

WHATCOM COUNTY HEARING EXAMINER

RE: Zoning Conditional Use Permit)	CUP2018-0004
Application for)	
G&R AutoSports)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
)	AND DECISION

SUMMARY OF APPLICATION AND DECISION

Application: The Applicant is requesting a Zoning Conditional Use Permit to operate a car stereo and security business in the Marine Drive Business Park, addressed as 3135 Mercer Avenue, No. 101, Bellingham, Washington.

Decision: The requested Zoning Conditional Use Permit is approved, subject to conditions.

FINDINGS OF FACT

INTRODUCTION

The following Findings of Fact and Conclusions of Law are based upon consideration of the exhibits admitted and evidence presented at the public hearing.

I.

Applicant: G&R AutoSports

Site Location/Address: 3135 Mercer Avenue, No. 101
Bellingham, Washington 98225

Assessor's Parcel Number(s): 380223 112435

Zoning: Light Industrial [LII]

Comprehensive Plan: Light Industrial [LII]

Subarea: Urban Fringe

Lot Size: approximately 5.2 acres

Fire Protection: Whatcom County Fire District No. 8

Law Enforcement: Whatcom County Sheriff's Office

Adjacent Land Uses:
North: Light Industrial
East: Light Industrial
South: Light Industrial
West: Light Industrial

Authorizing Codes, Policies, Plans, and Programs

Revised Code of Washington [RCW] Chapter 36.70 and Chapter 58.17
Whatcom County Comprehensive Plan
Whatcom County Code, Title 2, Chapter 2.33 – Permit Review Procedures
Whatcom County Code, Title 20, Official Whatcom County Zoning Ordinance
Whatcom County Code, Title 14, Use of Natural Resources
Whatcom County Code, Chapter 12.08, Development Standards
Whatcom County Code Chapter 15, Building Code/Fire Code
State Environmental Policy Act (SEPA); Washington Administrative Code Chapter 197-11,
Whatcom County Environmental Policy Administration Chapter 16.08
Whatcom County Code Chapter 16.16, Critical Areas
Whatcom County Code Title 24, Health Regulations

Legal Notices:
Notice of Application, May 22, 2018
Published Notice of Public Hearing, July 5, 2018
Posted Notice of Public Hearing, July 5, 2018
Mailed Notice of Public Hearing, June 29, 2018

Hearing Date: July 18, 2018

Parties of Record

G&R AutoSports
Marine Drive Business Park, No. 101
Bellingham, WA 98225

Dave Rodgers
3824 Williamson Way
Bellingham, WA 98226

Charles Sullivan, Planner
Planning and Development Services

Exhibits

1 Conditional Use Application, with attachments
1-1 Proposed Land Disturbance

- 1-2 Agent Authorization
- 1-3 Comment Form Letter, May 23, 2018 opposing application
- 1-4 Preliminary Traffic & Concurrency Information
- 1-5 PDS Comment Form Letter, May 23, 2018: Notice of Application
- 1-6 Customer Receipt, May 10, 2018
- 1-7 County Assessor & Treasurer-Property Details

- 2 Staff Report, dated July 9, 2018

- 3 Agency Comments
 - * Plans Examiner-Building Services, June 27, 2018, with attached General Conditions for Commercial Buildings
 - Environmental Health, June 21, 2018
 - Fire Marshal, June 20, 2018
 - Engineering Services, May 29, 2018

- 4 Certificate of Mailing, Notice of Application, May 23, 2018

- 5 PDS Instructions for Obtaining Names, Addresses and Parcel Numbers of Property Owners

- 6 Exemption from Concurrency Evaluation

- 7 Legal Notice of Application, May 22, 2018, with attached Mailing Labels

- 8 Certificate of Mailing Notice of Public Hearing, June 29, 2018

- 9 Certificate of Posting Notice of Public Hearing, July 5, 2018

- 10 Bellingham Herald Affidavit of Legal Notice of Public Hearing, July 5, 2018

- 11 Site Plan and Key Map, prepared by DBW Mercer, LLC, January 21, 2015

II.

The Applicant seeks approval for a Zoning Conditional Use Permit to operate a car stereo and security business. The proposal includes renting a 2400-sq.ft. space within the Marine Drive Business Park. The business includes the following services: car audio, remote start/car alarm installation, lighting system upgrades, upholstery repairs, ignition interlock installations, and suspension upgrades.

The Land Use Division of Whatcom County Planning and Development Services Staff recommended approval of the requested Zoning Conditional Use Permit, subject to conditions. The Findings of Fact and Conclusions of Law of the Division are set forth in a

Staff Report, Exhibit No.2, dated July 9, 2018, in the Hearing Examiner's file. The Hearing Examiner finds that the factual findings set forth in the Staff Report, a copy of which is attached hereto, are supported by the record as a whole and are incorporated as Findings of Fact herein by this reference.

The Applicant indicated there were no factual inaccuracies in the Staff Report. The Applicant indicated no objection to any of the Conditions of Approval requested by Staff. There was no public comment on this proposal at the public hearing.

III.

Any Conclusion of Law which is deemed a Finding of Fact is hereby adopted as such. Based on the foregoing Findings of Fact, now are entered the following

CONCLUSIONS OF LAW

I.

The proposed Application to establish a car stereo and security business, renting space within the Marine Drive Business Park can be approved if it is consistent with the Zoning Conditional Use Criteria of WCC 20.84.220 (1 through 9). Subject to the Conditions of Approval attached to the granting of this Permit Decision, the proposal is consistent with the Conditional Use Criteria, as found by the Technical Review Committee in the attached Staff Report. A Zoning Conditional Use Permit should be granted, subject to the Conditions of Approval recommended by the Technical Review Committee.

II.

Any Finding of Fact deemed to be a Conclusion of Law is hereby adopted as such. Based on the foregoing Findings of Fact and Conclusions of Law, now is entered the following

DECISION

A Zoning Conditional Use Permit is hereby granted to G&R AutoSports to establish a car

electronics and auto security installation business within the Marine Drive Business Park, located on Assessor's Parcel No. 380223 112435, addressed as 3135 Mercer Avenue, No. 101, Bellingham, Washington, subject to the following conditions:

Planning Division

1. The use and location on site as shown on plans date stamped May 10, 2018 shall not be modified or changed in any way without further approval of the Whatcom County Hearing Examiner.
2. The proposed business requires a building permit from the Whatcom County Planning and Development Services at the time of application in order to change the occupancy and address requirements associated with that change, in accordance with the IFC and International Building Code [IBC].
3. All development shall comply with the Whatcom County Development Standards (WCDS).
4. A pre-application screen meeting will be required prior to submittal for permit to determine if a Building Services pre-application meeting will be required or waived. If a Conditional Use Permit is required, it must be approved prior to the screening meeting date. Call 360-778-5900 to set up a screening meeting with the Building Department supervisor or a plans examiner.
5. The Applicant shall provide documentation on the Hazardous Materials cabinet that indicates that it meets current State Standards.
6. The Applicant shall complete Hazardous Materials Inventory sheet(s), which shall be turned into Building Services at the time of building permitting.
7. No welding or hot works allowed in the building unless the purposed area conforms to the International Fire Code.

NOTICE

This Approval is subject to all of the above-stated conditions. Failure to comply with them may be cause for its revocation. Complaints regarding a violation of the conditions of this permit should be filed with Whatcom County Planning and Development Services. The Hearing Examiner may not take any action to revoke this approval without further public hearing. Violations of this title shall constitute Class I civil infractions pursuant to RCW 7.80.120. The maximum penalty and the default amount for such violations shall be consistent with Chapter 7.80.RCW.

NOTICE OF APPEAL PROCEDURES FROM FINAL DECISIONS OF
THE WHATCOM COUNTY HEARING EXAMINER

This action of the Hearing Examiner is final.

The applicant, any party of record, or any county department may appeal any final decision of the hearing examiner to Superior Court or other body as specified by WCC 22.05.020. The appellant shall file a written notice of appeal within 21 calendar days of the final decision of the hearing examiner, as provided in RCW 36.70C.040.

More detailed information about appeal procedures is contained in the Whatcom County Code Title 22 and Title 23.60 and which is available at <http://www.codepublishing.com/WA/WhatcomCounty>.

DATED this 20th day of July 2018.

Michael Bobbink

Michael Bobbink, Hearing Examiner

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-778-5900, TTY 800-833-6384
360-778-5901 Fax



Mark Personius, AICP
Director
RECEIVED
JUL 16 2018
WHATCOM COUNTY
HEARING EXAMINER

**WHATCOM COUNTY PLANNING AND DEVELOPMENT SERVICES
STAFF REPORT**

Date: July 9, 2018
Hearing Date: July 18, 2018

The application of G&R Auto Sports for a Conditional Use Permit	CUP2018-00004 FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS
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I. SUMMARY OF APPLICATION AND RECOMMENDATIONS

Summary: The applicant has applied for a conditional use permit to site a car electronics and auto security installation business at 3135 Mercer Avenue #101.

Recommendation: The Technical Review Committee recommends approval subject to the attached conditions.

II. PRELIMINARY INFORMATION

EXHIBIT

A. BACKGROUND INFORMATION

Applicant: G&R Auto Sports
1019 Iowa Street Suite #107
Bellingham WA, 98229

#2

Property Owner: DBW Marine Drive, LLC
3824 Williamson Way
Bellingham WA, 98226

Agent: Dave Roberts
3824 Williamson Way
Bellingham, WA 98226

Site Location/Address: 3135 Mercer Avenue #101
Bellingham WA 98225

Legal Description: LOT 2 MARINE DRIVE INDUSTRIAL PARK SHORT
PLAT AS REC AF 1464419-EXC PTN DAF-BEG AT
MOST NLY COR OF SD LOT 2-TH S 41 DEG 13' 47"

Staff Report

W ALG NWLY LI OF LOT 2 67.53 FT-TH S 52 DEG
52' 47" E 240.52 FT-TH S 48 DEG 30' 47" E 128.90
FT TAP ON SELY LI OF SD LOT 2-TH N

Assessor's Parcel Number: 380223112435

Zoning: LII

Comprehensive Plan: LII

Subarea: Urban-Fringe

Lot Size: Approximately 5.2 acres

Roads: Public- Mercer Avenue

Water Supply: Water District #2

Sewage Disposal: City of Bellingham

Fire Protection: Whatcom County Fire District #8

Law Enforcement: Whatcom County Sheriff's Office

Public Schools: District 501

Topography: General topography on the site is flat.

Vegetation: The subject site has little vegetation

Adjacent Land Uses:

North:	LII - Industrial
East:	LII - Industrial
South:	HII - Industrial
West:	LII - Industrial

B. AUTHORIZING CODES, POLICIES, PLANS, AND PROGRAMS:

1. Revised Code of Washington (RCW) Chapter 36.70
2. Revised Code of Washington (RCW) Chapter 58.17
3. Whatcom County Comprehensive Plan
4. Whatcom County Code, Title 2, Chapter 2.33 - Permit Review Procedures
5. Whatcom County Code, Title 20, Official Whatcom County Zoning Ordinance
6. Whatcom County Code, Title 14, Use of Natural Resources
7. Whatcom County Code Chapter 12.08, Development Standards
8. Whatcom County Code Chapter 15, Building Code/Fire Code
9. State Environmental Policy Act (SEPA); Washington Administrative Code Chapter 197-11, Whatcom County Environmental Policy Administration Chapter 16.08

- 10. Whatcom County Code Chapter 16.16, Critical Areas
- 11. Whatcom County Code Title 24, Health Regulations

III. APPLICATION PROPOSAL

The applicant, G&R Auto Sports, is proposing to move their car stereo and security business into a Suite #101 at the Marine Drive Business Park. The business proposes to rent 2,400 square feet of a 14,400 square foot building. The business currently operates at 1019 Iowa Street in Bellingham.

G&R Auto Sports offers a variety of services including car audio, remote start/ car alarm installation, lighting system upgrades, upholstery repairs, ignition interlock installations and suspension upgrades. The business has 3 employees. A limited amount of materials and inventory will be stored at the facility for installation.

The applicants expect that the business will generate 27 total vehicle trips per day. There is ample parking for the proposal. All parking, stormwater and other infrastructure for the project has been built and approved with the business park. There is no land disturbance required for the project.

IV. SITE DESCRIPTION

The project site is in building number two of the Marine Drive Business Park. It is located within the City of Bellingham urban growth area. The site contains five buildings ranging in size from 12,000 square feet to 16,800 square feet. Uses within the buildings are a mix of commercial uses including a marine antennae fabricator, wire and rope distributor and a military fluid processor. The adjacent land uses are a mix of commercial uses.

The site is generally flat. It is almost entirely covered by impervious surface in the form of buildings and paved parking areas. The site has little vegetation. Landscaping and Parking for the business Park were reviewed and approved through building permits for the buildings.

The Business Park has built the infrastructure to have four additional buildings. These buildings will total 43,000 square feet in floor area. All buildings on-site are serviced by Water district #2 and The City of Bellingham Sewer. There is a stormwater system that has been approved by Whatcom County Public Works.

V. PUBLIC NOTICE AND COMMENT

Requirements for public notice are contained in Chapter 2.33 WCC.

Notice of Application: The Notice of Application was published on May 22, 2018. The fifteen (15) day comment period ended on June 7, 2018.

On May 22, 2018, the Notices of Application were mailed to property owners whose boundaries lie within 300 feet of the subject property.

Notice of Public Hearing: The Notice of Public Hearing for this application was published in a one-time newspaper publication in the Bellingham Herald.

Public Comment: One public comment was received during the comment period. The comment Stated:

I oppose this application. Conditional use permits altering the character of a neighborhood are unfair to the current land owners who use their property in accordance with the existing zoning and purchased their property with that zoning in place.

A car stereo and security installation business by its very nature would add obnoxious noise to the neighborhood. Also, the resulting increased automobile traffic in the area with two parks and some private homes would negatively impact property values and quality of life.

The proposal for a car stereo and security installation business is unlikely to change the character of the neighborhood. The business will take place inside, which will limit the noise significantly. The Light Impact industrial zone allows for far more impactful businesses than is being proposed.

Traffic for the business park was contemplated and approved with the building permits for the building park that will house the business.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The State Environmental Policy Act (SEPA) requires applicants to disclose potential impacts to the environment unless the proposal is categorically exempt from SEPA threshold review.

Pursuant to WCC 16.08 and WAC 197-11-800 (6)(b), minor land use decisions such as change of uses are exempt provided they are conducted within and existing building and that the activities will not change the character of the building within an existing building or facility in a way that would remove it from an exempt class.

VII. CONSISTENCY WITH REGULATIONS, FINDINGS OF FACT

A. WCC Chapter 12.08 – Roads and Bridges

WCC Chapter 12.08 adopts and gives authorization for development standards for development within Whatcom County. Whatcom County shall establish uniform, comprehensive and distinct requirements which shall be applied to all developments. These requirements shall be established as "Whatcom County

development standards” and shall exist to provide clear development guidelines for all construction activity within the county. These standards shall establish administrative and technical requirements for the implementation of land use regulations and shall provide the basis by which developments are evaluated to ensure compliance with county regulations.

The applicant is requesting a Zoning Conditional Use Permit to operate a car stereo and Installation Company in the existing warehouse building, unit #101 located at the above address. The subject parcel is Lot 2 of the approved Mercer Station Industrial Short Plat. Site is accessed off of Marine Drive via private dead end road named Mercer Avenue.

The Technical Review Committee has determined that as discussed above and conditioned the proposal meets the requirements of WCC Chapter 12.08.

B. WCC Title 16 – Whatcom County Critical Areas Ordinance

WCC Chapter 16.16 of the Whatcom County Code contains standards, guidelines, criteria and requirements intended to identify, analyze, preserve and mitigate potential impacts to the County’s critical areas and to enhance and restore degraded resources such as wetlands, riparian stream corridors or habitat, where possible.

The proposal requires no land disturbance. All work is to be completed within an existing building. No critical areas review is required.

The Technical Review Committee has determined that as discussed above, the proposal meets the requirements of WCC Chapter 16.16.

C. WCC Title 20 – Official Whatcom County Zoning Ordinance

Chapter 20.66 – Light Impact Industrial (LII) District

WCC 20.66.010 Purpose.

The purpose of the Light Impact Industrial District is to implement the Comprehensive Plan by providing for the planned development of large land areas, in appropriate locations within urban growth areas, primarily for industrial and subordinate uses which provide support services to the district. Light industrial uses are primarily related to services, and distribution, manufacture and assembly of finished products that have a relatively light impact on adjacent uses and districts. Furthermore, it is the purpose of this district to encourage the master planning of the entire industrial site in ensuring compatibility between industrial operations, as well as the existing and future character of adjacent areas. It is also a purpose of this district to accommodate limited commercial uses that are incompatible with other commercial uses.

20.66.150 Conditional uses.

.153 Repair, service and accessory sales for motor vehicles, boats and farm implements provided:

(1) The use or uses are not expected to generate significantly more traffic than that which would ordinarily be expected by an industrial use of comparable intensity; and

(2) It can be established that sufficient undeveloped, usable property zoned LII is available for the outright permitted uses within the planning subarea for the projected life of the plan as determined by the planning department. Applicant will be responsible for furnishing necessary information.

The proposed use will only generate up to 27 trips per day. The traffic impacts were reviewed by Whatcom County Public Works and found to be exempt from traffic concurrency.

The Marine Drive Business Park has complete SEPA review and constructed an approved stormwater system to support 43,000 square feet of additional LII zoned buildings on the site. The Marine Park business Park will be able to provide additional building space in the LII for approved uses in the subarea.

20.84.220 Criteria.

Before approving an application, the hearing examiner or zoning administrator shall ensure that any specific standards of the use district defining the use are fulfilled, and shall find adequate evidence showing that the proposed use at the proposed location:

(1) Will be harmonious and in accordance with the general and specific objectives of Whatcom County's Comprehensive Plan and zoning regulations.

The use is allowed with a conditional use permit. Light industrial uses are primarily related to services, and distribution, manufacture and assembly of finished products that have a relatively light impact on adjacent uses and districts. The applicant is proposing a service where they assemble finished products within an automobile.

(2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.

The proposal is to house an automotive car stereo and car alarm service in an existing business park. The character of the neighborhood will remain unchanged.

(3) If located in a rural area (as designated in the Comprehensive Plan), will be consistent with rural land use policies as designated in the rural lands element of the Comprehensive Plan.

The proposal is not located in an area designated as rural as designated tby the comprehensive plan.

(4) Will not be hazardous or disturbing to existing or future neighboring uses. *As conditioned, the proposed business will not be hazardous or disturbing to existing or future neighboring uses.*

(5) Will be serviced adequately by necessary public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The Technical Review Committee has reviewed the application and as conditioned the proposal will be adequately served by public facilities.

- *Policy and Fire Protection will be provided by the Whatcom County Sheriff's Department and Whatcom County Fire District 8.*
- *Access to the site will be from an approved access point on Mercer Avenue.*
- *Whatcom County Public Works Department has reviewed the stormwater for this proposal and approved the project.*
- *Sewer will be provided by the City of Bellingham.*
- *Water will be provided by Whatcom County District #2.*
- *The proposal will not increase use of schools in the area.*

(6) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

The applicant will realize all costs associated with the proposed development and maintenance upon approval.

(7) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors.

Subject to the proposed conditions, the proposal will not be detrimental to any person's property, or the general welfare by reasons of excessive traffic, noise, smoke, fumes, glare, or odors.

(8) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets.

Whatcom County Public Works Engineering Services reviewed the site plan, and the preliminary traffic proposal submitted with the application, and determined that, as conditioned, the proposal does not create an interference with traffic on surrounding public streets.

(9) Will not result in the destruction, loss or damage of any natural, scenic or historic feature of major importance.

There is no demolition or earthwork proposed with the proposal. The site will remain relatively unchanged.

WCC 20.66.350 Building setbacks.

Building setbacks shall be administered pursuant to WCC 20.80.200, 20.80.254 and 20.66.550. (Ord. 2004-021 § 1, 2004; Ord. 2001-023 § 1, 2001; Ord. 97-046 § 2, 1997).

<i>Light Impact Industrial (LII)</i>							
<i>Road Type</i>						<i>Other</i>	
Commercial, Industrial, I-5, State Hwys, Principal & Minor Arterials	Collector Arterials or Major Collectors	Minor Collectors	Local Access Streets	Neighborhood Collector	Minor Access Streets	Side Yard	Rear Yard
30'	30'	30'	30'	30'	20'	10'	10'

No new buildings are being proposed. All existing buildings are in conformance with this provision.

WCC 20.34.653 Landscaping.

Refer to WCC 20.80.300 for landscaping requirements.

WCC 20.80.315 Scope.

This section shall apply to all permitted and conditional uses except as specifically listed below. It will apply to mobile home parks and recreational vehicle parks to augment the standards found in WCC 20.80.950; in the case of conflicts the more restrictive regulations shall apply. Remodeling projects representing 50 percent of the assessed valuation of the structure are also covered by this section, but with the requirements modified as needed to fit the existing situation. Major conversions

of use such as bed and breakfast establishments from single-family houses if five or more parking stalls are required are also included.

This section does not apply to:

- (1) Farms and accessory uses associated with farming;
- (2) Single-family houses and duplexes and their accessory uses when not developed as part of an overall complex;
- (3) Subdivision(s), short subdivision(s) and binding site plans;
- (4) Remodels representing less than 50 percent of the assessed valuation of the structure;
- (5) Conversions of uses requiring less than five parking stalls.

20.80.320 Plans.

Prior to the issuance of a building permit a scaled landscape site plan shall be submitted to and approved by the land use division of planning and development services consistent with the provisions herein. This plan shall specify species name, size and location of all proposed plant materials and all existing trees over eight inches in caliper including those to be removed which shall be indicated. Existing trees which are part of a cluster of trees need not be individually identified. An irrigation plan or specified method of watering and the type and location of all proposed lighting shall also be included. Existing plants or native species which may need no watering should be so noted. The plan shall specify the treatment of the soil to protect its structure including method of protecting existing trees to remain and their root zones. The preferred scale of a plan shall be one inch equals 20 feet; but other scales may be used if approved by the zoning administrator, adequate detail can be conveyed and the scales correlate to other required site plans.

A landscape plan was submitted and approved with all building permits on the site. The proposed business is a remodel that represents less than 50 percent of the assessed valuation of the structure. It is therefore exempt from landscaping requirements per WCC20.80.315 (4).

WCC 20.80.505 General requirements.

(3) Whenever a building or structure constructed after the effective date of this ordinance is changed or enlarged in floor area, number of employees, number of housing units, seating capacity or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change; provided whenever a building or structure existing prior to the effective date of this ordinance is enlarged to the extent of 50 percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

Parking was reviewed and approved with the building permit. The facility has been found to have adequate parking. Four parking spots are required for the business.

WCC 20.34.659 Drainage.

All development activity within Whatcom County shall be subject to the stormwater management provisions of the Whatcom County Development Standards unless specifically exempted.

No project permit shall be issued prior to meeting submittal requirements relating to stormwater management in the appropriate chapters of the Whatcom County Development Standards.

The Whatcom County Public Works Engineering Division has reviewed the project for compliance with stormwater regulations and recommended approval.

WCC 20.80.21 – Concurrency

WCC Section 20.80.212 states that no conditional use permit shall be approved without a written finding that:

1. All providers of water, sewage disposal, schools, and fire protection serving the development have issued a letter that adequate capacity exists or arrangements have been made to provide adequate services for the development.
2. No county facilities will be reduced below applicable levels of service as a result of the development.

Water & Sewer

The application states that water and sewer will be provided by the City of Bellingham.

Schools

The Technical Review Committee notes that public notice of the proposed use was published in a journal of record, and no comments were received from the School District indicating that the use would increase a requirement for services, or costs associated with improvements. The Technical Review Committee finds that no county school facilities will be reduced below applicable levels of service as a result of the development.

Fire Protection

The proposed use is located within the service area designated as Fire District 8. No concurrency mitigation is required by the Fire District for the project.

The Technical Review Committee has determined that, as discussed above, the

project meets the requirements of WCC Chapter 20.80.212. The Technical Review Committee finds that no county facilities will be reduced below applicable levels of service as a result of the development.

WCC 22.05.140- Expiration of project permits.

(1) Project permit approval status shall expire two years from the date of approval except where a different duration of approval is authorized by Whatcom County Code, or is established by a court decision or state law, or executed by a development agreement. The decision maker may extend this period up to one year from the date of original expiration upon written request by the applicant.

The project permit will expire two years from the date of approval per WCC22.05.140.

D. Health Code (Title 24)

The purpose of Title 24 is to provide minimum standards to safeguard public health and welfare by regulating and controlling the activities considered in this title and any related work.

The Whatcom County Health Department (WCHD) reviewed the application and on June 21, 2018, submitted a memo approving the project with no conditions:

The Technical Review Committee has determined that the project meets the requirements of WCC Title 24.

E. WCC Title 15 – Buildings & Construction

Building Code: WCC Title 15 adopts and amends the applicable building and fire codes. The Building Official is authorized to promulgate such rules, policies and/or procedures as deemed necessary for the efficient operation of the permit process as administered by the department of building safety, designated in IBC Section 103.1, and hereby referred to as the building services division of the Whatcom County Planning and Development Services Department.

The Whatcom County Plans Examiner submitted a memo dated June 27, 2018 with comments. The Plans Examiner conditions of approval for this proposal are listed in Section IX of this document. The applicant shall comply with all conditions of the Chief Plans Examiner's unless modified by the Chief Plans Examiner or appealed to the appropriate agency.

In addition, Building Services noted the following initial Building Permit conditions for approval. They are subject to change and additional conditions will be included when more detailed plans are submitted.

Project Review Discussion Car Audio Sales and Installation

Plans and Studies Submitted and Reviewed

These conditions are based on review of the following documents that were submitted by the applicant:

- Whatcom County *Conditional Use Application*;
- Project narrative;
- Preliminary Site Plan (dated 1.11.13).
- Preliminary floor plans (Dated 3.3.16)

Discussion of Applicable Codes

The application was submitted on May 22nd 2018 and is subject to review under Title 15 (ORD 2010-041).

The Technical Review Committee has determined that as discussed above, the conditional use permit application meets the requirements of WCC Title 15.

Fire Code: Will Anderson of the Whatcom County Fire Marshalls Department reviewed the proposal and submitted a memo dated June 20, 2018 with conditions of approval for the project.

The Technical Review Committee has determined that as discussed above, the conditional use permit application meets the requirements of WCC Title 15.

VIII. RECOMMENDATION

The Technical Review Committee recommends that the Whatcom County Hearing Examiner approve the applicant's request for a conditional use to operate an automobile stereo and security system installation business subject to conditions found in Section IX of this report.

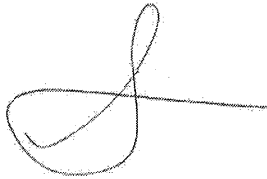
IX. CONDITIONS OF APPROVAL

1. Permit Changes or Modifications: The use and location on site as shown on plans date stamped May 10, 2018 shall not be modified or changed in any way without further approval of the Whatcom County Hearing Examiner.
2. Building Permit Required: A building permit will be required to change the occupancy and address requirements associated with that change, in accordance with the IFC and International Building Code (IBC) at the time of that application.
3. Development Standards: All development shall comply with the Whatcom County Development Standards (WCDS).
4. Pre-application Screening: A pre-application screen meeting will be required prior to submittal for permit to determine if a Building Services pre-application

Staff Report

meeting will be required or waived. If a Conditional Use Permit is required, it must be approved prior to the screening meeting date. Call 360-778-5900 to set up a screening meeting with the Building Department supervisor or a plans examiner.

5. Provide documentation on the Hazardous Materials cabinet that indicates that it meets current state standards.
6. Hazardous Materials Inventory sheet(s) are to be completed and turned in at time of building permitting.
7. No welding or hot works allowed in the building unless the purposed area conforms to the International Fire Code.

A handwritten signature in black ink, appearing to be 'Charles Sullivan', with a long horizontal line extending to the right.

Report prepared for the Technical Review Committee by:

Charles Sullivan
Planner II – Current Planning