

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

- Applicant:** Church of Jesus Christ International
P. O. Box 725
Mount Vernon, WA 98273
- Agent:** Master Craft Designs
c/o Steve Kramer
8046 Collins Road
Sedro Wooley, WA 98284
- Request:** Special Use Permit, PL17-0011
- Location:** 17582 and 17584 State Route 536, north of Dunbar Road
and east of Valley View Drive; within a portion of SE1/4SE1/4
Sec.13, T34N, R3E, W.M. Parcel No: P21713.
- Land Use Designation:** Urban Reserve Commercial Industrial (URC-I) and Agricultural-
Natural Resource Lands (Ag-NRL); City of Mount
Vernon Urban Growth Area (UGA),
- Summary of Proposal:** To convert existing commercial buildings into a church for church
services and related activities.
- SEPA Compliance:** Determination of Non-Significance (DNS) issued 3/9/2017. No
appeals.
- Public Hearing:** May 24, 2017. Testimony by Planning and Development Services
(PDS) staff and by Steve Kramer, design consultant. No public
testimony.
- Decision/Date:** The application is approved, subject to conditions. June 13, 2017.
- 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. The Church of Jesus Christ International Temple of Bethel seeks to convert existing commercial buildings into a church.

2. The site is at 17582 and 17584, State Route 536 (Memorial Highway). This is north of Dunbar Road and east of Valley View Drive, within a portion of the SE1/4SE1/4 Sec. 13, T34N, R3E, W.M.

3. The proposal is to remodel an existing 3,600 square foot shop/warehouse building, converting it to a church accommodating 150 plus members. The project includes a future 40' x 40' expansion to this building, as well as a small "commercial" kitchen. Also contemplated are the use of an existing 520 square foot building on site as a church office and the use of an existing 1,188 square foot manufactured home as a guest house for visiting pastors and church members.

3. The subject parcel is Lot 2 of Short Plat No. 50-77, totals 1.19 acres, and is situated on the south side of the highway. It was previously used as a car, boat and equipment sales lot. The proposed new uses will all utilize existing structures. The property is located within a designated AO flood hazard area as shown on FEMA Flood Insurance Rate Map (FIRM) panel number 530151 0250C, effective January 3, 1985.

4. The shop/warehouse and the office building are located within the front 200 feet of the parcel in the Urban Reserve Commercial (URC-I) zone. The manufactured home and a barn are located at the rear of the property within the Ag-NRL zone. The central portion of the parcel is a grass field of about ½ acre. Except for the guest house, the proposed project is located entirely within the URC-1 portion of the site.

5. The front (north) portion of the property is accessed directly from Memorial Highway. The residence and barn in the back of the property are accessed by a driveway that runs along the east side of the site. The Washington State Department of Transportation (WSDOT) requested that the church apply for an updated Access Connection Permit and that the access connection meet the current WSDOT standards and specifications.

6. Graveled parking will be located along the north and east property lines, along the north and east sides of the church and along the north and south sides of the church office building. All parking will be on-site within the URC-I district. The site plan shows 50 standard parking spaces and three ADA/handicap parking spaces. The parking proposed was determined to be adequate, assuming that many church attendees will be family members sharing a single car.

7. The application was given environmental review. An environmental checklist was submitted pursuant to the State Environmental Policy Act (SEPA). A Determination of Non-Significance (DNS) was issued and published on March 9, 2017. The DNS was not appealed.

8. The County Critical Area staff noted that standard critical area review of this location was completed earlier under PL16-0572. There are no watercourses within 250 feet of the site.

9. The application was circulated to other interested County departments. None had objections. Their comments are reflected in conditions of approval. The City of Mount Vernon made no comments.

10. The site is presently hooked up to public water from the Skagit Public Utility District (PUD). A protection device (backflow valve) must be installed. Written confirmation of this by the PUD is to be provided.

11. The church will be served with a septic system designed to accommodate the new use. The design for this system must be reviewed and approved the County Health Department prior to the approval of any building permit for remodeling of the shop/warehouse to accommodate the church.

12. The change of use will require building renovations. A building permit must be sought. Construction plans will need to demonstrate compliance with applicable building code requirements. International Fire Code requirements will also need to be met.

13. The present shop/warehouse building has had only a post-hole inspection. The renovated building will require a framing inspection and a final inspection.

14. The property is in the floodplain. The flood designation is an A-O zone with a flood depth of 3' with a flood velocity of 6 cfs. An elevation certificate was not provided for the shop/warehouse building because final inspection was not completed.

15. Existing buildings that require a change of use permit must comply with the requirements of the flood damage prevention ordinance for such matters as elevation, flood vents and related concerns.

16. The proposal was reviewed for compliance with the approval criteria for Special Uses (SCC 14.16.900(1)(b)(v)). The Staff Report analyses the application in light of these criteria and finds that, as conditioned, the proposal will meet them. The Hearing Examiner concurs in this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

17. The church is to be located within the commercial corridor along State Route 536. The use will be compatible with its setting. The character, landscape and lifestyle in the area will not change as a result of the use.

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 this proceeding. SCC 14.06.050(1)(b).
2. Churches are a Hearing Examiner Special Use in the URC-I zone. SCC 14.06.195(4)(a).
3. The requirements of SEPA have been met.
4. The project, as conditioned, meets the Special Use approval criteria. 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 as described in the application materials, except as may be modified by these conditions.
2. The applicant shall obtain all other required permits and abide by the conditions of same.
3. Buildings involved in a change of use or requiring renovations must obtain a building permit. If the building permit was submitted prior to July 2016, compliance with the 2012 International Building Code is required. If the building permit was submitted after July 2016, the design will need to meet the 2015 International Building Code.
4. The plans must be prepared by a Washington State licensed architect and must clearly show items such as emergency lighting, egress, exit signage, occupant loads, non-residential energy code documents, code required minimum number of bathrooms, ADA parking, ADA bathrooms, along with accessibility from the parking lot to the building and accessibility within the building.
5. All requirements of the Flood Damage Prevention ordinance, Chapter 14.34 SCC must be met. The Flood Plain Development Permit shall accompany the building permit.
6. Prior to final inspection or occupancy, a fire and life safety inspection by the Fire Marshal's office shall be scheduled and held.
7. An occupant load sign shall be posted in the assembly (church) hall, and shall state occupancy per International Fire Code (IFC) 1004.3. Fire extinguishers shall be installed to meet IFC 906.

8. To meet Skagit PUD requirements, the applicant shall install a protection device (backflow valve) prior to operation of the church or within 90 days of commencing operation. Skagit County PDS must receive written confirmation from the PUD that this condition has been satisfied.

9. Skagit County Health Department review shall be required for the installation of a kitchen within the church.

10. Prior to approval of a building permit for remodeling of the present shop/warehouse to accommodate the church, the septic system to be used by the church shall be reviewed and approved by the Skagit County Health Department.

11. Prior to operation of the church, the applicant shall apply for and receive an updated Access Connection Permit, showing that access meets current WSDOT standards and specifications.

12. New impervious surfaces reaching the coverage threshold shall trigger an engineered stormwater analysis.

13. Low Impact Development (LID) shall be required within the flood plain and the NPDES area.

14. The applicant shall comply with all applicable local regulations, including but not limited to SCC 14.16.900 (special uses), SCC 14.16.840 (performance standards), SCC 14.16.195 (Urban Reserve Commercial-Industrial zone).

15. Church related activities shall be limited to the area zoned URC-1 (front/north 200 feet, along State Route 536), with the exception of use of the existing house on site for accommodation of visiting pastors and other invited visitors.

16. This permit shall be void if the use permitted has not been established or a complete building permit filed with PDS within two years of permit approval.

17. If the church use approved hereby is abandoned for more than one year, the permit shall be void.

18. Expansion or intensification of the use beyond what has been outlined in the application materials presented to date shall require additional review by Skagit County PDS.

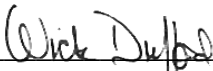
19. PDS shall be notified of any change of ownership within 30 days of the change.

20. A copy of this decision shall be submitted with any building permits associated with this Special Use Permit.

DECISION

The requested Special Use Permit (PL17-0011) is approved, subject to the conditions set forth above.

SO ORDERED, this 13th day of June, 2017.



Wick Dufford, Hearing Examiner

Transmitted to Applicant and County staff June 13, 2017

See Notice of Decision, page 1, for appeal information.