

ISLAND COUNTY HEARING EXAMINER

RE: Site Plan Review ) File No. SPR 321/08  
Applicant: Bridge Christian )  
Fellowship Church ) FINDINGS OF FACT  
 ) CONCLUSIONS OF LAW  
 ) AND DECISION  
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**SUMMARY OF THE APPLICATION AND DECISION**

APPLICATION: Bridge Christian Fellowship is seeking Site Plan approval and a Type 2 Reasonable Use determination for a church on a 19.09-acre parcel zoned Rural Agriculture, located within Noise Zone 3. The granting of these approvals will result in the construction and operation of a church facility with seating for 500 people, as well as parking, and all required site preparation work.

DECISION: The Site Plan and Type 2 Reasonable Use Determination are approved, subject to conditions.

**I. INTRODUCTION**

The Hearing Examiner, being fully informed in the proceedings, enters the following Findings of Fact, Conclusions of Law and Decision based upon the entire record, including the exhibits admitted herein and the testimony and evidence presented at the public hearing on May 5, 2011.

**NOTE:** For a complete record, an electronic recording of the hearing in this matter is available in the Island County Planning and Community Development Department.

**II. FINDINGS OF FACT**

A. PRELIMINARY INFORMATION

Applicant: Bridge Christian Fellowship Church

Date of Application: November 10, 2008 (Exhibit 1)

Notice of Application  
Sign Posted: December 17, 2008 (Exhibit 67)

Property Location: The subject property is located along the north side of Troxell Road, approximately 0.4 miles east of the intersection of State Route 20, Oak Harbor, WA in NE ¼ of Section 2, Township 33 North, Range 1 East, W.M. Assessor's Parcel #R13302-331-3620. (Exhibit 1)

Applicable Codes: Chapter 17.03 ICC, Zoning Ordinance; Chapter 16.15, Site Plan Review Ordinance; Chapter 16.19, Land Use Review Process; and Chapter 16.14C, County Environmental Policy

SEPA Determination: DNS issued on March 30, 2011. No appeal was filed. (Exhibits 67-76)

Public Hearing Notices:

Published: April 20, 2011 (Exhibit 102)

Mailed: March 31, 2011 (Exhibits 97-98)

Staff Report Mailed: April 25, 2011 (Exhibits 99-101)

Public Hearing Date: May 5, 2011

B. LIST OF EXHIBITS

1. Staff Report
2. Review Comments to Quin Clements from Brandon Sweeza, dated 3/30/2011
3. Final SEPA Threshold Determination, dated 3/30/2011
4. Master Land Development Permit Application, received 11/10/2008
5. Application for Site Plan Review, received 11/10/2008
6. Project proposal narrative & visual analysis, received 11/10/2008
7. Legal description of parcel R13302-331-3620, received 11/10/2008
8. Letter for well site approval to Jeffrey Tasoff from Vincent Sherman, received 11/10/2008
9. Site Registration, received 11/10/2008
10. Declaration of Covenant, received 11/10/2008
11. Letter to Quin Clements from Connie Bowers, received 11/10/2008
12. Application for access to county road right of way, received 11/10/2008
13. Drainage Narrative, received 11/10/2008
14. Affidavit of posting and notice of a community meeting, received 11/10/2008
15. Floor plans, received 11/10/2008
16. Site Improvement plans, received 11/10/2008
17. Wetland Mitigation plan, no date
18. Environmental Checklist, received 11/10/2008
19. Application for Type 2 Reasonable Use, new information submitted 10/13/2009
20. Environmental Checklist, new information submitted 10/13/2009
21. Site Plan & Floor Plan maps, new information submitted 10/13/2009
22. Letter from to Bobak Talebi from Quin Clements, new information submitted 10/13/2009
23. Supplemental Site Plan Review Application Checklist, new information submitted 10/13/2009
24. Memorandum to Island County Community Development from Jeff Tasoff, new information submitted 10/13/2009
25. Critical Area Study and Wetland Mitigation Plan, new information submitted 10/13/2009
26. Drainage Narrative, new information submitted 10/13/2009
27. Civil Plan Cover map, new information submitted 10/13/2009
28. Site plan map, new information submitted 10/13/2009
29. Grading plan map, new information submitted 10/13/2009
30. Drainage & Tesc plan map, new information submitted 10/13/2009

31. Details map, new information submitted 10/13/2009
32. Details map, new information submitted 10/13/2009
33. Letter to Justin Craven from Quin Clements, new information submitted 8/12/2010
34. The Bridge Christian Fellowship Church Visual Analysis, new information submitted 8/12/2010
35. Color chart, new information submitted 8/12/2010
36. Memorandum to Island County Community Development from Jeff Tasoff, new information submitted 8/12/2010
37. Certified mail receipt to Brad & Christine Brannon and easement questionnaire, new information submitted 8/12/2010
38. Letter to Justin Craven from Andrea Bachman, new information submitted 8/12/2010
39. Critical Area Study and Wetland Mitigation Plan, new information submitted 8/12/2010
40. Wetland Mitigation Plan, new information submitted 8/12/2010
41. Bridge Christian Fellowship Sign, new information submitted 8/12/2010
42. Letter to Brandon Sweeza from Quin Clements, new information submitted 1/11/2011
43. Letter to Randel Perry from Andrea Bachman, new information submitted 1/11/2011
44. Request for Comment, dated 11/10/2008
45. Letter to Ginger Burgess from Aneta Hupfauer, dated 1/6/2008
46. Critical Areas Request for Interpretation or Site visit routed to Justin Craven, dated 12/2/2008
47. Notice of Incomplete Application to Quin Clements from Andreana Richardson, dated 11/21/2008
48. Notice of Complete Application to Quin Clements from Andreana Richardson, dated 12/5/2008
49. Letter to Ginger Burgess from Cody West, dated 12/23/2008
50. Letter to Carole Croft from Bill Poss, dated 1/2/2009
51. Review Comments to Quin Clements from Bobak Talebi, dated 2/3/2009
52. Notice of Complete Application to Quin Clements from Andreana Richardson, dated 11/20/2009
53. Letter to Bobak Talebi from Aneta Hupfauer, dated 11/30/2009
54. Letter to Bobak Talebi from Bill Poss, dated 12/4/2009
55. Memorandum to Bobak Talebi from Justin Craven, dated 2/3/2010
56. Review Comments to Quin Clements from Bobak Talebi, dated 2/18/2010
57. Letter to Brandon Sweeza from Bill Poss, dated 8/19/2010
58. Letter to Brandon Sweeza from Aneta Hupfauer, dated 8/30/2010
59. Memorandum to Brandon Sweeza from Justin Craven, dated 10/6/2010
60. Review Comments to Quin Clements from Brandon Sweeza, dated 10/7/2010
61. Letter to Brandon Sweeza from Aneta Hupfauer, dated 1/19/2011
62. Letter to Brandon Sweeza from Bill Poss, dated 1/24/2011
63. Memorandum to Brandon Sweeza from Justin Craven, dated 3/11/2011
64. Email to Bobak Talebi from Jennifer Meyer, dated 12/16/2009
65. Letter to Mr. Jeff D'Angelo from Randel Perry, received 1/11/2011
66. Email with Letter attachment to Bobak Talebi from Steve Erickson, dated 12/15/2009
67. Affidavit of Posting the Public Notice Sign, received 12/12/2008

68. Affidavit of Mailing the public notice to property owners within 300 ft, dated 12/12/2008
69. Affidavit of Mailing the public notice to Quin Clements, dated 12/12/2008
70. Island County Notice of Application with SEPA, dated 12/17/2008
71. Affidavit of Publication, received 12/23/2008
72. Affidavit of Posting the Public Notice Sign, dated 12/24/2009
73. Affidavit of Mailing the public notice to property owners within 300 ft, dated 11/25/2009
74. Affidavit of Mailing the public notice to Quin Clements, dated 12/25/2009
75. Island County Notice of Application with SEPA, dated 12/2/2009
76. Affidavit of Publication, received 12/7/2009
77. Email to Quin Clements from Ginger Burgess, dated 3/28/2008
78. Email to JD Angelo from Ginger Burgess, dated 3/31/2008
79. Email to Quin Clements from Ginger Burgess, dated 5/7/2008
80. Email to Quin Clements from Ginger Burgess, dated 5/28/2008
81. Email to Quin Clements from Ginger Burgess, dated 10/10/2008
82. Email to Ginger Burgess from Jennifer Meyer, dated 12/10/2008
83. Email to Quin Clements from Bobak Talebi, dated 4/1/2009
84. Email to Quin Clements from Bobak Talebi, dated 4/1/2009
85. Email to Justin Craven & Bobak Talebi from Quin Clements, dated 4/1/2009
86. Site Improvement Plan Cover, additional information submitted 4/13/2011
87. Plot and Site Plan, additional information submitted 4/13/2011
88. Site Electrical Plan, additional information submitted 4/13/2011
89. Site Plan, additional information submitted 4/13/2011
90. Grading Plan, additional information submitted 4/13/2011
91. Drainage and Tesc Plan, additional information submitted 4/13/2011
92. Details Plan, additional information submitted 4/13/2011
93. Details Plan, additional information submitted 4/13/2011
94. Email to Brandon Sweeza from Justin Craven, dated 4/15/2011
95. Letter to Brandon Sweeza from Bill Poss, dated 4/15/2011
96. Letter to Brandon Sweeza from Aneta Hupfauer, dated 4/18/2011
97. Letter from Paula Bradshaw to Quin Clements re: notification of hearing date, dated 3/31/11
98. Affidavit of mailing hearing notice, dated 3/31/11
99. Letter from Paula Bradshaw to Quin Clements re: attached staff report, dated 4/25/11
100. Notice of staff report availability to parties of record, sent 4/25/11
101. Affidavit of mailing staff report, dated 4/25/11
102. Affidavit of publication of hearing, dated 4/26/11

### C. PUBLIC HEARING TESTIMONY

A public hearing was held on Thursday, May 5, 2011 at 2:30 p.m. The following agency staff and citizens appeared and entered their sworn testimony, which is part of the record herein:

Robert H. Pederson, Director, Brandon Sweeza and Justin Craven, Planners  
 Island County Planning & Community Development Department, P.O. Box 5000,  
 Coupeville, WA 98239

Quin Clements, PO Box 1132 Freeland, WA 98249

Jennifer Meyer, Community Planning Liaison, Naval Air Station Whidbey Island  
3537 Charles Porter Avenue, Oak Harbor, WA 98277

Jeff D'Angelo, 3711 West 12<sup>th</sup>, Anacortes, WA 98221

#### D. Compliance with Laws, Regulations and Policies

##### 1. Issues of Concern:

###### A. Agency Comments.

County Staff testified that minor issues arose during project review (lighting, sign size, parking, noise) however, they believe that all such issues have either been resolved or could be addressed adequately through the imposition of conditions of approval, which are included in the Staff Recommendation. (Exhibit 1) Those issues are discussed below. The staff of the Planning and Community Development (“PCD”), Public Works and Public Health Departments reviewed the project and had no objections to the approval of the Site Plan, subject to the conditions stated in their review letters. (Exhibits 45, 49 – 63, 95 and 96)

NAS Whidbey Island also stated its concern about the project, primarily based on the fact that the building is sited within an area with an average noise level of 75 DNL, as well as the fact that their guidelines do not allow for a daycare facility in this location. The Navy also stated its concern if the applicant chooses to place modular buildings on the subject property in the future based on noise concerns. (Exhibits 64, 82; Testimony of Jennifer S. Meyer)

The U.S. Army Corps of Engineers has indicated that the wetland filling proposed on the subject property is in conformance with Nationwide Permit 18, if performed subject to the Terms and Conditions set forth therein. (Exhibit 65)

###### B. Citizen Comments.

Comments were received from the Whidbey Environmental Action Network (“WEAN”) via emailed letter dated December 15, 2009, wherein they raise a number of issues. First, they object to the conversion of rural agricultural zoned lands for the proposed church use, stating that it is simply too big for the proposed location and should be denied. Additionally WEAN commented that a Determination of Significance (“DS”) should have been issued pursuant to SEPA instead of a DNS based on the that that the proposal will periodically subject a large number of people (500) to injurious noise levels. They also cited to the NAS Whidbey Island comments. Additionally, WEAN objects to the calculations of impervious surfaces, arguing that the driveway and

parking areas have been excluded. WEAN also argues that the Director should have rated the use intensity of the site as “High Intensity” rather than “Moderate” for purposes of protecting critical areas on the site. Finally, WEAN notes that outdoor lights should be shielded to protect the dark sky at night. (Exhibit 66)

2. The Proposal and Site. Bridge Christian Fellowship Church (hereinafter “the applicant”), proposes to construct a church with capacity for 500 persons on a 19.09 acre site (hereinafter “the subject property” or “site”), in the Rural Agriculture (RA) zone along Troxell road, approximately .4 miles east of the intersection of State Route 20 in Oak Harbor. The undeveloped site contains an access road, open pasture land and forested areas. Two wetlands have been delineated on the site. There is one single family residence located on the parcel directly east of the subject property. The subject property is located with an AICUZ 3 Noise Zone.
3. Site Plan Approval Criteria – ICC 16.15.080 – The application has been reviewed and recommended for approval pursuant to ICC 16.15.080 by PCD staff. Each requirement of Site Plan Review is considered below.
  - A. Open Space. Pursuant to ICC 17.03.180.S, fifty percent of the site is required to remain in open space. The site plan design meets this requirement and has proposed place 75 percent of the site (642,787 feet) in open space. (Exhibit 27; 89)
  - B. Site Layout. The location of the project, except for the access road, is proposed outside of critical areas and their buffers. The development is located within the center of the property within the forested area, which minimizes the visual impacts of the proposal. Although the southern portion of the site has Coveland Loam (Cn) with a 0-5 percent slope, meaning it is prime agricultural soil, the site layout demonstrates that the proposed structures and parking facilities are not located on any prime agricultural soils and, therefore, the project is not prohibited on this site. (Exhibit 51)
  - C. Lighting. Lighting is addressed below as part of the Zoning Code regulations. A citizen group commented that outdoor lights should be shielded to protect the dark night sky. This will be accomplished through the County’s zoning regulations which require that exterior lights be recessed and hooded.
  - D. Building Design. As proposed, the plans and building designs for the church meet the requirements of building design as set forth in ICC 17.03.180P. Based on the fact that the subject property is located in the AICUZ Noise Zone 3 and within the areas subject to NAS Whidbey Island flight operations, the church will be required to meet the AICUZ noise reduction standard of 35 decibels, including any future module buildings placed on the site. Based on its location, use of the building and site for school instruction for children is limited to Sundays only. No application for a daycare or additional schooling has been submitted and is not allowed on the subject property. (Exhibits 1, 64, 82; Testimony of Jennifer S. Meyer and Brandon Sweeza)

E. Surface Water Drainage. A revised Drainage Narrative report was received from the applicant on October 13, 2009. (Exhibit 26) In its current condition, existing stormwater on the site is allowed to initially infiltrate into surrounding soils while runoff is dispersed through the existing vegetation. The site is currently vacant with the north 2/3 in a forested condition with thick underbrush. The southern 1/3 of the site is covered with pastoral grasses. There are two existing wetlands on the site. In the developed condition, the proposed project will construct a 13,850 square foot church, on-site stormwater facility, associated gravel parking area and access road. The total "impervious area" as defined in the County Code includes buildings and sidewalks in the amount of 19,632 square feet or 2.3 percent of the total site. Additionally, the gravel parking and driveways make up 9.8 percent of the site, at 83,887 square feet.

WEAN suggested in their comments that impervious areas should include buildings, sidewalks and parking and access road areas. The term "impervious surface" is defined to mean:

...[A] hard surface area that prevents, impedes, or retards the infiltration of water into the soil mantle or causes water to run off the surface in greater quantities or at a greater rate of flow than under natural conditions. Common impervious surfaces include roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled surfaces. Open, uncovered retention/detention facilities are not considered impervious surfaces."

ICC 11.03.030(HH). Accordingly, the driveway and gravel parking areas are considered part of the impervious area of the proposed development. Even without those areas, the development clearly involves development in excess of 5,000 square feet of impervious area, which renders the development a "major development" within the meaning of the Storm and Surface water Code. As such, the development proposal must comply with the full review and approval process described in ICC 11.03.150 et seq. Here, Public Works Department staff reviewed the proposed drainage plan, which will involve a mix of conventional and low-impact development stormwater controls, such as on-site dispersal/infiltration, bio-filtration and conventional detention. (Exhibit 95) Staff found that the revised stormwater drainage proposal and methodologies appear to be substantially consistent with Ch. 11.03 ICC and recommend approval of the project, subject to the conditions listed in a letter dated April 15, 2011. (Exhibit 95)

F. Utility Services. The County's Public Health Department determined that the proposal meets the Code requirements for potable water supply (ICC 8.09) through an on-site well, sewage disposal (ICC8.07D), and solid waste management plan. (Exhibit 8, 9, 53) Electricity will be supplied by Puget Sound Energy and telephone service will be provided by Verizon. (Exhibit 18) All utilities on the subject property will be required to be placed underground. (Exhibit 1)

G. Signage. The applicant has proposed signage for the church facility that exceeds the limits of the County's design standards. (Testimony of Brandon Sweezea; Exhibit 1) Signage is more fully discussed in Section 6, below.

H. Traffic and Circulation – The property will take access from Troxell Road, an arterial, through Access Permit APW 08/0293. The private access road must be built to County standards as set forth in the permit. An approved Certificate of Transportation Concurrency (TCA 10192008) was submitted by the applicant. The site plan provides safe and convenient ingress and egress to the proposed building and parking areas. The access road alignment and widths shown on the Site Plans were approved by the Public Works Department on April 15, 2011, subject to certain conditions. (See, Exhibit 95) After review, staff has concluded that the application meets the requirements of Chapter 17.03 ICC.

4. Dedications and Reservation -- ICC 16.15.130 - The Site Plan Review regulations provide that provision for Open Space, drainage ways, streets, or roads may be made by dedicating land for public use, by reserving land for future public acquisition and development, or by conveying land or easements therein to nonprofit corporations for use by all or a limited segment of the public. All dedications and reservations shall be recited on the face of the Site Plan, as well as incorporated in such documents as may be needed to reflect the assignment of interest. In the present case, the applicant has adequately shown on the face of the revised Site Plan (dated 4/12/2011), reservations of open space, critical areas, reserved drainfields, and other required features. (Exhibit 89, Civil Plan, Sheet CO2)
5. Critical Areas – Ch. 17.02 ICC – A critical areas study was performed on the subject property and two wetlands were delineated. The applicant submitted the revised Critical Area Study and Wetland Mitigation Plan on July 20, 2010. (Exhibit 39) Wetland A was determined to be a Class “C” mosaic wetland. The wetland is located within a forest community, but there are no trees rooted within the wetland. (Exhibit 39) The wetland requires protection through a 55-foot buffer, based on a finding of “moderate” intensity of the associated uses proposed in the area. The wetland and buffer are adequately shown on the Site Plan. (Exhibit 89) Wetland B was determined to be a Class “D” wetland. It is a native plant wetland dominated by native species at some time of the year. The wetland requires protection through a 110-foot buffer, based on a finding of “moderate” intensity of the associated uses proposed in the area. The wetland and buffer are adequately shown on the Site Plan. (Exhibit 89)

A. Reasonable Use Determination - Because the access road directly impacts Wetland A (it bisects the wetland in its existing condition with a gravel road), and its required buffer, a Reasonable Use determination and mitigation in the form of wetland enhancement is required. The Hearing Examiner concurs with the analysis in the record demonstrating the applicant's need for a Reasonable Use in this case.

B. Mitigation and Enhancement Plan - The applicant proposes to enhance 14,640 square feet of existing pasture wetlands at an 8:1 ratio (wetland enhancement to impact ratio) for permanent impacts to 1,830 square feet of

Wetland A. In addition, for permanent impacts to 2,240 square feet of the wetland's buffer area, the applicant proposes to dedicate an additional 5,400 square feet of additional buffer area along the northeastern side of Wetland A, within the forested portion of the site, for a 2:1 buffer impact to mitigation ratio. (Exhibit 39) The Examiner finds that the proposed enhancement will provide sufficient mitigation for impacts to the wetland and buffer, and is properly shown on the Site Plan. (Exhibit 89)

6. Compliance with Other Codes: Titles 8, 11, 13, and 17 ICC

A. General Standards. The staff has reviewed the proposed Site Plan and found that it meets the requirements of Titles 8, 11, 13, and 17 ICC, subject to proposed conditions of approval set forth in Exhibit 1. With regard to the specific requirements of the Land Use Controls applicable to the development, the Examiner enters the following additional findings of fact:

B. Zoning Code – Ch. 17.03 ICC – The subject property is zoned RA and the Examiner finds that churches are allowed in the zone as a Type III Conditional Use. The parcel size is greater than 2.5 acres. The issue relating to the fact that a portion of the site consists of prime agricultural soils, has been adequately addressed as discussed in Section 3(B), above.

The application meets all of the general standards set forth in ICC 17.03.180 (Land Use Standards). The applicant held a required community meeting on July 31, 2007. The proposed church was also reviewed for compliance with design, landscape, open space, screening, buffering, signage, parking and lighting standards. The structures meet the design criteria and color requirements for exterior paint, height and bulk. Specific issues relating to those issues are discussed below:

1. Parking. Churches must provide one parking space for each six seats in the church chapel or nave. Here, staff determined that 84 parking stalls are required for a 500-person assembly. The proposed parking design will provide for 143 parking spots, plus an additional 47 overflow parking spots. Gravel will be required for the parking facilities, except that the overflow parking may be on a grass surface, which is conducive to maintaining rural character in the area. The Examiner finds that the applicant has met the parking requirements of the Zoning Code.

2. Signage. The applicant's proposed sign is shown as 8 feet high and 9 feet long (the face is 72 square feet), excluding masonry supports, to be located along Troxell Road. This clearly exceeds the County's design standards, which limits such signs to nine (9) square feet in area per side. (Exhibit 1; Testimony of Brandon Sweeza) The applicant is required to reduce its sign to nine square feet prior to building permit issuance for the sign. (ICC 17.03.180.R)

3. Lighting. The applicant proposes to place twenty-seven (27) exterior lights as part of the Site Plan. They propose 12 LED downcast lights for walkways, entrances and parking areas. In addition, they propose 4 LED industrial downcast lights for the parking area. Finally, they propose 11 LED

downcast lights for the walkways to the facilities. All proposed lighting must be downcast and must be screened through the use of retained vegetation. Here, the applicant's proposal does not show that the lights will be recessed into hoods. (Exhibit 1; Testimony of Brandon Sweezea) A revised lighting plan meeting the requirements of ICC 17.03.180R must be submitted prior to final building permit issuance.

4. Site Coverage and Setbacks. Staff reviewed the lot coverage and setbacks proposed in the site plan and found that they meet or exceed the requirements set forth in ICC 17.03.180.S. (Exhibit 1)

7. State Environmental Policy Act Determination (SEPA) - PCD issued a Determination of Nonsignificance (DNS) for the subject application on March 30, 2011. (Exhibit 1) Notice was properly given of the SEPA determination. (See, Exhibits 67-76) The DNS was not appealed. The requirements of SEPA have been met.
8. Any Finding of Fact which is deemed to be a Conclusion of Law is hereby adopted as such.

### **CONCLUSIONS OF LAW**

1. The Hearing Examiner has original jurisdiction over Site Plan Review and Reasonable Use applications pursuant to ICC 16.15.020 and Ch. 16.13 ICC.
2. The staffs of Island County Public Health, Public Works, and PCD evaluated the proposed project for compliance with Titles 11, 8, 13, and 17 ICC, and with Chapters 16.15, 16.14C, and 16.19 ICC, according to the Type III Decision Process. Other county and/or state agencies were consulted as appropriate. Each agency issued Determinations of Consistency according to ICC 16.19.120. The evaluated use was limited to a three phased construction of a church building, associated modular buildings, associated parking area, and septic system installation on the proposed site as provided in the proposed site plan. No other uses or possible future expansions were evaluated for consistency with Island County Codes, plans or policies.
3. The proposed Site Plan will be consistent with the criteria for approval listed in ICC 17.02 (Critical Areas), ICC 17.03 (Zoning), and ICC 16.15 (Site Plan Review) if the recommendations described throughout the Findings and Analysis sections of this staff report are adopted as conditions of approval. As designed, the proposal will protect the rural character of the area.
4. Based on the entire record and the Findings of Fact entered above, the Examiner concludes that the Applicant has met its burden in showing that a Reasonable use Determination should be granted.
5. Based on the entire record and the Findings of Fact entered above, the Examiner concludes that the proposed Site Plan meets the requirements of the Island County Code, subject to the addition of certain conditions of approval specified above, and should be approved.

6. Adequate public services exist to serve this proposal and in addition, adequate private water and on-site sewage facilities will be constructed to serve the proposal.
7. If approved with the recommended conditions, the proposal makes adequate provisions for the public health, safety, general welfare and the environment.
8. Compliance with the staff recommended Critical Areas, Public Health, and Public Works conditions should be made conditions of approval.
9. Any Conclusion of Law in this Decision, which should be deemed a Finding of Fact, is hereby adopted as such.

### **DECISION**

The Site Plan Site Review, Application No. SPR 321/08, submitted by the Bridge Christian Fellowship of Whidbey Island on Parcel R13302-331-3620, is hereby **approved** and the Reasonable Use determination is **granted, subject to the following conditions:**

### **CONDITIONS**

1. All development shall be in conformance with the approved Site Plan Review and conditions of approval unless they are amended in conformance with Section 16.15.130 ICC. Any changes or expansions to the use of the building or site shall require a site plan amendment.
2. All construction must be completed in conformance with the proposed phasing plan completed within five (5) years of site plan approval.
3. Prior to occupancy of the building and Final Inspection for Phase 1, all site and off-site improvements required as a condition of SPR approval shall be completed.
4. All structures must receive Building permit approval and meet AICUZ Noise zone III requirements.
5. Sunday school services for children are permitted within approved structures and are limited to Sundays only. No daycare or childcare services beyond the Sunday school services are permitted.
6. The fifty (50) foot wide vegetative buffers adjacent to the eastern and western property lines shall be left undisturbed for screening purposes. No development or vegetation disturbing activities not included on the site plan shall be permitted beyond the "Development Line" as indicated on the site plan.
7. Prior to installation of any signs or lighting, a detailed Sign Plan, building permit application for the sign, and revision to include hoods on all lighting shall be submitted for review. Colors should be made to match colors on the building. Additional lighting and signs must conform to ICC 17.03.180.R.

8. Compliance with all conditions of the Island County Engineering Division as specified in the memorandum dated April 15, 2011 from Bill Poss.
9. Compliance with all conditions of the Island County Health Department as specified in the memorandum dated April 18, 2011 from Aneta Hupfauer.
10. Compliance with all conditions of Island County Critical Areas as specified in the memorandum dated March, 11, 2011 from Justin Craven.
11. Future installation and extension of power to the site shall be underground.
12. Prior to installation of any additional signs, a detailed Sign Plan and building permit application for the sign shall be submitted for review. Colors should be made to match colors in the building. Additional lighting and signs must conform to ICC 17.03.180.R.

Entered this 19th day of May, 2011, pursuant to authority granted under the laws of the State of Washington and Island County.



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Millie M. Judge  
Island County Hearing Examiner Pro Tem

<b>EXPLANATION OF APPEAL PROCEDURE</b>
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SPR

This decision of the Hearing Examiner shall be a final and conclusive decision unless, within fourteen (14) days following the mailing of such decision, a written statement of appeal is filed with the Island County Board of Commissioners by the applicant, a Department of the County, or Party of Record, who is also an Aggrieved Person.

Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee pursuant to the fee schedule adopted by the Board; provided that such appeal fee shall not be charged to a department of the County or to other than the first appellant ICC 16.13.100.b; ICC 16.19.190.