



Planning & Development Services

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July 2, 2025

**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
STAFF REPORT AND FINDINGS OF FACT
SPECIAL USE PERMIT #PL24-0350
For
SKAGIT COUNTY PUBLIC WORKS**

SUMMARY OF APPLICATION AND RECOMMENDATION

Application Number: PL24-0350

Permit: Special Use Permit (SUP)

Hearing Authority: Skagit County Hearing Examiner

Hearing Date: July 22, 2025

Recommendation: Skagit County Planning and Development Services recommends **APPROVAL** of the requested Special Use Permit.

Staff Contact: Brandon Black, Senior Planner

GENERAL INFORMATION

Owner: Skagit County, 1800 Continental Place, Mount Vernon, WA 98273.

Agent: Skagit County Parks and Recreation, c/o Brian Adams, 1730 Continental Place, Mount Vernon, WA 98273

Applicant: Skagit County Public Works, c/o Michael See and John Davidson, 1800 Continental Place, Mount Vernon, WA 98273.

Agent: Skagit County Public Works, c/o John Davidson, 201 East Avon Avenue, Burlington, WA 98233.

Site Address: 5554 Edens Road, Guemes Island, Anacortes.

Parcel Number(s): P60876 (stockpile site). Adjacent ownership P31139.

Legal Description: Lots 6-8 Sub-Blk2 & Lots 7-10 Sub-Blk 3 All in Blk 17 TGW Those Ptns Vac Centralia Street Adj & Lots 1-9 Sub-Blk 2 & Lots 1 - 4 & Lots 7 - 10 Sub-Blk 3 All in Blk 19 TGW Those Ptns of Vac Centralia Street Adj, Wood's Plat to Anacortes, Recorded in

Volume 2 of Plats, Page 37, Records of Skagit County, Washington, within a portion of Section 1, Township 35N, Range 1E W.M.

Lot Size: 2.10 acres

Zoning/Comprehensive Plan Designation: Rural Reserve (RRv)

General Project Description: Type 3 Special Use Permit application for the Schoolhouse Park material storage project. The project involves the Public Works Department setting aside a portion of the existing graded parking lot at Schoolhouse Park to allow for the stockpiling of material intended to be used for road improvement and maintenance projects, such as road re-surfacing/chip sealing, which occur approximately every four years.

Water Supply: N/A

Sewage Disposal: N/A

Fire Protection: District #17

Topography: Flat

Adjacent Land Uses: Rural Residential and public open space.

SEPA Review/Determination:

Mitigated Determination of Nonsignificance (MDNS) issued February 13, 2025.

Shoreline of Statewide Significance: N/A

Notice Information: Application Submitted: September 25, 2024
Requests for Further Information: October 29, 2024
Notice of Completeness: January 21, 2025
Notice of Application: January 21, 2025
Posting: January 23, 2025, posted on site
Publication: January 23, 2025, Skagit Valley Herald
Comment Period Ended: February 7, 2025

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Acronyms and Abbreviations:

Applicant	Skagit County Public Works
BMP	Best Management Practices
CAO	Critical Areas Ordinance
N/A	Not Applicable
MDNS	Mitigated Determination of Nonsignificance
NOA	Notice of Application
SCC	Skagit County Code
SEPA	State Environmental Policy Act
SUP	Special Use Permit
RCW	Revised Code of Washington
TESC	Temporary Erosion Sedimentation Control
WAC	Washington Administrative Code
WSDOE	Washington State Department of Ecology

EXHIBITS

1. Staff Report and Departmental Findings dated July 2, 2025
2. Special Use Permit Application received September 25, 2024
3. Letter requesting additional information dated October 29, 2024
4. Additional information received January 13, 2025 (Signed SEPA checklist)
5. Notice of Application (NOA) issued January 21, 2025, published January 23, 2025
6. Affidavit of Publication from Skagit Valley Herald and Certificate of Posting January 23, 2025.
7. Certificate of NOA Mailing with attached mailing list.
8. Public comments submitted during the Notice of Application comment period. Six (6) comments received all in support:
 - Comment received February 4, 2025, from Gabriel V. Murphy, 5799 Edens Road, Anacortes, WA 98221. guemesmurphy@gmail.com
 - Comment received February 5, 2025, from Stephen Orsini, 3971 Guemes Island Road, Anacortes, WA 98221. sailingorsini@gmail.com
 - Comment received February 5, 2025, from Virginia Orsini, 4971 Guemes Island Road, Anacortes, WA 98221. islandorsini@gmail.com
 - Comment received February 5, 2025, from Kathy Malley, 6469 Edens Road, Anacortes, WA 98221. kathy@snowmesa.com
 - Comment received February 6, 2025, from Jep Burdock, 5117 South Shore Drive, Anacortes, WA 98221. jepburdock48@gmail.com
 - Comment received February 6, 2025, from Michael Brown, 4366 Clark Point Road, Anacortes, WA 98221. pinotmaster@msn.com
9. Mitigated Determination of Nonsignificance (MDNS) dated February 11, 2025, published February 13, 2025.
10. Affidavit of publication of MDNS, confirmation of Publishing on the WSDOE website, and Certificate of posting
11. Vicinity Maps
12. Site Plan
13. Skagit County IMap Aerial photos
14. Site photos
15. Notice of Public Hearing published July 3, 2025. Affidavit of publication, and Certificate of posting.
16. Certificate of Mailing the Notice of Public Hearing and attached mailing list.
17. Skagit County Title 14.16 Code References in place at time of review (Included: RRv zoning, Parking, Performance Standards, Special Use Permit requirements section (1)).

CODE REFERENCES

Skagit County Title 14 – Unified Development Code:

SCC 14.02.050	Vesting
SCC 14.04.020	Definitions
SCC 14.06.150	Types of Review
SCC 14.06.310	Review for completeness
SCC14.06.320	Public notices
SCC 14.16	Zoning
SCC 14.16.320	Rural Reserve (RRv)
SCC 14.16.800	Parking
SCC 14.16.840	Performance standards
SCC 14.16.900	Special use permit requirements
SCC 14.22	Land Disturbance
SCC 14.24	Critical Areas Ordinance
SCC 14.32	Stormwater Management

Skagit County Title 16 - Environment

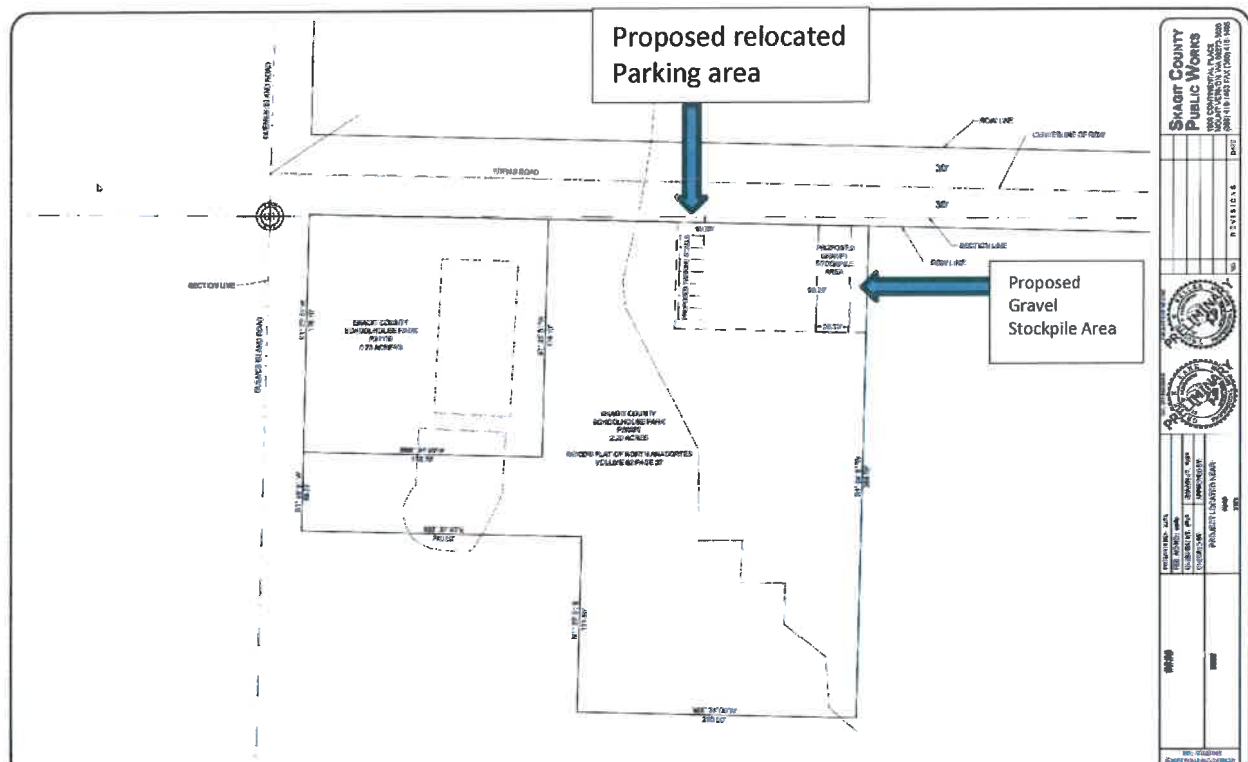
SCC 16.12	State Environmental Policy Act (SEPA)
WAC 173-60	
WAC 197-11	
RCW 43.21C	

NATURE OF APPLICATION / PROPOSAL

Type 3 Special Use Permit application for the Schoolhouse Park material storage project. The project involves the Public Works Department setting aside a portion of the existing graded parking lot at Schoolhouse Park to allow for the stockpiling of material intended to be used for road improvement and maintenance projects, such as road re-surfacing/chip sealing, which occur approximately every four years (Figure 1). The total quantities of stockpiled material will be approximately 1,400 cubic yards at maximum capacity and will consist primarily of ½" chip rock encompassing an area of approximately 2,850 square feet. The project involves relocating eight (8) existing parking stalls to the west side of the existing parking lot (Figure 2). Skagit County Code (SCC) 14.16.320(4)(v) lists "*Outdoor storage of processed and unprocessed natural material in quantities greater than 500 cubic yards that do not have a potential health hazard*" as a use allowed with an approved Hearing Examiner Special Use Permit.



Figure 1: Aerial vicinity map. See also Exhibits 11 & 13.



The stockpiling of rock material will occur approximately every four years, in advance of scheduled road maintenance projects, in order to prevent excessive ferry trips and to reduce traffic disruptions during the scheduled project activities. Skagit County employees will bring the material to the site during routine trips to the island during normal County operating hours (7:30 am – 4:30 pm). The stockpiling will generate light traffic and equipment noises during the summer months and create minimal disruption to the surrounding area.

The existing access from Eden's Road will be used to enter the site and deposit gravel material. An excavator will be used on-site occasionally to assist in the stockpiling and for loading the material when being used during the road surfacing projects. No hazardous chemicals will be stored, used, or produced on site as a result of the proposed use.

The stockpiling of material in advance of scheduled road maintenance activities will alleviate burdening the Ferry and island road system all at once during the times of the year that the island experiences its highest population and traffic increases. Having the material readily available on the island in anticipation of road re-surfacing project will allow the Public Works crews to mobilize quicker, free up the ferry for island residents, and complete the projects in a timelier manner.

GENERAL REGULATORY CODE ANALYSIS AND DEPARTMENTAL FINDINGS

SCC 14.06.190 Vesting

The application was determined complete on January 21, 2025, and is vested to Skagit County Code (SCC) adopted July 5, 2016, and as thereafter amended, pursuant to SCC 14.06.190.

Meets: Yes.

SCC 14.06.310 Determination of completeness

The application was determined complete on January 21, 2025. Written notice was provided within the Notice of Application published January 23, 2025 (*Exhibit #5*).

Meets: Yes.

SCC14.06.320 Public notice requirements

A Notice of Application was posted on the subject property, published in a newspaper of general circulation on January 23, 2025, and mailed to all of the adjacent property owners within 300 feet of the subject property lines as required by SCC 14.06.320(2) (*Exhibit #5*). The Notice of Application included a fifteen (15) day comment period which ended on February 10, 2023. Further, the Notice of Application was processed using the Optional SEPA DNS process (WAC 197-11-355) wherein the comment period included the comment timeframe for the State Environmental Policy Act review. Six (6) comment letters were received during the comment period. All comments were in support of the proposal and have been provided as Exhibit #8.

Meets: Yes.

SCC 14.16 Zoning

Analysis:

The proposed project is located within the Rural Reserve (RRv) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps. Skagit County Code (SCC) 14.16.320(4)(v) lists “*Outdoor storage of processed and unprocessed natural material in quantities greater than 500 cubic yards that do not have a potential health hazard*” as a use allowed with an approved Hearing Examiner Special Use Permit.

Meets: Yes.

SCC 14.16.800**Parking****Analysis:**

The location proposed for the stockpile will be along the eastern most portion of the existing graveled parking lot adjacent to Eden's Road. The stockpile area will encompass approximately 4 – 5 parking stalls/spaces, however, eight spaces will be blocked off to allow for the maneuverability of trucks and equipment thereby encompassing approximately 2,850 square feet. During the times of stockpiling activity, those eight spaces will be relocated to the west side of the existing parking lot. The west side of the parking lot currently has large pier blocks with poles through them (See *Exhibit #14*) which are intended to delineate/contain the parking area from the Park land itself. Those post/pier delineators will be moved to the west to add room for the parking spaces being lost in order to compensate for the stalls being used for the rock storage. The existing parking lot area has a capacity allowing for up to 17 cars when the spaces are marked in chalk. The overall park has the potential capacity for approximately 36 parking spaces when fully utilized. There will be no decrease in the number of existing stalls/spaces as a result of the stockpile activity during those times it is used for this purpose.

There is no specific number of minimum spaces required within SCC 14.16.800 for this proposed use, and no parking is specifically required per the "Use" table. In cases such as this proposed activity, the Department would rely on SCC 14.16.800(2)(a)(20), "*Other uses not specified above*" and determine the required number based on the anticipated demand for the use. Given the site is an existing parking lot, and the spaces taken up will be compensated for by expanding parking to the west, the Department has determined that there is ample room on site for the gravel storage, parking of equipment, and maneuverability during the times of use.

Meets: Yes.

SCC 14.16.840**Performance standards****Analysis:**

The proposal will not create undue impacts on the performance standards outlined within SCC 14.16.840. During proposed stockpiling there may be typical noise generated from trucks, however, this activity will not be long term and is not expected to impact surrounding residences or adjacent properties. The typical equipment that will be used on-site will include an excavator and dump truck, both of which receive routine maintenance and are equipped with the appropriate exhaust and noise suppression which fall within the performance guidelines of SCC 14.16.840.

Meets: Yes.

SCC 14.22 Land Disturbance

Analysis:

The site is an existing graded, graveled surfaced, parking lot, as such no new native land will be disturbed by the stockpile. The rock will be temporarily stored on a portion of the existing graded parking lot. The use of the site for the stockpile will need to comply with any applicable requirements of SCC 14.22, specifically SCC 14.22.020 "*Applicability*" unless the use can fit within the listed exemptions of SCC 14.22.020(3).

Meets: Yes.

SCC 14.24 Critical Areas Ordinance

Analysis:

The proposed site was reviewed with respect to the Skagit County Critical Areas Ordinance. Staff review determined that no wetlands, fish and wildlife habitat conservation area or geologic hazard indicators occur within 200 feet of the project location. Development permit applications are subject to aquifer recharge review. If a land disturbance application is required, a well search, and accompanying site plan, will need to be provided identifying wells and potential receptors within 1,000' of the subject property in accordance with SCC 14.24.330(2).

Meets: Yes.

SCC 14.32 Stormwater Management

Analysis:

As the road improvement projects take place during the dry summer months, much of the activity will occur on site during those times of the year. Although, the stockpiling will take place in advance of the scheduled road work, which could include wet seasons, the material will have minimal impact on the existing drainage flows/volume due to the placement location on the existing gravel parking lot surface. The existing flow path from the overall parking area sheet flows onto the same ownership into existing vegetated areas. Although the stockpile will consist of clean gravel material, temporary erosion sedimentation control (TESC) measures may still be required. As conditioned within the SEPA MDNS, the applicant must utilize TESC measures as directed, and appropriate, in accordance with the requirements of SCC 14.32.

Meets: Yes.

The application was reviewed in accordance with the State Environmental Policy Act guidelines (WAC 197-11 and RCW 43.21C). A Mitigated Determination of Nonsignificance (MDNS) was issued on February 11, 2025, and published on February 13, 2025. There was a fourteen (14) day appeal period which ended on February 27, 2025 (*Exhibit #9*). No appeals were received. The following mitigation measures were conditioned within the MDNS:

1. The applicant must comply with any Temporary erosion/sedimentation control (TESC) measures, as directed and approved by the Skagit County Planning and Development Services. If applicable, said TESC measures must be in place prior to the proposed placement of materials. The applicant must maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Stormwater Management Ordinance. Said measures must remain in place until the completion of the project.
2. The applicant must comply with Northwest Clean Air Agency (NWCAA) requirements.
3. The applicant must comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Stormwater Management Ordinance, as it relates to increased runoff resulting from additional impervious surfaces. Best Management practices must be utilized throughout the life of the project.
4. The applicant must comply with Fire Code Standards.
5. The applicant must comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance).

Meets: Yes.

SPECIAL USE PERMIT REQUIREMENTS (SCC 14.16.900)

SCC 14.16.900(1)(b)(v) (A) through (I) criteria.

To provide a means to recognize and approve land uses not specifically identified as allowed uses, a special use permit must demonstrate that the proposed activity will not adversely affect or prevent those uses normally allowed within the respective district. The burden of proof shall be on the applicant to provide evidence in support of the application. The criteria for approval or denial shall include the following:

(A) The proposed use will be compatible with existing and planned land use.

Analysis:

This proposal allows for material to be gradually stockpiled on the island in advance of road chip sealing projects instead of overburdening the ferry and island road system during the busy summer months when those maintenance activities take place. The road re-surfacing maintenance activities occur once every four years. The Transportation Element (8) of the Skagit County Comprehensive Plan discusses Road Maintenance and Monitoring goals, listing the following, under Goal A-11:

“Develop a systematic approach for monitoring and maintaining the transportation system in a cost-Effective manner.” “Provide a high level of maintenance to the County transportation system.”

Meets: Yes. This SUP code criteria has been met.

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

Analysis:

The subject site is designated as Rural Reserve (RRv). SCC 14.16.320(4)(v) lists *“Outdoor storage of processed and unprocessed natural materials in quantities greater than 500 cubic yards that do not have a potential health hazard”* as a use allowed with an approved Hearing Examiner Special Use Permit within the RRv zone.

Meets: Yes.

(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 standards of SCC 14.16.840.

Analysis:

The proposal will not create undue impacts on the performance standards outlined within SCC 14.16.840. The site and surrounding areas are rural in nature and designated RRv. There are no residential structures located immediately adjacent to the existing parking lot. During proposed stockpiling there may be typical noise generated from trucks, however, this activity will not be long term and is not expected to impact surrounding residences or adjacent properties. The typical equipment that will be used on-site will include an excavator and a dump truck, both of which receive routine maintenance and are equipped with the appropriate exhaust and noise suppression which fall within the performance guidelines of SCC 14.16.840.

Meets: Yes.

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

Analysis:

Based on the site location on Guemes Island, the large acreage surrounding this site, and the existing heavy vegetation immediately adjacent to the north and east, the project will not generate an intrusion on the privacy of existing surrounding uses.

Meets: Yes.

(E) The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

Analysis:

There will be no negative effects on the general public health, safety or general welfare from the proposed project provided the site is appropriately maintained and all local, state and federal guidelines are adhered to. By locating the stockpile at the proposed location, and accommodating additional parking spaces to compensate for the use during the times of stockpiling, there will no adverse impact to the park users and a significantly lesser impact to the ferry system during the busy summer months.

Meets: Yes.

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

Analysis:

The site is not located within a Natural Resource designated area.

Meets: Yes.

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

Analysis:

The intermittent stockpiling of gravel material in advance of road maintenance activities will not negatively impact the health and safety of the community provided that Best Management Practices are maintained. Routine maintenance of the island roadway system benefits the health and safety of the community.

Meets: Yes.

(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.

Analysis:

The site is currently supported by adequate public facilities and services. During times of material stockpiling, Skagit County Public Works will provide a portable restroom for Public Works Staff use during times of increased on-site work.

Meets: Yes.

(I) The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

Analysis:

The proposed use will maintain the character, landscape and lifestyle of the rural area. The area is rural in nature and will remain so during and after the stockpiling and road maintenance work is completed. This site will benefit the surrounding area by providing additional parking during times of use thus reducing the need for parking in the road right-of-way, provide a location to stockpile material for the maintenance of the island roadways, and alleviate ferry traffic during road chip sealing projects.

Meets: Yes.

PUBLIC COMMENT

Six (6) public comment letters received during the Notice of application comment period (provided as *Exhibit #8*). All public comments were in support of the proposal.

AGENCY COMMENTS

The project was circulated for review to Planning and Development Services Natural Resource Team (Critical Areas and Water Resources), the Fire Marshal's Office, Stormwater review staff, Public Works Development Review staff, and the Public Health Department. Natural Resource Team and Stormwater review staff comments have been included above (Page 11) within the analysis for the respective disciplines (SCC 14.24 and SCC 14.32). No other reviewing disciplines provided comments.

DEPARTMENT RECOMMENDATION

Based on the review of the submitted application, all associated environmental studies, special use criteria and the above findings, the Planning and Development Services staff recommends **APPROVAL** of the requested Special Use Permit for the Schoolhouse Park Material Storage Project, with the following conditions:


RECOMEMENDED CONDITIONS OF APPROVAL

1. The applicant must obtain all necessary permits and approvals.
2. The applicant must comply with all relevant provisions of SCC 14.16 Zoning and SCC 14.24 Critical Areas.
3. The applicant/proposal must comply with SCC 14.16.840, Performance Standards, and WAC 173-60 for noise, vibration, and light conditions.
4. Applicant shall comply with WAC 173-60 and SCC 14.16.840 for noise, vibration, and light conditions.
5. The use must comply with the mitigation measures conditioned within the Mitigated Determination of Nonsignificance (MDNS) issued on February 11, 2025.
6. All outstanding planning review fees shall be paid prior to final approval.

APPEAL RIGHTS

The applicant and/or a party of record may appeal the decision of the Hearing Examiner to the Skagit County Board of Commissioners pursuant to the provisions of SCC 14.06.410. Parties who have standing to appeal must submit the appeal form and appeal fees to the Planning and Development Services Department within 14 calendar days of the date of the Decision issued by the Hearing Examiner.

Prepared By:


Brandon Black, Senior Planner

Reviewed By:


Allen Rozema, Assistant Director