

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Applicant: Skagit County Fire District #13
17433 Snee-Oosh Road
La Conner, WA 98257

Contact: Peter Carletti
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Request: Special Use Permit Modification (PL21-0125)
Lot Coverage Variance (PL21-0124)

Location: 17433 Snee-Oosh Road, within a portion of Section 35, T34N,
R2E, W.M. Parcel No. P128263.

Zoning: Rural Reserve (RRv) –County
Rural Residential –Swinomish Tribe

Summary of Proposal: Special Use --Addition of 900 square feet of office space, 772
square feet of apparatus bay and 1,080 square feet of sleeping
quarters. The new sleeping quarters will occupy a detached
manufactured home.

Lot Coverage Variance—To exceed the 20% lot coverage limit
with lot coverage of 21.2%.

Public Hearing: September 22, 2021. Testimony by Planning and Development
Services (PDS) and Applicant’s representative. No public
testimony.

Decision/Date: The application is approved subject to conditions.
September 28, 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

FINDINGS OF FACT

1. Skagit County Fire District #13 seeks permission to expand an existing fire station.
2. The station is located at 17433 Snee-Oosh Road which is inside the boundaries of the Swinomish Indian Reservation. The property is within a portion of Sec. 35, T34N, R2E, W.M. It is tax parcel P128263, Lot 3 of Short Plat PL08-0365.
3. The County's zoning of the site is Rural Reserve (RRv). The Swinomish Tribe has zoned the property Rural Residential.
4. The site contains an existing 5,400 square foot fire station. The Swinomish Tribe approved a setback variance for this existing station, allowing its placement 90 feet from Snee-Oosh Road. The County's original special use permit for the station was modified in 2013 to allow for placement of a 1,080 square foot manufactured home for sleeping quarters.
5. The site is one acre in size on flat ground. The existing fire station and other structures are surrounded by asphalt. Access is from Snee Oosh Road. Adequate parking is available onsite. There is a stormwater pond on the east side of the property. The entire site is fenced.
6. The subject property is surrounded by sparse residential uses. A church is located directly across the street to the south.
7. The present application seeks to add 900 square feet of office space and 770 square feet of apparatus bay in the station building, and to place an additional 1,080 square-foot manufactured home for additional sleeping quarters. In relation to these new sleeping quarters, a request to reduce the front setback to 35 feet from Snee-Oosh Road was approved by the Swinomish Tribe.
8. The proposed additions are the third and final phase of development. The instant project is an expansion of a major public use 3,000 square feet or greater in size, and therefore requires a Special Use Permit after review by the Hearing Examiner. The Rural Reserve lot coverage limit is 20 percent, not to exceed 25,000 square feet. The requested lot coverage is 21.2%, necessitating a variance.
9. Two full-time employees work on site during the day Monday to Friday. Six volunteers use the existing sleeping quarters. The new sleeping quarters will accommodate an additional six volunteers. Volunteers are available 24-7 to respond to emergency calls.
10. Landscaping will be added to the east property line to screen adjacent residences. The north, west and east property lines abut vegetated open space.

11. A letter of water and wastewater availability, dated January 27, 2021, from the Swinomish Tribal Community Utility Authority was submitted with the Special Use application. The property is connected to a sanitary sewer.

12. Critical areas review of this site was completed in connection with an earlier application. There are no known or anticipated historical or cultural resources on the site.

13. Compliance with the State Environmental Policy Act (SEPA) was achieved through issuance of SEPA MDNS Addendum, dated May 12, 2021.

14. The application was published, posted and mailed as required by law. There were no public comments.

15. Review of the application by concerned agencies elicited no critical comments. The Stormwater Technician noted that a civil engineer may be required to address stormwater during review of building permits.

16. The Staff evaluated the application in light of the Special Use approval criteria and the variance approval criteria. They determined that, as conditioned, the proposal will comply with applicable approval requirements. 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.

17. The proposed expansion of the existing fire station will have a positive effect on the general public health, safety and welfare. The character, landscape and lifestyle of the rural area will be maintained. The variance from lot coverage limits is the minimum variance that will make possible a reasonable use of the property.

18. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over these proceedings. SCC 14.16.900(1)(b)(ii), SCC 14.10.020(3).

2. The requirements of SEPA have been met.

3. The proposal, as conditioned, meets the approval criteria for a Special Use Permit. SCC 14.16.900(1)(b)(v).

4. The proposal, as conditioned, meets the approval criteria for a Variance. SCC 14.10.040.

5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

CONDITIONS

1. The proposal shall be carried out as described by the application materials, except as the same may be modified by these conditions.
2. The applicant shall obtain all required permits and approvals.
3. Temporary erosion/sedimentation control measures in accordance with Chapter 14.32 SCC (Stormwater Management) shall be used.
4. The project shall comply with all other applicable requirements of Chapter 14.32 SCC (Stormwater Management). A civil engineer may be required to address stormwater during the building permit process.
5. A well search to locate any wells within 1,000 feet of the proposal shall be submitted in connection with the building permit process.
6. Prior to or with submittal of the building permit application, a spill prevention and response plan may be required if storage of hazardous materials is anticipated. Hazardous materials include apparatus maintenance related fluids, solvents, cleaning supplies.
7. The applicant and its contractors shall comply with Chapters 173-200 and 173-201A WAC (ground and surface water), and Chapter 173-60 WAC (noise).
8. The applicant and its contractors shall comply with SCC 14.16.840, Performance Standards.
9. The applicant and its contractors shall comply with all other relevant State and local regulations.
10. Further review by Planning and Development Services (PDS) will be needed if any major change occurs in the intensity of the use outlined in the application.
11. PDS shall be notified within 30 days of any change in ownership of the parcel by submission of a letter to the Planning Director referencing the permit numbers (PL21-0124, PL21-0125).
12. The project shall be commenced within two years of permit approval.
13. All outstanding planning review fees shall be paid prior to final approval.
14. Failure to comply with any permit condition may result in permit revocation.

ORDER

The requested Special Use Permit Modification (PL21-0125) and Lot Coverage Variance (PL21-0124) are approved, subject to the conditions set forth above.

SO ORDERED, this 28, day of September 2021.



Wick Dufford, Hearing Examiner

Transmitted to Applicant and County Staff, September 28, 2021.