

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Applicant: Skagit County Fire Dist. #13
Attn: Roy Horn
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LaConner, WA 98257

Consultant: Schemmer Consulting Group PLLC
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3014 Commercial Ave., Suite C
Anacortes, WA 98221

Request: Special Use Permit, PL16-0005

Location: 8652 Stevenson Road, Anacortes, within a portion of Sec. 4,
T34N, R2E, W.M. P19865

Land Use Designation: Rural Reserve (RRv)

Summary of Proposal: To make improvements to the existing station by adding a new approximately 2,240 square foot training facility consisting of shipping containers, an approximately 2,000 square foot pole building to be used as a classroom and for storage, and an approximately 1,500 square foot building to be used as crew quarters.

SEPA Compliance: Mitigated Determination of Non-Significance (MDNS) published May 10, 2016.

Public Hearing: July 13, 2016. Testimony by Staff and Applicant and one member the public. Planning and Development Services (PDS) recommended approval.

Decision/Date: The application is approved subject to conditions. August 2, 2016.

Reconsideration/Appeal: Reconsideration may be requested by filing with PDS within 10 days of this decision. Appeal is to the Board of County Commissioners by filing with PDS within 14 days of this decision or decision on reconsideration, if applicable.

Online Text: The entire decision can be viewed at:
www.skagitcounty.net/hearingexaminer

FINDINGS OF FACT

1. Skagit County Fire District #13 seeks permission to continue use of the Summit Park site for an existing fire station and a live fire training facility, and to make improvements.

2. The location is at 8652 Stevenson Road, Anacortes, within a portion of Sec. 4, T34N, R2E, W.M. The parcel numbers is P19865.

3. The applicant seeks to have all of the facilities on site covered by the Special Use Permit sought. The zoning of the site is Rural Reserve (RRv).

4. The site now includes an existing fire station building of approximately 4,000 square feet which is used for fire and aid response within the service area. The station has restroom facilities, served by an onsite sewage system. Water supplied by the City of Anacortes PUD is available on site.

5. A fire-fighting training facility has been built adjacent to the station house. The permit request is for authorization of this facility which includes a training tower of about 300 square feet, a 2,240 square-foot concrete pad for 8' x 8' x 30' shipping containers, and an approximately 2,000 square-foot pole building. The shipping containers are stacked three high in places with a maximum height of about 25 feet. The pole building is to be used as a classroom and for storage. An approximately 1,500 square-foot structure to serve as crew quarters is planned of the near future.

7. During training sessions wood pallets and plywood are ignited. Accelerants for starting fires are stored on site in a hazardous chemical cabinet. Fire trucks and associated fire-fighting equipment are used during training activities. An existing chain link fence surrounds the training facility with access restricted to authorized personnel through locked gates. A vegetated buffer along the fence is proposed.

8. The site has space for more than 34 9' x 9' gravel parking spaces – more than adequate for fire station and trainee needs. Access is by private driveway connecting the south side to Stevenson Road.

9. Features of the training facility will be authorized as soon as permitted. Improvements to meet WDOE requirements are proposed for immediate installation. Crew quarters for six fire fighters are slated to be added in February 2017.

10. The surrounding land uses are commercial and rural. The Summit Park Grange is to the east. The Marine Team, Inc. (boat repair) is to the west, Puget Sound Electric is to the south, and the Samish Nation has vacant commercial land to the north. The next road to the north is State Route 20.

11. The original fire station on the site existed as early as 1969. By 1998 the old station had been replaced by a new building. A major upgrade occurred in 2013 with the addition of the present facilities for training.

12. Given the size of the area served and the presence of growing communities and several refineries in the vicinity, there is a recognized need to provide fire-fighting training facilities for the region. The Summit Park Station and training facility thus fills an urgent local need.

13. Presently there is no employee permanently at the site. It is manned by volunteers. However, increasing demand for service has meant increasing the volunteer schedule. With the new modular housing at the station, the facility will be manned 24/7. The hope and expectation is to significantly reduce emergency response time.

14. Life Fire Trainings are provided for fire fighters from throughout the immediate region. Normally a training involves a maximum of twelve fire fighters split up into teams of four. Weekly training, rotated between stations, is held each Wednesday from 7 p.m. to 9:30 p.m. Weekend training sessions occur on Saturdays between 8 a.m. and 6 p.m. No live fire training is allowed during County Burn Bans.

15. Traffic impacts of the training facility are minimal.

16. Notice of Development was published on March 10, 2016 and posted on the property and mailed to adjacent owners, as required by law.

17. The application was reviewed under the State Environmental Policy Act (SEPA). A Mitigation Determination of Non-Significance (MDNS) was published on June 2, 2016. No appeals were made. The MDNS contained the following conditions:

1. 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 Ordinance. Said measures shall remain in place until completion of the project.
2. The applicant shall comply with Northwest Clean Air Agency requirements.
3. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Stormwater Management Ordinance.
4. The applicant shall comply with Fire Code Standards.
5. An engineered soils compaction report shall be required for all structures placed on fill material.
6. The applicant shall comply with all relevant provision of 14.24 (Skagit County Critical Areas Ordinance) of the Skagit County Code.
7. A Construction or Industrial, Stormwater General Permit (NPDES) may be required by the Department of Ecology (WSDOE) for this project. Contact WSDOE Bellingham Field Office at (360) 715-5200 to determine if an NPDES permit is required.

18. The application was routed to various departments and agencies for review. Their comments are reflected in conditions of approval. Critical Areas review staff indicated that critical areas review was completed and approved with PL15-0415.

19. The Staff reviewed the application in light of the Special Use Criteria of SCC 14.16.900 and determined that, as conditioned, the proposal 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.

20. The only criterion of potential difficulty is the requirement to avoid undue air pollution impacts. The activities on site have the approval of the Northwest Air Pollution Agency. No burning is allowed during any stage of an air pollution episode. Smoke is not to be emitted in a manner which creates a nuisance or interferes with visibility on public roads. The activities are temporary and as conditioned do not create undue air pollution.

21. One member of the public testified to concerns about water pollution. Water used in the training is segregated, contained on site and disposed of safely. Further, there is little likelihood of stormwater contamination. Stormwater management, incorporating features dictated by WDOE, should insure adequate ash recovery so that there are no ill effects to the nearby waters of Padilla Bay.

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

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over this proceeding. SCC 14.06.050(1)(b)(ii).
2. The requirements of SEPA have been met.
3. The fire station and training facility is a major public use. Major public uses or expansion thereof require a Hearing Examiner Special Use permit. SCC 14.16.320(4)(o).
4. The proposal, as conditioned, meets the requirements for approval of a Special Use Permit. SCDFC 14.16.900(1)(b)(v).
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

CONDITIONS

1. The Fire Station and Fire Training Facility shall be built and operated as described in the application materials, except as the same may be modified by these conditions.
2. The applicant shall obtain all other applicable permits and abide by the conditions of same.
3. The applicant shall abide by the conditions set forth in the MDNS, published June 2, 2016. (See Finding 17).

4. The operations on site shall comply with all applicable local and State regulations, including, but not limited to:

- a. SCC 14.16.840: parameters for noise, light and vibration
- b. Chapter 173-60 WAC: state levels for noise
- c. SCC 14.24.330(2): site plan showing approximate location of wells within 1,000 feet of subject property, unless deemed to be exempt.

5. Approved building permits shall be obtained.

6. Concrete poured without inspections shall be reviewed by an engineer.

7. The operations shall comply with all Skagit County Fire Marshal requirements.

8. The applicant shall at all times have a valid Northwest Clean Air Agency burn permit and shall be in compliance with all conditions regarding the live fire trainings.

9. The site and all operations shall be in compliance with the applicable stormwater requirements. No waste water shall be allowed to drain off site. Waste water from training events shall be stored onsite in tanks and removed/pumped by the City of Anacortes or another approved recipient.

10. Any change in on-site operations or future additions shall be reviewed by PDS to determine if a Special Use Permit modification is required.

11. Prior to issuance of any building permit, all outstanding planning review fees shall be paid in full.

12. PDS shall be notified within 30 days after any change in ownership of the parcel, through a letter to the Planning director referencing PL16-0005.

13. Per SCC 14.16.900(3), the applicant shall comply with the annual certification process, acknowledging in writing compliance with the original permit approval, including any conditions.

14. Any facet of this permission which has not been established or a complete building permit filed within two years of permit approval shall become void.

15. Failure to comply with any condition may result in permit revocation. SCC 14.16.900(b)(iii).

DECISION

The requested Special Use Permit (PL16-0005) is approved, subject to the conditions set forth above.

DONE, this 2nd day of August, 2016.



Wick Dufford, Hearing Examiner

Transmitted to Applicant: August 2, 2016.

See Notice of Decision, page 1, for appeal information.