

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS, CONCLUSIONS AND DECISION

Applicant: Skagit County Fire District #10
P O. Box 2008
Concrete, WA 98237

Agent: Linda Martiny
7878 Wilde Road
Concrete, WA 98237

File No: PL05-0119

Request: Special Use Permit

Location: 8391 Russell Road, within a portion of S1/2
SW1/4NW1/4 Sec. 14, T35N, R7E, W.M.

Land Use Designation: Rural Intermediate (RI)

Summary of Proposal: To build a 2,223 square foot addition to the existing
Birdsview Fire Hall in order to house new fire fighting
equipment.

Public Hearing: After reviewing the report of Planning and Development
Services, the Hearing Examiner conducted a public hearing
On August 10, 2005.

Decision: The application is approved, subject to conditions.

FINDINGS OF FACT

1. Skagit County Fire District #10 (applicant) seeks to construct an addition to its existing Birdsvew Fire Hall.
2. The structure is located at 8391 Russell Road, within a portion of the S1/2SW1/4NW1/4 Sec. 14, T35N, R7E, W.M. The parcel number is 42677. The zoning of the property is Rural Intermediate (RI).
3. The property is approximately .4 acres in size and is located on the east side of Russell Road. The lot is rectangular, measuring 150 feet from north to south and 114 feet from east to west. The lot is essentially flat with the firehall in the southern half of the lot about 25 feet from the western boundary. Driveway and parking areas are paved and the areas not paved are largely in native grass. There are a few trees along the eastern perimeter.
4. The property is served by an on-site septic system on the south side of the building and an existing water well on the north side covered by the building. Parking is currently around the perimeter of the lot. Adjacent properties are developed with single family residences or in pasture.
5. The parcel has been in continuous use by the fire department since 1958. The existing firehall was completed in 1960 and occupies about 1700 square feet. It is not large enough to accommodate the equipment required for contemporary fire and emergency response needs.
6. Currently there are two bays facing Russell Road that house the pumper trucks. Behind the bays are a meeting area, kitchen and restroom. There is a small area upstairs used for storage.
7. The expansion will add an approximately 957 square foot truck bay on the south side of the building for two new quick response vehicles. The existing pumper truck bays will be changed to enter from the north and an additional 240 square feet will be added to them. A new 98 square foot covered entry will be installed to the east of the pumper bays. Equipment storage areas will also be added in both the pumper bays and the quick response vehicle bay. Approximately 928 square feet will be added to the second floor, providing an expanded meeting room, an office/records area and potentially a second restroom, along with storage areas.
8. Overall the new square footage will total 2,223 square feet. When the new area is added to the old, the building will exceed 3,000 square feet. The new capacity and new vehicles will permit improved response to emergency and rescue calls.

9. The front (west side) of the existing firehall is 25 feet from Russell Road; the rear (east) is 32 feet from the property line; the south side is 46 feet from the boundary; the north side is 75 feet from the boundary. The proposed additions will leave the setbacks the same at the front and rear, but will reduce the setbacks to 30 feet on the south side and 70 feet on the north.

10. The front setback does not meet current requirements. The applicant received an Administrative Decision (PL04-0874) in February 2005 allowing the reduction of the front setback from 35 feet to 25 feet.

11. Critical areas review was completed and approved with the on-site septic review (SW04-0358). In addition to adding to the firehall, the Fire District is seeking clear title to an additional 30 feet of land in order to provide an area for a new septic system in the southeast corner of the property. This additional land could also provide parking for the firemen away from the building.

12. Birdsvew is a rural volunteer fire department. There are no employees; no permanent on-site staff. There are 25 unpaid volunteers. Current use of the hall probably does not exceed six hours per month. The building is not used for social activities. However, the new meeting room will be made available for occasional public meetings. Other than these meetings, there is no expected increase in building use or traffic generated.

13. There are few neighbors to impact. For 200 feet to the north the land is in pasture. On the east is a stand of trees. There are a rental house to the south and two residences across Russell Road to the west. Loud noise is limited to the occasional sound of sirens, an essential of the fire protection use. Emissions, odors, vibration, light pollution, trespass, interference with privacy are currently minimal and will not significantly increase. No contaminates are stored on site. Vehicle maintenance and refueling is done off site. Nevertheless, a Spill Containment Plan has been prepared. The drainage system will be reviewed and approved by the Department of Public Works in connection with the building permit application.

14. An access hatch will be added to access the pump of the existing well for repairs when necessary. The well has been preliminarily approved as an adequate public water system serving the facilities.

15. There were no public comments on this application. A Determination of Non-Significance (DNS) under the State Environmental Policy Act (SEPA) was issued on May 2, 2005, The DNS was not appealed.

16. Comments of reviewing departments are reflected in conditions of approval. The Fire Marshal's comment was as follows:

The Fire Department is an important part of this community and This is an excellent location for this facility. It has very easy access to the community and to Highway 20 while not creating some of the potential issues of being right on the highway. The new configuration will provide better and safer access both for the Firefighters and the public.

17. The criteria for Special Use Permit approval 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 standards of SCC 14.16.840.
- (d) The proposed use will not generate intrusions on privacy of surrounding uses.
- (e) Potential effects regarding the general public health, safety, and general welfare.
- (f) for special uses in ... Natural Resource Lands ..., the impacts on long-term natural resource 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 and services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

18. The Staff Report analyzes the application in light of the above criteria and finds that, as conditioned, the proposal will be consistent with them. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

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

CONCLUSIONS OF LAW

1. The Hearing Examiner as jurisdiction over the persons and the subject matter of this proceeding.

2. The requirements of SEPA have been met.

3. In Rural Intermediate zones, expansions of major public uses, 3,000 square feet or greater, are allowed as Hearing Examiner Special Uses. SCC 14.16.300(4)(q).

4. The facts support a conclusion that the proposed firehall expansion, as conditioned, is consistent with the criteria for Special Use Permit approval. SCC 14.16.900(2)(b)(v). The improvements are clearly in the public interest.

5. The application should be approved, subject to the conditions set forth below.

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

CONDITIONS

1. The addition shall be constructed and the facility shall be operated substantially as described in the application materials.

2. The requirements of SCC 14.16.840 (Performance Standards) and Chapter 173-60 WAC (Minimum Environmental Noise Levels) shall be followed.

3. Standards for surface and ground water quality (Chapters 173-200 and 173-201A WAC) shall be met.

4. The applicant shall submit an engineered drainage plan with the building permit application.

5. Final public water approval shall be presented with the building permit application.

6. An access hatch to the well for access to the pump if needed for repairs shall be provided.

7. Maintenance of equipment (for example, cleaning) shall occur on hard surfaces that collect runoff via an approved and properly maintained collection method. The collection facilities shall be cleaned out on a regular schedule.

8. The applicant shall obtain a building permit and any other applicable approvals.

9. The Special Use Permit shall be void if work is not started within two (2) years of the date of permit approval and if abandoned for a period of one (1) year.

10. Failure to comply with any condition may be grounds for permit revocation.

DECISION

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



Wick Dufford, Hearing Examiner

Date of Action: September 13, 2005

Date Transmitted to Applicant: September 13, 2005

RECONSIDERATION/APPEAL

As provided in SCC 14.06.180, a request for reconsideration may be filed with Planning and Development Services 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 Planning and Development Services within 14 days after the date of the decision, or decision on reconsideration, if applicable.