

September 1, 2025

RE: Planning Director's approval to allow construction staging on Parcel P133450

I am writing to convey my many concerns regarding the above-captioned issue.

The Planning Director approved a vacant parcel in a quiet, residential area to be used as a staging area for heavy equipment and building materials for a 3-story construction project two blocks away.

Her reasoning for this decision is that it qualifies as '*an accessory use and structure normally incidental to primary dwelling units*' (Section 15.20.030, # 8 of the Residential Zone Uniform Development Code).

Although I read her decision permitting it, I respectfully request more details into the rationale behind the Planning Director's reasoning.

Section 15.10.035, definition section of the Code states:

"Accessory use or structure" means a use of land or structure or portion thereof customarily incidental and subordinate to the principal use of the land or structure and located on the same parcel with the principal use. [Ord. 671 § 2, 1995.]

In my interpretation of the Code, accessory uses must be:

1. **Located on the same lot** (or at least adjacent) as the principal use, and
2. **Clearly incidental and subordinate** to that principal use.

In this case, the "primary dwelling units" (the construction project) is not on that parcel. That makes it a stretch for the Planning Director to say the staging site qualifies as an accessory use.

I am concerned that serious consideration was not given to the fact that allowing residentially zoned parcel p133450 to be used as a staging site for a building project two blocks away essentially enlarges the construction zone into a 2-block project in the middle of a quiet, established residential area that will:

1. create **noise, dust, and vibration** caused by construction activity from 7am to 6pm six days a week for 2+ years that would be daunting and disruptive to the lives of residents in nearby homes;
2. cause traffic and safety risks to pedestrians while heavy equipment and building materials move up and down 4th Street (which has **no** sidewalks) or Center St., which has a small amount of sidewalk and is a busy pedestrian area for locals, residents, seniors and students.

As a resident of La Conner who works from home and will be negatively impacted for 2+ years by this permitted use, I kindly request insight into the following:

1. What, specifically, is La Conner's zoning code definition of *accessory use/structure*. My understanding is this refers to structures such as hot tubs, gazebos, greenhouses, etc.
2. How does the staging site two blocks away from the construction site be legally considered "incidental" to the other site.
3. Did the Planning Director approve this administratively, or did it go before the planning commission or hearing examiner?
4. Did the Town require a temporary use permit or conditional use permit for off-site staging?

In summary, I assert that an accessory use must be incidental to the principal use **on the same lot**. A construction staging yard two blocks away is not accessory — it's a temporary commercial use that requires separate review and approval.

I wish to appeal this zoning interpretation (or administrative decision) so that the Planning Director or hearing examiner justifies their decision in a public forum.

Respectfully,

MICHELLE LaPRISE

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La Conner