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Skagit County Planning and Permit Center



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

**REVIEWING AUTHORITY:** Skagit County Planning Director

**APPLICATION FOR:** Administrative Special Use Permit #PL  
98-0438

**APPLICANT:** Town of Concrete

**ADDRESS:** P.O. Box 39  
Concrete, WA 98237

**ASSESSOR ACCOUNT NUMBER:** 350804-3-002-0116, P43393  
350809-1-002-0107, P43585

**PROJECT DESCRIPTION:** The construction of one (1) 200,000 gallon concrete water storage tank with the dimensions of approximately 30 feet in diameter and 40 feet tall. The proposal also includes the placement of fill to improve the surfacing of the existing access road and to construct an engineered base for the placement of the proposed water storage tank.

**PROJECT LOCATION:** The proposed project site is located approximately 1,950 feet north of the intersection of First Street and Main Street in the Town of Concrete, within a portion of Section 4 & 9, Township 35 North, Range 8 East, W.M., Skagit County.

**ZONING:** The subject parcel is located within two zoning districts, a portion of the project is zoned Rural and a portion of the project is zoned Forestry.

**COMPREHENSIVE PLAN:** The Skagit County Comprehensive Plan adopted June 1, 1997 designates the site as Rural Reserve and Secondary Forest Natural Resource Land.

**RECOMMENDATION:** Skagit County Planning and Permit Center would recommend **approval** of the requested Special Use Permit PL # 98-0438 with noted conditions.

**STAFF FINDINGS:**

1. The subject property is zoned Rural and Forestry and the Comprehensive Plan designates the area as Rural Reserve and Secondary Forest Natural Resource Land as indicated in the Skagit County Comprehensive Plan and associated maps as adopted June 1, 1997. The application was determined to be complete on December 17, 1998 and is vested under the Comprehensive Plan and zoning regulations in effect at that time.
2. Per Section 14.01.033 of the Skagit County Code, a letter of completeness was issued. A Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on December 24, 1998 as required by Section 14.01.040(2) of Skagit County Code.
3. The application has been reviewed in accordance with the State Environmental Policy Act guidelines (WAC 197-11 and RCW 43.21C). A Determination of Nonsignificance was issued on October 19, 1998 with a 15 day comment period ending on November 9, 1998.
4. The subject property is located out of any designated flood hazard areas.
5. The subject parcel was reviewed the respect to the Skagit County Critical Areas Ordinance 14.06 of the Skagit County Code. A Geotechnical report was submitted and approved with the following conditions:
  - The project engineer must make recommendation for proper installation of waterlines, and provide inspection of waterline installation.
  - Proper drainage from developed area needs to be provided for graded area around water tank and access road per Public Works Department requirements.
  - A qualified engineer should be retained to assure proper site preparation for tank and certify that engineered fill is properly placed.
6. The applicant is requesting an Administrative Special Use Permit #PL 98-0438 to construct an above ground concrete water storage tank with the storage capacity of 200,000 gallons. This project proposes to enlarge the water storage capacity of the Minor Utility District and increase the amount of water available. The proposed water storage tank will be approximately 40 feet tall and approximately 30' feet in diameter. Minor Utility Developments are reviewed as Administrative Special Use permits in all zoning districts.



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A minor utility district is defined by Section 14.04.030(55) of the Skagit County Code as: "Utility developments designed to serve a small local community; are not manned and would be considered normal utility services for the area."

7. The proposed project is located on an approximate 154 acre site, accessed via First street, adjacent to the Town of Concrete city limits. The reservoir pad is proposed on a flat, cleared, area in the surrounding steep forested land.
8. The surrounding area is currently rural and forestry in nature.
9. Skagit County Department of Public Works has reviewed the application and had no comments or concerns with the proposal.
10. The application was routed to the Environmental Health Unit of the Skagit County Planning and Permit Center for review. Environmental Health had no comments or concerns with the proposal.
11. The application was routed to the Water Resources Division of Skagit County Planning and Permit Center for review. The Water Resources Division deferred comment to the Skagit County Health Department.
12. The application was routed to the Skagit County Health Department and the State Department of Health for review. The Health Department indicated that the project will require State Department of Health approval prior to permit issuance.
13. Section 14.04.150 (2) (1) Unclassified Special Uses of the Skagit County Code specifically states that minor utility developments require an Administrative Special Use Permit, except as noted in Skagit County Code 14.04.150 (5) (d) the applicant or one or more property owners within 300 feet of the subject property may request a public hearing. The application shall be forwarded to the Hearing Examiner for his consideration. The Hearing Examiner shall consider the application in the same manner as Hearing Examiner Special Uses.
14. Section 14.04.150 Unclassified Special Uses of the Skagit County Code states 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 proposed project is in conformance to the Comprehensive



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Plan in respect to the compatibility with existing and future land use and circulation. The current Comprehensive Plan designates this area as Rural Reserve and Secondary Forest Natural Resource Land. There are no specific policies that speak to this, only that the intent of the Comprehensive Plan is to provide for the health, safety, and welfare of the general public.

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

The current zoning of the subject property and surrounding properties are Rural Reserve and Secondary Forest although the majority of the area served by this system will be located within a Rural Reserve designated area. Section 14.04.030 (55) of the Skagit County Code sets forth the definition of Minor Utility Development as: Utility developments designed to serve a small local community; are not manned and would be considered normal utility services for the area. Skagit County Code 12.48.230 requires a completed application for a building permit for a new building or a building changing occupancy (use), of necessitating adequate and potable water, must include proof of potable water. Potable water being defined by section 12.48.030 as water which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the State of Washington and the Board of Health. With the approval of the special use permit the subject proposal will be in compliance with the Zoning Ordinance.

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

The completed project will not attract, nor allow, any public activity or traffic whatsoever. The only acceptable traffic will be generated by regular inspection and/or maintenance of the existing transmission line and proposed reservoir by Town personnel. Said inspections are, and have been going on since the spring source was controlled for the Towns use. Town crews inspect the line about once a week. No additional inspection trips will be required after the reservoir is constructed. The net increase of traffic after construction will be none or negligible. No additional parking is required onsite or otherwise, and no additional service road construction will be required to access the site. The proposed reservoir and transmission line are to be accessed by an existing service road which will be resurfaced with crushed rock as part of its regular maintenance. The site is secured by barbed wire fences. Only the property owner and Town Public Works personnel will have access to the site.



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

There will be no noise, odors, heat, vibration, air or water pollution potential of the proposed project beyond what is typical of a residential area. The project will be unmanned and not require on-site sewage disposal to the site. The applicant has indicated that it will be necessary to use heavy machinery during the construction of the tank which is anticipated to take approximately six weeks after the start of construction. When the site is operational, any noise generated should be typical with a residential area.

- E. Intrusion of privacy.

The site will not intrude on the privacy of adjacent sites and the site itself will be fenced to prevent trespass. The reservoir is to be constructed within a forested area. The trees to the south are predominantly fir, cedar, alder, and maple. The trees are mostly tall and mature with large canopies reaching as high or higher than the proposed reservoir. The proposed site will be unmanned with clearly defined boundaries and not create an intrusion on the privacy of the adjoining properties.

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

The tank structure will be a 40 foot tall concrete structure designed for water storage. The structure will not be located adjacent to any other structures. The design of the tank will not fit in with the design of the surrounding area, although it does fit in with the site. This proposal is to improve the water availability to the area and will create only positive impacts to the neighborhood. Natural vegetation will provide some screening to adjacent properties and additional landscaping could be provided to mitigate the visual impacts if any exist at the completion of the construction.

- H. 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 should be little effect to the region as a result of the project.

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

There should be minimal impact on the general public health, safety, and general welfare provided the site is secured to mitigate the impact of unwanted trespass.



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**RECOMMENDATION**

Based on the above findings the Skagit County Planning and Permit Center recommends **approval** of the requested Special Use Permit subject to the following conditions:

1. The project shall remain unmanned, except as necessary to monitor and maintain the facility.
2. The applicant shall obtain all necessary permits and approvals from the appropriate jurisdiction.
3. All development shall comply with the Skagit County Critical Areas Ordinance, Chapter 14.06 of the Skagit County Code.
4. The project engineer must make recommendation for proper installation of waterlines, and provide inspection of waterline installation.
5. Proper drainage from developed area needs to be provided for graded area around water tank and access road per Public Works Department requirements.
6. A qualified engineer should be retained to assure proper site preparation for tank and certify that engineered fill is properly placed.
7. The applicant shall obtain State Health Department approval prior to Building permit issuance.

The applicant and/or party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner Pursuant to the provisions of Section 14.01.060. Every appeal to the Hearing Examiner shall be filed with the Planning and Permit Center within fifteen (15) calendar days after the date of the decision.

  
Brandon Black, Associate Planner

Date of Preliminary Approval: 11-1-99  
Date of Final Approval:  
Prepared By: BB



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