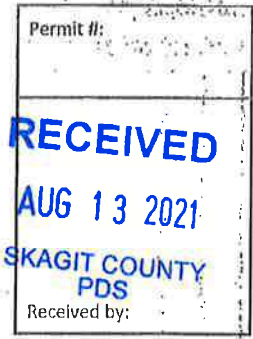




Special Use Permit Application

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning



Use this form for both administrative and hearing examiner special use permit applications. Before you apply for a special use permit, it is generally required that you participate in a pre-application meeting. See the Pre-Dev/Pre-App Meeting Request form for details.

Project Information

Site Address 50596 State Route 20 City Concrete Zip 98237

Parcel No(s) P44865 & P123394

Zoning Rural Reserve UGA No Yes, which:

Project Description Expansion of an existing gravel extraction operation incl. permit to cover another 30 acres.

Request

What type of special use permit are you requesting? Check as many as apply.

- Bed and breakfast
- Home-based business 2
- Home-based business 3
- Kennel
- Marijuana production or processing facility
- Marijuana retail facility
- Mineral extraction and processing
- Outdoor outfitters enterprises
- Personal wireless facility
- Rural Business Expansion Beyond 1,500 sq ft
- Rural Business Change of Use
- Temporary events
- Temporary manufactured home-accessory to farm dwelling unit
- Temporary manufactured home-elderly or disabled family member
- Other (specify): Mining of gravel

Required Attachments

Include all of the following with your application:

- Contact Information & Signature Form
- Site plan consistent with site plan requirements checklist
- Lot certification¹ recorded under Auditor's File Number 261508310091 (required unless the proposed development itself does not require lot certification)
- Critical areas approval letter
- Water review approval letter
- Pre-application meeting letter or pre-application meeting waiver
- Landscape plan (if required by pre-app meeting letter)
- Parking plan (if required by pre-app meeting letter)
- Any other documents requested at your pre-application meeting

¹ SCC 14.06.045(2).

④ Requirements for ALL Special Use Permits

All types of special use permits require the following. Attach using a separate sheet of paper.

- A narrative that includes numbered responses to the following:

1. Describe your proposal/business.
2. Describe what days and hours will your operation be open.
3. How many employees will you have?
4. What will your employees' working hours be?
5. Will employees work on site?
6. How many employees will work off-site?
7. Describe the location and size of any signs you propose to advertise your operation.
8. How do you propose to screen your operation from public view? E.g., plants, shrubs, fences.
9. Describe your proposed parking area.
10. Describe your schedule, including any phasing, for development of your operation.
11. Describe the expected traffic impact of your operation on public roads.
12. Describe any internal road system your operation will have.
13. Describe how your operation will be accessed.
14. Describe any heat from machinery or equipment that your operation will generate.
15. Describe any noise your operation will generate.
16. Describe any odors your operation will generate.
17. Describe any steam, smoke, or dust your operation will generate.
18. Describe any vibrations your operation will generate.
19. Describe any heavy equipment or machinery your operation will use.
20. Describe any chemicals, waste oil, solvents, fuel, etc, your operation will store.
21. Describe your plan for disposal of any chemicals.
22. Describe your plans to prevent trespassing by employees, customers, or visitors to adjoining property.
23. If your operation will use a building please describe the size, height and construction type. This building must be shown on the site plan.
24. Describe the sewage disposal plan for employees and the public.
25. Describe the water supply for employees and the public.
26. Address any fire flow issues.

- A narrative that includes numbered responses to the following General Special Use Permit Evaluation Criteria.² The burden of proof is on the applicant to provide evidence that the use complies with the criteria.

27. Demonstrate that the proposed use is compatible with the neighboring properties.
28. Demonstrate that the proposed use complies with Skagit County Code. Please cite code section.
29. Demonstrate that the proposed use will not create undue noise, odor, heat, vibration, and air or water pollution on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.
30. Demonstrate that the proposed use will not generate intrusions on privacy of surrounding uses.
31. Demonstrate that proposed use will not cause potential adverse effects on the general public health, safety, and welfare.
32. For special uses in the Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL zones, demonstrate that the impacts on long-term natural resource management and production will be minimized.
33. Demonstrate that the proposed use is not in conflict with the health and safety of the community.
34. Demonstrate that the proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.
35. Demonstrate the proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

² SCC 14.16.900(1)(b)(v).

② Additional Requirements for Specified Special Use Permits

Find the specific special use permit(s) you are applying for below, and attach the additional information listed.

A. Bed and Breakfast

Attach all of the following:

- A narrative that includes numbered explanations for how your proposal will comply with the following requirements:³
 - A1. The bed and breakfast must be owner-occupied and managed.
 - A2. Parking is on-site and a minimum of 10 feet away from neighboring residences.
 - A3. All lighting is directed away from neighboring residences.
 - A4. The impacts will be no more obtrusive than a residence.
 - A5. Five bedrooms or less are available for guest use.

B. Home-Based Business 2⁴

The intent of this Special Use is to allow home based businesses to operate with the limitations listed below. When the business grows beyond the criteria established and/or the conditions included in any approval, the business should relocate to a zone that would permit the activity. Attach all of the following:

- SEPA Checklist (unless categorically exempt).
- A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - B1. Is carried out by a member or members of a family residing in the dwelling;
 - B2. Is clearly incidental and secondary to the use of the property for dwelling purposes (business activity may be conducted in buildings other than the dwelling; provided, that the size of such use does not exceed 50 percent of the living area of the dwelling unit);
 - B3. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;
 - B4. Does not require the installation of heavy equipment, large power tools or power sources not common to a residential dwelling;
 - B5. Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
 - B6. Does not create a level of parking demand beyond that which is normal to a residential area;
 - B7. May have clients come to the site.

C. Home-Based Business 3⁵

The intent of this Special Use is to allow home based businesses to operate with the limitations listed below. When the business grows beyond the criteria established and/or the conditions included in any approval, the business should relocate to a zone that would permit the activity. Attach all of the following:

- SEPA Checklist (unless categorically exempt).
- A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - C1. Is carried out by a member or members of a family residing in the dwelling and up to three additional employees;
 - C2. Is clearly incidental and secondary to the use of the property for dwelling purposes;
 - C3. The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;
 - C4. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;
 - C5. Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
 - C6. Does not create a level of parking demand beyond that which is normal to a residential area;
 - C7. May have clients come to the site.

³ SCC 14.16.900(2)(c).

⁴ SCC 14.16.730(3).

⁵ SCC 14.16.730(4).

D. Kennels⁶

Identify which type of kennel you are applying for:

- Day-Use Kennel:** any premises at which 1 or more dogs, cats, or both are kept during daytime hours for a commercial purpose including but not limited to grooming, training, and/or boarding. Note these limitations:
 - A day-use kennel shall not exceed 25 dogs or cats on site at any one time.
 - No commercial breeding or selling of dogs or cats shall occur at a day-use kennel.
 - No overnight boarding of animals shall occur at a day-use kennel.
- Limited Kennel:** any premises at which 1 or more dogs, cats, or both are kept overnight for a commercial purpose including but not limited to breeding or selling. A single, incidental litter in a 12-month period is not a commercial purpose. Note these limitations:
 - A limited kennel shall not exceed 25 dogs or cats over 16 weeks of age on site at any one time.
 - At no time shall there be more than 50 dogs or cats of any age on site.
 - No dogs or cats shall be commercially boarded at a limited kennel.
 - A limited kennel may have animals kept during daytime and overnight hours and may also include additional related services including but not limited to selling, training, grooming, and daily care.
- Overnight Boarding Kennel:** any premises at which 1 or more dogs, cats, or both are kept overnight for the commercial purpose of boarding. Note these limitations:
 - An overnight boarding kennel shall not exceed 150 dogs or cats on site at any one time.
 - No commercial breeding or selling of dogs or cats shall occur at an overnight boarding kennel. A single, incidental litter in a 12-month period is not commercial breeding or selling.
 - An overnight boarding kennel may have animals kept during daytime and overnight hours and may also include additional related services including but not limited to training, grooming, and daily care.

Attach all of the following:

- SEPA checklist.
- An evacuation plan for the dogs or cats in the event of an emergency.
- An exercise plan for the dogs or cats.
- A narrative that includes numbered explanations for how your proposal will comply with the following criteria:
 - D1. Areas used as part of a dog kennel operation shall be composed of at least one-half of 1 acre for every 5 dogs (i.e. 2.5 acres of kennel area would be required for 25 dogs).
 - D2. Any indoor or outdoor area to be occupied by kennel animals shall be located at least 50 feet from any property line. A solid-wood fence or continuous, non-deciduous vegetative barrier shall be required, each at least 6 feet in height, between any outdoor kennel use area and the subject property lines. Fences and continuous barriers will not be required in cases where kennel use areas are at least 500 feet from all subject property lines.
 - D3. Parking for all kennel customers and employees shall be fully contained on the subject property and shall not include the use of any road right-of-way.
 - D4. All lighting shall be directed away from neighboring residences or businesses.
 - D5. An approved waste disposal plan that complies with Chapter 12.16 SCC shall be required.
 - D6. Kennel animals must be contained on the subject property. Outdoor kennel areas shall be constructed with adequate materials and height so as to prevent animal escapement.
 - D7. Any outdoor kennel use areas shall be configured such that impacts to surrounding properties are minimized. All animals must be contained in enclosed buildings between the hours of 9:00 p.m. and 8:00 a.m. daily.

⁶ SCC 14.16.900(2)(i).

E. Marijuana Production or Processing⁷

Attach all of the following:

- SEPA checklist.
- A copy of your current license from the State Liquor and Cannabis Board.
- A narrative that includes numbered explanations for how your proposal will:
 - E1. Address impacts on surrounding properties, including but not limited to the appropriate distance of the facility from residences, schools, daycare facilities, public parks, other public facilities, and other marijuana facilities;
 - E2. Include appropriate controls on odor;
 - E3. Include appropriate screening or other requirements to avoid lighting impacts and the visual impacts of security fencing;
 - E4. Include requirements for appropriate disposal of the waste and byproducts of production and processing;
 - E5. Include protections against security cameras infringing on neighbors' privacy;
 - E6. Include any additional controls on hazardous processing methods with potential to injure neighboring properties;
 - E7. Mitigate other impacts.

F. Marijuana Retail Facility⁸

Attach all of the following:

- SEPA checklist.
- A copy of your current license from the State Liquor and Cannabis Board.
- A narrative that includes numbered explanations for how your proposal will:
 - F1. If the facility will use security cameras, ensure those cameras are aimed so as to view only the facility property, not public rights-of-way or neighboring properties.
 - F2. Avoid customer use of marijuana on site or in adjacent areas (e.g., security cameras, fences, or site design).
 - F3. Mitigate other impacts.

G. Mineral Extraction or Processing

Please see SCC 14.16.440(10) for the operating standards and requirements for all mining special uses. Attach all of the following:⁹

- SEPA checklist.
- A narrative that includes numbered responses to all of the following:
 - G1. The estimated quantities of all materials to be extracted.
 - G2. Identification of any possible Scientific Resource Sites that may be located on the proposed site. Scientific Resource Sites include unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance. These areas must be delineated on the vicinity map below and the proposal for preservation of the identified area(s) must be addressed.
 - G3. An on-site study to determine appropriate mitigation requirements for noise, vibration and dust levels. The study should specify what levels the Applicant deems satisfactory to mitigate off-site disturbances.
 - G4. An operations proposal detailing estimated frequency of blasting, estimated truck loads per day, what provisions for screening and fencing are proposed, and estimated hours of operation.
 - G5. Identification and description of those critical areas designated and regulated by SCC 14.24, together with any critical areas studies that may be required by SCC 14.24.
- All of the following maps on 11x17" paper:
 - A vicinity map with a north arrow indicating the area on which the extraction operation is proposed including a legal description, showing right-of-way width of access roads to the proposed site from the nearest community and any roads proposed on the site, and showing zoning of adjacent properties and land uses within 5 miles of the area proposed for mineral extraction and related activities;
 - A pre-mining map drawn to scale with an appropriate scale bar showing the permit area and buffers, elevations and contours, natural slopes and other drainage patterns, boundaries of municipalities, boundaries of property ownership,

⁷ SCC 14.16.855.

⁸ SCC 14.16.855.

⁹ Required by SCC 14.16.440(8).

names and addresses of adjacent property owners, locations of nearby mines, locations of all railroads, bridges, utility lines or other rights of way, locations and names of any streams and natural or artificial drain ways on or adjacent to the site, locations of parks and other significant features;

- A reclamation sequence map drawn to scale with an appropriate scale bar covering the same area as the pre-mining map showing the permit area border and buffers, excavation areas, location of all proposed access roads to be built, location of types of setbacks and beams, numbered segments and the direction of the sequence of mining, soil storage areas and sequence of stripping, storing and replacement of mined segments, overburden storage areas and sequence of stripping, storing and replacement of overburden on mined segments, waste rock piles and how they will be reclaimed and stabilized, operation plant and processing areas, measures to be taken to adjacent surface area to prevent slumping or landslides on adjacent lands, location and description of storm-water and erosion control systems including drainage facilities and settling ponds and estimated runoff served by individual facilities; and
- A final reclamation map drawn to scale with an appropriate scale bar covering the same area as the pre-mining map permit area and buffers, final elevations and contours, adjacent natural ground slopes, reclaimed drainage patterns, general topography, locations and names of any roads, utility lines, rights-of-way, streams, bridges, lakes, springs, wetlands, location and depth of topsoil to be replaced after seedbed preparation, permanent drainage and water control systems, area to be re-vegetated and proposed species, 2 cross-sections (at right angles) with horizontal and vertical scales the same that show the original and final topography and the water table.
- A report by a qualified geologist, hydrologist, or licensed engineer characterizing the area's ground water including, but not limited to, the following information:
 - A description of the geology and hydrogeology of the area including the delineation of aquifer, aquitards, or aquicludes (confining layers), hydrogeologic cross-sections, porosity, and horizontal and vertical permeability estimates;
 - Determination of the direction and velocity of ground water movement, water table contour and potentiometric surface maps (for confined aquifers) if applicable; and
 - A map containing the limits of the mine, buffer zones, location of all ground water wells within one-mile distance down gradient from the property boundaries, location of all perennial streams and springs, and definition or specification of locations of aquifer recharge and discharge areas.
- Attach a transportation analysis from Skagit County Public Works Department or Washington State Department of Transportation demonstrating that roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Comprehensive Plan or its Transportation Technical Appendix and applicable state and local regulations.

H. Outdoor Outfitters¹⁰

Attach all of the following:

- SEPA checklist.
- A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - H1. Temporary lodging may be allowed at temporary primitive campgrounds as regulated in each district, existing lodges/cabins, or approved bed and breakfasts.
 - H2. No more than five self-contained RVs shall be allowed with such enterprises at any one time.
 - H3. Temporary lodging in a single location shall not exceed 14 days for any one individual, group, or party.
 - H4. At least seven days must pass before registered guests may return for lodging.
- A site plan that includes location, size, access of proposed primitive campsites, existing lodges/cabins, and RV sites.

I. Personal Wireless Facilities

See SCC 14.16.720 for a description of all standard personal wireless facilities requirements. Attach all of the following:

- SEPA checklist.
- Photo simulations. Photo simulations of the existing site and proposed facility from all adjacent properties and public rights-of-way at a radius of 1 mile from the proposed personal wireless service facility, including additional height of 20 feet for possible co-location. Photo simulations shall be made from a range of elevations of surrounding residential areas. The photo simulation shall be coded to a scaled vicinity map.

¹⁰ SCC 14.16.900(2)(d).

- Site plan. A scaled site plan showing the location, point of reference, type, height and longitude and latitude of the proposed towers and antennas, existing buildings, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadway right of ways, parking areas if applicable, proposed means of access, setbacks from property lines and the approximate distance between the proposed tower and the property lines. The method of fencing and, if applicable, the method of camouflage, noise screening, and illumination shall be indicated. The application shall also include elevation drawings of the proposed tower and any other proposed structures. A vicinity map shall be included.
- Landscaping plan. A landscaping plan shall be prepared indicating the specific placement of the facility on the site. Trees and other significant site features, the type and location of plant materials used to screen the facility, and the proposed color(s) of the facility shall also be indicated.
- Service area map. A current map showing the location of the proposed tower, the locations and service areas of other personal wireless service facilities operated by the Applicant and those proposed by the Applicant that are close enough to impact service within the County.
- Co-location statements. A statement by the Applicant as to whether construction of the tower will accommodate co-location of additional antenna(s) for future users. In addition, a signed statement shall be included indicating that: (i) the Applicant and landowner agree they will diligently negotiate in good faith to facilitate co-location of additional personal wireless service facilities by other providers on the Applicant's structure or within the same site location; and (ii) the Applicant and/or landowner agree to remove the facility within 60 days after abandonment.
- Environmental documentation. Copies of any environmental documents if required by any Federal or State agency.
- Compliance letter. A letter signed by the Applicant stating the tower and antenna will comply with all applicable Federal, State and local laws and regulations, EIA standards and SCC 14.16.720.
- Co-location attempt. A narrative of the attempt to co-locate shall be included which lists names and dates of parties contacted for potential co-locations. A statement by the Applicant has made a diligent attempt to mount the facilities on an existing tower or structure that is within a 2,500-foot radius of the chosen site.
- Interference certification. Certification that the antenna usage will not interfere with other adjacent or neighboring transmission or reception functions of other communications facilities.
- Licenses. The personal wireless service provider must demonstrate that the FCC licenses it, if required to be licensed under FCC regulations for the provision of service within the County.
- Lease agreements. The Applicant, if not the personal wireless services provider, shall submit proof of lease agreements with an FCC-licensed personal wireless services provider, if such provider is required to be licensed by FCC regulations.
- E911 compliance. All providers shall attest to and demonstrate compliance with FCC and Washington State laws relating to Emergency 911 regulations.
- Financial security. The application for any tower shall be accompanied by a letter of credit, performance bond, or other security in an amount to be determined by the County, which may be drawn upon by the County as necessary to cover the costs of removal of the facility.
- Historic documentation. If applicable, a letter of permission from the designated County Official if the site is on a National Landmark or located in a Historic District.
- County recommendation. If the Applicant proposes to use County-owned property, a letter of recommendation from the Director of the Skagit County Parks and Recreation Department, Public Works Department or other applicable official.

J. Rural Business Expansion Beyond 1,500 Square Feet

A special use permit is available for a use in the Rural Business zone established prior to July 1, 1990, to expand more than 1,500 sq ft if certain other conditions are met.¹¹ Attach all of the following:

- SEPA checklist.
- A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - J1. Except for agricultural support services, the expansion may not exceed 50 percent of the gross floor area dedicated to the Rural Business use as of July 1, 1990, up to a maximum of 5,000 square feet.
 - J2. The expansion must occur on the same lot upon which the existing use is located.
 - J3. The expansion must be visually compatible with the surrounding neighborhood and rural area.
 - J4. Detrimental impacts to adjacent properties or to existing easement rights on the property may not be increased or intensified.
 - J5. The expansion may not result in a formerly small operation dominating the area.
 - J6. The expansion may not constitute new urban growth in the rural area, except that uses may utilize urban services that are historically available to the site.
 - J7. Public services and facilities are limited to those necessary to serve the isolated nonresidential use and are provided in a manner that does not permit low density sprawl.

K. Rural Business Change of Use

A special use permit is available for a use in the Rural Business zone to change to another use that is not substantially similar to the pre-existing use in terms of the type of commercial activity performed.¹² Attach all of the following:

- SEPA checklist.
- A narrative that includes numbered explanations for how your proposal will avoid a substantially increased impact on any one of the following criteria, or result in smaller impacts across a number of criteria that cumulatively result in a substantially increased overall impact. Information in parentheses defines "substantial impact" for that particular measure.
 - K1. Traffic generation (more than 10% increase in vehicle trips per day). How will this remain under 10%?
 - K2. Parking requirements (the need to expand existing parking facilities or the likelihood that parking would overflow to adjacent roads or properties). Will you be increasing your parking spaces?
 - K3. Hours of operation (10% increase in hours of operation, or any measurable increase in evening and weekend hours). What are the current hours? Will they increase?
 - K4. Visitors/customers visiting the site (10% increase in visitors to the site). How many customers visit the site now? How many after the expansion?
 - K5. Is there a need for expanded septic, sewer, water, power or other services?
 - K6. Will there be a need for increased infrastructure, such as road widening or access improvements?
 - K7. Noise, light, glare and related impacts from business operations on adjacent properties. What is the impact now? What will it be after?
 - K8. Will your proposal impact productive use of surrounding natural resource lands? How?
 - K9. Will your proposal have detrimental impacts to surrounding critical areas? How?
 - K10. Describe how your proposed change to the visual character of the structure or property would not significantly and negatively affect the visual character of the surrounding rural area.
 - K11. Your proposal must be consistent with any applicable community development plan, if one has been adopted. Is there an applicable plan, and how is your proposal consistent with it?

¹¹ SCC 14.16.150(4)(d).

¹² SCC 14.16.150(4)(e).

I. Temporary Events¹³

"Temporary events" is "commercial use of a property for any musical, cultural, or social event held either indoors or out of doors."¹⁴
Attach all of the following:

- SEPA Checklist.
- A narrative that includes numbered explanations of how your use will comply with the following requirements:
 - L1. Events may occur on no more than 24 calendar days per year.
 - L2. Parking for all events shall be fully contained on the subject property and shall not include the use of any road right-of-way.
 - L3. Does not create a detrimental level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other environmental impacts on the surrounding area.
 - L4. All lighting is directed away from neighboring residences or businesses.

M. Temporary Manufactured Home—Accessory to a Farm Dwelling Unit¹⁵

A temporary manufactured home accessory to a farm dwelling unit on property meeting the definition of a farm in RCW 84.34.020 may be used to accommodate agricultural workers and their families employed on the premises. Attach all of the following:

- A narrative that includes numbered answers to the following questions:
 - M1. Demonstrate that your property meets the definition of "farmland" in RCW 84.34.020 (Open Space Taxation).
 - M2. Demonstrate that your operation is in compliance with the temporary worker standards in Washington State Law, including RCW 19.27, RCW 70.114a, RCW 49.17, RCW 43.22 and RCW 43.70.
 - M3. Demonstrate that the nature of the employee's work requires said employee to be immediately available to the job site is required by the farm owner/operator.

Please note: a building permit is required for the manufactured home. A building permit requires review of septic and road access. If you propose to use an existing septic system, you should contact the Public Health Department to determine whether it has sufficient capacity before you apply for the special use permit. Any dwelling in Ag-NRL must comply with the Ag-NRL siting criteria.

Any temporary manufactured home special use permit will be conditioned that if the farm employee stops residing in the manufactured home, the home must be removed.¹⁶

N. Temporary Manufactured Home—Elderly or Disabled Family Member¹⁷

A temporary manufactured home may be placed on the property to accommodate the housing needs of disabled or elderly family members. Attach all of the following:

- Documentation that the need for nearby care is required by a doctor and/or physician.

Please note: a building permit is required for the manufactured home. A building permit requires review of septic and road access. If you propose to use an existing septic system, you should contact the Public Health Department to determine whether it has sufficient capacity before you apply for the special use permit. Any dwelling in Ag-NRL must comply with the Ag-NRL siting criteria.

Any temporary manufactured home special use permit will be conditioned that if the disabled or elderly family member stops residing in the manufactured home, the home must be removed.¹⁸

¹³ SCC 14.16.900(2)(h).

¹⁴ SCC 14.04.020.

¹⁵ SCC 14.16.900(2)(b).

¹⁶ SCC 14.04.020, definition of "temporary manufactured home."

¹⁷ SCC 14.16.900(2)(a).

¹⁸ SCC 14.04.020, definition of "temporary manufactured home."



Contact Information & Signature Form

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Permit #:
Received by:

Attach this form to an application that requires it. An application will not be accepted without this form.

By signing this form, the undersigned certifies that the statements, answers, and information both on this form and the remainder of this permit application are true and correct to the best of his or her knowledge and belief.

Applicant/Contact

Name Skagit Aggregates LLC Mailing Address PO Box 398
 City, State Clear Lake Zip 98235 Phone 360-826-3077
 Email stevend@skagitaggregates.com

Property Owner

Same as applicant Multiple owners (attach additional page)

Name _____ Mailing Address _____
 City, State _____ Zip _____ Phone _____
 Email _____

Contractor

None Same as applicant Same as property owner

Name _____ Mailing Address _____
 City, State _____ Zip _____ Phone _____
 Email _____ License # _____ Expires _____

Financing¹

None Lender below is providing construction financing Firm below has issued payment bond

Name _____ Mailing Address _____
 City, State _____ Zip _____ Phone _____

Signature

- I am the owner of the subject property and I grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application; OR
- I have the consent of the owners of the subject property and have attached Agent Authorization Form(s) (SCC 14.06.090); OR
- This is a mechanical/plumbing permit or pre-development/pre-app meeting request; ownership certification is not required.

Signature(s):
 Printed Name: Steven D Dahl
 Title: CEO/President
 Company: Skagit Aggregates LLC

Date: 8/25/2022

¹ Required by RCW 19.27.095(2)(d) for building permit applications.



Agent Authorization Form

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Permit #:
Received by:

Use this form to authorize someone other than the property owner to apply for permits for the subject property.

Project Site

Property Address: 50596 State Route 20
City, State, Zip: Concrete, WA 98237

Authorization Statement

I/we, as the owners of the property identified above, authorize Ronald Jepson PE; PLS to act as agent to submit applications, receive correspondence regarding the application, and sign title notices on my behalf.

I/we grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application.

Property Owner Signature(s)

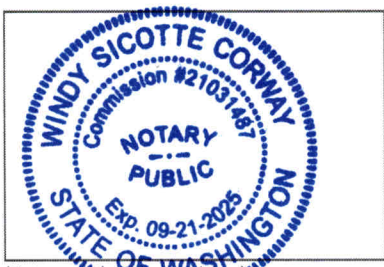
Signature: *SD Dahl*
Printed Name: Steven D Dahl
Title: CEO/President
Company: Skagit Aggregates LLC
Date: 8/25/2022

Signature: _____
Printed Name: _____
Title: _____
Company: _____
Date: _____

Notarization

I certify that I know or have satisfactory evidence that Steven D Dahl is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 08/25/2022



Windy Sicotte Corway
Signature of Notary Public
WINDY SICOTTE CORWAY
Printed Name of Notary Public
My appointment expires 09-21-2025

(Notary seal or stamp above)



SKAGIT AGGREGATES, LLC

Rockport Pit 30 Acre Expansion

July 13, 2022

Rockport Pit Narrative Summary

The proposed project is an expansion to an existing 10 acre operating gravel extraction site by 30 acres for a combined 40 acre mine. The site is within the east one half of section 28, Township 35 North, Range 9 East of the Willamette Meridian. Access is from State Highway 20 over an existing paved driveway which is shared by a Skagit County owned waste facility. The site address is 50796 State Route 20, Concrete, WA 98237. The property is identified by two Assessor's Parcel Numbers P123394 and P44865. The townsite of Rockport is approximately five miles easterly from the site.

Special use permit requirements: The Applicant is requesting a Special Use permit pursuant to Skagit County Code (SCC) 14.16.430 Rural Resource-Natural Resource Lands (4)(g) and SCC 14.16.400 Mineral Resource Overlay (7) Special Uses and (8) Application for Mining Special Use Permit. Hearing Examiner Special Use permits are processed as a Level II permit as outlined in SCC 14.06 Level II Review Procedures.

An approved mining special use permit with the County is required before a reclamation and surface mining plan can be approved by the DNR. The site will be dry mined using standard mining equipment such as front-end loaders and excavators. The gravel will be processed on-site including proposed crushing operations, finished product will be loaded into trucks and transported to market.

Mining will occur in phases, existing mining is occurring in the northern quarter and will continue southerly with segmental mining and reclamation as required by the Washington State Department of Natural Resources Because of the bowl-shaped mining plan and utilizing the existing mine floor of approximately 70 feet below original surface elevations this will allow for containment of any potential water runoff, noise generation, visual disturbance or minor dust generation.

All drainage and runoff from the site will infiltrate into the gravel in the mine floor. Depth of final mine floor will be 450 to 470 feet in elevation. The existing water aquifer is estimated at 360 to 390 creating a separation of more than 60 feet from the proposed mine floor to any ground water. The proposal is designed to avoid all impacts to critical areas.

Narrative – numbered response to requirements for All Special Use Permits

1. Describe your proposal/business.

This project would expand an existing gravel pit operation at Rockport, Skagit County into a 30 acre parcel owned by the applicant.

2. Describe what days and hours will your operation be open.

The hours of operation are proposed to be unlimited based on SCC14.16.440(10)(i)(j). Typical hours of operation are 7AM to 5PM Monday through Friday and the occasional Saturday.

3. How many employees will you have?

Three to Four full time employees will work on site.

4. What will your employees' working hours be?

Typical hours would be 7AM to 5PM Monday through Friday and the occasional Saturday.

5. Will employees work on site?

Yes

6. How many employees will work off-site?

None

7. Describe the location and size of any signs you propose to advertise your operation.

A small sign exists at the entrance from Highway 20. The sign is approximately 1.5' Tall and 6' Wide, it sits below three signs for the Skagit County Transfer Station (shared entrance) that cover approximately 12' Tall and 6' Wide. The sign has an approximate 1' x 1' logo and the description of "Gravel Pit" Two signs exist at the entrance of the property from the shared driveway (not visible from Highway 20), they are 4' by 8' signs that indicate Skagit Aggregates LLC and required Mine Safety and Health Administration (MSHA) regulations for all persons entering the mine site.

8. How do you propose to screen your operation from public view? E.g., plants, shrubs, fences.

The mine property is more than 650' feet from Highway 20 utilizing a shared access road with the Skagit County Transfer Station. The site is visually concealed by its elevation approximately 60' above the highway, it is surrounded by evergreen trees which will remain inside the 10' mining buffer. The mining will occur below the existing elevation to a final elevation of 470' to 450' further concealing any operations from public view.

9. Describe your proposed parking area.

Existing parking within the permitted 10 acre mining operation will provide enough room for parking, this special use permit is not proposing any major increase in use just extending the life of the operation.

10. Describe your schedule, including any phasing, for development of your operation.

The initial phase of the mine will start immediately after permit approval in the Northern section of the 30 acre site, mining will progress to the South as the resource is depleted and as market conditions allow.

11. Describe the expected traffic impact of your operation on public roads.

Truck traffic already exist at the mine site and public roads, as this is a request for expansion it is not expected to cause any increase in projected traffic merely extend the useful life of the operation.

Gibson Traffic Consultants preformed traffic analysis of the site in 2019 for existing operations and forecasted expansion related traffic. In the report the conclusions were...

-The site is likely not to generate many new trips due to the existing operation continuing.

-Based on the proposed future trips along SR020 and the access, the volumes will not warrant a left or right-turn pocket on SR-20.

-There was no collision history to indicate that the existing access would have an operational deficiency and need to be altered in any way.

Access Memorandum, Gibson Traffic Consultants, Inc September 19, 2019

12. Describe any internal road system your operation will have.

The mine site will not have a defined internal road system as the face of the mine and stockpile locations are constantly changing. Other than the paved entrance the mine will consist of gravel surface roads.

13. Describe how your operation will be accessed.

The site is accessed off of State Highway 20 onto a existing paved road to the Skagit County Sault Transfer Station which there is a recorded easement.

14. Describe any heat from machinery or equipment that your operation will generate.

Typical heavy machinery in a gravel operation includes Dump Trucks, Loaders, Bulldozers, Screening and Crushing equipment. None of the equipment will generate heat beyond the normal operating conditions.

15. Describe any noise your operation will generate.

Noise will be generated from equipment on site during excavation, screening, crushing, loading of material in vehicles for offsite delivery, and equipment maintenance. A Noise Study has been prepared for the proposed operations. Its conclusion is that "Predicted sound levels from crushing operations comply with Skagit County Code environmental sound level limits." Skagit Aggregates' Rockport Crushing Plant – Noise Study, The Greenbusch Group Inc. November 5, 2020.

16. Describe any odors your operation will generate.

No odors will be generated by the proposed mining operations.

17. Describe any steam, smoke, or dust your operation will generate.

No smoke or steam will be generated during mining operations. Water trucks will be used to control dust during dry periods.

18. Describe any vibrations your operation will generate.

Vibration will occur as a result of operation of machinery during mining, crushing, screening, and loading. From prior studies performed at other Skagit Aggregates locations by The Greenbusch Group it has been determined that equipment used has an impact distance varying from 46 to 92 feet. "General mining operations must maintain a 100 foot buffer from neighboring properties. Given that all the vibration impact distances are less than 100 feet, the vibration limit is not predicted to be exceeded."

19. Describe any heavy equipment or machinery your operation will use.

In general Skagit Aggregates will use dump trucks, wheel loaders, excavators, bulldozers, screen plants and mobile crushing equipment.

20. Describe any chemicals, waste oil, solvents, fuel, etc., your operation will store.

An existing double walled diesel tank and small quantities of oil are stored on site and will continue to be used during the expansion.

21. Describe your plan for disposal of any chemicals.

Disposal of used oil and other chemicals will be removed during the maintenance of equipment and recycled or disposed of per applicable regulatory standards.

22. Describe your plans to prevent trespassing by employees, customers, or visitors to adjoining property.

After clearing of the site, the 100' setbacks will be marked per DNR requirements as a visual prevention of employees, customers or visitors trespassing to adjoining properties.

23. If your operation will use a building please describe the size, height and construction type. This building must be shown on the site plan.

No additional buildings are proposed for this mining operation. The 10 acre existing site utilizes a small scale house and 750 square foot building.

24. Describe the sewage disposal plan for employees and the public.

Portable toilets for employees are provided.

25. Describe the water supply for employees and the public.

Bottled water is provided for employees.

26. Address any fire flow issues.

Water for fire suppression would need to be brought in from outside sources.

27. Demonstrate that the proposed use is compatible with the neighboring properties.

The proposed mining use is compatible with the neighboring properties because it lies within a Mineral Resource Overlay. Properties within this overlay are limited in density and required to maintain a 200' buffer or sign a nuisance waiver. Currently there are no buildings within this 200' buffer that would require the buffer be established on the mineral resource designated land. SCC 14.16.440(10)(b)(ii)

28. Demonstrate that the proposed use complies with Skagit County Code. Please cite code section.

The proposed mining is located in zoning Rural Resource – Natural Resource Lands (RRc-NRL) with a Mineral Resource Overlay designation. The Mineral Resource Overlay under Special uses allows for "Surface or underground mining or quarrying of mineral deposits or building materials from rock, stone, gravel, sand, and earth together with associated structures and equipment." SCC 14.16.440 (7)(b)(iii)

29. Demonstrate that the proposed use will not create undue noise, odor, heat, vibration, and air or water pollution on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.

The required 100' setback will meet the performance standard of SCC 14.16.840(2) – "Skagit Aggregates' Rockport Crushing Plant – Noise Study, The Greenbusch Group Inc. November 5, 2020

The vegetation buffers and general bowl like mining conditions will prevent any heat, glare, and steam from producing a nuisance beyond the boundary lines of the property. Any lighting will be directed down and away from adjoining properties. SCC 14.16.840(3)

The proposed mining operations will meet the appropriate Noise standards as defined in SCC 14.16.840(5) – "Skagit Aggregates' Rockport Crushing Plant – Noise Study, The Greenbusch Group Inc. November 5, 2020

30. Demonstrate that the proposed use will not generate intrusions on privacy of surrounding uses.

100' setbacks will be maintained on neighboring property lines and a vegetative buffer will remain. An existing gate at the entrance will prevent unauthorized entry during off hours.

31. Demonstrate that proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

Potential impacts are noise, traffic, and dust. The conclusions of technical studies prepared for the proposed mining have determined that they will not extend beyond the parcel boundaries or are forecast to be at acceptable levels to protect the general public health, safety, and

welfare of the employees on site and that of the general public base on existing regulatory standards.

32. For special uses in the Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL zones, demonstrate that the impacts on long-term natural resource management and production will be minimized.

This proposed mine will occur on 30 acres where the current designated zoning is Rural Resource-NRL. The reclamation requirements of the Washington Department of Natural Resources will require restoration of the property to comply with the existing zoning resulting in no impact in the long term. This has been done successfully at other locations.

33. Demonstrate that the proposed use is not in conflict with the health and safety of the community.

The proposed mining operation will follow all applicable local, state and federal codes administered by Skagit County, DNR, Ecology, Mine Safety and Health Administration (MSHA). Existing operations have been occurring since the early 2000's with no major incidences effecting employees, the public, or the environment.

34. Demonstrate that the proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

The proposed mining has the unique benefit of existing operations that are already occurring and not expected to increase in any substantial effect, merely extending the life of the current operation.

Per the traffic study performed by Gibson Traffic Consultants, Inc. September 9th, 2019 the entrance is sufficient for the proposed operations.

35. Demonstrate the proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

Skagit County Code allows for mineral resource extraction in this area and the County's right to manage disclosure helps landowners understand and be aware of their proximity to mineral resource land. The zoning requirements of the Mineral Resource Overlay also prevents any increase in density. Previous mining in the immediate area by both State, County, and Private entities for the greater part of 50 years proves the character and lifestyle of the rural area will not be significantly altered.

Specific Special Use Narrative Questions, Application Items G-1 to G-5

G-1: Quantities of Materials to be Extracted

The area to be worked under this new permit is 30 acres and is an expansion southerly from the existing permitted 10 acres, mining will continue from the existing permitted 10 acres southerly

to the proposed expansion. An estimated 2,670,000 cubic yards of material will be extracted from the proposed 30 acre expansion.

G-2: Scientific Resource Sites

No such occurrences have been identified when the original permit was issued which covered the full 40 acres of ownership. Existing operations have not observed any items or related issues. (Stratum Group Level 1 Study, Oct. 7, 2013).

G-3: Noise Related Issues vibration and dust

The owners have conducted a noise occurrence study which indicated the daytime noise levels will not exceed standards. (Rockport Crushing Plant, The Greenbusch Group, Inc. November 5th, 2020). Vibration caused by mining equipment will be contained to the site with the required 100' mining buffer. (The Greenbusch Group, Inc. August 9, 2021). Dust suppression will be performed using a water truck utilizing water obtained from offsite.

G-4: Operation and Blasting

No blasting is contemplated at this site. It is intended to operate as a sand and gravel extraction operation mining glacial recessional outwash. The hours of operation are proposed to be unlimited, typically between 7 AM and 5 PM, Monday through Saturday. Three or four full time employees plus truck drivers will be hauling from the site. The surrounding acreage is similar to this site and is fully wooded and provides natural screening. A slope setback of 10 feet will surround the operation. Truck loads estimated at 14 truck trips per day will occur and a traffic report has been prepared by Gibson Traffic Consultants Inc. September 19th, 2019

G-5: Critical Areas

The environmental assessment for the phase 1 study prepared by the Stratum Group did not identify any existing critical areas. (Phase 1 Environmental Site Assessment, Stratum Group, October 7, 2013)

Detailed response to how this meets the requirements of SCC 14.16.440 (10)(a-l) Operating Standards or Requirements.

(a) The site will accommodate extraction and on-onsite mineral crushing. The total permitted area will be 40 acres upon the permitting of the requested additional 30-acre tract. The width of the site is 676' feet and the length is 990'.

(b) A minimum 200-foot buffer shall be maintained between on-site crushing and processing and adjacent properties for the site. Adjacent properties are required to maintain a 200-foot buffer from the mineral resource designated land or sign a nuisance waiver to reduce the 200-foot buffer. Currently there are no existing buildings within a 200 foot buffer along the proposed expansion. A minimum 100-foot buffer shall be maintained during extraction and transportation of minerals. Once the extraction and transportation operations have been completed, the material in the buffer may be utilized during reclamation.

- (c) Noise levels during daytime hours are not expected to exceed those specified in WAC 173-60 and Skagit County Code. Night time crushing operations are not proposed, a detailed report addressing those activities is included. (See Greenbush Group Inc November 5th, 2020)
- (d) No blasting will occur at this site.
- (e) Aquifer protection will be provided based on various reports mining is not expected to come close to the Aquifer. The first aquifer that could be encountered is at an approximate elevation of 360 to 390 feet elevation which is over 60 feet below the proposed final mine floor elevation of 450 feet. Drinking water for nearby properties utilize a deeper aquifer located approximately 200 to 210 feet in elevation. "Proposed mining activities will not alter ground water flow direction." (Hydrologic Assessment, Stratum Group, May 21st, 2020)
- (f) Surface waters do not exist on this site. A storage pond for processing water will not be needed at this site. Per the SWPP no runoff will occur, all runoff will be contained to the site and infiltrate to ground while at all times complying with the Sand and Gravel General Permit issued by the Washington State Department of Ecology.
- (g) Upon final reclamation benches will be back sloped and will comply with the 40-foot interval requirement to control drainage and debris accumulation. No ditch or swale will exceed a 5% gradient.
- (h) The reclamation plan shall be in conformance with DNR requirements regarding limited steepness, be natural in appearance and have no large rectilinear topographic elements. No slope will exceed 2:1, and will be backfilled appropriately with topsoil cover that will support vegetative growth.
- (i) The proposed site is within designated natural resource lands therefore the hours of operation may be unlimited. However, the actual hours of operation depend upon the demand and can vary with each project. The typical operating hours would be between 7 am and 5 pm Monday through Friday and the occasional Saturday. The Noise Study completed by the Green Bush Group did not specifically evaluate the noise levels beyond the daytime hours of 7AM to 6PM, however using a 10dB reduction in sound levels at Class A EDNAs nighttime sound levels would exceed code levels on a limited basis. These sound levels included crushing operations which are not proposed outside of daytime hours, with the exception of emergencies, where restrictions on hours of operation can be suspended by the Board of County Commissioners pursuant to the lawful procedures for declaring an emergency. The study also provided optional mitigation measures that could be implemented.
- (j) No chemical leach mining will occur.
- (k) The landowner/operator, Skagit Aggregates LLC, will be held jointly responsible for the operation.
- (l) No metals mining will occur.