

**NOTICE OF DECISION**  
**BEFORE THE SKAGIT COUNTY HEARING EXAMINER**

**Applicant:** Guemes Island Community Center Association  
c/o Barbara Ohms, President  
7549 Guemes Island Road  
Anacortes, WA 98221

**Request:** Special Use and Temporary Events Permit (PL21-0180)

**Location:** 6561 Guemes Island Road, adjacent to Schoolhouse Park, within a portion of Sec. 1, T35N, R1E, W.M. Parcels Nos: P60874, P60877

**Zoning:** Rural Reserve (RRv)

**Summary of Proposal:** To obtain a special use and temporary events permit designating two parcels as a Community Park and authorizing temporary events at the Guemes Island Community stage.

**Public Hearing:** October 27, 2021. Testimony by Planning and Development Services (PDS) and by Applicant's representative. No public testimony.

**Decision/Date:** The application is approved, subject to conditions. November 3, 2021.

**Reconsideration/Appeal:** Reconsideration may be requested by filing with PDS within 10 days of this decision. Appeal is to the Board of County Commissioners by filing with PDS within 14 days of this decision, or decision on reconsideration if applicable.

**Online Text:** The entire decision can be viewed at:  
[www.skagitcounty.net/hearingexaminer](http://www.skagitcounty.net/hearingexaminer)

## **FINDINGS OF FACT**

1. Guemes Island Community Center Association (GICCA) seeks a permit to include the site of its stage building and other amenities within a community park and to authorize the use of the building for temporary events.
2. GICCA owns two parcels adjacent to Schoolhouse Park. The GICCA property contains the stage, a paved play area/basketball court and a covered picnic table. Schoolhouse Park contains a tennis court and a covered picnic table pavilion. There are no fences or barriers separating the GICCA parcels from Schoolhouse Park.
3. GICCA and Skagit County Parks and Recreation (SCPR) have entered into a reciprocal agreement to plan cooperatively for the uses of their neighboring properties. Each party has agreed to provide resources as part of an exchange of services, including parking, equipment, and recreation programming.
4. The overall site is open year around, seven days a week, dawn to dusk. The applicant will abide by County Parks hours of operation and closures. Volunteers will staff events on the GICCA property.
5. Existing parking on the combined site (36 spaces) should meet ongoing needs for routine operation of the properties. There are two existing gravel parking lots. Two ADA spaces will be added to the western lot. Ten additional parking spaces for maintenance or special events will be provided in parking area south of the stage off of Guemes Island Road. GICCA will provide a shuttle service for large events from the Guemes Island Community Center and the Guemes Island Community Church (61 spaces).
6. The site is within walking distance of the ferry and a ferry-to-park trail will parallel Guemes Island Road.
7. The subject property is surrounded by sparse rural residential uses within the Rural Reserve designation. Most of the GICCA-owned area is forested, providing a visual buffer on the east and south sides of the site. Landscaping may be installed around the stage to supplement existing mature vegetation.
8. Critical areas review was completed in connection with other permits. The project will not encroach upon any protected critical area.
9. Notice of development was posted on the site and mailed to all property owners within 300 feet of the site. The Notice was published on May 6, 2021. No public comments were received.

10. After environmental review pursuant to the State Environmental Policy Act (SEPA) a Determination of Non-Significance (DNS) was issued on July 15, 2021. The DNS was not appealed.
11. The application was circulated to interested County departments. Their comments are reflected in conditions of approval.
12. The Staff evaluated the application in light of the relevant permit criteria and determined that, as conditioned, the proposal meets the criteria. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.
13. Any conclusion herein which may be deemed a finding is hereby adopted as such.

### **CONCLUSIONS OF LAW**

1. The Hearing Examiner has jurisdiction over this proceeding. SCC 14.16,900(1)(b)(iii).
2. The requirements of the SEPA have been met.
3. The subject application requests authorization of temporary events. With the conditions imposed, the criteria for Special Use Permits for such events are satisfied. SCC 14.16.900(2)(h).
4. The proposal, as conditioned, satisfies the general criteria for Special Use Permits. SCC 14.16.900(1)(b)(v).
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

## CONDITIONS

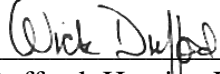
1. The project shall be constructed and operated as described in the application materials, except as the same may be modified by these conditions.
2. The applicant shall obtain all required permits and abide by the conditions of same.
3. If any additional grading is done on site, PDS shall be notified prior to undertaking the activity.
4. The Applicant shall comply with the August 2021 Reciprocal Agreement between GICCA and SCPR.
5. The applicant shall contact SCPR before any event. Temporary events shall comply with SCC 14.16.900(2)(h)(i-v).
6. Events may occur no more than 24 calendar days per year per SCC 14.16.900(2)(h)(i)
7. Before large events, the Applicant shall contact the Guemes Island Ferry Operations Division of SCPR.
8. No event or activity shall use the stage until the building permit for it (BP19-0292) is finalized by PDS.
9. Development, the approved use, and events shall comply with all requirements of the Building Department, including but not limited to:
  - A. Terms of BP19-0292. Inspections are remaining to final this permit.
  - B. Grading and access to an event using the stage shall meet ADA requirements for accessible path and viewing area as well as access to and on the stage.
  - C. ADA parking shall be finished as agreed with PDS. Striping shall be completed and signs shall be installed.
10. Development, the approved use, and events shall comply with all requirements of the Public Works Department, including but not limited to:
  - A. Event and emergency vehicles parking shall not be located in the County Right of Way.
  - B. Parking that requires vehicles to back out onto County Right of Way is prohibited.
11. Development, the approved use, and events shall comply with the requirements of the Water Division of PDS. The well search submitted for PL21-0180 meets SCC 14.24.330(2).

12. Development, the approve use, and events shall comply with the requirements of Environmental Health Division of the Public Health Department, including but not limited to:
  - A. Any hose bibs, spigots or other water connections shall be identified as “non-potable” unless they are connected to an approved public water system and have adequate supply to the location.
  - B. Temporary events with food service shall be reviewed prior to any event by the Public Health Department.
13. Development, the approved use, and events shall comply with the Parks and Recreation Code, in particular SCC 9.41.050, hours of operation and closures.
14. Parking shall comply with SCC 14.16.800.
15. Development, the approved use, and events shall comply with all requirements of the Skagit County Fire Marshal. The Fire Marshal shall be contacted prior to proposed events to determine if a fire inspection is required.
16. Signs shall comply with SCC 14.16.820. PDS shall be contacted prior to installation of any signs.
17. The applicant shall comply with SCC 14.16.840, performance standards.
18. The applicant shall comply with applicable noise, vibration and light standards.
19. PDS shall be contacted prior to any major change in the intensity of the use outlined in the application.
20. The applicant shall comply with applicable State regulations, including but not limited to those relating to surface and ground water quality.
21. PDS shall be notified within 30 days after any change in ownership of the parcels involved by submitting a letter to the Planning Director referencing PL21-0180.
22. The proposal shall be commenced within two years of permit approval.
23. All outstanding planning review fees shall before approval becomes final.
24. Failure to comply with any permit condition my result in permit revocation.

**ORDER**

The requested Special Use and Temporary Events Permit (PL21-0180) is approved, subject to the conditions set forth above.

**SO ORDERED**, this   3   day of November , 2020.

  
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Wick Dufford, Hearing Examiner

Transmitted to Applicant, and County Staff on November   5  , 2021 ,