

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS, CONCLUSIONS AND DECISION

Applicant: Seward Investments, Inc.
P.O. Box 98
Mount Vernon, WA 98273

Contact: Alf Christianson Seed Company
% Steve Bonnette
P.O. Box 98
Mount Vernon, WA 98273

File No: PL06-0515

Request: Special Use Permit

Location: The project is located along the north side of Peterson Road, immediately east from the Port of Skagit County and Skagit Regional Airport, at the northwest corner of Peterson Road and Bay Ridge Drive, Burlington, within a portion of Section 34, Township 35N, Range 3 E W.M.

Land Use Designation: Bayview Ridge Industrial

Summary of Proposal: The project proposal is to allow for the construction of an approximate 135,000 square foot seed processing facility which will have a portion of the structure exceeding 40 feet in height. The project proposal includes the construction of a processing building with a portion of higher roof area exceeding the 40 foot height limit, however will not exceed a height of 60 feet. Skagit County Code (SCC) 14.16.180 (6)(j) and (7)(b) state that structures in excess of 40 feet in height require an approved Hearing Examiner Special Use Permit.

Public Hearing: After reviewing the report of Planning and Development Services, the Hearing Examiner conducted a public hearing on August 23, 2006.

Decision: The application is approved, subject to conditions.

FINDINGS OF FACT

Introduction. Seward Investments, Inc. seeks a Special Use Permit to construct a seed processing facility with an approximate square footage of 135,000 with a portion of the structure exceeding 40 feet in height, but not exceeding 60 feet in height.

The departmental findings of the August 16, 2006 staff report and identified as Exhibit No. 1 are hereby adopted and are listed below:

1. **ZONING/COMPREHENSIVE PLAN DESIGNATIONS:** The subject property is located within the Bayview Ridge Industrial (BR-I) zoning/comprehensive plan designation as indicated in the Skagit County Comprehensive Plan and associated zoning maps adopted July 24, 2000 and as thereafter amended.
2. **PROCESSING:** Pursuant to SCC 14.06.100(2) the application was deemed complete. Subsequently, a Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on June 15, 2006, as required by SCC 14.06.150. Notification was provided to all property owners within 300 feet of the subject property. There was a fifteen (15) day comment period associated with the Notice of Development. This comment period ended on June 30, 2006. No public comments were received.
3. **STATE ENVIRONMENTAL POLICY ACT:** The application has been reviewed in accordance with the State Environmental Policy Act guidelines (WAC 197-11 and RCW 43.21C). An independent SEPA review was submitted on April 5, 2006. A Notice of Development was published on April 20, 2006 as required by SCC 14.06.150. Notification was provided to all property owners within 300 feet of the subject property. There was a fifteen (15) day comment period associated with the Notice of Development which ended on May 5, 2006. The Notice also included comments regarding the State Environmental Policy Act (SEPA) review as outlined within WAC 197-11-355 (optional DNS process). No written public comments were received. The Mitigated Determination of Nonsignificance (MDNS) was issued and published on May 11, 2006 becoming affective following a fourteen (14) day appeal period which ended on May 25, 2006. No appeals were received and the following conditions were placed on the threshold determination (MDNS):

- a. Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the placement of any fill material. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage/Erosion/Sedimentation Control Ordinance. Said measures shall remain in place until completion of the project.
 - b. The applicant shall comply with Northwest Clean Air Agency requirements.
 - c. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage Ordinance.
 - d. The applicant shall comply with all relevant provisions of 14.24 (Skagit County Critical Areas Ordinance).
4. **FLOOD AREA REVIEW:** The project site is not located within a designated flood hazard area, according to the FEMA Flood Insurance Rate Map (FIRM) panel number 530151 0250 C with the effective date of January 3, 1985.
5. **ALF CHRISTIANSON SEED COMPANY DETAILED PROJECT DESCRIPTION/NARRATIVE:**

Location & Land-Designation:

The Alf Christianson Seed Company proposes to develop approximately 15 acres located at the northwest corner of the Bay Ridge Drive intersection with Peterson Road, just east from the Port of Skagit County. Currently, this property is zoned Bayview Ridge Industrial, BRI, and has had this industrial zoning designation since approximately 1983. At the time of preparing this Special Use Permit application, the Bayview Ridge Sub-area Plan has not been adopted by Skagit County; however once implemented, the proposed designation for this property is slated to be Bayview Ridge Light Industrial, BR-LI.

Proposed Site Development:

As illustrated on the enclosed preliminary developed conditions plan, the first phase of this site development is to construct a series of buildings, collectively containing approximately 135,000 square feet, together with surrounding surficial and utility improvements. Subsequent phases involve the construction of approximately 40,000 square feet of additional building adjoining the south side of the proposed Processing Building, and approximately 75,000 square feet of gross building-floor area within the northerly portion of the subject property. The initial phase of construction for the Processing Building encompasses approximately 129,000 square feet, with approximately 40,000 slated as the future expansion area. Centrally located within the currently proposed Processing Building, approximately 6,765 square feet will have roof height greater than 40 feet, but less than 60 feet. The sole purpose of this Special Use Permit is to receive Hearing Examiner approval for that portion of the building that is proposed to have a roof-height greater than 40 feet. All other portions of the

Processing Building, together with all other onsite buildings, will have a height less than 40 feet.

Proposed Site Uses & Needs for Building Height:

The activities performed by the Alf Christianson Seed Company involve receiving seed from agricultural activities, conditioning (cleaning), testing, packaging, and worldwide distribution. The vast majority of all seed, which is to be processed in this new facility, is produced by local growers. In addition to activities involved in the cleaning, testing, and packaging of seed product, additional components of this site development will include corporate offices for Alf Christianson Seed Company, Farming support services, stock seed storage, and beet and carrot root preparation for planting. Centrally located within the Processing Building will be that portion of roof that is higher than 40 feet, but not greater than 60 feet high.

This "high portion" within the proposed Processing Building measures approximately 41 feet east-west by 165 feet north-south, encompassing approximately 6,765 square feet. Within this centrally-located "high portion" of the building, the underlying floor area contains a variety of seed conditioning and grading activities. Four conditioning lines are to be located within the "high portion" of the building. In order to maintain a consistent height of not greater than 40 feet throughout the building, as per Skagit County Code, the overall size of the Processing Building would have to be expanded to accommodate the additional conveying equipment needed to move the seed through the process lines. It is much more cost effective and considerably less damaging to the seed to eliminate as much conveying equipment as possible, with the intent to allow the seed to flow by means of gravity rather than enlarge the building for more conveying equipment. Vegetable seeds are living organisms that easily are susceptible to mechanical damage, which can be caused by conveying equipment. The reduction of this equipment, through the use of increased building-height and gravity flow, reduces damages to the seed, which affects germination, viability, emergence, and marketability. All other portions of the proposed Processing Building will have a height not in excess of 40 feet.

Port of Skagit County and FAA Regulations:

Within the proposed Bayview Ridge sub-area plan, the Port of Skagit County has provided two contour maps that establish allowable building heights, and establish whether an FAA permit is required. The first contour map, titled Skagit Airport FAA Permit Contours Map, identifies the allowable height limits of future buildings above the underlying ground surface, without having to obtain an FAA permit requirement. Within the subject property herein supporting the Alf Christianson Seed Processing facility, this particular map contains a contour interval at zero elevation. As such, any building placement on this lot would be

responsible for notifying the Federal Aviation Administration in the form of an FAA Form 7460-1, Notice of Proposed Construction or Alteration. The second map titled Skagit Airport Building Height Restriction Contours Map identifies the maximum allowable building heights. Within the subject property, this second contour map contains contour intervals at elevations 100 to approximately 140. The information provided on these two Skagit Airport Contour Maps identifies that no building construction is allowed greater than 100 to 140 feet depending upon its location on the subject property and that any building higher than zero feet must obtain the referenced FAA permit.

Skagit County Code Requirements:

Within Skagit County’s code for the BRI zoning, section 14.16.180(7)(b) states:

Structures that exceed 40 feet in height shall be considered a Hearing Examiners special use unless otherwise exempt from this provision.

A complete SEPA development application for this Vegetable-Seed Processing Facility has previously been submitted to Skagit County, and is being process under Permit #PL06-0338. The sole purpose of this Special Use Permit application and accompanying documents is specifically for approval of that portion of the proposed Processing Building that will have a roof-height greater than 40 feet, but not in excess of 60 feet.

6. **CRITICAL AREA REVIEW:** The subject parcel was reviewed with respect to the Skagit County Critical Areas Ordinance, SCC 14.24. Critical areas staff supplied the following comments:

“CAO staff has reviewed and approved the buffer reduction proposal and mitigation plan prepared by Wetland Resources, Inc. dated June 7, 2002.”

“A financial assurance in the amount of 125% of the estimated \$9,564.00 mitigation and monitoring costs must be received prior to development permit approval (SCC 14.24.160(6)).”

“A PCA must be approved and recorded at the County Auditor’s office prior to development permit approval (SCC 14.24.170).”

7. **HEALTH DEPARTMENT REVIEW:** The application was routed to the Skagit County Planning and Development Services Health Unit for review. The Health Unit (Septic Review) indicated “no comments” regarding the proposal.

The Health Unit (Water Resources division) indicated the following:

Public Utility District #1 water and City of Burlington Sewer will be used for the proposal and will need to be addressed at the Building permit stage.

Noise levels shall comply with WAC 173-60 and SCC 14.16.840 Performance Standards. Light and glare shall comply with SCC 14.16.840.

8. **PUBLIC WORKS DEPARTMENT REVIEW:** The Public Works department reviewed the proposal and indicated that “Public Works has no comments regarding height of buildings.

9. **FIRE MARSHAL:** The application was routed to the Skagit County Fire Marshal for comment. The Fire Marshals comments are as follows:

The Skagit County Fire Marshals Office has conferred with the RFPD #6 Fire Marshal’s Office and neither agency has any issues with this Special Use for the building heights.

10. **CITY OF BURLINGTON, WASHINGTON STATE DEPARTMENT OF TRANSPORTATION and the PORT OF SKAGIT COUNTY:** The application was routed to the City of Burlington, WSDOT, and the Port of Skagit County for review. No comments or concerns were received from those jurisdictions.

The Department notes that a draft Avigation Easement was previously prepared for the subject property and the final recorded document will be required prior to building permit approval.

11. **CURRENT PLANNING REVIEW:**
SPECIAL USE PERMIT REQUIREMENTS: The applicant (Seward Investments, Inc.) is requesting a Special Use permit pursuant to SCC 14.16.180(6)(j) and (7)(b) to allow for the construction of an approximate 135,000 square foot seed processing facility which will have a portion of the structure exceeding 40 feet in height, however will not exceed a height of 60 feet. Skagit County Code (SCC) 14.16.180 (6)(j) and (7)(b) state that structures in excess of 40 feet in height require an approved Hearing Examiner Special Use Permit.

The Department notes that the overall project proposal is to construct a seed processing facility on the proposed site. The proposal is an outright permitted use within the Bayview Ridge Industrial (BR-I) zoning designation (as well as in the proposed Bayview Ridge Subarea plan) and the special use permit is only being requested to allow for a portion of one structure to exceed 40 feet in height. The project has been reviewed for consistency with the Skagit County Comprehensive Plan and zoning/development regulations, as well as the Concurrency review

standards (SCC 14.28). It has been determined that the project complies with the development regulations and the comprehensive plan, and that there are adequate public facilities and services in place to accommodate the proposed use.

12. **SPECIAL USE CRITERIA:** SCC 14.16.900 Special Uses indicates that certain items 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.**

The parcel is located within the Bayview Ridge Industrial (BR-I) zoning designation and the Skagit County Comprehensive Plan does not specifically provide policies that either support or oppose the proposed project. However, the use is an outright permitted use within this designation and is not in conflict with the land use Goals outlined within the Land Use Element of the Comprehensive Plan. Further, Chapter 12 of the Skagit County Comprehensive Plan adopted July 24, 2000 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 in part:

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

Further, the planned land use for this area is addressed in the proposed Bayview Ridge Subarea plan. The proposed designation for this site is Bayview Ridge Light Industrial (BR-LI) and the proposed use is outlined as a permitted use. The proposed development standards are similar to what exists within the current development standards, with the noticeable deletion of the requirement to obtain a special use permit for structures in excess of 40 in height. This area of the Subarea Plan has been designated to allow for industrial uses and this site has specifically been developed for industrial use.

The applicant has indicated the following:

“The proposed development herein is to construct a seed-processing facility, which will support activities preformed by the Alf Christianson Seed Company, involve receiving seed from agricultural activities, seed cleaning, conditioning, testing, packaging, and worldwide distribution. The vast majority of all seed; which is to be processed in this new facility, is produced by local growers. In addition to activities involved in the cleaning, testing, and packaging of seed product, additional components of this site development will include corporate offices for Alf Christianson Seed Company, Farming support services, stock seed storage, and beet root preparation for planting. All uses are outright permitted

within the underlying Bayview Ridge Industrial, BRI zoning. Within this zoning, Skagit County's code for the BRI, section 14.16.180(7)(b) stipulates "Structures that exceed 40 feet in height shall be considered a Hearing Examiner special use unless otherwise exempt from this provision." All other components of this proposed site development, uses, and activities have already been evaluated under a separate SEPA, PL 06-0338, to Skagit County."

"As illustrated on the enclosed preliminary developed conditions plan, the first phase of this site development is to construct a series of buildings, collectively containing approximately 135,000 square feet, together with surrounding surficial and utility improvements. Subsequent phases involve the construction of approximately 40,000 square feet of additional building adjoining the south side of the proposed Processing Building, and approximately 75,000 square feet of gross building-floor area within the northerly portion of the subject property. The currently-proposed Processing Building encompasses approximately 129,000 square feet, of which nearly all of it will have a building height not in excess of 40 feet. Centrally located within the Processing Building will be that portion of higher roof that will be higher than 40 feet, however will not exceed a height of 60 feet. It is only the higher portion of the proposed Processing Building, having a roof height in excess of 40 feet, which is the sole purpose of the Special Use Permit to receive Hearing Examiner approval."

"The activities preformed by the Alf Christianson Seed Company involve receiving seed from agricultural activities, conditioning (cleaning), testing, packaging, and worldwide distribution. The vast majority of all seed, which is to be processed in this new facility, is produced by local growers. In addition to activities involved in the cleaning, testing, and packaging of seed product, additional components of this site development will include corporate offices for Alf Christianson Seed Company, Farming support services, stock seed storage, and beet and carrot root preparation for planting. Centrally located within the Processing Building will be that portion of roof that is higher than 40 feet, however will not be in excess of 60 feet high. This "high portion" within the proposed Processing Building measures approximately 41 feet east-west by 165 feet north-south, encompassing approximately 6,765 square feet."

"Within this centrally-located "high portion" of the building, the underlying floor area contains a variety of seed conditioning and grading activities. Four conditioning lines are to be located within the "high portion" of the building. In order to maintain a consistent height of not greater than 40 feet throughout the building, as per Skagit County code, the overall size of the Processing Building would have to be expanded to accommodate the additional conveying equipment needed to move the seed through the process lines. It is much more cost effective and considerably less damaging to the seed to eliminate as much conveying equipment as possible, with the intent to allow the seed to flow by means of gravity rather than enlarge the building for more conveying equipment. Vegetable seeds are living organisms that easily are susceptible to mechanical

damage, which can be caused by conveying equipment. The reduction of this equipment, through the use of increased building-height and gravity flow, reduces damages to the seed, which affects germination, viability, emergence, and marketability. All other portions of the proposed Processing Building will have a height not in excess of 40 feet.”

B. The proposed use complies with Skagit County Code.

The subject parcel is designated as Bayview Ridge Industrial (BR-I). Pursuant to SCC 14.16.180(6)(j) and (7)(b) a special use is required to allow for the construction of any structures that exceed 40 feet in height. The overall project proposal is to construct an approximate 135,000 square foot seed processing facility which will have a portion of the structure exceeding 40 feet in height, however will not exceed a height of 60 feet. SCC 14.16.180 (6)(j) and (7)(b) state that structures in excess of 40 feet in height require an approved Hearing Examiner Special Use Permit. The use itself is outright permitting in the BR-I designation. SCC 14.16.180(2) allows for processing, treatment, storage, and packaging of any product from natural or synthetic materials.

Further, the subject parcel is located within the area for the proposed Bayview Ridge Sub-area Plan which has been under review for several years but has not yet been formally codified. The sub-area plan also includes policies and development regulations which support the proposal. Most notably the proposed BR-LI Development Standards have deleted the 40-foot height limit in favor of a requirement that structure heights in this area conform with the Skagit County Building Code and airport height criteria (height restrictions pursuant to the Airport Environs Overlay, Chapter 14.16.210) specifically the height contours established for the airport.

The applicant has indicated the following:

Section 14.16.180(2)(d) which allows processing, treatment, storage, and packaging of any product from natural or synthetic materials, and Section 14.16.180(2)(h) which allows research, development, and testing facilities.

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.

The proposal will not create undue impacts on the performance standards outlined within SCC 14.16.840. The existing and proposed uses for this area are industrial in nature and the proposed facility will operate in a similar manner as the surrounding uses with no more of an impact on the performance standards than those existing uses. The proposal has been reviewed under the State Environmental Policy Act and the Skagit County Critical Areas Ordinance and it has been determined that the proposal will not pose a significant adverse environmental impact as a result of the

facility. Further, the area is designated for industrial development with existing surrounding industrial activities and all development permits will be required for compliance with the performance standards outlined within SCC 14.16.840.

The applicant has indicated the following:

Environmentally, the proposed uses and activities on the subject property have already been evaluated through the SEPA process, under Skagit County Permit Number PL06-0338. The purpose of this Special Use Permit Application is solely for that portion of the proposed Processing Building having a height greater than 40 feet, but not in excess of 60 feet. The proposed building height will require approval from the Federal Aviation Administration FAA, in the form of an FAA Form 7460-1, Notice of Proposed Construction or Alteration. The underlying BRI zoning has a maximum building-height limitation of 40 feet, and for structures that exceed 40 feet in height, shall be considered a Hearing Examiner Special Use. Merely constructing part of the Processing Building with a roof-height higher than 40 feet but not exceeding 60-foot will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding existing or potential dwelling units.

Based on experience at other similar facilities, SPI is confident that operation of the cogeneration unit will not cause any odor, heat, or vibration on surrounding properties.

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

The site is approximately 15 acres in size, designated for industrial use. The existing surrounding uses are industrial in nature and the area is proposed to remain industrial in nature as outlined within the proposed Bayview Ridge Subarea Plan. There will be no potential for intrusions onto the privacy of the surrounding uses.

The applicant indicated the following:

“Constructing part of the proposed Processing Building to have a roof-height greater than 40 feet, but not in excess of 60 feet, will not cause an invasion of privacy upon the surrounding uses.”

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

There will be no negative effects on the general public health, safety or general welfare from the proposed project provided all local, state and federal guidelines are adhered to.

The applicant indicated the following:

“The proposed site uses and activities for the Alf Christianson Seed Processing Facility have already been environmentally evaluated through the SEPA process and from review by Skagit County staff. The proposal herein requiring a Special Use approval simply involves that portion of the Processing Building having a roof-height in excess of 40 feet, but not greater than 60 feet, which in itself will not cause any negative impact upon the general public’s health, safety, and welfare. If anything, failure to approve this building-height request will be a detriment to the general public in that it would prevent the creation of new jobs and an expanded business in the Skagit County economy.”

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

The site is not designated as resource land and will have no effect on resource activities.

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

The approval of the Special Use permit will not impact the health and safety of the community provided that Best Management Practices are maintained.

The applicant indicated the following:

“The proposal herein is for that portion of the Processing Building that will have a roof-height greater than 40 feet but not in excess of 60 feet, which will not be in conflict with community health and safety. Although a special use permit is required by Skagit County for this building height in excess of 40 feet, assuring conformance with the adjacent airport activities is essential to safety. In addition to receiving Skagit County’s approval for this requested building height, approval is also required from the Federal Aviation Administration FAA, in the form of an FAA Form 7460-1, Notice of Proposed Construction or Alteration. The proposal herein to have a portion of the Processing Building with a roof-height greater than 40 feet but less than 60 feet does not exceed the maximum height limitations established by the Port of Skagit County.”

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 land use will be supported by adequate public facilities and services with no adverse affects on the services of the surrounding areas. The property has been developed for industrial uses and currently has sewer, water, and power available to the site. The special use permit request is to allow the facilities Processing Building to exceed the 40 foot height limit which will have no impact on public facilities or services.

The applicant indicated the following:

“The proposal herein for a building having a portion of its roof-height in excess of 40 feet will in itself, not require any public services. The underlying uses and activities associated with the building will require public services and utilities that have already been investigated and environmentally evaluated by SEPA.”

2. 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 persons and the subject matter of this proceeding. SCC 14.06.050(B)(ii).

2. All notice requirements for this hearing were duly met.

3. The requirements of the State Environmental Policy Act have been met.

4. 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.

These criteria are met in this instance, entitling the applicant to the special use permit sought, subject to the conditions set forth herein.

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

CONDITIONS

- 1) The applicant shall obtain all necessary permits and approvals.
- 2) The applicant shall comply with the conditions outlined within the SEPA threshold determination (MDNS) which are listed within the Departmental Findings (Finding #3).
- 3) The applicant shall comply with all relevant provisions of Skagit County Code 14.24, the Critical Areas Ordinance, and Skagit County Code 14.16 the Zoning Ordinance.
- 4) The applicant/proposal shall comply with the applicable requirements of SCC 14.16.840, Performance Standards.
- 5) Noise levels shall comply with WAC 173-60.
- 6) Washington State WAC's 173-201A and 173-200 shall be complied with, as required to address surface water quality issues and ground water issues. Best management practices shall be utilized to prevent interference and/or degradation from point, non-point or conditions which could lead to degradation of water quality.
- 7) A recorded Avigation Easement will be required prior to building permit approval and the applicant shall comply with all conditions of agreement.
- 8) A financial assurance in the amount of 125% of the estimated \$9,564.00 mitigation and monitoring costs must be received prior to development permit approval (SCC 14.24.160(6) and PCA must be approved and recorded at the County Auditor's office prior to development permit approval (SCC 14.24.170).

DECISION

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

Bradford E. Furlong
Hearing Examiner *pro tem*

Date of Action: September _____, 2006

Date Transmitted to Applicants: September _____, 2006

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.