



200007180005

Kathy Hill, Skagit County Auditor
7/18/2000 Page 1 of 18 8:32:19AM

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

DOCUMENT TITLE: ORDER ON SPECIAL USE APPLICATION SU 00 0045

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: DOUGLAS WEDIN

ASSESSOR PARCEL NO: P37662

ABBREVIATED LEGAL DESCRIPTION: located at 10538 South Third Street, Sedro Woolley, WA; within Section 25, Township 35 North, Range 4 East, W.M., Skagit County, Washington.

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the Matter of the Application of DOUGLAS J. WEDIN)	SU 00-0045
)	
For a Special Use Permit to Allow the Operation of Home Occupations on an Existing Farm, at 10538 S. Third Street, Sedro Woolley.)	Findings of Fact, Conclusions of Law, And Decision
)	
)	

THIS MATTER, an application for a Special Use Permit, came on regularly for public hearing on May 31, 2000, after due notice. The Planning and Permit Center was represented by Brandon Black. Douglas Wedin appeared for himself. Members of the Public were given an opportunity to be heard.

Testimony was taken, exhibits were admitted and argument was made. On the basis thereof, the following is entered:

FINDINGS OF FACT

1. Douglas J. Wedin (applicant) seeks approval for home occupations on his farm, an existing enterprise encompassing about 73 acres, located at 10538 S. Third Street, south of the City limits of Sedro Woolley.
2. The property is located within a portion of Sec. 25, T35N, R4E, W.M. South Third Street runs along the eastern property line. State Highway #9 cuts across the parcel near the western boundary. The south property line is bordered by Hart Slough (also known as Bately Slough). A portion of the north boundary is along Morris Road. The Comprehensive Plan designates the area as Agricultural-Natural Resource Land. It is not within the Sedro Woolley Urban Growth Area.
3. The farm contains about five acres of developed building area with approximately 25,000 square feet of buildings. The existing farmhouse is in the northeast, about 90 feet south of Morris Road and about 80 feet west of Third Street. The access is off of South Third.
4. Potable water is provided to the parcel from PUD #1. There are two septic systems on site, one for the residence and the other associated with the farm office building.
5. In the past the farm was a dairy, but it is now an organic vegetable farm, called the Walled Garden. The present farm operation includes seasonal on-site sales of produce.



6. The proposed home occupations would use existing accessory structures. The first of these is to operate a wood working shop in the old milking parlor and to sell the items made --such as planter boxes, picnic tables, and bird houses -- to persons who come to the farm to buy produce. No independent off-site promotion of this enterprise is intended.

7. The other proposal is to use a second accessory building (the machine shed) as a shop for auto preparation.. The concept of the auto preparation effort is to confine all work activities within the building. No cars would be stored or otherwise parked out of doors. The public would not be invited in. There would be no car sales on the site. The work would primarily involve auto detailing and upholstery work, with some minor mechanical work and body preparation.

8. Essentially the auto detailing operation would work in conjunction with the applicant's auto sales business (W.G. Motors located at 807 Trail Road within the City of Sedro Woolley). Some of the inventory of the sales lot comes from auctions, banks and insurance companies. The intention is to bring a portion of this inventory to the farm for farm employees to work on in their spare time and during the winter.

9. The farm is a state certified organic farm, carrying on a "Community Supported Agricultural" (CSA) program that includes three laborer positions based on a forty-hour a week work schedule. The purpose of seeking to establish the home occupations is to augment the agricultural business with additional work opportunities in order to support these CSA employees throughout the year.

10. The Staff characterizes the proposal as involving home occupations. To qualify as such, under the zoning code's definition (SCC 14.04.030(40)), the activities must meet the following criteria:

- a. Is carried on by a member or members of a family residing in the dwelling and may include up to three (3) additional employees;
- b. Is clearly incidental and secondary to the use of the property for dwelling purposes;
- c. The business activity may be conducted in other than the dwelling;
- d. 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 (4) square feet;
- e. 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;
- f. Does not create a level of parking demand beyond that which is normal to a residential area.



200007180005

11. Under Skagit County Code (SCC) 14.04.150(2)(m), Home Occupations require a special use permit received from the Hearing Examiner within designated Agricultural-Natural Resource Lands.

12. SCC 14.04.150(3)(d) requires consideration of the following elements in evaluating a special use application.'

- (i) Conformity to the Comprehensive Plan in respect to the compatibility with existing and future land use and circulation;
- (ii) The zoning of the subject property and surrounding properties and the conformance of the application to the zoning ordinance;
- (iii) Automobile or truck traffic and parking and its effect on surrounding community;
- (iv) Noise, odors, heat, vibration, air and water pollution potential of the proposed use;
- (v) Intrusion of privacy;
- (vi) Design of site and structures as to possible effects on the neighborhood;
- (vii) 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;
- (viii) Potential effects regarding the general public health, safety and general welfare.

13. The Staff Report thoroughly analyzes the proposal against the definitional criteria and the special use approval criteria and concludes that, with appropriate conditions, it would comply with all of them. The Examiner concurs in this analysis and adopts it.

14. The proposed home occupations would be entirely within the footprint of existing buildings. Their conduct on site, as conditioned, would not change the appearance of the property at all.

15. The surrounding area is currently agricultural in nature. There are scattered residential sites along South Third Street and Morris Road. The proposed home occupations would maintain compatibility with the neighborhood. No increase in traffic, parking, noise or other adverse environmental impacts are likely.

16. A Determination of Non-Significance (DNS) under the State Environmental Policy Act (SEPA) was issued on March 9, 2000. The DNS was not appealed.

17. While environmentally benign, the operations would further the economic development goals of the Comprehensive Plan.

18. The application was reviewed by various County agencies. They responded as follows: Public Works -- no comments, approval recommended



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 4 of 18 8:32:19AM

Water Resource Division (Planning) -- pre-existing well should be limited to agricultural use; comply with WAC 173-60 (noise limits)

Environmental Health Specialist -- laborers should use office area septic system only.

Health Department -- hazardous wastes should be disposed off in accordance with WAC 173-303 (dangerous wastes). Collect wash water from car detailing in a closed loop or discharge to sanitary sewer. Discharge to a treatment system requires Ecology approval, pursuant to RCW 90.48.080.

Fire Marshall -- obtain building permits to convert the use of existing buildings. The occupancy will have to be reclassified depending upon the activities carried out. A woodworking facility will require dust collection and, if over 2,500 square feet, fire sprinklers.

All of the agency suggestions made can be accommodated within conditions of approval.

19. Concerns about this application were expressed by the Friends of Skagit County. The Friends were concerned with the involvement of non-family members and characterized the operations as a semi-independent businesses which are not really home occupations but rather part of a commercial complex.

20. According to the application materials, however, the proposed activities would, in fact, be family operated and limited to no more that three employees total. The intent is not to establish separate independent businesses, but rather to provide work opportunities that will improve the ability to sustain the primary agricultural business on the property. The Examiner is persuaded that adverse impacts can be effectively eliminated by conditions of approval so that no unwanted cumulative effects are likely to result.

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

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the parties and the subject matter of this proceeding. SCC 14.04.150(2)(m).

2. The requirements of SEPA have been complied with.

3. For the Examiner, classifying the proposed activities as special-use home occupations is something of a conceptual reach, but he defers to the Staff in this instance. The performance standards set forth in the zoning code's definition will all be met. See SCC 14.04.030(40).

4. The proposal, as conditioned, is consistent with the approval criteria for a special use permit. SCC 14.04.150(3)(d).



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 5 of 18 8:32:19AM

5. The following conditions should be imposed;

1. The applicant shall obtain all necessary land use approvals.
2. Any future development of this parcel will require critical areas review and may require a wetland assessment.
3. The permit shall be void if not started within one year of the date of this decision.
4. All hazardous wastes from the woodshop and auto detailing shop must be disposed of in accordance with WAC 173-303 "Dangerous Waste Regulations."
5. The wash water from the car detailing operation must either be collected into a closed loop system or be discharged into a sanitary sewer. If discharge into a treatment system is proposed, the Department of Ecology must approve the treatment and drainfield per RCW 90.48.080.
6. The activities authorized hereby shall be carried on by the applicant or residents of the property. No more than three (3) employees shall be associated with these activities.
7. Should the activities come to exceed the limitations of SCC 14.04.030 (40), they may be required to be relocated. Further review by the Planning and Permit Center will be necessary if any major change occurs in the intensity of the use outlined in the application.
8. If the use is abandoned for a period one (1) year, the Special Use Permit shall be void.
9. The applicant is allowed to have one sign, not to exceed four square feet in size.
10. The hours of operation shall be limited to 8 a.m. through 5 p.m.
11. There shall be no outside appearance of the auto detailing work.
12. There shall be no outside storage of materials related to either the wood working shop or the auto detailing operation. No vehicles associated with the auto detailing operation shall be parked or stored out of doors.



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 6 of 18 8:32:19AM

13. There shall be no sign or advertising in any way referring to auto repair, detailing or maintenance.
14. The employees shall be required to use the restroom facilities within the shop area.
15. Prior to the start of the operations, the applicant shall meet with the Skagit County Fire Marshal and the Skagit County Building Official to insure that the buildings involved meet current code requirements and to determine what, if any, remodeling or structural updates need to be performed to the structures for the permitted uses. Any new building permits required shall be obtained.
16. Appropriate provisions for dust control and sprinkler systems shall be made, as required by building and fire safety officials.
17. The applicant shall comply with Chapter 173-160 WAC (noise control).
18. The pre-existing well on site shall be for agricultural use only.
19. All automotive activities on site shall be associated with W.G. Motors inventory or with the applicant's personal vehicles. No members of the general public shall be allowed to obtain auto services at the site.

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

DECISION

The requested Special Use Permit is approved, subject to the conditions set forth in Conclusion 5 above.

Wick Dufford

Wick Dufford, Hearing Examiner

Date of Action: July 13, 2000

Copies Transmitted to Applicant: July 13, 2000

Attachment: Staff Report



200007180005
Kathy Hill, Skagit County Auditor
7/18/2000 Page 7 of 18 8:32:19AM

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

HEARING AUTHORITY: SKAGIT COUNTY HEARING EXAMINER

HEARING DATE: MAY 31, 2000

APPLICATION NUMBER: SPECIAL USE REQUEST PL00-0045

APPLICANT: DOUGLAS J. WEDIN

ADDRESS: 10538 S. THIRD STREET
SEDRO WOOLLEY, WA. 98284

PROJECT LOCATION: Located at 10538 S. Third Street, Sedro Woolley, WA. within a portion of Section 25, Township 35N, Range 4 East W.M. Skagit County, Washington.

PROJECT DESCRIPTION: Special Use request PL00-0045 to allow the operation of a home occupation on an existing farm. The proposal is to augment the existing farm economy by providing two (2) additional supportive work opportunities on site for the farm workers. The proposal is to utilize two of the existing buildings on site, one for a woodshop, and one for an auto preparation shop, which the employees could work in during the off season and down time.

ASSESSOR'S ACCOUNT NUMBER: 350425-0-002-0008, P37662

ZONING: The subject parcel is located within an Agricultural-zoning district.

COMPREHENSIVE PLAN: The Comprehensive Plan and associated maps adopted June 1, 1997 designates the area as Agricultural-Natural Resource Land (Ag-NRL).

LEGAL DESCRIPTION: That portion of the Northeast $\frac{1}{4}$ of the southwest $\frac{1}{4}$ lying west of the State Highway designated as extended 3rd street; the Northwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ and that portion of government Lot 4 lying Northerly of Hart's slough (also known as Bately slough), except therefrom Northern Pacific Railway right-of-way;

And except therefrom that portion conveyed to State of Washington for Highway 1-A by deed recorded September 20, 1957 under Auditor's file #556308; and that portion of Government lot 3 lying Northerly of Hart's slough and Westerly of the State Highway designated as extended 3rd Street.



200007180005

Kathy Hill, Skagit County Auditor

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

EXHIBITS:

1. Staff findings 1-14
2. Application dated January 28, 2000
3. Site Plan
4. Assessors section map
5. Letter of completeness dated February 4, 2000
6. Notice of Development application published February 10, 2000
7. Determination of Nonsignificance published March 9, 2000.

CORRESPONDENCE:

1. Letter received February 25, 2000 from Gerald Steel, Friends of Skagit County, in opposition of the proposal.
2. Letter received March 1, 2000 from Gerald Steel, Friends of Skagit County, in opposition of the proposal.
3. Letter received March 16, 2000 from Gerald Steel, Friends of Skagit County, in opposition of the proposal.

STAFF FINDINGS:

1. The subject property is zoned Agricultural and the Comprehensive Plan and associated maps adopted June 1, 1997 designate the area as Agricultural Natural Resource Land (Ag-NRL). The application was determined to be complete on February 4, 2000 and is vested under the Comprehensive Plan and zoning regulations in effect at that time. A letter of completeness was issued as per Section 14.01.033 (2) of the Skagit County Code.
2. A Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on February 10, 2000 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 (DNS) was issued on March 9, 2000 and became effective following the fifteen-day comment period and the fifteen-day appeal period ending on March 24, 2000. There were no conditions placed on the threshold determination.
4. The subject parcel was reviewed with the respect to the Skagit County Critical Areas Ordinance 14.06 of the Skagit County Code. Staff comments indicated that



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 9 of 18 8:32:19AM

the only mapped critical area was a small wetland greater than 200 feet from the proposed project site. A site visit confirmed the presence of the wetland. Staff indicated that because this project does not propose a change of the building footprint and the wetland is greater than 200 feet from the proposed project site, critical area review is approved for this project only. Any future development on this parcel may require a wetland assessment.

5. The subject property is located within a designated A10 flood hazard zone as identified by FEMA on Flood Insurance Rate Map (FIRM) 530151 0255 D with the effective date of September 29, 1989.
6. The subject property is approximately 73 +/- acres in size located to the south of the City Limits of Sedro Woolley. The east property line fronts on South Third Street and a portion of the north property line is bordered by Morris Road. There is an abandoned railroad right-of-way which runs north and south through the property along the eastern portion of the parcel, and State Route #9 makes up the westerly border of the parcel with only a small portion of the property (approximately 6 acres) located on the west side of State Route #9. The south property line is bordered by Hart Slough. The farm contains approximately five (5) acres of developed building area with approximately 25,000 square feet of buildings. The existing farmhouse is located along the northeast portion of the parcel, approximately 90 feet off of Morris Road and approximately 80 feet off of South Third Street. The access is taken off of South Third Street. The existing farm was previously a dairy farm and has now been converted into an organic vegetable farm. The parcel is serviced water from Public Utility District #1 and will use an existing well on site for the agricultural watering. There are two existing septic systems on site, one associated with the residence and one associated with the farm office building.
7. The surrounding area is currently agricultural in nature. The majority of the surrounding area exists as open agricultural fields with scattered residential sites along South Third Street and Morris Road.
8. The applicant is requesting a Special Use Permit to allow the operation of a home occupation in the existing accessory structures. The parcel is currently being used as an organic vegetable farm, which allows for the seasonal sales of produce on site. The proposal is to operate a wood working shop within one of the existing accessory structures and an auto preparation area within an existing machine shed, in order to keep the farm workers busy during slower times and the winter months. The applicant has indicated that they will construct items such as planter boxes, picnic tables, bird houses, etc. and offer the items for sale to interested parties that come to the site for produce. Skagit County Code Section 14.04.150 (2)(m) outlines Home Occupations as a special use permit before the Hearing Examiner with in lands designated as Agricultural Natural Resource Lands.



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 10 of 18 8:32:19AM

The applicant has included an automotive detailing operation as part of this proposal. The applicant operates an auto sales lot (WG Motors) at 807 Trail Road, within the City of Sedro Woolley, and obtains some of the inventory through various sources such as auto auctions, banks and insurance companies. The applicant would like to be able to bring home some of the inventory and have the workers perform minor maintenance and detailing to the automobiles in their spare time and during the winter months. This portion of the proposal will not be open to the public and there will be no sales or advertising associated with this part of the farm. The proposal is to utilize the existing machine shop on site and have the workers perform minor work to the vehicles prior to the vehicles being relocated for sale off site. The work will not include auto body work and will be limited to detailing, minor repair work, such as oil change and tune up, and some upholstery work. There will be no outside storage of the vehicles and this portion of the proposal will not provide services to the public. Staff has outlined this portion of the applicants' proposal for clarification purposes and to condition the approval recommendation to not exceed the outlined work proposed for this part of the farm.

9. The application was reviewed by the Skagit County Department of Public Works. Public Works had no comments or concerns with the project proposal and recommended approval.
10. The Water Resource division of Skagit County Planning and Permit Center reviewed this application. Water Resources indicated that the applicant shall comply with WAC 173-160 "Noise Compliance" and that the pre-existing well shall be for agricultural use only.
11. The application was routed to Skagit County Environmental Health Specialist for review. Environmental Health indicated that there is a separate septic system at the office area and that as long as this system is used by the laborers, rather than the house system, there are no concerns with the proposal.
12. The application was routed to the Skagit County Health Department for review. The Health Department indicated that all hazardous wastes from the woodshop and auto detailing shop must be disposed of in accordance with WAC 173-303 "Dangerous Waste Regulations". The Health Department further indicated that the wash water from the car detailing operation must either be collected into a closed loop system or be discharged into a sanitary sewer. If they want to discharge into a treatment system, Ecology must approve the treatment and drainfield per RCW 90.48.080.
13. The application was routed to the Skagit County Fire Marshall for review. The Fire Marshall commented as follows:

"If the Special Use Permit is granted for this project I want to make it clear to the applicant that it may still require building permits to convert



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 11 of 18 8:32:19AM

the existing buildings from the AG to some other use. The mechanical work on cars may require that the building be reclassified as an S-3 occupancy. If surface preparation of cars involves spray painting or if cutting and welding operations are involved, then the building may need to be reclassified as an H-4. A wood working shop is classified as an F-1 occupancy. A woodworking facility requires dust collection to keep quantities below the explosive mixture of dust in air, and a wood working shop over 2,500 square feet requires fire sprinklers.”

The Fire Marshall further indicated that the applicant should plan on making an appointment with him and either Al Jongsma or Corey Schmidt of the Planning and Permit Center to determine what changes, if any are required to meet the current code requirements for this project.

14. This application is being considered as a Home Occupation. A Home Occupation requiring a Special Use Permit must comply with the following criteria as provided in Section 14.04.030 (40) of the Skagit County Code.

a. Is carried on by a member or members of a family residing in the dwelling and may include up to three (3) additional employees;

Employees: The applicant has indicated that the home occupation will be family operated and include no more than three (3) employees outside of those residing on site. The applicant has indicated that the farm is a state certified organic farm and are carrying on a “Community Supported Agricultural (CSA)” program that includes three (3) labor positions based on a forty-hour a week work schedule. Staff notes that the home occupation proposal will be limited to no more than three (3) employees and the auto detailing portion of the proposal shall also be limited to no more than the same three (3) employees. Staff also notes that more employees will be allowed for the operation of the farm practices on site but only for the farm practices.

b. Is clearly incidental and secondary to the use of the property for dwelling purposes;

Secondary to the use of the property: The residential use of the site is actually listed in Skagit County Code Section 14.04.112 as being accessory to agricultural use with in an area designated as Agricultural Natural Resource Lands. The primary use of the site is for the agricultural operation that currently exists and the proposed home occupation will be incidental and secondary to the use of the property for dwelling and agricultural purposes.

c. The business activity may be conducted in other than the dwelling;

Business may be conducted in another building: If the Special Use Permit is approved, the wood shop operation would be conducted in side of an accessory



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 12 of 18 8:32:19AM

structure on site. The structure was previously the milking parlor that was used by the previous dairy operation. The auto detailing will also be conducted in a separate accessory structure on site. This structure was previously the on farm machine shop for the previous dairy operation and was utilized for the repair and maintenance of farm equipment and implements.

- d. 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 (4) square feet;

No outside storage: The applicant has indicated that there will be no outside storage or other exterior indication of the home occupation. The farm currently caters to the public for the seasonal sales of agricultural produce that are grown on site and it is anticipated that the patrons that come to purchase produce may want to also purchase some of the wood products from the wood shop. The applicant has indicated that there are empty barns on site that can be converted to hold the auto inventory out of the sight of public view, if needed, therefore there will be no outside storage nor exterior indication of the auto preparation activities on site. At this time there are no plans for the placement of signage on site but at such a time in the future if a sign is provided, it shall be no more than four (4) square feet in size as limited by Skagit County Code Section 14.04.030(40).

- e. 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;

Electrical interference: There is no indication that the proposal will cause any electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other environmental impacts beyond that which is common to an agricultural area. The applicant has indicated that the noise, vibration and emission levels would not exceed normal farm operation levels.

- f. Does not create a level of parking demand beyond that which is normal to a residential area.

The applicant has indicated that the existing access to the site would be utilized to service the home occupation. There is adequate area within the existing driveway to provide for customer parking. The applicant has indicated that the parking and potential aesthetic impacts are appropriately and reasonably dealt with and there will no increase in public traffic that would negatively impact the neighborhood. The applicant further indicated that the farm roadway system will remain intact and will not be increased nor altered in anyway. No additional parking will result, nor shall be needed, from the operation of the proposed home occupation.



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 13 of 18 8:32:19AM

It should be noted that the intent of this category of special uses is to allow home based businesses to operate with the above noted limitations. When the business grows beyond the criteria established above and conditions included in any approval, the business shall relocate in a zoning classification which would permit the activity.

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 Skagit County Comprehensive Plan does not specifically provide policies that either support or oppose the proposed project. However, Chapter 12 of the Skagit County Comprehensive Plan adopted June 1, 1997 titled the "Economic Development Element", outlines a section titled "Employment". Goal A of this chapter states: "Create and maintain diverse employment opportunities that meet the changing income needs of Skagit County residents. Also under this Chapter, "objective #1" lists:

A-1: Facilitate the creation and retention of family wage jobs to meet the needs and demands of Skagit County Households. And,

A-2: Encourage diverse job options and entrepreneurial opportunities for persons interested in full-time and part-time employment or desiring to own their own business. And,

A-3: Encourage educational opportunities for residents of all ages to develop and upgrade skills required for employment, advancement and entrepreneurship.

Policy 1.3 of Chapter 12 states:

Home occupations that are consistent with the character of adjoining properties and neighborhoods will be accommodated.

- 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 Agricultural Natural Resource Land (A-NRL) as well as surrounding parcels. Per section 14.04.150 (2)(m) Unclassified Special Uses of the Skagit County Code, Home Occupations require a Special Use permit in Agricultural Natural Resource Zones.

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



The proposed project will generate traffic that is typical of a single-family residence and should have little effect on the surrounding community. The applicant has indicated that the existing access to the residence would be utilized to service the home occupation. The applicant has indicated that the public would be coming to the site to purchase organic produce grown on site and will be able to look over the wood crafted products produced in the wood shop. Those items would be available for purchase. There is adequate room on site for parking and the proposal will create no demand beyond that which already exists from the farm operation.

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

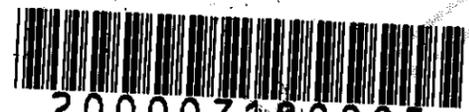
No odors, heat, vibration, air and water pollution potential associated with the proposed project will impact the adjacent property owners provided the site is maintained. The farm operation is existing and any noise impact generated by the farm will be common noise associated with an agricultural use. The applicant has indicated that the noise and emission levels will not exceed the normal farm operation levels. There will be noise generated from the home occupation however, given the location of the structures on site, the proximity of surrounding residences, and the types of activities associated with the proposal, the impact will be insignificant and fit in with the normal noise associated with an agricultural operation. Further, the applicant has indicated that any wastes generated from the auto maintenance will be disposed of at an approved County dumpsite.

E. Intrusion of privacy.

This project will have little chance of intrusion of privacy onto adjacent properties. The parcel is approximately 70 + acres in size primarily surrounded by open agricultural fields. The applicant has indicated that during the summer months the typical hours of operation will be approximately 7:00 a.m. to 7:00 p.m. It was also indicated that the operation is primarily seasonal with the anticipated business being confined to normal daylight hours. There are several residences located to the north along Morris Road and a few scattered to the east along South Third Street however, the applicant has indicated that there will be no more intrusion of privacy onto adjacent properties than what currently exists today.

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

The structures on site are existing agricultural accessory structures that were previously used for a dairy operation. The applicant proposes no expansion to any of the structures although some minor repair and/or remodeling may be required to bring the structures up to current codes. The design of the structures fit in with the surrounding area and the character of the surrounding area is such that this proposal will not have an impact.



- 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 proposed use is common to the surrounding area and the design of the structure complies with the surrounding neighborhood uses.

- 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. It has been determined that the on-site septic system is large enough to sustain such an operation as long as the laborers are required to use the septic system in the office area (previous office area associated with the previous dairy operation).

RECOMMENDATION

Based on the above findings the Planning and Permit Center would recommend **approval** of the requested Special Use Permit for the operation of a Home Occupation, consisting of a wood working shop and an Auto detailing area, within the existing accessory structures on site. If approved, the following shall be conditions of the approval:

1. The applicant shall obtain all necessary land use approvals.
2. Any future development on this parcel will require critical areas review and may require a wetland assessment.
3. The permit shall be void if not started within one year of the date of this order.
4. All hazardous wastes from the woodshop and auto detailing shop must be disposed of in accordance with WAC 173-303 "Dangerous Waste Regulations".
5. The wash water from the car detailing operation must either be collected into a closed loop system or be discharged into a sanitary sewer. If discharge into a treatment system is proposed, the Department of Ecology must approve the treatment and drainfield per RCW 90.48.080.



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 16 of 18 8:32:19AM

6. There shall be no more than three (3) employees allowed to be associated with the home occupation, outside of the applicants listed in the application and/or the residence of the property.
7. Further review will be needed by the Planning and Permit Center if any major change occurs in the intensity of the use outlined in the application.
8. If the use is abandoned for a period of one (1) year, the Special Use Permit shall be void.
9. The applicant is permitted to have a sign, not to exceed 4 square feet in size.
10. The hours of operation shall be limited to 7:00 a.m. through 7:00 p.m.
11. There shall be no outside appearance of the auto detailing/maintenance work on site.
12. There shall be no outside storage of the vehicles associated with the detailing/maintenance work.
13. There shall be no signs or advertising allowed indicating anything to do with auto repair, detailing, maintenance, etc.
14. The employees shall be required to utilize the restroom facilities, and associated septic system, within the shop area.
15. Prior to the start of the operation, the applicant shall meet with the Skagit County Fire Marshal and the Skagit County Building Official to ensure that the buildings meet current code requirements and to determine what, if any, remodeling or structural updates need to be performed to the structures for the proposed uses.
16. The applicant shall comply with WAC 173-160, "Noise Compliance".
17. The pre-existing well on site shall be for agricultural use only.
18. All automotive activities on site shall be associated with the W.G. Motors inventory or applicants personal vehicles. No public shall be allowed to utilize the site for auto services.



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 17 of 18 8:32:19AM

Prepared By: BB

Approved By:

Dated: 5-17-00

UNOFFICIAL DOCUMENT



200007180005

Kathy Hill, Skagit County Auditor

7/18/2000 Page 18 of 18

8:32:19AM