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Skagit County Auditor

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

DOCUMENT TITLE: ORDER ON SPECIAL USE APPLICATION SU 01 0385

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: KIRK and MARY SHROYER

ASSESSOR PARCEL NO: P102266

ABBREVIATED LEGAL DESCRIPTION: The project is located at 21073 Tyee Road, Mount Vernon, WA; Lot 2 of SP 91-35, a portion of the SW 1/4 of the NW 1/4 of Section 27, Township 33 North, Range 04 East, W.M., Skagit County, Washington.

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the Matter of the Application of)	
KIRK & MARY SHROYER)	SU01-0385
)	
For a Special Use Permit to Operate)	FINDINGS OF FACT,
A Home-Based Consulting Business and)	CONCLUSIONS OF LAW
A Home-Based Race Car Preparation)	AND DECISION
Business at 21073 Tyee Road)	
_____)	

THIS MATTER, an application for a Special Use Permit, came on regularly for hearing on December 5, 2001, after due notice. Marge Swint appeared for the Planning and Permit Center. Kirk Shroyer represented himself. Members of the public were given an opportunity to be heard.

From the testimony given, exhibits admitted, and argument made, the following is entered:

FINDINGS OF FACT

1. Kirk and Mary Shroyer (applicants) seek a Special Use Permit for two home-based occupations to be pursued in a garage/shop/office building located near their residence at 21073 Tyee Road. The applicants reside on the premises. The businesses will be secondary to the residential use of the property.

2. The subject property consists of approximately 7.05 acres. It is rectangular, with the long dimension being north-south. The east and west property lines are approximately 828 feet long. The north and south boundaries are about 370 feet long. The residence is located near the middle of the east side of the property. The garage/shop/office is about 30 feet north of the home.

3. A 20-foot wide easement along the east boundary line serves as the driveway and utility corridor for the subject property and the adjoining property to the north. Tyee Road abuts the parcel along the southern boundary.

4. There is a large pond in the western portion of the property. The parcel is heavily treed and is landscaped in the vicinity of the buildings. On-site activities are effectively screened from external view on three sides. The property to the east, across the driveway, is undeveloped and largely open.

5. The zoning in the area is Rural Reserve. The neighborhood is a mixture of single-family residences and vacant land. The lots are all five acres or larger. The nearest neighbor is about 250 feet distant from the applicants' home.



6. The home and the garage/shop/office are served by an existing on-site sewage system and an on-site drilled water well.

7. The office portion of the garage/shop/office building will be used for a consulting business (Advanced ProFormance LLC). The consulting provided will be primarily in the technology sector and related to business development, funding, mergers, and acquisitions. At present there are no outside employees associated with this enterprise, although it is possible that such employees might later be added.

8. The consulting business is entirely an in-door affair. In addition to the office, there is a conference area which can be used for conferring with clients. However, it is anticipated that most of this business will be conducted by electronic means and that clients will rarely come to the site. Hours will be typical business hours -- from 8:00 a.m. to 5:00 p.m., Monday through Friday.

9. The other portions of the outbuilding are shown on submitted plans as shop area, washroom/storage area, and carport. In front of these areas is a large cement apron. To the north is a crushed gravel parking area large enough to accommodate 10 cars.

10. The shop and associated spaces will be used for a race car preparation and maintenance business. This involves working on two or three cars at a time in order to get them ready for use in amateur driving events at places like Seattle International Raceway. Some of the cars will be owned by the business and some will be brought in from outside to be worked on.

11. Kirk Shroyer currently owns two cars used for this purpose and makes them available for rental to drivers who want to race them. The service offered includes not only car preparation, but delivery of the car to the track, driver instruction and track-side support. This is referred to as an "arrive and drive" service.

12. In addition, car preparation services will be offered for a limited number of customer's cars. Most of the track preparation focuses on the suspension systems and safety equipment. Services could also include alignment, upgrading brake systems, replacing wheels and tires, and miscellaneous minor adjustments. It is estimated that intensive work, requiring as much as 60-days, will be done on 3 to 4 customer cars a year. Minor adjustments, requiring two weeks or less will probably be performed on 10 to 15 customer cars per year.

13. For the car preparation business, the normal working hours again will be 8:00 a.m. to 5:00 p.m. daily during the work week. There will likely also be occasional work on weekends -- no more than one Saturday per month. No work will be done on Sundays. At present, Kirk Shroyer's brother assists with the car preparation business. There are no current plans for more than one additional employee.



14. Traffic impacts will not be significant. Typically, the cars will be brought onto and taken off of the site on trailers. But some may be driven in or out by customers. The usual situation will involve no more than three cars on site at a time. Around seven trips per month associated with the shop business are anticipated. In addition to the occasional customer, there will be periodic deliveries of auto parts.

15. In the main, the cars will match stock specifications and will run like standard models in respect to noise. No test driving on the site or in the area will occur.

16. The parking spaces provided on site will be solely for short-term use by occasional customers. Cars being worked on in the business will be kept indoors. There will be no exterior indication of the business.

17. Care will be taken to contain petroleum spills and leaks to cement areas and to prevent such substances from entering the soil or the groundwater. Fluids and filters will be properly handled, stored and delivered to recycling centers. Used tires will not be stored on site.

18. Cars will be washed on the cement apron in front of the shop/garage or in the washroom portion of the structure. No high pressure steam washing will occur. Environmentally safe detergents will be used. Wash water will be captured in catch basins where it will be routed through filter pads designed to absorb oil and grease. From the catch basins the water will flow to a 30-foot long French drain filled with drain rock. From there it will be led into a perforated culvert and then pumped into the on-site pond. The applicants state that tests have shown this system to be effective in eliminating pollution. They are willing to conduct monitoring of the receiving waters to ensure its long-term effectiveness.

19. In connection with an earlier building permit (BP01-0360), the subject property was reviewed under the Critical Areas Ordinance. Wetlands were delineated on the property, a mitigation plan was submitted, and a Protective Critical Area (PCA) easement was recorded.

20. Based on the record, the Examiner finds that neither of the home-based businesses is likely to cause environmental impacts beyond those which are common to the rural residential use of land.

21. A Determination of Non-Significance (DNS) was issued for this application on September 27, 2001, under the State Environmental Policy Act (SEPA). The DNS was not appealed.

22. Consulted departments and agencies recommended standard precautions which are reflected in conditions of approval.

23. There was no public comment on this application.



24. SCC 14.04.020 defines "home based businesses" as "home occupations that remain incidental to the use of a residence and are compatible with rural character." The proposal at hand meets this definition. Under SCC 14.04.730(3), the type of business proposed is Home Based Business 2.

25. A Home Based Business 2 is allowed by Hearing Examiner Special Use within a Rural Reserve district. SCC 14.16.320(4)(p). The specific requirements for such businesses are set forth at SCC 14.16.900(3)(e), as follows:

- (i) Is carried on by a member of members of a family residing in the dwelling and may include up to 3 additional employees;
- (ii) Is clearly incidental and secondary to the use of the property for dwelling purposes;
- (iii) The business activity may be conducted in other than the dwelling;
- (iv) Has no outside storage or 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 provided such sign shall not be illuminated;
- (v) 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;
- (vi) Does not create a level of parking demand beyond that which is normal to a residential area;
- (vii) May have clients come to the site.

26. The general criteria for permitting a special Use are set forth at SCC 14.16.900(2)(b)(v), as follows:

- [a] The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.
- [b] The proposed use complies with the Skagit County Code.
- [c] The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standard of SCC 14.16.840.
- [d] The proposed use will not generate intrusions on privacy or surrounding uses.
- [e] Potential effects regarding the general public health, safety, and general welfare.
- [f] For special uses in Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL, the impacts on long-term natural resources management and production will be minimized.
- [g] The proposed use is not in conflict with the health and safety of the community.



[h] 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.

27. The Staff Report analyzes this application under both the specific and the general criteria for Special Use approval and determines that it is consistent with these criteria. The Examiner concurs in this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

28. 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 14.06.050(1)(b).

2. The requirements of SEPA have been met.

3. The applicants reasonably request that the two home-based businesses authorized by Special Use Permit be considered as independent of one another, so that if one of them ceases for some reason, the other may continue without interruption.

4. The facts found above support a conclusion that the application, as proposed, will meet the relevant approval standards for a Special Use Permit (SCC 14.16.900(2) and (3)), if the following conditions are imposed and observed:

(1) The businesses shall be conducted as described in the permit application and project information provided, except as modified by these conditions.

(2) In particular, the applicants shall install and operate the drainage system shown on Exhibit 12. Further, the applicants shall periodically monitor the waters of the pond near the outlet of the drainage system and shall notify the Permit Center of any elevated contaminant levels. The monitoring shall be carried out by a qualified independent service. Sampling shall occur at six-month intervals in the first year of operations and annually thereafter until the Permit Center determines that it is no longer necessary.

(3) If elevated contaminant levels are detected in the receiving waters, the Permit Center may impose such additional requirements as necessary to solve the problem.

(4) The applicants shall obtain all other applicable permits and comply with their conditions.



(5) Normal hours of operation for the businesses shall be Monday through Friday from 8:00 a.m. to 5:00 p.m. Occasional Saturday operations may occur. The businesses shall be closed on Sunday.

(6) Non-residential employees on site shall be limited to three (3).

(7) One (1) non-illuminated sign, not to exceed four square feet, will be allowed on site.

(8) All parking must be on the subject property. To accommodate visitors, no more than 10 cars, in addition to the owners' cars, may be parked on the property at any one time.

(9) All cars being serviced shall be worked on and stored inside the shop/garage building.

(10) Group B water approval or a Group B waiver from the County Health Department shall be required if there is public access to the water supply or if non-family members are hired for employment.

(11) The applicants shall comply with regulations for surface and ground waters contained in Chapter 173-201A and 173-200 WAC.

(12) The applicants shall comply with the performance standards of SCC 14.16.840, referring to noise and light. The State regulations contained in Chapter 173-60 WAC shall be met.

(13) Oil and grease wastes must be kept out of the septic system

(14) When any business grows beyond the criteria established in SCC 14.16.900(3)(e) or exceeds any of the limitations imposed by these conditions, that business shall relocate to a zoning classification which would permit the activity.

(15) As to either of the businesses authorized, the Special Use Permit shall be void if work is not started within two (2) years of the date of this decision or if the operation is abandoned for a period of one (1) year. If one of the businesses ceases for any reason, the other shall continue to be authorized.

(16) The Planning and Permit Center shall be notified within 30 days after any change in ownership of the subject property. Notification shall include the project file number, a new ownership certificate, and a fact sheet provided by the Planning and Permit Center.

(17) Prior to the issuance of any permit, any outstanding planning review fees



shall be paid in full.

(18) Failure to comply with any of the conditions of approval may be grounds for revocation of the permit.

5. 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 3 above.

Wick Dufford

Wick Dufford, Hearing Examiner

Date of Action: December 12, 2001

Copy Transmitted to Applicant: December 12, 2001

Attachment: Staff Report

RECONSIDERATION/APPEAL

As provided in SCC 14.06.180, a request for reconsideration may be filed with the Planning and Permit Center within 10 days after the date of this decision. As provided in SCC 14.06.120(9), the decision may be appealed to the Board of County Commissioners by filing a written Notice of Appeal with the Planning and Permit Center within 14 days after the date of the decision, or decision on reconsideration, if applicable.



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SKAGIT COUNTY PLANNING & PERMIT CENTER

FINDINGS OF FACT

HEARING AUTHORITY: SKAGIT COUNTY HEARING EXAMINER

HEARING DATE: November 28, 2001

APPLICATION NUMBER: PL01-0385

APPLICANT: Kirk & Mary Shroyer

ADDRESS: 21073 Tyee Road
Mount Vernon, WA 98274

PROJECT DESCRIPTION: Special Use Request for a consulting business (Advanced ProFormance, LLC) as a Home Based Business 2. The business is involved with providing the following services: consulting primarily in the technology sector revolving around business development, funding, mergers, and acquisitions. In addition, the business provides services revolving around advanced driving education and amateur driving events. This includes car preparation/maintenance at the home site and teaching advanced driving techniques at Seattle International Raceway & Portland International Raceway.

PROJECT LOCATION: The proposed project is located at 21073 Tyee Road, Mount Vernon, WA; Lot 2 of SP 91-35, within a portion of the SW ¼ of the NW ¼ of Section 27, Township 33 North, Range 04 East, W.M., Skagit County, Wa.

ASSESSOR'S ACCOUNT NUMBER: 330427-2-004-0100

P# Number: P#102266

ZONING: Rural Reserve

COMPREHENSIVE PLAN: Rural Reserve

RECOMMENDATION: The Planning & Permit Center recommends approval of the application for a Special Use permit, subject to conditions and modifications.

EXHIBITS:

1. Application dated June 7, 2001
2. Environmental Checklist
3. Detail project description
4. Special Use Application Evaluation Criteria



5. Site Plan
6. Wetland Delineation Report and Wetland Buffer Mitigation Plan prepared by Northwest Wetland Solutions dated April 30, 2001
7. Assessor Map
8. Letters of completeness dated July 10, 2001 & August 21, 2001
9. Notice of Development dated August 30, 2001
10. Determination of Nonsignificance dated September 25, 2001
11. Photos

STAFF FINDINGS:

1. The subject property has a zoning and comprehensive plan designation of Rural Reserve.
2. Per Skagit County Code Section 14.06.100 the initial application was deemed complete as of July 5, 2001 with the letter of completeness dated July 10, 2001. As a result of the internal review several issues were raised. The applicant provided additional information on July 24, 2001. The application was routed again for review and comments. A Notice of Development Application was posted on the subject property, published in a newspaper of general circulation, and mailed to property owners within 300 feet of the subject property on August 30, 2001 as required by Skagit County Code Section 14.06.150(2) of the Skagit County Code. The public hearing has been advertised and notices sent as required by Skagit County Code Section 14.06.150(3).
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 September 27, 2001, becoming effective following the fifteen-day comment period ending October 12, 2001 and fourteen-day appeal period ending October 26, 2001.
4. With respect to the Skagit County Critical Areas Ordinance SCC Chapter 14.24 the subject property has been reviewed in conjunction with building permit BP01-0360. Wetlands were identified on the property and a mitigation plan was submitted. A Protective Critical Area Easement was recorded.
5. The subject property is not located within a Flood Hazard Zone per FIRM Map 530151 0425C dated 1/3/85 and is not located in or within 500 feet of designated natural resource lands.
6. The subject property is approximately 7.05 acres in size and is located on Tyee Road. The property is rectangular in shape and lies in a north/south configuration. The property measures approximately 828 feet along the east & west (side) property lines, approximately 370 feet long the south & north (front & rear) property lines. There is a 20-foot wide ingress, egress, & utility easement that runs along the east property line that serves as the driveway for the subject property.



property and the adjoining property to the north. The existing residence is located in the eastern portion of the property approximately in the middle. Approximately 31 feet north of the residence is an existing garage/shop that will be used for the proposed home based business. There is a large pond located in the western portion of the parcel. The property is landscaped with lawn, trees, and shrubbery. The property is served by on site septic and a private drilled well.

7. The neighborhood is a mixture of single-family residences and vacant land. The lots are all 5 acres and larger.
8. The applicant is requesting a Special Use Permit for a consulting business (Advanced ProFormance, LLC) as a Home Based Business 2. The business is involved with providing the following services: consulting primarily in the technology sector revolving around business development, funding, mergers, and acquisitions. In addition, the business provides services revolving around advanced driving education and amateur driving events. This includes car preparation/maintenance at the home site and teaching advanced driving techniques at Seattle International Raceway & Portland International Raceway.
9. In regards to the business consulting services, currently the applicants are the only staff working out of the home office. However it is possible that there could be additional employees in the future. Hours of operation will be typical business hours from 8:00 am to 5:00 pm Monday thru Friday. Due to the nature of this type of business, clients will rarely be coming to the site.
10. To further explain what the applicant does in relation to the driving events, the applicant currently owns 2 sports cars that would be made available to someone to rent for the day for an event including track side support from the applicant. The applicant would prepare the car, bring the car to the track, instruct the driver and provide associated services (paperwork associated with the event, food, car care, etc.). This is referred to as "an arrive and drive service". In addition the car preparation services would be to a limited number of customer cars at the applicant's shop. These services could include: suspension upgrades, alignment, and adjustments, upgrading brake systems, wheels, tires, installing safety equipment (seats, seat belt harnesses, window nets), and checking fluid levels. This type of work would be done over an approximately 60-day period with an estimated 3-4 cars per year. Minor adjustment type work would be done over an approximate 2-week period with an estimated 10-15 cars per year. The hours of operation will be 8:00 am to 5:00 pm daily with occasional work on the weekends. The applicant anticipates working no more than one Saturday a month and has indicated they won't be working on Sundays. The applicants have no plans



of having more than 1 additional employee working in the shop and at this time the employee is a family member.

11. The types of cars worked on are approximately 50% street legal and 50% track use only. The cars may be driven in by customers, dropped off by customers or picked up and delivered by the applicant. The applicant does not anticipate more than 7 vehicle trips per month associated with the shop business. The applicant has an agreement with a local auto parts store that will deliver parts.
12. The application was routed to the various county departments for review and comments. Their comments are as follows:
Public Works—no comments. **Greg Geleynse Septic**—The septic system has been upgraded (SW01-0149) with an additional 1000 gallon tank and pump chamber located near the shop. The drain field remains the same. In regards to the car business all oil and grease wastes must be kept out of the septic system.
Ron Palmer, Environmental Health—A current bac-t and inorganics test are needed to update the water file (W93-0015). Noise and ventilation issues shall comply with state standards. WAC173-60 and SCC 14.16.840 shall be complied with as to noise and light issues. Surface and ground water quality shall be protected as described in WAC 173-201A and WAC 173-200 for issues pertaining to vehicle parking and garage/car maintenance/restoration. Group B water approval or a Group B waiver shall be required if there is public access to water and/or non-family members are hired for employment.
Dan Cain, Fire Marshal—The Fire Marshal office has no comments on this request except to note that the wall between the two uses may require a rated separation. The commercial plans examiner should verify this. **Corey Schmidt, Building Official**—no comments.
13. Skagit County Code Section 14.16.900(3)(e) identifies Home Based Business 2 as a special use permit subject to 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; Currently only the applicants are involved in the business consulting based business. Initially they plan to have one additional employee for the car-based business. Additional employees maybe added later if necessary.
 - (b) Is clearly incidental and secondary to the use of the property for dwelling purposes; The applicant resides on the property. The consulting business will be conducted both on and off site. The number of clients coming to the site will be minimal for either type of business.



- (c) The business activity may be conducted in other than the dwelling; The activity will take place in the separate home office/shop building located north of the existing residence. Currently the applicants are running the business consulting part of the business out of their existing residence.
- (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 provided such sign shall not be illuminated; There will be no outside storage or exterior indication of the proposed home occupation. Storage of vehicles that are in process at the shop will be stored inside. They anticipate no more than 2-3 customers vehicles on site at any one time. Exterior signage of the business will be minimal providing clarification to delivery type services and clients.
- (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. In regards to the business consulting end of the home based business except for the rare occasion that clients would come to the site none of the above items are a factor. In regards to the car preparation part of the business, these items should not have an impact. All fluids and filters will be properly handled, stored and delivered to recycling centers. Used tires will be exchanged at the time the new ones are purchased. If the application is approved as requested, there may be a slight increase of traffic to the area with the addition of occasional car part deliveries, clients coming to the site either for the car preparation business or the business consulting. However, the applicant will be able to monitor who comes and goes.
- (f) Does not create a level of parking demand beyond that which is normal to a residential area. A crushed gravel parking area is planned to the north of the office/shop building with enough room for 10 cars. This area will be used for the clients and visitors. Cars that are being worked on will be stored inside the shop.
- (g) May have clients come to the site. The applicants don't anticipate clients coming to the site except for a rare meeting in connection with the business consulting part of the home based business. Cars to be worked on will arrive in several methods--some driven in, some dropped off and others the applicant will pick up and deliver.

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 the conditions included in any approval, the business shall be relocated to a zoning classification which would permit the activity.

14. Skagit County Code Section 14.16.900(2)(b)(v) Special Uses indicates that certain criteria will be reviewed when approving or denying Special Use Permits. Those items are as follows:

A. The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.

Chapter 12 Economic Development Element of the Comprehensive Plans has several goals, objectives, and policies that support the proposed project. **Goal A**—Create and maintain diverse employment opportunities that meet the changing income needs of Skagit County residents. **Objective 1:** Facilitate the creation and retention of family wage jobs to meet the needs and demands of Skagit County households. Encourage diverse job options and entrepreneurial opportunities for persons interested in full-time and part-time employment or desiring to own their own business. **Policies—12A-1.1** Business investments that provide economic and employment opportunities to meet the employment needs of all county residents should actively be encouraged. **1.3** Home occupations that are consistent with the character of adjoining properties and neighborhoods will be accommodated.

B. The proposed use complies with the Skagit County Code.

The subject property is zoned Rural Reserve. Skagit County Code 14.04.020 defines Home Based Businesses as home occupations that remain incidental to the use of a residence for general dwelling purposes and are compatible with rural character. There are two categories of Home Based Business allowed. Home Based Business 1 is generally a permitted use while Home Based Business 2 requires a special use permit. SCC Section 14.16.320(4)(p) lists Home Based Business 2 in the Rural Reserve zone as a Hearing Examiner Special Use. The application is then reviewed on its own merits.

C. The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standard of SCC 14.16.840.

Based on information provided by the applicant the proposed consulting business will not create any of these impacts on surrounding, existing, or potential dwelling units. Vehicles will be washed either inside the shop in an area set aside or outside the shop on a cement pad. To prevent water pollution, water used for washing and rinsing the vehicles will go into a catch basin system and will be filtered



(environmental type filtration product) prior to being discarded into the pond on the property.

- D. The proposed use will not generate intrusions on privacy of surrounding uses.

The intrusion of privacy as a result of the proposed project will be minimal. The existing residence and home office/shop building are centrally positioned on the subject property with the closest neighbor approximately 250 feet away. Natural and landscaped areas provide buffers and seclusion. The applicant does not anticipate there would be any opportunities or need for any customers, visitors or employees to trespass onto neighboring properties. The subject parcel property corners are clearly marked and no traffic either vehicle or by foot patterns lend themselves to trespassing.

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

The nature of this proposed business is geared to a select clientele and any effect on the general public health, safety, and welfare should be minimal. Compliance with the state and local regulations as outline in Finding #12 will be required.

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

The subject property is not located within an area designated as Natural Resource.

- G. The proposed use is not in conflict with the health and safety of the community.

This proposed Home Based Business will not affect the health and safety of the community.

- H. 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 uses will be supported by adequate public services and will not adversely affect public services to the surrounding area as the proposed business will be conducted in an existing structure.



RECOMMENDATION:

The Skagit County Planning & Permit Center recommends **approval** of the application for a consulting business (Advanced ProFormance, LLC) as a Home Based Business 2 subject to the conditions and modifications listed below:

1. The applicant shall obtain all applicable permits prior to the start of business.
2. Hours of operation will be Monday through Friday 8 am to 5 pm with the possibility of one Saturday per month. No work will be performed on Sunday.
3. Non-residential employees will be limited to three (3).
4. Per SCC 14.16.900(2)(e)(iv) one (1) nonilluminated sign not to exceed 4 (four) square feet will be allowed on site
5. All parking must be on the subject property. To allow for visitation no more than 10 cars in addition to the owners may be parked on the subject property at any one time.
6. All cars that are being worked on will be stored inside the shop.
7. When the business grows beyond the criteria established in SCC 14.16.900(3)(e) and any conditions included in any approval, the business shall relocate to a zoning classification, which would permit the activity.
8. Ventilation issues shall comply with state standards.
9. Any noise and light issues shall comply with WAC173-60 and SCC 14.16.840. Surface and ground water quality shall be protected as described in WAC 173-201A and WAC 173-200 for issues pertaining to vehicle parking and garage/car maintenance/restoration.
10. All oil and grease wastes must be kept out of the septic system.
11. Group B water approval or a Group B waiver from the Skagit County Health Department shall be required if there is public access to water and/or non-family members are hired for employment.
12. The permit shall be void if the special use project is not started within (2) two years of the date of this order and if abandoned for a period of 1 (one) year



11. The County Planning and Permit Center shall be notified within 30 days after any change in ownership of the parcel. Notification shall include the project file number, a new ownership certificate, and fact sheet provided by the Planning and Permit Center.
12. Prior to the start of operations all planning review fees shall be paid in full.

Prepared by: MS

