

KATHY HILL
SKAGIT COUNTY AUDITOR

'99 JUN -1 P2:35

RECORDED _____ FILED _____
REQUEST OF _____

9906010190

AFTER RECORDING RETURN TO:
SKAGIT COUNTY HEARING EXAMINER
302 SOUTH FIRST STREET
MOUNT VERNON, WA 98273

DOCUMENT TITLE: SPECIAL USE PERMIT SP 99 0072

GRANTOR(S): SKAGIT COUNTY HEARING EXAMINER

GRANTEE: SKAGIT COUNTY FIRE DISTRICT #11

ASSESSOR PARCEL NO: P73137

ABBREVIATED LEGAL DESCRIPTION: a portion of Section 34, Township 35 North, Range
1 East, W.M., Skagit County, Washington

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SP 99 0072.ORD

**SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON**

In the matter of:)	
Application No. SP 99 0072)	Findings of Fact
Of SKAGIT COUNTY FIRE DISTRICT #11)	Entry of Order
for a Special Use Permit for:)	No. SP 99 0072
to relocate a fire station to an existing industrial)	
building directly adjacent to the station's current)	
location)	

THIS MATTER having come regularly before the Skagit County Hearing Examiner for a Public Hearing under an application filed with the Skagit County Planning and Permit Center on behalf of the Applicant requesting a Special Use Permit as described in the attached Report and Findings of that Department and located at 14809 Deception Road, Anacortes, WA; within Section 18, Township 34 North, Range 2 East, W.M., Skagit County, Washington;

Assessor Account No: 4101-108-014-0005; P73137

And, notice having been given to all property owners within 300 feet of said property and all matters in the file having been considered together with the testimony, evidence, and exhibits in open hearing and made a part of the record in this matter; the Hearing Examiner makes the following findings of fact.

FINDINGS OF FACT

1. May 12, 1999 was fixed as the date of the public hearing and the Hearing Examiner held a public hearing on that date.
2. All persons present at the Public Hearing were given an opportunity to present evidence and testimony, and all correspondence received was made a part of the record.
3. The Planning and Permit Center issued a Staff Report and Findings. The Hearing Examiner adopts Findings no. one (1) through fourteen (14) as presented in that report.
4. The Hearing Examiner has reviewed this application with respect to the following criteria as required by Section 14.04.150(3)(d) of the Skagit County Code:
 1. Conformity to (or compatibility with) the Comprehensive Plan in respect to the compatibility with existing and future land use and circulation;
 2. The zoning of subject property and surrounding properties and the conformance of the application with the zoning ordinance.
 3. Automobile or truck traffic and parking and its effect on surrounding community;
 4. Noise, odors, heat, vibration, air and water pollution potential of the proposed use;
 5. Intrusion of privacy;

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6. Design of the site and structures as to possible effects on the neighborhood;
 7. In addition to possible effects on the neighborhood in which the use is to located, the potential effects on the region shall be considered.
 8. Potential effects regarding the general public health, safety, and general welfare.
5. The Hearing Examiner makes the following findings of fact as required by Section 14.04.150 (3)(e) of the Skagit County Code:
- a. The project, with the appropriate conditions and/or modifications and/or restrictions (if applicable and necessary are listed as conditions of approval below) would be compatible with the environment and would carry out the objectives of the comprehensive plan, the zoning ordinance, and other plans, codes, and ordinances of Skagit County.

DECISION

The Hearing Examiner **APPROVES** the application for a Special Use Permit, subject to the following conditions:

1. The applicant shall obtain all necessary land use approvals.
2. The applicant shall comply with all conditions of the MDNS dated March 15, 1999.

This decision shall become final unless Reconsideration is requested in accordance with SCC§ 14.01.057 or Appeal is made to the Skagit County Board of Commissioners in accordance with SCC§ 14.01.061.

SKAGIT COUNTY HEARING EXAMINER



ROBERT C. SCHOFIELD

Date of Action: 5/26/99

Attachment: Staff report

**SKAGIT COUNTY PLANNING AND PERMIT CENTER
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY HEARING EXAMINER
HEARING DATE: MAY 12, 1999
APPLICATION NUMBER: SPECIAL USE PERMIT REQUEST PL99-0072
APPLICANT: SKAGIT COUNTY FIRE DISTRICT #11
C/O JIM STEWART, FIRE CHIEF
ADDRESS: 14807 ROSARIO ROAD
ANACORTES, WA. 98221

PROJECT LOCATION: Located at 14809 Deception Road, Anacortes, within a portion of Section 18, Township 34N, Range 2 East W.M. Skagit County, Washington.

PROJECT DESCRIPTION: Special Use permit request PL99-0072 for the relocation of a fire station directly adjacent to the station's current location. The proposal is to relocate the fire station next door to its existing site by converting an existing industrial building into a new fire hall.

ASSESSOR'S ACCOUNT NUMBER: 4101-108-014-0005, P73137

ZONING: The property is located within a Residential zoning district.

COMPREHENSIVE PLAN: The Comprehensive Plan designates the area as Rural Intermediate as indicated in the Skagit County Comprehensive Plan and associated maps as adopted June 1, 1997.

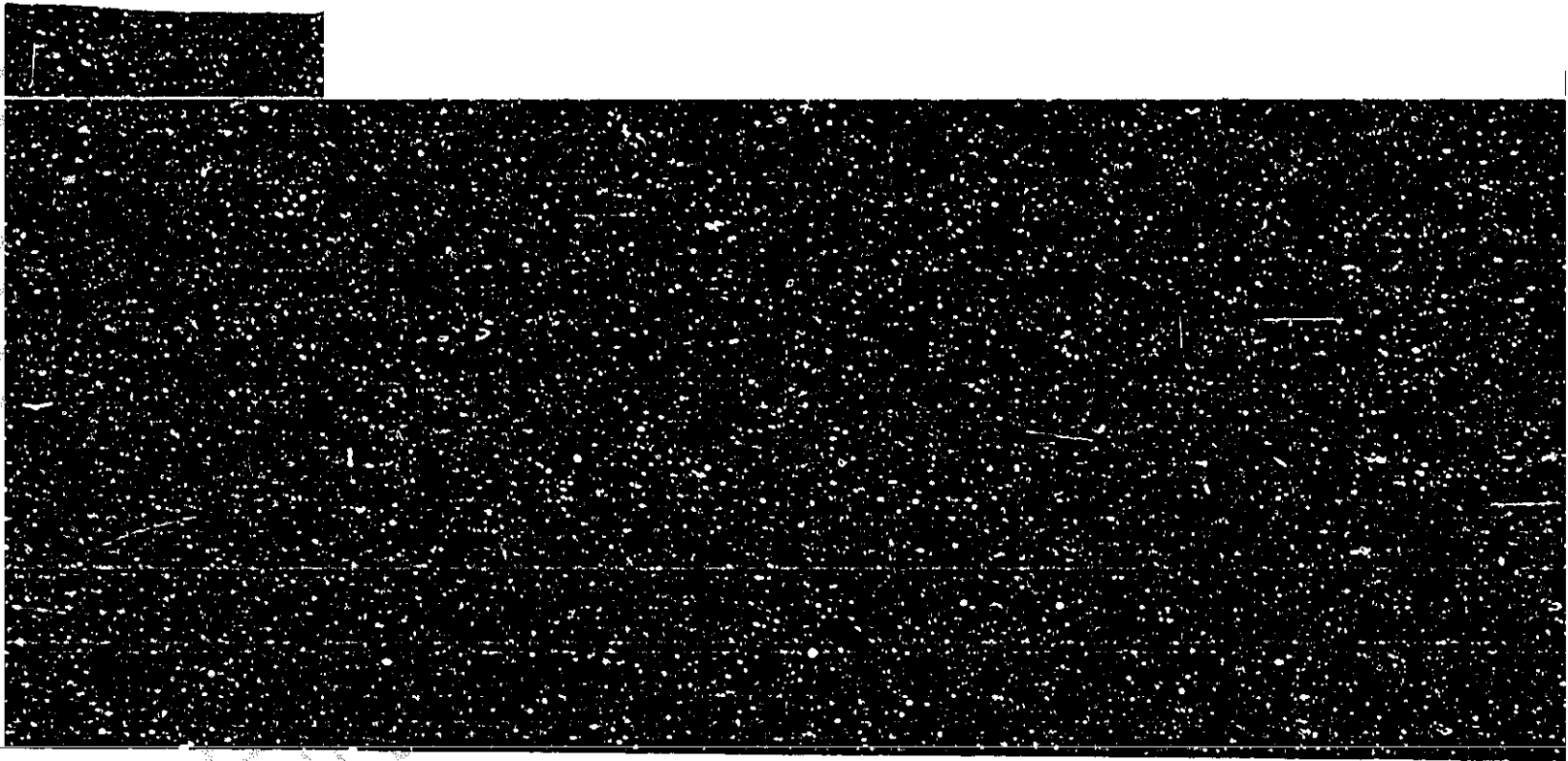
RECOMMENDATION: The Planning and Permit Center recommends **approval** of the request with conditions.

EXHIBITS:

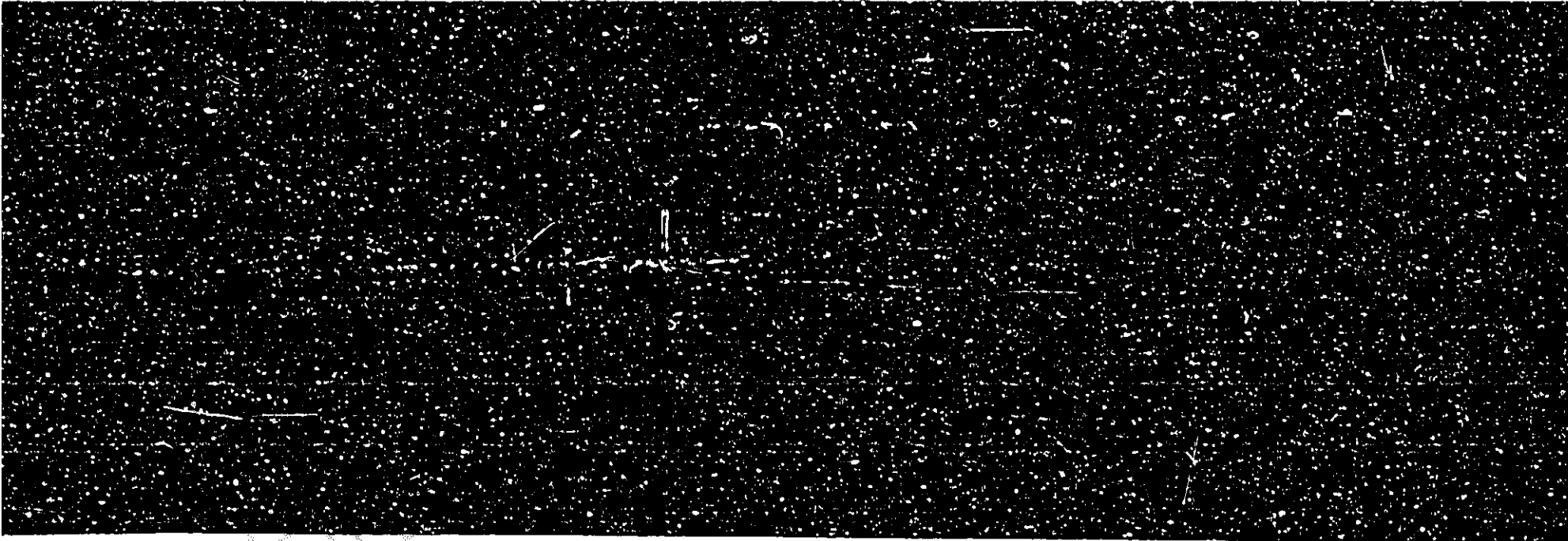
1. Application dated February 18, 1999
2. Letter of completeness issued February 22, 1999
3. Notice of Development published February 25, 1999
4. Mitigated Determination of Nonsignificance (DNS) issued March 15, 1999
5. Site Plan
6. Assessors section map

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5. The subject property is located out of any designated flood hazard areas.
6. The subject parcel is approximately 44,950 square feet in size located to the east of the intersection of Deception Road and State Route 20. The proposal is to relocate the existing fire station to the site directly adjacent and occupy an existing industrial building that is currently vacant. The proposal will not add any additional structures to the site and only require minor interior remodeling. The access is existing onto Deception Road and will require no improvements. The parcel will be serviced water from Public Utility District #1 and a septic system is currently in place under permit #S93-048.
7. The majority of the surrounding area is currently a mixture of rural and residential in character. There are several single family residential parcels located throughout the area, a grocery store located directly to the north, and a seafood sales shop to the west. There are no residential structures located directly adjacent to the proposed project.
8. The applicant is requesting a Special Use permit to relocate the existing fire station directly adjacent to the stations current location. The proposal will locate the fire station in an existing industrial building and will require only minor modification. Skagit County Code Section 14.04.150 (2)(1) states that Fire Stations require a Special Use permit in all zoning districts.
9. The application was routed to the health unit for review. Environmental Health had no comments or concerns with the proposed project.
10. The application was reviewed by the Water Resources division of Skagit County Planning and Permit Center who had no comments or concerns with the proposal with the use of Public Utility Water District #1.
11. The application was routed to The Public Works Department for review. The Public Works Department had no comments or concerns.
12. The application was routed to the Building Official. The Building Official had no comments or concerns with the proposal.
13. The application was routed to the Fire Marshall for review. The Fire Marshall had no comments or concerns with the proposal.
14. Section 14.04.150 Unclassified Special Uses of the Skagit County Code indicates that certain items will be reviewed when approving or denying Special Use permits. Those items are as follows:
 - A. Conformity to the Comprehensive Plan in respect to the compatibility with existing and future land use and circulation.



The parcel is designated Rural Intermediate and the Skagit County Comprehensive Plan does not specifically provide policies that either support or oppose the proposed project. The Capital Facilities Element, Chapter 11, of the Comprehensive Plan indicates that a Capital Facilities Plan shall be prepared to identify individual capital improvements and to determine the level of service capacity needed to accommodate new growth. This plan shall be prepared annually and incorporate the proposed new capacity, replacement and rehabilitation of capital facilities, and financing over a six year period. Also, the Essential Public Facilities Element, Chapter 15, within the Comprehensive Plan speaks in support of essential public facilities with adequate review and as long as the siting conforms with the Comprehensive Plan and its supporting policies.

Staff notes that the applicant has prepared and submitted a Capital Facilities Plan for the fire district which has been reviewed and approved by the Planning and Permit Center. Staff also notes that the facilities has gone through adequate review and conforms to the supporting policies outlined within the Comprehensive Plan.

- B. The zoning of the subject property and surrounding properties and the conformance of the application with the Zoning Ordinance.

The subject parcel is zoned Residential as well as the surrounding parcels and the Comprehensive Plan designation is Rural Intermediate. As per Section 14.04.150(2)(1) of the Skagit County Code, a Special Use permit is required for Fire Stations in all zoning districts.

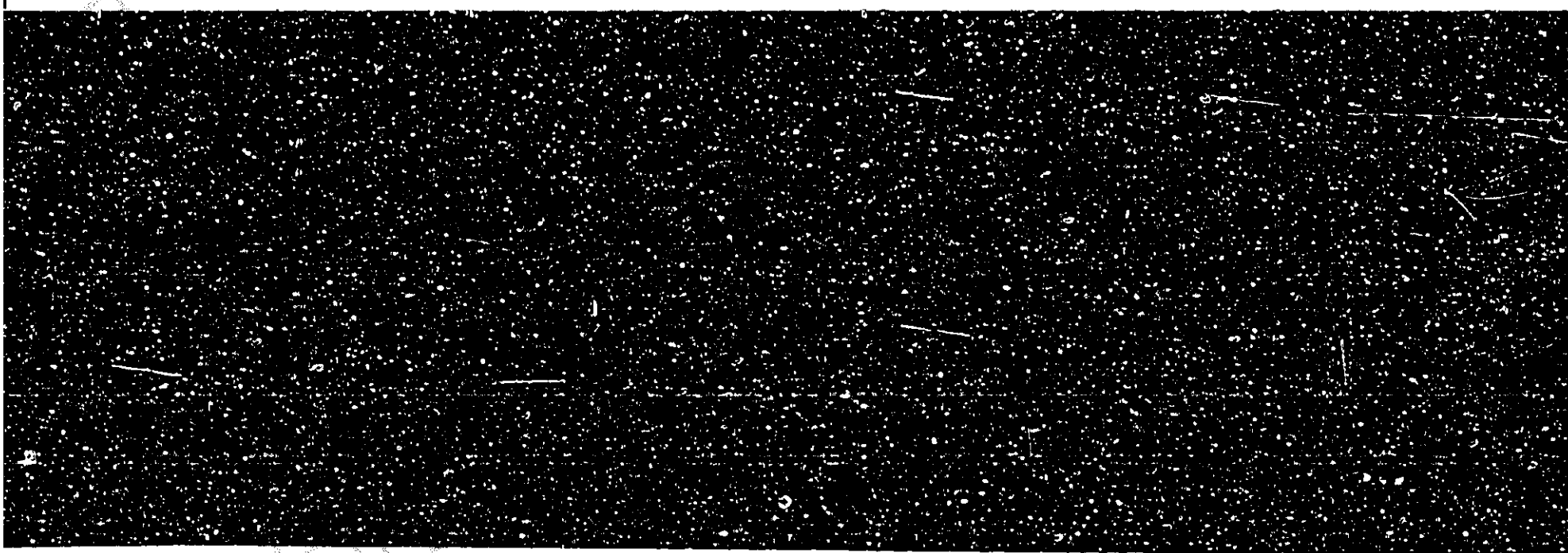
- C. Automobile or truck traffic and parking and its effect on surrounding community.

The applicant has indicated that there will not be any new traffic generated with the fire departments use of this site due to the fact that the department is already located next door and the same roads will be used as presently used by the fire department. There will be no traffic impact to the area.

Staff notes that there will be no additional traffic impact to the area because the station is currently in existence next door to this proposed site.

- D. Noise, odors, heat, vibration, air and water pollution potential of the proposed use.

The applicant has indicated there will be little to no impact on noise, odors and heat and the proposal will create no vibrations to adjacent properties.



Staff notes that the proposed project will have a minimal impact on the surrounding area with odors, heat, vibration, air and water pollution potential of the proposed project provided the site is maintained. The use proposed is currently existing next door and this proposal will not increase any of the above impacts. Although staff notes that noise may be a factor only during the time involved in relocating, this noise will be temporary.

E. Intrusion of privacy.

The applicant indicated that there will be no intrusion of privacy than already exists. The applicant has indicated that the station is a volunteer fire station with no full time employees. The district operates with approximately 14 volunteer firefighters at this site and are on the site approximately 4 or 5 times a month for monthly meetings and periodically for cleaning and maintenance of fire equipment, apparatus, and facilities as well as for emergency use.

Staff notes that there will be no increase in the intrusion of privacy from the proposed project due to the fact that the fire station is currently existing next door. The proposal will locate the fire station on the adjacent industrial lot, closer to the existing grocery store and will have no impact.

F. Design of site and structures as to possible effects on the neighborhood.

The structures is an existing vacant industrial building and will have no adverse effects on the neighborhood.

G. In addition to possible effects on the neighborhood in which the use is to be located, the potential effects on the region shall be considered.

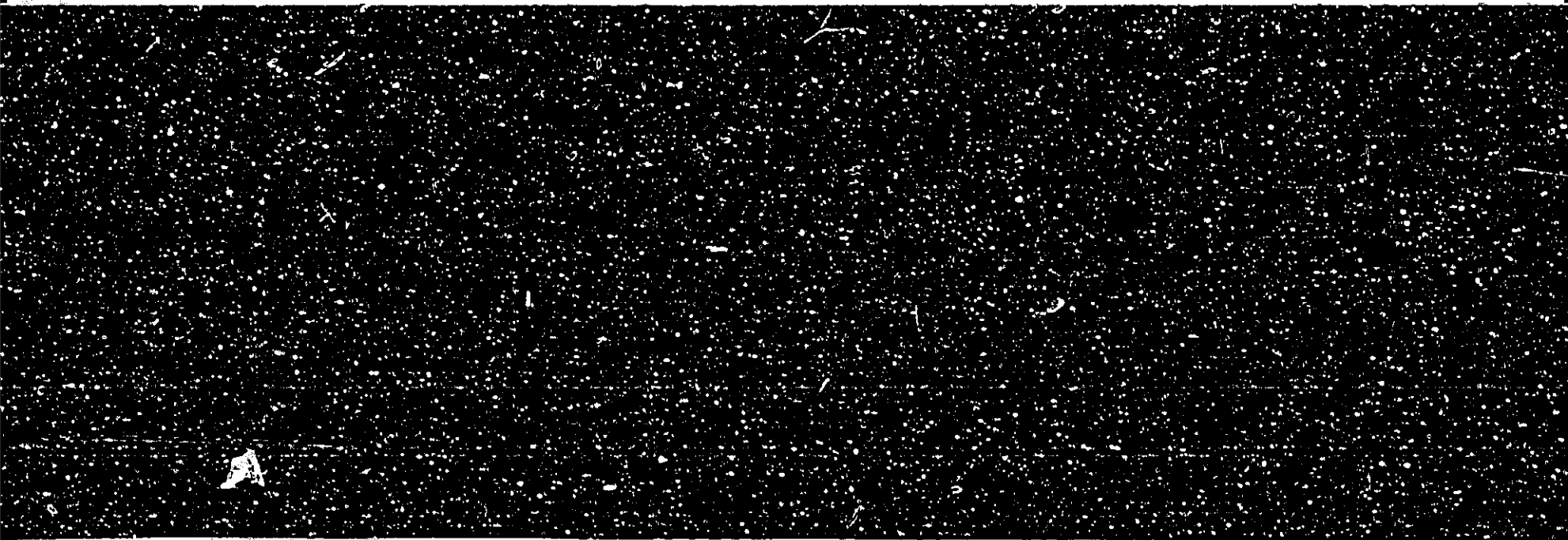
There shall be no potential effects on the region. The proposal will locate the existing use next door within an existing structure and will have no potential effects on the region.

H. Potential effects regarding the general public health, safety, and general welfare.

There will be no negative effects on the neighborhood, region, general public health, safety, or welfare as a result of this project provided the site continues to be maintained.

RECOMMENDATION

Based on the above findings the Planning and Permit Center would recommend approval of the requested Special Use Permit with the following conditions:



1. The applicant shall obtain all necessary land use approvals.

Prepared By: BB

Approved By: *JB*

Dated: 4-28-99