

## NOTICE OF DECISION

### BEFORE THE SKAGIT COUNTY HEARING EXAMINER

**Applicant:** Sedro-Woolley School District #101  
c/o Steward Mhyre  
801 Trail Road  
Sedro-Woolley, WA 98284

**Request/File No:** Special Use Permit Modification, PL11-0178

**Location:** Big Lake Elementary School, 16802 Lake View Boulevard, within a portion of S1/2SW1/4 Sec. 25, T34N, R4E, W.M. (Parcel No. P27787)

**Land Us Designation:** Rural Village Residential/Rural Village

**Summary of Proposal:** To allow for the placement of one 2-room portable classroom approximately 54 feet west of Classroom Building "B". The 4-room permanent addition previously approved is being deferred because of difficult economic conditions.

**SEPA Compliance:** Addendum to original Mitigated Determination of Non-Significance issued November 3, 2001

**Public Hearing:** January 25, 2012. No public testimony. Planning and Development Services (PDS) recommended approval.

**Decision:** Approval, with conditions.

**Reconsideration/Appeal:** A Request for Reconsideration may be filed with PDS within 10 days of this decision. The decision may be appealed to the Board of County Commissioners by filing an appeal with PDS within 14 days of the date of decision or decision on reconsideration, if applicable.

**Online Text:** The entire decision can be viewed at [www.skagitcounty.net/hearing examiner](http://www.skagitcounty.net/hearing_examiner).

## **FINDINGS OF FACT**

1. Sedro-Woolley School District #101 seeks modification of a Special Use Permit allowing for the expansion of classroom facilities.
2. The school involved is Big Lake Elementary School, located at 16802 Lake View Boulevard. The property is Parcel No. 27787, located within a portion of the S1/2SW1/4 Sec. 25, T34N, R4E, W.M.
3. In 2004 Special Use Permit PL03-0963 was approved allowing for phased additions to the school. The first two phases, calling for portables south of the main building, were accomplished. The third phase contemplated the addition of a permanent 4-classroom addition and removal of the portables.
4. Because of economic hard times, the District cannot proceed with the original expansion plan at this time, but seeks to accommodate increases in the student population by locating another portable containing two classrooms on the school's site.
5. The idea is to accomplish installation of the new classroom facilities this summer in order to have them ready for use in the fall of 2012.
6. The new portable building will bring the number of additional classrooms since 2004 to six. There is an urgent need for additional capacity. Currently the school has 12 classrooms and approximately 290 students. The student population is expected to continue to grow.
7. The subject property has a Comprehensive Plan designation of Rural Village and a Zoning designation of Rural Village Residential. The parcel is approximately 3.97 acres in size, situated at the southwest corner of the intersection of West Big Lake Boulevard and Lake View Boulevard.
8. The main school building (Building A) faces Lake View Boulevard to the east, with bus loading and unloading in the front. The existing accessory building (Building B) is located to the west of Building A and is accessed off of West Big Lake Boulevard. The existing portables are located south of Building A and south of staff parking.
9. The proposed new portable will be located west of Building B among existing playground structures. A chain link fence currently surrounds this area. No new landscaping is proposed.
10. The access locations, parking and traffic circulation to the site already exist. Bus loading and unloading is located along Lake View Boulevard along the east side of the school. Staff Parking is located to the south of the main building. Student pick-up/drop-off is at the north parking area along West Big Lake Boulevard. These locations are not proposed to be changed.

11. The surrounding land uses include a small grocery store to the south, storage structures south of the grocery, two residences to the north off of West Big Lake Boulevard, and Big Lake Volunteer Fire Department Station 1. The proposed new portable will not alter the compatibility of the school with surrounding uses.

12. The new portable will be about 90 feet from the north property line (West Big Lake Boulevard), 276 feet from the east property line (Lake View Boulevard), 609 feet from south property line and 302 feet from the west property line. The proposed building will be about 1,792 square feet in size and located over existing impervious gravel surface. No water or bathroom will be available in the portable, but students will have ready access to bathroom facilities connected to the public water and sewer lines which serve the property.

13. A Mitigated Determination of Non-Significance was issued on March 15, 2004 for the original permit proposal. This MDNS was not appealed. On November 30, 2011, an Addendum to the MDNS was issued. The conclusion reached was that the change to the project does not substantially change the analysis of no significant impact initially made.

14. The proposed permit modification was given notice as required by law. One comment letter (in support) was received. The public hearing was held upon due notice and there was no public testimony at the hearing.

15. The application was routed to various County departments. They had no objections. Their comments are reflected in conditions of approval.

16. PDS analyzed the proposal against the criteria for approval of a Special Use Permit and determined that, as conditioned, the revised project will be consistent with the criteria. 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.

17. 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 subject matter of this proceeding. SCC 14.06.050(b)(ii).

2. There are no separate criteria for modifying a Special Use Permit, so requests for modification must meet the criteria for approval of a permit in the first instance. These are set forth at SCC 14.16.900(1)(v). In general the criteria call for compliance with the Comprehensive Plan and County codes, no undue environmental impacts, compatibility with surrounding uses, no conflict with community health and safety, and adequate public facilities and services.

3. The Examiner concludes that the proposal, as conditioned, meets the relevant criteria for approval.

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

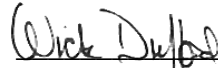
### **CONDITIONS**

1. The project shall be carried out as described in the application materials, except as the same may be modified by these conditions.
2. The applicant shall obtain all other required permits and shall abide by the conditions of same.
3. The applicant shall comply with all applicable conditions of the March 2004 MDNS.
4. The applicant shall comply with the applicable conditions of the original Special Use Permit (PL03-0963).
5. The building shall comply with Section 903.2.3 of the International Fire Code 2009 (IFC 2009) if an "E" occupancy.
6. Portable fire extinguishers shall be provided.
7. Fire alarms and detection shall comply with IFC 2009.
8. No chemicals shall be stored in the building.
9. If the building is plumbed in the future, the plumbing shall be tied to the sewer system.
10. The applicant shall comply with SCC 14.16.870, Notification of Development Activities on or Adjacent to Designated Resource Lands.
11. The permit modification shall be void if the project is not started within two years of the date of this order or if abandoned for a period of one year.
12. Prior to the issuance of the building permit, any outstanding planning review fees shall be paid in full.
13. PDS shall be notified within 30 days after any change in ownership of the parcel through a letter to the Director referencing PL11-0178.
14. Per SCC 14.16.900(3), the applicant shall comply with the annual certification process, acknowledging in writing compliance with the applicable permit approvals, including any conditions that apply.
15. Failure to comply with any condition may result in permit revocation.

**DECISION**

The requested Special Use Permit Modification (PL11-0178) is approved, subject to the conditions set forth above.

**DONE**, this 7<sup>th</sup> day of February, 2012.



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Wick Dufford, Hearing Examiner

Transmitted to Applicant on February 7, 2012.

See Notice of Decision, Page 1, for Reconsideration and Appeal information.