

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Applicant: Skagit County Fire District #8
c/o Pam Radil, Secretary
20464 Prairie Road
Sedro Woolley, WA 98284

Agent: Peter Carletti
Carletti Architects
116 E. Fir Street, Suite A
Mount Vernon, WA 98273

Request: Special Use Permit, PL15-0466
Administrative Setback Variance, PL15-0467

Location: 3212 State Route 9, within a portion of Sec. 24, T36N, R4E,
W.M. Parcel #P69590

Land Use Designation: Agricultural-Natural Resource Lands (Ag-NRL)

Summary of Proposal: To build a 2,300 square-foot addition to an existing 3,423 square-foot fire station on a .95 acre site. The proposed setback from the secondary front is seven feet. The new area will accommodate two new apparatus bays, storage, a generator and a workout room.

SEPA Compliance: Determination of Non-Significance (DNS), dated October 22, 2015.

Public Hearing: January 27, 2016. Testimony by Staff and Applicant. No public Testimony. Planning and Development Services (PDS) recommended approval.

Decision/Date: The application is approved, subject to conditions.
Dated February 12, 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

FINDINGS OF FACT

1. Skagit County Fire District #8 seeks a Special Use Permit and Administrative Setback Variance to build an addition to an existing fire station.

2. The site is a .95-acre lot located at 3212 State Route 9, Sedro Woolley, within a portion of Sec. 24, T36N, R4E, W.M. The parcel number is P69590. The zone is Agricultural-Natural Resource Land (Ag-NRL).

3. The parcel currently contains a 3,423 square-foot fire station built in 1984. While the main access is along State Route 9, there is an access road along the south property line, requiring a 20-foot setback.

4. The proposal is to build a 2,300 square foot addition to the existing fire station. It will be located about seven feet from the south property line at the closest point.

5. The addition will accommodate two new apparatus bays, storage, a generator, and a workout room. The new impervious surface will be the roof of the addition. A new apparatus bay concrete apron will be constructed within an area of existing asphalt pavement.

6. The structure will not exceed height standards. Exterior materials will be similar to existing facilities, consisting of painted hardi-board siding, composition shingles, overhead doors, and windows. Landscaping will be included.

7. Parking currently exists for 21 vehicles. No new parking is proposed. Direct access to State Route 9 will continue.

8. The fire station is not manned full-time. Firefighters arrive in response to fire and aid calls. This situation will continue after the addition is built. There will be no full-time employees. Depending on the type of fire or aid call, two to six first responders could be at the station. These first responders are on call 24-hours a day.

9. The schedule for development anticipates that a building permit will be applied for and construction will commence in the May-June period of 2016. Construction is expected to take about six months.

10. The surrounding area is designated Ag-NRL and Rural Reserve (RRv). The area is rural with scattered residential structures, open fields and wooded land.

11. The application was deemed complete on September 28, 2015. A Notice of Development Application was posted, published and mailed to property owners within 300 feet of the site. No public comments were received.

12. Environmental review was conducted pursuant to the State Environmental Policy Act (SEPA). A Determination of Non-Significance (DNS) was published on October 22, 2015. There were no appeals.

13. A hydrogeologic report from GeoEngineers, dated October 1, 2015, was submitted. Critical Areas staff reviewed the subject proposal and approved it. All development will be greater than 250 feet from the nearest stream. Stormwater at the site will continue to be collected and reintroduced to the groundwater via drywells without significant additional impact.

14. Water is supplied to the site via a well. There is an existing septic system. Comments of the PDS Health Unit are included as conditions of approval.

15. Comments of the Fire Marshal are likewise reflected in conditions.

16. The Staff reviewed the application under the Special Use approval criteria of SCC 14.16.900(1)(b)(v) and concluded that the project, as conditioned, will be consistent with the criteria. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference included herein as though fully set forth.

17. The Staff also reviewed the application under the applicable criteria for variances. The addition will, at its closest, be slightly more than seven feet from the southern property line. The applicable setback is 20 feet. The south property line abuts an existing gravel road serving residences to the southwest. The closest residence is about 175 feet from the corner of the new addition. The encroachment into the setback will have no adverse impact on residences or the access road. The encroachment is necessitated by the configuration of the existing structures on the property. The Staff concluded that the setback reduction requested can be approved consistent with public, health, safety and welfare. Traffic safety will not be affected. Again, the Examiner concurs.

18. The applicant supplied a variance narrative complying with SCC 14.10.030(2). Having considered same, the Examiner finds: the reasons set forth in the application justify the granting of the setback variance; the variance is the minimum that will make possible the reasonable use of the land; the granting of the variance will be in harmony with the general purpose of the Unified Development Code and will not be injurious to the neighborhood, or otherwise detrimental to public welfare.

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

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the subject matter of this proceeding. SCC 14.06.050(1)(b)(ii).

2. The requirements of SEPA have been met.

3. The proposal requires a Special Use Permit as a major public use related to the provision of emergency services under SCC 14,16,400((4)(g). Since the fire station already exists on the site, its expansion does not require analysis as to whether there is no other viable

parcel of non-resource designated land to serve the affected area. No land devoted to agriculture will be required for this addition to the facility.

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

5. The proposal as conditioned meets the approval criteria for the Administrative Reduction of Setbacks. SCC 14.16.810(4).

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

CONDITIONS

1. The project shall be carried out as described in the application materials, except as may be modified by the conditions here.

2. The applicant shall obtain all other necessary permits and approvals prior to commencing construction.

3. The applicant shall comply with all relevant County and State regulations, including but not limited to, Chapter 14.24 SCC (critical areas), Chapter 14.16 SCC (zoning), SCC 14.16.840 (performance standards), Chapter 173-60 WAC (noise), Chapters 173-200 and 173-201A WAC (water quality).

4. Before submittal of a building permit application, the applicant must obtain a completed public water signoff for the Group B well. The water supply submittal must include:

- a. Current satisfactory bac-t results (Note: these are required annually for the water system. There is a gap of several years in the file information.)
- b. Public Water sign off from the Health Department.
- c. Confirmation of two “drywell” relocations moved from within the 100-foot radius of the well. Location of the proposed new “drywell” outside of the 100-foot radius.
- d. Tagging of the well to supply information to the Department of Ecology.
- e. A commitment to no parking or cleaning/wash-down of vehicles within the 100-foot well protection zone. All runoff water is to be tight-lined to points outside of the 100-foot well protection zone.

5. At the time of building permit review, the project shall comply with the International Fire Code 2012.

6. If not previously submitted, the applicant shall supply engineered plans for the storage tank(s) and hydrant system. Any new tank(s) will require a building permit.

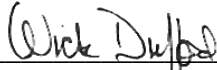
7. Sprinklers may be required per the International Building Code and International Fire Code. Installation of fire sprinklers may reduce required fire flow.

8. A copy of this decision shall be furnished with subsequent permit applications.
9. Any major change in the intensity of the use, or any additional facility expansion must be reviewed and approved by PDS.
10. The project shall be commenced within two years of permit approval.
11. Landscaping shall be provided in accordance with SCC 14.16.830 and shall, to the maximum extent possible, meet the purpose and intent of that section. The highway frontage need not be landscaped but, where space is available along the north and south property lines, Type II landscaping is required.
12. All outstanding planning review fees shall be paid prior to final approval.
13. Failure to comply with any condition hereof may result in permit revocation. SCC 14.16.900(1)(b)(iii).

DECISION

The requested Special Use Permit (PL15-0466) and Administrative Setback Variance (PL15-0467) are approved, subject to the conditions set forth above.

DONE, this 12th day of February, 2016.



Wick Dufford, Hearing Examiner

Transmitted to Applicant, February 12, 2016.