

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Applicant: J & L Frazier LLC
11745 Sunrise Lane
Burlington, WA 98233

Contact: John Ravnik
Ravnik & Associates
P.O. Box 361
Burlington, WA 98233

Request: Preliminary Plat PL15-0465

Location: 12760 Avon Allen Road, Burlington, WA within a portion of Section 2, Township 34 North, Range 3 East, W.M., Skagit county, Washington. Parcel # P21047

Land Use Designation: Bayview Ridge Residential (BR-R)

Summary of Proposal: To create a 32-lot plat single family residential land division on a 15.63 acre site. Lots will vary in size from approximately 6,200 square feet to approximately 14,300 square feet.

SEPA Compliance: A Mitigated Determination of Non-Significance (MDNS) was issued on November 5, 2015.

Public Hearing: March 16, 2016. Testimony by Staff, Applicant and 1 member of the public. Planning and Development Services (PDS) recommended approval.

Decision/Date: The application is approved, subject to conditions.
March 24, 2016.

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/hearing examiner](http://www.skagitcounty.net/hearing_examiner)

**SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON**

In the Matter of:

J & L FRAZIER, LLC

Applicant,

Preliminary Plat Application.

PL15-0465

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER**

This matter having come regularly before the Skagit County Hearing Examiner for a public hearing on March 16, 2016 under an application filed with the Planning & Development Services Department by the applicant, J & L Frazier, LLC.

PROJECT DESCRIPTION: Applicant is seeking preliminary plat approval of the Long Plat land division for the Plat of Frazier Heights. The project proposal includes the creation of thirty-two (32) single family residential lots, on a 15.63 acre site.

SITE DESCRIPTION: The subject property is approximately 15.63 acres in size originally created with Skagit County Short Plat #91-044, recorded under Auditor's File No. 9111040047. Physically located westerly of Avon Allen Road and northerly of Ovenell Road. The northwesterly third of the property is sloped downhill to the southeast, adjacent to the remainder of the property which is generally flat. All of the lower flat area of the subject property is located in the Skagit River Floodplain whereas nearly all of the sloped property is well above the Skagit River Floodplain. There is one existing residential structure located along the north side of the property, approximately 730 feet west of Avon Allen Road, which is accessed via a private gravel driveway extending from Avon Allen Road. The lower flat area of the property is non-vegetated and has been used for various agricultural activities for many decades. This lower area contains a 60 foot Cascade Natural Gas easement which runs diagonally (southwest to northeast) through the center of the parcel, along with an existing drainage course, constructed in the early 1900's, the center of which generally makes up the southern property line.

PROCESSING: A Notice of Development Application was posted on the subject property, published in a newspaper of general circulation on October 8, 2015, and mailed to all of the adjacent property owners within 300 feet of the subject property lines as required by SCC Section 14.06.150 (*Exhibit #3*). The Notice of Development included a fifteen (15) day comment period which ended on October 23, 2015. Three public comment letters were received during the comment period (*Exhibit #4*). This is reviewed as a Level II Hearing Examiner pre-decision requiring an open record public hearing before the Skagit County Hearing Examiner, for which the Hearing Examiners action is final, unless appealed.

FINDINGS OF FACT

1. **ZONING/COMPREHENSIVE PLAN:** The proposed project is located within the Bayview Ridge Residential (BR-R) zoning/comprehensive plan designated areas as indicated in the Skagit County Comprehensive Plan and associated maps adopted September 20, 2011 and as there after amended.
2. **STATE ENVIRONMENTAL POLICY ACT.** The application was reviewed in accordance with the State Environmental Policy Act guidelines (WAC 197-11 and RCW 43.21C). A Mitigated Determination of Nonsignificance (MDNS) was issued and published on November 5, 2015 and became effective following a fifteen (15) day comment period that ended on November 20, 2015 and a fourteen (14) day appeal period that ended on December 4, 2015 (*Exhibit #7*). No comment letters or appeals were received as a result of the environmental determination. The following conditions were placed on the Threshold Determination (MDNS):
 - a. Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the placement of any fill material. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage Ordinance. Said measures shall remain in place until completion of the project.
 - b. The applicant shall comply with Northwest Clean Air Agency requirements.
 - c. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage, Water, Sedimentation Control Ordinance, as it relates to increased runoff resulting from additional impervious surfaces.
 - d. The applicant shall comply with Fire Code Standards.
 - e. An engineered soils compaction report shall be required for all structures placed on fill material.
 - f. The applicant shall comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance).
 - g. The proposal shall comply with **all** applicable requirements of SCC 14.16 and SCC 14.18. Most notably, SCC 14.16.830 Landscaping, SCC 14.16.840 Performance standards, and SCC 14.16.850 General provisions.
 - h. This project may be subject to one of Ecology's National Pollutant Discharge Elimination Systems (NPDES) permits. A Construction Stormwater General or Industrial Permit may be required by the Department of Ecology (WSDOE) for this project. Contact the WSDOE Bellingham Field Office at (360) 715-5200 to determine if an NPDES permit is required.
 - i. It is recommended that the project be constructed in accordance with the applicable Federal Aviation Administration (FAA) and Washington State Department of Transportation (WSDOT) guidance regarding Hazardous Wildlife Attractants on or Near Airports.
 - j. Cascade Natural Gas Company and BP Olympic Pipeline Company shall be notified of any proposed work within 100 feet of their pipeline. The

applicant shall call 811 prior to ground work commencing.

- k. Should any human remains, archaeological, historic or cultural materials be discovered during construction, work in the affected area shall cease immediately and the area shall be secured. Within 24 hours, of the discovery, or as soon thereafter as possible, the developer shall notify the Skagit County Sheriff's office, Skagit County Planning and Development Services, the Washington State Department of Archeology and Historic Preservation and affected tribes. If following consultation with the above parties it is determined that an archaeological and cultural resource assessment is required, the project developer shall retain the services of a professional archaeologist to prepare such an assessment. Project work in the affected area shall only continue when in conformance with applicable state and federal laws.
2. **FLOOD AREA REVIEW.** The subject property is located within Flood Zones C (upland portion) and A7 as identified by FEMA on Flood Insurance Rate Map (FIRM) panel number 530151 0250 C with the effective date of January 3, 1985.
3. **CRITICAL AREA REVIEW:** The subject parcel was reviewed with the respect to the Skagit County Critical Areas Ordinance, SCC 14.24 of the Skagit County Code. Critical Areas review staff supplied comments and conditions which are incorporated in the conditions of approval below.
4. **PROJECT REVIEW:** The application was circulated to Skagit County Public Works, Planning and Development Services Environmental Health Unit (Water Resources and Septic review), Planning and Development Services Critical Area staff, the Skagit County Fire Marshal, and the Skagit County Treasurer for review. Additionally, the application and public notices were sent to the City of Burlington, the Port of Skagit County, Washington State Department of Transportation, Cascade Natural Gas Co., and BP Olympic Pipeline for review. Comments from the individual reviewing disciplines and requirements to be completed prior to final plat approval are incorporated in the conditions of approval below.
5. RCW 58.17.110(2)(a) requires specific findings relating to adequate provisions for public health, safety, and general welfare and for such open spaces, drainage ways, street or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. The following are staff findings regarding those statutory issues outlined in the above State Statute and are adopted by the Hearing Examiner.

A. Public Health, Safety and General Welfare:

It appears the proposed plat has met the minimum requirements relating to sewage

disposal. Prior to final approval, conditions required from Environmental Health and the Water Resources Division will need to be approved. Other recommended conditions would be to provide adequate standards for transportation safety and provide for adequate provisions relating to parks, recreation and schools.

B. Open Spaces:

The applicant has proposed a thirty-two (32) lot single family residential Land Division on approximately 15.63 acres. The proposed lots range in size from approximately 6,200 square feet to approximately 14,300 square feet, for an average lot size of approximately 9,175 square feet, comprising a total of approximately 6.74 acres of clustered development located along the northwesterly and westerly portions of the property. The remaining property/acreage (approximately 8.89 acres) will be left as open space protected areas, roadways, and separate tracts. Aside from the 32 proposed residential lots, the proposal includes 2.38 acres of proposed road right-of-way, 1.06 acres of Cascade Natural Gas Co. easement (Tract Z), .48 acres of access/utility easement (Tract Y), 1.59 acres of Pond Area (Tract X), 3.16 acres of stream and wetland buffer areas (Tract S and V), and .22 acres of neighborhood park (Tract W).

C. Drainage Ways:

A drainage report has been submitted and reviewed by Public Works staff. Storm drainage and access easements will be provided along with the stormwater facilities. All lots in the development are subject to the drainage report and conditions therein including any maintenance plan requirements for all drainage facilities as required detailing the nature and frequency of required maintenance. Skagit County Public Works will continue to review the proposal in compliance with the Skagit County Drainage Ordinance to ensure compliance is met prior to final approval.

D. Streets or roads, alleys and other public ways, transit stops:

The proposed land division will be accessed by a paved public roadway off of Avon Allen Road to the east. A 50 foot access easement has been provided which will terminate at a paved cul-de-sac. The roadway is to be built to County Road standards prior to final plat approval. The development will be required to comply with the infrastructure requirements of SCC 14.16.340(7) which includes complying with SCC 14.16.215, the Bayview Ridge Urban Growth Area, and with Chapter 14.28 SCC, Concurrency. The property is not located on an existing public transportation bus route and no transit stops are located within the vicinity. Three proposed road names will be required to be supplied and reviewed by Skagit County Geographic Information Services (GIS) for approval.

E. Potable Water Supplies:

The proposed lots will be supplied water by Public Utility District #1 (PUD #1). PUD #1 has supplied a letter of water availability (*Exhibit #10*) indicating that the district has sufficient supply to furnish domestic water to the property. The water system for the proposed lots will be required to be installed and approved by the

PUD #1 Board of Commissioners, or appropriately bonded for, prior to final plat approval.

F. Sanitary Wastes:

The property is located within the service boundary of the City of Burlington Sewer District and will be connected to the public sewer service. A letter of sewer availability has been provided by the City of Burlington (*Exhibit #12*) and a note has been provided on the face of the plat (note #5). Prior to final approval, sewer lines and stubouts to all lots will be required, Or, a performance bond for the project per Section 12.05.210(3) of the Skagit County Code.

G. Parks and Recreation, playground:

Skagit County Code section 14.18.000 (5)(e) states “Parkland and facilities.” The developer shall either provide parkland and facilities within the land division in accordance with the standards in the Skagit County Comprehensive Park and Recreation Plan or a fee in lieu of required land and/or facilities. Even though the land division is providing approximately 6.51 acres of open space area that can be used for recreational purposes, aside from Tract W, those areas are primarily dedicated to other uses, or other primary purposes, such as a gas easement, critical area protection or required stormwater detention. Therefore, the recreational use of these areas would be considered more passive recreational usage in nature, such as walking trails and viewing, and not specifically dedicated to more active recreational uses. Of the open space areas being provided, only proposed Tract W (.22 acres) is being provided/listed as a “Neighborhood Park” and is shown to be comprised of only an outdoor seating amenity. Although, the open space being provided does benefit the development as a whole, it is private and passive in nature. More than a recreational amenity, the area allows the development to justify meeting the required density of 4 to 6 units per acre but does not mitigate for any anticipated overall level of service impacts to other Skagit County Community and Neighborhood Parks. Therefore, a voluntary mitigation agreement with Skagit County Parks shall be set up to compensate for the increase in parks and recreation/playground use. This voluntary mitigation shall be in the amount of \$100/lot and paid prior to the issuance of building permit applications. This shall also be spelled out in the “plat notes” on the face of the plat as well as addressed within the CC & R’s for this development. A mechanism for collecting the fees shall be established by the applicant prior to final plat approval.

H. Schools and Schoolgrounds:

The proposal is located within the Burlington-Edison School District. There are no schools located within the immediate vicinity of the proposed project. The nearest schools would be Bayview Elementary, located along Josh Wilson Road, West View Elementary and Burlington-Edison High School, located adjacent to each other and both within the city limits of Burlington east of Interstate 5.

Further, SCC 14.18.000(5)(c) states:

“Safe Walking Conditions for School Children. In cases where a school is located within a quarter mile of a long subdivision, where it is likely the children will walk to school, information regarding pedestrian needs generated by the project will be required and reviewed. Where deemed necessary, safe walkways between the land division and the school may be required.”

School aged children residing within this development will be bused to relevant school since there is no school within a quarter mile of the project site.

I. Public Use and Interest

This proposal is not contrary to the public use or interest of the area. The subject property is located within the Bayview Ridge Residential (BR-R) zoning designation within the Bayview Ridge Subarea Plan. The purpose of this district is to maintain an urban residential community that continues to reflect a high quality of life and to implement the Subarea Plan Policies. The Bayview Ridge Subarea is intended allow development at more Urban than Rural standards and employ more urban levels of services for streets, water service, stormwater, and sanitary sewer service as required by SCC 14.16.215 (the Bayview Ridge Urban Growth Area). There is no minimum density within the BR-R zone for construction of a single-family residence and land divisions must achieve a net density (excluding rights-of-way, trails, and parks) of at least four and no more than six units per acre, except as constrained by the Airport Environs Overlay zone. The total acreage on this parent parcel is 15.63 acres with a total net developable area for residential density of 7.22 acres. Thirty-two (32) lots divided by the net developable area of 7.22 acres equals 4.43 dwelling units per acre. The proposal is located within the official designated boundaries of a Skagit County Fire Protection District and adequate services are available. Public use and interest are considered as a major portion of the Comprehensive Plan. The preparation of the Comprehensive Plan provides the formal process to consider the desires of the citizens of the county in establishing a guideline for future development.

6. The proposal, with the recommended conditions, meets the minimum preliminary subdivision requirements outlined within Skagit County Code section 14.18.100.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the subject matter of this application and has authority to make a decision.
2. The following are applicable policies from the Comprehensive Plan dated July 24, 2000 (reprinted October 2007) relating to the proposed preliminary plat:

- **Chapter 4 Land Use Element**
Land Division

Goal D: *To develop innovative techniques that create land use patterns that provide for greater efficiency and flexibility of land use, housing diversity, natural resource land conservation, critical area protection, maintenance of rural character and lifestyles and the retention of open space benefits.*

Objective 3: *To help retain the rural landscape, character, and lifestyle; To protect critical areas by transferring development potential from the critical area portion of a site to a non-critical area portion of a site; To create development patterns that provide for greater efficiency and flexibility for current and future land use; housing diversity; natural resource land and critical area conservation and protection; retention of open space; and provide incentives for utilizing CaRD land division*

DECISION

The Hearing Examiner now **approves** the Preliminary Plat Application with the following conditions which shall be completed prior to final plat approval:

1. The address range(s) will be forwarded to Skagit County GIS for review and assignment after preliminary approval has been granted and a road name has been selected. The address range(s) shall be shown on the face of the plat map before final approval.
2. The applicant shall show compliance with SCC 14.18.200 prior to final approval.
3. In accordance with Section 14.18.200(4)(d) of the Skagit County Code, all lot corners must be set prior to final plat approval.
4. In accordance with Section 14.18.100(1)(a)(xi) of the Skagit County Code, the square footage and acreage for each lot must be shown on the plat map.
5. In accordance with Section 14.18.200(2)(b)(iv), the final subdivision shall show individual lot accesses, distances of accesses to property lines, and road names. Please provide three (3) road name options for review.
6. The development shall show compliance with SCC 14.28, Concurrency, and SCC 14.16.215, the Bayview Ridge Urban Growth Area standards.
7. A landscape plan shall be provided for review and approval per SCC 14.16.215(4) prior to final plat approval.
8. If any portion of the parent parcel is in an Open Space taxation program with the Skagit County Assessor's Office, please contact them at (360) 336-9370 prior to proceeding with the land division.
9. All standard plat notes and appropriate departmental signoff are required. Please ensure that there are the appropriate number of acknowledgement blocks for all parties to the land division and County staff including the appropriate signature line for the Auditor's Office.
10. Please provide copies of any proposed covenants for review. Also, provide any copies of Homeowners association agreements and/or Road Maintenance Agreements for review prior to final approval.

11. Clearly indicate the purpose and description of the individual Tracts on the face of the final plat map, specifically Tract "W", and what uses will be allowed. As a preferred alternative, add the "*Recreational Open Space Park Exhibit & Residential Density Worksheet*" as a separate sheet of the final plat map packet.
12. A plat note will be required indicating that there is a hazardous liquid or natural gas transmission pipeline on, and adjacent to, the property as depicted on the Skagit County pipeline consultation area map. A note will need to be crafted similar to the following:

"The property is located wholly or partially within the Skagit County Pipeline Consultation Area, defined by Skagit County Code as the area within 100 feet of any hazardous liquid or natural gas transmission pipelines. Compliance with the call-before-you-dig laws (811) is required (Chapter 19.122 RCW)."
13. A plat note will be required indicating that the parent parcel, and all created lots, are located within the Airport Environs Overlay (AEO) for the Port of Skagit County and the Skagit Regional Airport per SCC 14.16.210. The plat note shall further indicate that "*the maximum height within the BR-R zone is 40 feet or shall conform to the applicable Federal Aviation Administration regulations concerning height restrictions pursuant to the Airport Environs Overlay, SCC 14.16.210, whichever is less.*"
14. Identify on the face of the plat where the Airport Environs Overlay line is delineating the boundary between ACZ 4L and 6 (westerly portion of Lot #16).
15. An Avigation Easement and Title Notice (Notice and Acknowledgement of airport operations) will be required to be recorded with the final plat.
16. The setback envelopes for the following lots will need to be clearly identified on the face of the plat map: Lot #'s 1, 2, 3, 15, and 30. The front setback will be taken from the point where the lot width reaches the required width for the zone (50' lot width). A dashed line shall be placed on each lot indicating where the lot width reaches 50 feet. Structures shall then be located/setback the required distance from that dashed line. Additionally, proposed Lot #16 may need some clarification regarding the proposed building envelope due to the lot's shape and adjacent pipeline easement.
17. Please clearly identify the Front and Rear property lines for lot #'s 6, 17, 31 and 32.
18. Note #21 shall be revised to indicate 500 feet from NRL zones as opposed to 300 feet ("*This parcel lies within an area or within 500 feet...*").
19. The applicant shall provide proof that a voluntary mitigation agreement for payments to offset impacts on County parks and recreation facilities has been entered into and shall so note on the face of the plat. If necessary the payments (\$100 per lot) shall be addressed in the CC&Rs. The payments shall be made prior to final plat approval or prior to the issuance of individual building permits.
20. Final plat fees will be assessed at the time of Final Plat submittal.
21. A set of stamped envelopes addressed to all neighboring property owners and occupants within 300 feet of the subject property (with appropriate postage) will be

- required for the final plat submittal. Please also provide a list of those individuals.
22. The plat map must show and label all utility easements on the face of the plat map.
 23. All required property taxes shall be paid prior to final approval.
 24. Additional review may result in additional conditions or requirements.
 25. All outstanding final plat fees shall be paid prior to final plat approval.
 26. Any outstanding preliminary plat fees shall be paid within 30 days of the preliminary plat decision.
 27. All paved long plat roads require centerline monumentation.
 28. Maintenance and restoration surety is required for public plat roads. See section 14.02 of the road standards manual.
 29. Electronic record drawing will be required for the roadway.
 30. In accordance with Section 14.18.200(4)(h), driveways within access easements must be constructed prior to final plat approval.
 31. Sight distance from proposed and existing access points must comply with Skagit County Road Standards 7.02.G.2.
 32. A Grading permit is required for the construction of roadway and drainage facilities. The permit application shall include engineered plans consisting of title sheet, plan and profile, erosion control plan, stormwater drainage plan, specifications & details. A preconstruction meeting shall be scheduled with Skagit County Public Works prior to the start of road construction.
 33. Prior to starting road construction, and in accordance with Section 12.09 of the Skagit County Road Standards, the applicant must post one or more signs showing both the names or business names of both the applicant and the project engineer as well as contact telephone numbers for each.
 34. The construction of the roadway and detention facilities for the plat will require certification by the engineer that all items have been built in concordance with the approved construction plans. See section 12 of the Skagit County Road Standards.
 35. In accordance with 14.32.100 (3) (a) of the Skagit County Code, the applicant must provide a Maintenance Plan for all stormwater and drainage conveyance systems.
 36. In accordance with 14.32.080(10)(c) of the Skagit County Code, the following note must be shown on the face of the plat:
 “All runoff from impervious surfaces, roof drains shall be directed so as not to adversely effect adjacent properties.”
 37. Sewer lines and stubouts to all lots will be required before final approval, or, take out a performance bond for the project per Section 12.05.210(3) of the Skagit County Code.
 38. Please insert a plat note that addresses the Skagit In-stream groundwater moratorium: *“This development is in a watershed basin, identified by Washington State Department of Ecology that has ground water withdrawal restrictions. Legal*

access to groundwater for future development is not guaranteed. Please contact Washington State Department of Ecology for more information.”

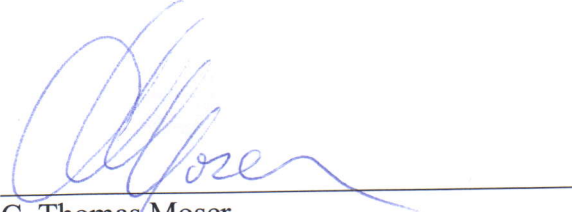
39. Any Well Protection Zones (WPZ) with overlapping WPZ's onto the proposed land division are required to be shown on the plat map. Any wells on site in use by the property for potable water supply are required to be decommissioned per WAC 173-503 for the Skagit In-stream Rule for potable use in a public service area. Incomplete HG well locations were submitted and not placed on an assessor map. Please update any missing information prior to final plat approval.
40. The project shall comply with all requirements pertaining to the removal and decommissioning of the three ground water monitoring wells. County health staff shall be present when the wells are decommissioned for the location of the proposed ponding containment area. Please also supply any well monitoring results for review.
41. Install all interior water lines per PUD engineering requirements, place approximate locations of water lines on the plat map (--W--), have installed water lines inspected and accepted by PUD engineering, and supply original written confirmation of water line installations acceptance from PUD board.
42. Prior to final approval of the grading permit for the infrastructure improvements, the buffer enhancement within Tract S must be complete. Immediately upon completion of the enhancement, the consulting biologist will inspect the site and prepare a compliance monitoring report that will be submitted to Skagit County.
43. For five years following completion of the enhancement, annual site inspections will be completed by a qualified professional and monitoring reports will be submitted to the County in the fall of each monitored year. The buffer enhancement must achieve success as defined by the September 8, 2015 Wetland Resources report or additional mitigation will be required.
44. Following the five year monitoring period, if the enhancement has not achieved success, a qualified professional will determine the reason(s) for failure and provide a new mitigation plan with an extended monitoring period.
45. Prior to final approval of the plat, the following items must be completed:
 - A fence must be installed at the edge of the Protected Critical Area Easement (PCAE) (Tract S) per SCC 14.24.090(2)(c). The type of material used for the fence is up to the landowner but the fence must be permanent.
 - PCAE signs must be placed per SCC 14.24.090(2)(c) and the locations must be shown on the plat map.
46. PCAE Agreement, Map & Notes: The PCAE (stream buffer) extends across Tract Y (see AF # 201106030058 & 201106030060). A separate paragraph may be included in the PCAE (usually under #3) to better describe the existing uses within this Tract since they are different from Tract S. The uses within Tract Y may continue in compliance with SCC 14.24 and 14.34. Additional development or change of use within Tract Y will require additional review under SCC 14.24 and SCC 14.34.

47. Include a brief narrative of the drainage district maintenance activities in the PCAE agreement. This narrative should describe the area to be used for maintenance as well as explain that the material excavated must be spread in a thin layer (1" – 2" thick) within the 25 foot maintenance corridor. If the layer is greater than 2" thick, the area must be seeded using the seed mixture identified in the approved mitigation plan.
48. A PCAE agreement must be submitted for review and approval as part of preliminary plat approval. The final PCAE agreement will need to be recorded with the plat. A plat note needs to be added for the PCAE agreement auditor's file number.
49. A Hydraulic Project Approval is required from the Washington State Department of Fish and Wildlife (WDFW) for the proposed culvert extension under the new road. Please verify with WDFW and the drainage district that the 36" culvert is adequate for this location.
50. The ditch crossing at P102868 no longer exists and reference to it will need to be removed from the plat map.
51. Based on the Skagit County Coordinated Water System Plan and the International Fire Code the Skagit County Fire Marshal's Office requires that fire flow be provided to a Long Plat by one of the following methods:
 - A public water system that can provide 1000 gpm for 60 minutes, over and above that required by health and other regulations, with fire hydrants spaced not to exceed 900 feet apart. The fire hydrant spacing has been determined to mean that each 1 acre building lot be within 450 feet of a fire hydrant. No fire hydrants are required to protect open space or other non-buildable areas.
 - An approved water storage system that holds the equivalent to 1000 gpm for 60 minutes or 60,000 gallons and has approved fire department connections spaced per the hydrant spacing above. This does not necessarily have to be a potable or pressurized system.
 - A Fire Marshal approved fire prevention water system that provides adequate pressure and flow to support NFPA 13D sprinkler systems. A water system and water lines capable of supplying NFPA 13D systems must be installed to the lot line of each of the buildable lots prior to final plat approval (note that NFPA 13D sprinkler system designs usually require less than 500 gallons of water and it is assumed in the design that only one sprinkler system would be involved at a time.) This system also requires that a condition be placed on the face of the plat that clearly states: *At the time of application for a building permit applicant will be required to install NFPA 13D fire sprinklers in each dwelling.*
52. Plans for the proposed fire flow or alternate system shall be submitted and approved prior to preliminary plat approval. Installation of fire flow or alternate system shall be installed, tested and approved prior to final plat approval.
53. Access Road will need to comply with the 503 Access standards prior to any plat

approval.

54. Per Skagit County Code section 14.18.100(6)(b), the preliminary plat shall be valid for a period of 5 years from the date of preliminary approval by the Skagit County Hearing Examiner.

Dated this 24 day of March, 2016.



C. Thomas Moser
Skagit County Hearing Examiner, Pro Tem