoors or outdoors. Temporary events are allowed in the Rural Reserve zone with an approved Administrative Special Use Permit (ASUP).

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<sup>1</sup> SCC 14.06.060

<sup>2</sup> SCC 14.16.320(4)(dd)

<sup>3</sup> SCC 14.06.150

As the proposal includes the need for both a Hearing Examiner Special Use Permit and an Administrative Special Use Permit, the two proposals are consolidated and the proposals are reviewed at the highest required level of permit authority, which is a Hearing Examiner Special Use Permit.

### Zones

The purpose of the RRv zone is to allow low-density development and to preserve the open space character of those areas not designated as resource lands or as urban growth areas.<sup>4</sup>

The proposed use and associated activities are consistent with the purpose of the Rural Reserve zone.

## **II.**

### Special Use Permits

Special uses are a type of use permit designed to recognize and approve land uses not specifically identified as allowed uses. Such special use permits must demonstrate that the proposed activity will not adversely affect or prevent those uses normally allowed within the respective district.<sup>5</sup> Further, they may have specific additional criteria.

All Special Use Permits must demonstrate that the proposed activity will not adversely affect or prevent those uses normally allowed within the respective district.<sup>6</sup> The criteria are as follows:

- A.** The proposed use will be compatible with existing and planned land use.
- B.** The proposed use complies with the Skagit County Code.

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<sup>4</sup> SCC 14.16.320(1)

<sup>5</sup> Former SCC 14.16.900(1)(a)

<sup>6</sup> SCC 14.16.900(1)(a)

- 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—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.<sup>7</sup>

#### Special Use Permits – Temporary Event Criteria

A temporary event use is one that is a commercial use of property for any musical, cultural, or social event held either indoors or outdoors.<sup>8</sup> It is specifically identified as an administrative special use in the RRV Zone,<sup>9</sup> but with special criteria.

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<sup>7</sup> Former SCC 14.16.900(1)(b)

<sup>8</sup> SCC 14.18.290(1)

<sup>9</sup> Former SCC 14.16.320(3)(o)

The criteria for approval or denial shall include the following:

- i. Events may occur on no more than 24 calendar days per year.
- ii. Parking for all events shall be fully contained on the subject property and shall not include the use of any road right-of-way.
- iii. Does not create a detrimental level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other environmental impacts on the surrounding area.
- iv. All lighting is directed away from neighboring residences or businesses.<sup>10</sup>

#### Hearing Examiner Special Use Permit – Stables and Riding Clubs

To provide a means to recognize and approve land uses that are not specifically identified as “allowed” or “permitted” uses, there are Special Use Permits for certain identified activities.<sup>11</sup> In the RRv Zone, “Stables and Riding Club” are Hearing Examiner Special Uses.<sup>12</sup>

#### Totality of Evidence

In this case, after reviewing the files and testimony, and having made the findings above, the Hearing Examiner finds that the project would not be compliant with the SUP criteria without conditioning beyond what the facts can support and without input from the applicant who was not present at the hearing.

The proposed use generally fits with zone purposes and the proposed conditions regarding sound, odor, manure, stormwater, parking and wind adequately deal with public concerns, but the improvement and maintenance of the road is a question left outstanding. Generally, the Office of the Hearing Examiner would stay away from the disputes of private property owners and allow them to settle their matters over use of real property or easements

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<sup>10</sup> Former SCC 14.16.900(2)(h)

<sup>11</sup> Former SCC 14.16.900(1)(a)

<sup>12</sup> Former SCC 14.16.320(4)(dd)

in Superior Court but given that Public Works has recommended a condition regarding the upgrading of the private road, it begs several questions that the applicant must answer. Such a road must be maintained, and the recommended condition does not deal with that issue. What was the applicants plan and does an agreement need to be reached with the probable collective 26 landowners who make up the governance of the Tenneson Road Ranch Association. Either the applicant or Public Works need to explain the reasoning and consequences of the demanded road upgrade.

Consequently, the Special Use Permit should be denied, because 1.) the Hearing Examiner lacks information to adequately answer prong G of the SUP criteria re: road upgrades, and 2.) the applicants' lack appearance constitutes a violation of SCHE §12(B) and while it is not being dismissed on that ground the lack of information the Hearing Examiner can elicit from the applicant underlines the importance of that rule.

### **III.**

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**

*The Special Use Permits are denied.*

### **NOTICE OF APPEAL PROCEDURES FROM FINAL DECISIONS OF THE 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 a hearing examiner.

- A.** Type 1 decisions are appealed to Skagit Superior Court, pursuant to the provisions of SCC 14.06.150-1; Appeals to the Superior Court must be filed with the Superior Court within 21 calendar days of the final decision of a hearing examiner pursuant to RCW 36.70C.040(C).

- B.** Type 2 and 3 decisions are appealed to the Skagit County Board of Commissioners, pursuant to the provisions of SCC 14.06.150-1; Appeals to the Skagit County Board of Commissioners require filing of a written notice of appeal within 14 calendar days of the final decision of a hearing examiner for most decisions, *but* Shoreline permit decisions require filing a notice of appeal within five days of the decision per the same ordinance as provided in SCC 14.06.410(3).

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 December 19, 2025



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Rajeev D. Majumdar  
Skagit County Hearing Examiner