

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS, CONCLUSIONS AND RECOMMENDATION

Applicants: Bayview Executive Hangars
c/o Brian Hofferth
5503 Vale Street
Anacortes, WA 98221

Agent: Marianne Manville-Ailes
Skagit Surveyors and Engineers
806 Metcalf Street
Sedro-Woolley, WA 98284

File No: PL06-0913

Request: Binding Site Plan Approval

Location: Lot #80, Skagit Regional Airport Binding Site Plan,
11695 Higgins Airport Way, on property owned by the
Port of Skagit County, within a portion of Sec 34, T35N,
R3E, W.M.

Land Use Designation: Aviation Related (AVR)

Summary of Proposal: Creation of ten individual lots on a 1.68 acre site for the
construction of a hangar of approximately 50 feet by 60
feet on each lot. The site is existing Lot #80 of the Skagit
Regional Airport Binding Site Plan.

Public Hearing: After reviewing the report of Planning and Development
Services, the Hearing Examiner conducted a public hearing
on January 24, 2007.

Recommendation: The application should be approved, subject to conditions.

FINDINGS OF FACT

1. Bayview Executive Hangars (applicant) seeks Binding Site Plan Approval for the division of a 1.6 acre site into 10 lots for the construction of an airplane hangar on each lot. The project is the further subdivision of existing Lot #80 of the Skagit Regional Airport Binding Site Plan.

2. Lot #80 is a level site located at 11694 Higgins Airport Way within a portion of Sec 34, T35N, R3E, W.M. The property is in an Aviation Related (AVR) zone and is owned by the Port of Skagit County. The site is not within a designated flood hazard area.

3. The proposal is for the continuation of contemplated development at the airport. There are already hangars in the vicinity. This proposal would create 10 new hangars on individual lots, each structure being about 50 feet by 60 feet (3,000 square feet).

4. Lot #80 is a part of the amended Skagit Regional Airport Binding Site Plan, Phase 1, PL02-0127, dated February 28, 2003, recorded March 4, 2003 under Auditor's File Number 200303040030. Critical Area review was conducted and approved with the Phase 1 plan.

5. After environmental review, a Declaration of Non-Significance (DNS) was issued under the State Environmental Policy Act (SEPA) for this project. The DNS was not appealed.

6. A Notice of Development was published on July 27, 2006. No comments were received. There was no public testimony at the public hearing.

7. The application was circulated to County Departments. Their comments indicate approval of the proposal in concept but identified a number of requirements for completion prior to final approval. These are set forth below as conditions.

8. The collective proposal functions as one site with respect to lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance and parking.

9. The proposal is consistent with the Comprehensive Plan and zoning requirements. Access is adequate. Infrastructure, including public sewer and water, is adequate to serve the development.

10. Provisions are adequate for public health, safety, and general welfare. The public interest will be served by the proposed lot division.

11. Any conclusions herein which may be deemed findings are hereby adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the persons and the subject matter of this proceeding. SCC 14.06.050(1)(c)(i). The application is being processed as a Level III-HE permit involving a recommendation by the Hearing Examiner and final decision by the Board of County Commissioners. SCC 14.18.500(4)(b), 14.06.050(1)(c).

2. The requirements of the SEPA have been met.

3. The proposed Binding Site Plan, as conditioned, complies with the approval requirements of SCC 14.18.500(5).

4. Any findings here which may be deemed conclusions are hereby adopted as such.

CONDITIONS

1. The land division shall proceed as set forth in the application materials, except as the same may be modified by these conditions.

2. Any additional permits needed for construction shall be obtained.

3. Lot corners shall be set in accordance with SCC 14.18.200(4)(d). All other applicable requirements of SCC 14.18.200 for final land division approval shall be met prior to final approval.

4. All standard notes and appropriate departmental signoff are required.

5. The address ranges have been assigned as follows:

<u>Name</u>	<u>Beginning Range</u>	<u>Ending Range</u>
Higgins Airport Way	11000	13481
Flightline Road	15224	15369

The address range shall be shown on the face of the plan prior to final approval.

6. In order to accommodate addressing needs for future hangars, it may be necessary to re-address some of the existing structures on or near this site. This will take place during the standard Address Application process. Existing addresses that could possibly be affected are: 11694 Higgins Airport Way and 15227 Flightline Road (with the potential of others).

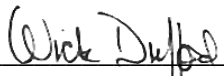
7. Prior to final approval, copies of any proposed covenants shall be submitted for review, as well as any Homeowners association agreements or Road Maintenance Agreements.
8. Final fees of \$100 per lot shall be assessed at the time of final approval.
9. A set of stamped envelopes addressed to all neighboring property owners within 300 feet of the subject property (with appropriate postage) shall be submitted with the final approval submittal.
10. Prior to final approval, a final landscape plan shall be approved and all required landscaping shall be installed.
11. The following note shall be shown on the face of the plan:

“A Lot of Record Certification has been issued for all lots included in this land division. By virtue of recording this land division and issuance of the Lot Certification, all lots therein shall be considered Lots of Record for conveyance and development purposes unless otherwise restricted. See AF#_____.”
12. A current Public Utility District (PUD) letter is required per Chapter 12.48 SCC.
13. For ease of future connections, location of the water line fronting the property shall be indicated on the plan.
14. PUD requirements shall be completed and accepted by the PUD engineer and board prior to final approval. A copy of any PUD required line extension acceptance by the PUD engineer and board shall be provided.
15. If the hangars have facilities, stubouts shall be installed and shown on the face of the plan or appropriately bonded.
16. Appropriate property taxes shall be paid prior to final approval.
17. Operation of equipment, construction activities and daily operations shall comply with Maximum Environmental Noise Levels, Chapter 173-60 WAC and shall address noise, light, vibration and ventilation conditions consistent with SCC 14.16.840.
18. Surface and ground water quality shall comply with Chapters 173-201A and 173-200 WAC. Best management practices shall be used to prevent interference with or degradation of water quality from point or non-point sources.

19. Per SCC 14.18.100(6)(b), the preliminary approval herein shall be valid for a period of five (5) years from the date of its approval by the Board of County Commissioners.

RECOMMENDATION

Proposed Binding Site Plan PL06-0913 should be approved, subject to the conditions set forth above.



Wick Dufford, Hearing Examiner

Date of Action: February 20, 2007

Date Transmitted to Applicant: February 20, 2007