

After Recording Return to:

Skagit County Planning & Permit Center



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SKAGIT COUNTY PLANNING & PERMIT CENTER

FINDINGS OF FACT

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: PL00-0328

APPLICANT: Brad and Marlis Hansen
Hansen Farms L.P.

ADDRESS: 7769 Chuckanut Dr.
Bow, WA 98232

CONTACT: Kenny Miller
3328 Butler Creek Road
Sedro-Woolley, Wa 98284

PROJECT LOCATION: The property is located at 7849 Chuckanut Dr. Bow, Wa; within a portion of the SE 1/4 of the SW 1/4 of Section 11, Township 35 North, Range 03 East, W.M., Skagit County, WA.

PROJECT DESCRIPTION: Administrative Special Use for the placement of a temporary mobile home for the purpose of single farm worker housing on property designated Agriculture-NRL.

ASSESSOR'S ACCOUNT NUMBER: 350311-3-008-0108
Property ID Number: P#34106

RECOMMENDATION: The Director hereby **approves** the application for an Administrative Special Use permit, subject to conditions and modifications.

STAFF FINDINGS:

1. The subject property is zoned Agriculture-NRL and the Comprehensive Plan designates the area as Agriculture-NRL.

2. Per Section 14.01.033 of the Skagit County Code, a letter of completeness was issued on July 26, 2000. A Notice of Development Application was posted on the subject property

and published in a newspaper of general circulation on August 3, 2000 as required by Section 14.01.040(2) of the Skagit County Code.

3. The application has been reviewed in accordance with the State Environmental Policy Act guidelines. A Determination of Nonsignificance was issued on August 24, 2000, becoming effective following a fifteen-day comment period ending September 8, 2000 and a fifteen-day appeal period ending September 25, 2000.

4. The subject application has been reviewed with respect to the Skagit County Critical Areas Ordinance Chapter 14.06 of the Skagit County Code in conjunction with BP00-0460. The site visit was completed and staff found no critical area indicators within 200 feet of the project area.

5. The subject property is currently located in land designated as Agriculture-NRL. The applicant shall comply with the provisions of Skagit County Code 14.04.190 15(a)(1), Notification of Development Activities on or Adjacent to Designated Natural Resource Lands.

6. The subject property is located in an A-7 Flood Hazard Zone per FIRM Map 530151 0235D dated September 29, 1989. The base flood elevation is 14.5-ft. mean sea level. The first floor living level of any new residential construction would need to be one foot above the base flood elevation.

7. The subject property is approximately 21.75 and is located on the east side of Chuckanut Drive. The lot lying in a north/south configuration is basically flat and is shaped like a trapezoid. The property measures approximately 1550 ft. along Chuckanut Drive (front property line), approximately 1250 ft. along the north (side) property line, approximately 1320 ft. along the east (rear) property line & approximately 430 ft. along the south (side) property line. There is an existing residence located in the northern portion of the property. The property to the north is the dairy farm where the farm worker is employed. The remainder of the subject property is pasture for the dairy cows and fields. The property across the street is also open fields and horse pastures. Individual on site sewage and public water from the Blanchard Edison system serves the property.

8. The applicant is requesting an Administrative Special Use Permit to allow the placement of mobile home for a farm worker on a parcel of property with an existing residence. The applicants have a working dairy farm with a total of 5 employees. They live on the adjoining parcel to the north of the subject parcel. According to the applicant, there are a number of jobs (mostly feeding & cleaning) done throughout the day and night in conjunction with the milking. The mobile home is to be used for a farm employee for the dairy (Hansen Farms L.P.). At such time as the farm employee does



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not occupy the home, the mobile home shall be removed. It should be noted that the residents of the existing house are not employees of the dairy. Therefore this would be the only farm worker housing connected to the dairy.

The proposed mobile will located approximately 54 feet from the front (west) property line, approximately 1,000 feet to the south property line, approximately 900 feet to the east property line, and approximately 300 feet to the north property line. There will be approximately 24 feet between the existing residence and the proposed mobile. The septic tank is located east of the proposed site and the drain field is located south of the proposed site. Both the existing and proposed residences will share a common driveway off of Chuckanut Drive.

9. The application has been routed to the appropriate County Departments for review. The following comments are a result of that review: **Public Works**—no concerns; **Drinking Water**—the Blanchard Edison water letter dated June 13, 2000 supports the additional connection but stipulates that when the residence is no longer needed it shall be removed and the meter shall be disconnected & removed. This letter is not to be used in support of any land division in the future. The subject parcel is just out of the "low flow" area. **Septic**—The septic permit #84-352 is an expired permit with no record of inspection. This would need to be addressed before a building permit can be issued. **Health Department**—The residence will be served by an approved public water system (Blanchard Edison Water Association) and we will need to sign off on the Public Drinking Water Evaluation for this connection to occur. Although the residence is for "Farmer Housing", it will not need to meet the Temporary Worker Housing Rules (WAC 246-358) because it is for year around occupancy. **Farmland Legacy**—Appreciate the effort to site mobile near existing driveway and minimize impact to agricultural lands. Suggest conditioning approval for mobile on continual use of property for agriculture. If use changes out of agriculture, then permit for mobile ends.

10. 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.**

Goal E of the Housing Element Chapter 8 of the Comprehensive Plan states the following: **Farmer Housing**—To provide housing that addresses the requirements of regular-hired workers, seasonal farmworkers, local seasonal farmworkers and migrant farmworkers in order to maintain the economic viability of agriculture. Policy 5.1 states Farmworker



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housing shall not be denied because it lacks proximity to public facilities and services, provided public health and safety are not compromised.

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

The zoning of the subject property and surrounding properties is Agriculture-NRL. Since this is a dairy farm, the hours of operation are 24 hours a day, 7 days a week. Help is needed to provide for care and feeding of the livestock and for the daily milkings. The placement of the mobile home is to facilitate work for the applicant by hired labor. The request appears to be in compliance with the intent of the Agricultural District of the Skagit County Code. Per Section 14.04.150 Unclassified Special Uses of the Skagit County Code, single unit farm worker housing requires an Administrative Special Use in the Agriculture Zoning districts.

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. There is an existing driveway that will be used by both the proposed mobile and the existing residence. The worker will be within walking distance of the dairy so there will be no new additional traffic to the site.

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

There will be no noise, odors, heat, vibration, air and water pollution potential of the proposed project provided the site is maintained in a typical residential manner.

E. Intrusion of privacy.

The project appears to have minimal chance of intrusion of privacy onto the adjacent properties. The site is approximately 21 acres in size, with a private drive accessing off of Chuckanut Drive. Open fields and pastures border the property along with the dairy. The parcel is landscaped and fenced. Except for the dairy there are no other residences on adjoining properties within close proximity to the proposed mobile.

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

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.



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There should be minimal effect on the neighborhood or region as a result of the design of the proposal. A worker of the adjoining dairy will use the proposed mobile. The proposed placement site is on an existing pad from a previous mobile and is currently an established lawn. The proposal will not require the use of any additional agricultural land. The proposed mobile will be located approximately 54 feet from Chuckanut Drive and approximately 24 feet south of the existing residence.

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

There will be minimal effect on the neighborhood, region, general public health, safety, or welfare as a result of the additional home as long as the area is maintained in a normal residential manner.

DECISION

The Director hereby **approves** the application for a Special Use permit, subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary approvals (i.e. building permit, floodplain, on-site septic, public water).
2. The mobile home is to be used for a farm employee for the Hansen Farms L.P. Dairy only. At such time as a farm employee does not occupy the home, the mobile home shall be removed.
3. At such time as the farm employee no longer occupies the mobile, the water meter shall be disconnected and removed.
4. Prior to issuance of the building permit a Public Drinking Water Evaluation Form must be approved by the Health Department.
5. Prior to issuance of the building permit, the existing septic permit shall be approved or a new permit will be required.
5. The applicant shall comply with the provisions of Skagit County Code 14.04.190 15(a) (1), Notification of Development Activities on or Adjacent to Designated Natural Resource Lands.
6. The permit shall be void if not started within one year of the date of this order.



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The applicant and/or a 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 & Permit Center within fifteen (15) calendar days after the date of the decision.

Ingo Kullen (son)
Tom Karsh, Planning Director

Marge Swint
Marge Swint, Associate Planner

Date of Preliminary Approval: October 19, 2000
Date of Final Approval: November 3, 2000

Prepared by: MS
Approved by:



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