SUMMARY OF APPLICATION AND DECISION

APPLICATION: Subdivision of a 2.81-acre parcel into six (6) residential lots. The subject parcel is zoned Rural Residential (RR) and is located within the Freeland Residential Area of More Intensive Rural Development (RAID). The proposal will result in a project density of just over two (2) dwelling units per acre. The sizes of the proposed lots range from 15,239 square feet to 34,822 square feet. The subject parcel is located on the east side of Woodard Avenue. The proposal includes a new private road off Woodard Avenue. The proposed method of sewage disposal is on-site septic systems, and the Freeland Water District will provide water to all six (6) lots.

DECISION: The requested Preliminary Long Plat 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 herein and evidence presented at the public hearing on October 4, 2007.

I.

PRELIMINARY INFORMATION

Applicant: Dan Ollis

Property Location: Situated on the east side of Woodard Avenue in Freeland, on Whidbey Island, Island County, Washington. Located in the SE ¼ of Section 10, Township 29N, Range 2 E, W.M., Assessor’s Parcel No.S6655-00-10001-0.

Applicable Ordinances, Statutes and Regulations: Island County Comprehensive Plan, Land Divisions and Dedications Chapter 16.06 ICC, Zoning Ordinance Chapter 17.03
ICC, Land Use Review Process Chapter 16.19 ICC, Island County Environmental Policy Chapter 16.14 ICC.

SEPA: A Notice that a SEPA Threshold Determination of Non-Significance would likely be issued on the proposal was issued on July 4, 2007. Island County issued a Determination of Non-Significance on August 27, 2007, under WAC 197-11-340. No appeals were filed with this office.

Publication: September 19, 2007

Mailing of Notice to Applicant: September 7, 2007

Sign Posted: June 25, 2007

Mailing of Staff Report: September 21, 2007

Date of Application: June 18, 2007

Hearing Date: October 4, 2007

Exhibit Log:

1. Staff Report
2. Island County Pre App Request for Comment, dated 5/15/07
3. PRE 921/07 Pre-Application Conference Application, Part A & B, dated 5/15/07
4. Application Authorization Form, dated 5/18/07
5. Pre-Application Meeting Sign-in Sheet, dated 6/14/07
6. Pre-Application # 921/-07 Staff Comments from Ginger Burgess to Geoff Tapert, dated 6/14/07
7. Island County Public Health Comments by Anita Hupfauer to Geoff Tapert, dated 6/14/07
8. Island County Public Works, Road Division Comments by John Bertrand, to Ginger Burgess, dated 2/7/07 (typo)
9. Letter from Carol & Jim Patterson to Ginger Burgess, abandoning Short Plat application and pursuing Long Plat Application, 6/18/07
10. PLP 268/07 Land Development Permit Application, dated 6/18/07
11. Application for Long Plat – Preliminary, dated 6/18/07
12. Patterson Plat Preliminary Site Plan
13. Legal Description
14. Quarter Section Map
15. Parcel Data Sheet
16. GIS Critical Area Map
17. Critical Area Map in color
18. Zoning Map
19. Account Summary Snapshot
20. Account Land Snapshot  
21. Account Structure Snapshot  
22. Permit Snapshot  
23. Screen-print of database Parcel Permit information  
24. Certificate of Transportation Concurrency, received 6/18/07  
25. Water Availability Notice, dated 8/23/06  
26. Site Registration 06-881, received 6/18/07  
27. Site Registration 06-882, received 6/18/07  
28. Site Registration 06-883 received 6/18/07  
29. Site Registration 06-884 received 6/18/07  
30. Application for Access to County Road Right of Way, issued 10/23/06, Permit No. APW06-391  
31. Application for Access to County Road Right of Way, issued 10/23/06, Permit No. APW06-392  
32. Patterson Plat Drainage Narrative, received 6/18/07  
33. Island County Environmental Checklist, 6/18/07  
34. Island County Community Development Department Request for Comment, dated 6/18/07  
35. Application Authorization Form, dated 6/19/07  
36. Notice of Complete Application, dated 6/22/07  
37. Affidavit of Posting, received 6/26/07  
38. Affidavit of Mailing of Public Notice to attached list (property owners within 300’) for type III application, dated 6/29/07  
39. Affidavit of Mailing of Public Notice to Dan Ollis, dated 6/29/07  
40. Notice of Application with SEPA for publication in July 4, 2007 Whidbey News Times  
41. Affidavit of Publication in July 4th issue of The Whidbey News Times  
42. Email from Daniel Beseau to Ginger Burgess with Island County Building Dept. Comments, dated 6/29/07  
43. Island County Public Health Comments by Aneta Hupfauer to Ginger Burgess, dated 7/11/07  
44. Island County Public Health Memorandum from Marie Piper to Aneta Hupfauer  
45. Letter from John Bertrand, Island County Public Works Roads Division to Ginger Burgess, dated 7/18/07  
46. Letter from Gregory Griffith, Department of Archaeology & Historical Preservation Comments to Ginger Burgess, dated 7/17/07  
47. Island County Planning & Community Development Review Letter by Ginger Burgess to Dan Ollis, dated 7/19/07  
48. Site Plan Map used by Ginger Burgess to prepare Review Letter with her drawings and notations  
49. Memorandum from Island County Planning & Community Development Ginger Burgess to John Bertrand and Aneta Hupfauer, dated 8/2/07  
50. Island County Public Health Additional Comments by Aneta Hupfauer to Ginger Burgess, dated 8/02/07
There was no public comment on this matter during the pre hearing comment period. A written public comment was received just prior to the hearing indicating concern about property lines reflected in a survey done on the applicants’ property.

The neighboring property owner who was concerned about this survey, Jack Brandt, appeared at the hearing discussed his concerns and indicated he felt the matter could be resolved between the parties. The Hearing Examiner pointed out that a survey had been done and that the Hearing Examiner cannot resolve boundary line disputes.
The only other public comment was from Ingrir Gilbert who discussed a desire for tree plantings between this development and a mobile home park adjacent to it. Ms. Gilbert owns two mobile homes in the park. Staff indicated that since these were both residential developments there was no basis in the code to require buffer plantings and it was suggested to Ms. Gilbert that she discuss her wishes with the applicant.

III.

The applicant indicated that the factual findings set forth in the staff report are accurate and further indicated no concern about any of the conditions of approval set forth in the staff report. The record as a whole supports a finding that the findings set forth in the staff report are accurate. The Hearing Examiner hereby adopts the findings set forth in the staff report, a copy of which is attached hereto, through this reference.

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.

A Preliminary Plat approval is a Type III procedural matter and a public hearing was held before the Hearing Examiner as required by ordinance.

II.

Island County Planning and Community Development reviewed the proposed six lot plat for consistency with applicable Island County ordinances, concluded that the proposal was consistent with the requirements of the Island County code and RCW 58.17 and recommended the Hearing Examiner approve the plat subject to eighteen conditions.

No County agency objected to preliminary plat approval and the applicant did not object to any of the conditions set forth by Island County agencies.

The Hearing Examiner concludes that the proposed plat is consistent with the requirements of ICC 17.03, ICC 16.06, ICC 11.05, and with the requirements of RCW 58.17.

Subject to the conditions of approval recommended by staff the proposal is consistent with the applicable Island County ordinances, RCW 58.17, is in the public welfare and interest, and should be approved subject to the eighteen conditions recommended by staff in the staff report.

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

The Island County Hearing Examiner hereby grants preliminary long plat approval for the proposed subdivision of a 2.81 acre parcel within the Freeland Residential Area of More Intensive Rural Development, into six lots, subject to the following conditions:

1. Compliance with Island County Public Works requirements as specified in the attached comments and conditions dated July 18, 2007.

2. Compliance with Island County Public Health requirements as specified in the attached comments and conditions dated July 11, 2007.

3. Compliance with Island County Building Division requirements as specified in the attached comments and conditions dated June 29, 2007.

4. Prior to final plat approval, all site and off-site improvements required as a condition of preliminary approval shall be complete, OR, at the discretion of the Board of Island County Commissioners by recommendation of the Planning Director and County Engineer shall be bonded for.

5. All utilities installed on-site shall be underground.

6. Any structures lying on proposed boundary lines or within the required building setbacks shall be removed.

7. Ground disturbing activities should be careful to make sure that any archaeological resources that might be discovered are protected from disturbance. If such resources are uncovered, construction work should be halted immediately and contact made with DAHP and interested tribes for further consultation.

8. All proposed development shall comply with the state noise ordinance, air pollution control regulations, water quality standards, and all other pertinent codes and ordinances.

9. Prior to submittal of the Final Long Plat application, obtain approval of: 1) a Private Road Name Petition (attached), and 2) individual addresses for the proposed lots. Pursuant to ICC 14.04, RCW 58.17.280, Ordinance #C-32-96, the addresses must appear on the final plat map and the following standards for posting the address must be followed:

   The property owner shall post the address in a manner that it can be read from the public or private road accessing the addressed property and provide adequate identification of the addressed property in accordance with the following. Addresses shall be posted on the addressed building, with one-half inch (1/2”) channel numerals at least five inches (5”) in height, in colors contrasting with the background in such manner and location as to be clearly...
visible from the road. In instances where the main building's posted address is not clearly visible from the road, house numbers shall be visibly posted at one location at a height between four feet (4') and eight feet (8') from road level and anywhere within an arc of 30 feet from the point of intersection of the driveway with the access road, with numerals at least three inches (3") high on a contrasting background and visible when traveling in either direction.

10. In addition to the standard final map requirements, the following shall also appear on the face of the final plat:

   A. The complete plat number and existing parcel number must appear at the top right corner of each sheet of the final plat as follows:

      LONG PLAT NO. PLP 268/07 S6655-00-10001-0

   B. The name of the subdivision: Patterson Plat

   C. (Approved Private Road Name) ________ (Private)

11. The proposed building envelopes, parking areas, and driveways as shown on the preliminary plat map to be removed from the final plat map.

12. All requirements shall be completed and the Final Plat Map must be recorded within five (5) years from the date of this approval.

13. All requirements for Final Subdivision approval required in ICC 16.06.120 & 130 shall be met. The final subdivision shall be consistent with the approved preliminary plat as modified by conditions of preliminary approval listed in this section.

14. The above requirements are subject to change if proposed lots sizes or any other information provided by the applicant or their authorized representatives proves inaccurate.

15. The total of all property taxes for the year in which the plat is to receive final approval and any delinquent assessments for which the property may be liable shall be paid in full to the Island County Treasurer prior to the recording of the final plat.

16. Upon completion of the above requirements, the applicant shall submit:

   A. The original Final Long Plat application and all required materials, along with three copies.

   B. An original, complete Certificate of Title, formatted to meet the Washington State Recording requirements dated no earlier than 30 days prior to submittal.
C. Four paper copies of the proposed final plat.
D. A signed and notarized statement by the owner that all conditions of preliminary approval have been met.
E. Established application fees for a Final Plat application.

Note: The information shall be collated into four, separate, identical packages each to include the above listed items.

17. On the final map, ALL certification stamps and signatures must be in permanent black ink.

18. The Island County Auditor will only accept the following for recording:

A. Permanent black ink on paper, linen, photo mylar with a fixed silver halide base, and permanent black ink on mylar when the ink is coated with a suitable substance to assume permanent legibility. They will not accept under any circumstance: Diazo mylar, linen with an image produced by a dry electrostatic process, mylars with an image produced by a dry electrostatic process, or taped down edges.

B. Sheet size must be 24 x 18 inches. Borders must be 2 inches on the left edge and ½ inch on the top, bottom, and right edges. If any part of a signature, seal, drawing, or any other mark is located in the required borders, the Auditor’s Office will not accept the plat for recording.

Entered this 12th day of October, 2007, pursuant to authority granted under the laws of the State of Washington and Island County.

________________________________
MICHAEL BOBBINK
Island County Hearing Examiner

APPEAL PROCESS:

PLP

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.
Staff Report - Summary

FILE NUMBER: PLP 268/07

APPLICANT: Dan Ollis

ASSESSOR'S PARCEL NUMBER: S6655-00-10001-0

SUMMARY APPLICATION AND RECOMMENDATION

APPLICATION: Subdivision of a 2.81-acre parcel into six (6) residential lots. The subject parcel is zoned Rural Residential (RR) and is located within the Freeland Residential Area of More Intensive Rural Development (RAID). The proposal will result in a project density of just over two (2) dwelling units per acre. The sizes of the proposed lots range from 15,239 square feet to 34,822 square feet. The subject parcel is located on the east side of Woodard Avenue. The proposal includes a new private road off Woodard Avenue. The proposed method of sewage disposal is on-site septic systems, and the Freeland Water District will provide water to all six (6) lots.

RECOMMENDATION: Approval with conditions

APPLICANT: Dan Ollis

PROPERTY LOCATION: Situated on the east side of Woodard Avenue in Freeland, on Whidbey Island, Island County, Washington. Located in the SE ¼ of Section 10, Township 29N, Range 2 E, W.M., Assessor’s Parcel No. S6655-00-10001-0.

APPLICABLE ISLAND COUNTY ORDINANCES: Island County Comprehensive Plan, Land Divisions and Dedications Chapter 16.06 ICC, Zoning Ordinance Chapter 17.03 ICC, Land Use Review Process Chapter 16.19 ICC, Island County Environmental Policy Chapter 16.14 ICC.

SEPA: A Notice that a SEPA Threshold Determination of Non-Significance would likely be issued on the proposal was issued on July 4, 2007. Island County issued a Determination of Non-Significance on August 27, 2007, under WAC 197-11-340. No appeals were filed with this office.

PROCEDURAL REQUIREMENTS:
Decision Type: Type III
Pre-Application Conference Date: June 14, 2007
Notice of Application:
  Sign Posted: June 26, 2007
  Whidbey News Times/Record: July 4, 2007
Notice of Hearing: Whidbey News Times/Record: September 19, 2007
HEARING DATE: October 4, 2007
Preliminary Subdivision
Staff Report and Recommendation

Patterson Long Plat

FILE NUMBER: PLP 268/07

APPLICANT: Dan Ollis
ASSESSOR’S PARCEL NUMBER: S6655-00-10001-0

PROPOSAL

The applicant, Dan Ollis, proposes subdivision of a 2.81-acre parcel into six (6) residential lots. The subject parcel is zoned Rural Residential (RR) and is located in the Freeland Residential Area of More Intensive Development (RAID). The base density for the Freeland RAID is three (3) dwelling units per acre. The proposal will result in a project density of just over two (2) dwelling unit per acre. The sizes of the proposed lots range between 15,239 square feet and 34,822 square feet. The subject parcel is located on the east side of Woodard Avenue. The proposed method of sewage disposal is through individual on-site septic systems, and the Freeland Water District will provide water to all six (6) lots.

STAFF FINDINGS & ANALYSIS

1. Project History and Review Process

The long plat application was submitted on June 18, 2007, and found to be complete on June 22, 2007. The public comment period for the proposal was 14 days long and ended on July 18, 2007. No written public comments were received during the comment period.

The proposal was originally submitted on December 26, 2006, as a four (4) lot short plat (SHP 519/06), which was withdrawn on June 18, 2007.

The parcel was originally part of Block 10, Plat of Freeland, platted in December of 1900. In April 1985, Block 10 was segregated into two lots, of which this parcel was Lot 1. It arrived at
the current configuration through a boundary line adjustment recorded January 3, 1994, which
gave it a portion of Block 5.

2. Site Description & Consistency Review
   a. Location: The parcel is located at 5421 Woodard Avenue in Freeland on Whidbey Island,
      Island County, Washington. They are in the SE ¼ of Section 10, Township 29N, Range 2
      E, W.M., Assessor’s Parcel No. S6655-00-10001-0.

   b. Site Condition and Size: The subject parcel is approximately 2.81 acres in size and
      roughly rectangular in shape. The property slopes to the northwest, towards Holmes
      Harbor. Currently existing on the parcel are a single-family residence and three sheds;
      the three sheds will be removed prior to final approval. The parcel is predominantly open
      pasture and lawn, with a border of trees along the north and south boundary lines.

   c. Zoning/Type of Land Use Permitted: The subject parcel is zoned Rural Residential (RR),
      and is located in the Freeland Residential Area of More Intensive Rural Development
      (RAID). The proposed subdivision of the parcel into residential lots is consistent with the
      Rural Residential zone. The RAID in which the subject parcel is located has a base
      density of 3 dwelling units per acre, and a minimum lot size of 14,500 square feet. All
      six (6) lots are proposed to be greater than 14, 500 square feet, and thus meet the
      aforementioned requirements.

   d. Access: Proposed Lot 1 will continue to access directly onto Woodward Avenue (Access
      Permit APW 06-0392). The remaining lots will gain access from a new private road that
      will connect to Woodard Avenue (APW06-0391).

   e. Surrounding Zoning and Development: The subject parcel is bordered to the north and
      east by parcels zoned Rural Residential (RR), and to the west and south by parcels zoned
      Rural Center (RC). Surrounding development is residential.

   f. Density of Development: As listed in ICC 17.03.075, the established base density for the
      Freeland RAID is three (3) dwelling units per one (1) acre. The total area of the subject
      parcel is 2.81 acres. The proposed subdivision of 2.81 acres into six (6) residential lots
      would result in a base density of one (1) dwelling unit per 0.46 acres and would therefore
      conform to the base density requirement contained herein.

   g. Natural Features and Critical Areas: The subject parcel is located within a Critical
      Drainage area, and contains steep slopes. There are no known endangered species on the
      subject site. No wetland areas, streams, or other sensitive areas were found on the site.
      According to the USDA Soil Survey for Island County -1958, the predominant soil types
      found on the parcel are Keystone loamy sand (Kd) with 15-30 percent slopes, and
      Whidbey gravelly sandy loam (Wb) with 5-15 percent slopes. The FEMA flood zone
      designation is Zone X.

   h. Shoreline: The project does not lie within shoreline jurisdiction.

   i. Archaeological Sites: According to the maps provided by the State Office of Archaeology
      and Historic Preservation, the subject parcel is not the location of an archaeological site,
      but it is adjacent to a parcel that is a registered historic site (William and Emily Sanford
      House and Farm).
j. **Historic Districts:** The site is not within a Historical District.

k. **Accident Potential and/or Noise Zone:** The site is not located within an AICUZ Accident Potential or Noise Zone.

3. **Land Use Controls**

   **Island County Comprehensive Plan, Section IV, Goals and Policies:**

   1. **Rural Residential Lands.** In the Island County Comprehensive Plan, the subject site was located within the Rural Residential Land Use Designation. The established goal of the Rural Residential lands is to “provide for infill, development, or redevelopment of existing residential areas which have been identified as residential areas of more intensive rural development pursuant to RCW 36.70A.070(5)(d)”.

   Consistency of the proposal with policy statements for the Rural Residential Lands is achieved as follows:

   i. The proposed density of one (1) dwelling unit per 0.46 acres is consistent with the allowed density within the Freeland Residential Area of More Intensive Development (RAID), which was established at three dwelling units per acre.

   ii. All of the proposed six (6) lots will be greater than the minimum 14,500 square foot required lot size.

   iii. The proposed land use for the six (6) lots for single-family homes is consistent with the Permitted Uses of Rural Residential lands.

   iv. The development will not be accessing directly onto a State highway.

   2. **Residential Development.** The established goal of residential development is to “encourage clustered residential development where appropriate.” Many of the policy statements contained within this section are applicable to clustered development and Planned Residential Development (PRD). The proposed subdivision is not a PRD and is not proposing clustering.

   **Chapter 17.03 Island County Code.** The density, lot sizes, and widths are within the standards for lots in the Rural Residential zone district in the Freeland RAID.

   1. As listed in ICC 17.03.075, the established base density for the Freeland RAID is three (3) dwelling units per one (1) acre. The proposed subdivision of 2.81 acres into six (6) residential lots will result in a base density of just over two (2) dwelling units per acre, and would therefore conform to the base density requirements contained herein.

   2. According to ICC 17.03.075, the established minimum lot size for the Freeland RAID is 14,500 square feet. The lot sizes within the proposed subdivision range from 15,239
square feet in size to 34,822 square feet in size, and therefore conform to the minimum lot size requirements contained herein.

3. All lots conform to the minimum lot width of 60 feet as established in ICC 17.03.070.G.2.

Chapter 16.06 Island County Code.

1. This proposal would create a total of six (6) lots for the purpose of development, lease, sale, or gift and therefore would meet the definition of subdivision under ICC 16.06.040. The criteria for preliminary approval of a subdivision are listed in ICC 16.06.110.C. Requirements of ICC Titles 8, 11, and 13 are addressed by Island County Health and Engineering in separate correspondence. Conformance with ICC Title 17 requirements is described above and under the review for Consistency, ICC 16.19.100.

Chapter 11.05 Island County Code. The check for Adequacy as described in ICC 11.05.030 is performed to ensure the public facilities necessary to support development activities are available and adequate to serve the proposed development. This check is done to ensure appropriate provisions have been made prior to preliminary approval. The check is done to ensure appropriate provisions have been made prior to preliminary approval. The check for adequacy was performed on the public facilities listed in Section 11.05.030.A ICC as follows:

1. Requirements of Chapter 11.03 ICC, the Stormwater and Surface Water Ordinance are addressed in the Island County Engineering Division’s comments dated July 18, 2007.

2. According to a memorandum from former Planning Director Larry Kwarsick dated March 1, 1999, community parks owned and operated by the County are expected to operate within the adopted level of service standards through the year 2020. Therefore, the community parks are assumed to be adequate to serve the proposed development.


4. The subject site is located within the boundaries of the South Whidbey School District, which has yet to adopt a comprehensive plan which fulfills the requirements of Section 11.05.040.3.C ICC. Therefore, school and school ground facilities are presumed to be adequate to serve the proposal subject to the provisions contained in Section 11.05.040.D.2 ICC.

5. Pursuant to Chapter 11.04 ICC, a Certificate of Transportation Concurrency has been issued for the proposal, confirming that the level of service standards used in the Transportation Concurrency Management Program has been satisfied and that sufficient road capacity exists for the proposal (No. 20652006 CC).
6. Island Transit has yet to adopt a comprehensive plan which fulfills the requirements of Section 11.05.040.03.C ICC. Therefore, transit stops are presumed to be adequate to serve the subject proposal to the provisions contained in Section 11.05.040.D.2 ICC. 

Agriculture and Forestry Protection, ICC 16.25. The subject site is not situated within 500 feet of any property that is zoned Rural Forest, Rural Agriculture or Commercial Agriculture or lands designated as mineral resource lands. Therefore, the requirements of Chapter 16.25.040 ICC do not apply to the proposal.

SEPA Review. A Notice that a SEPA Threshold Determination of Non-Significance would likely be issued on the proposal was issued on July 4, 2007. Island County issued a Determination of Non-Significance on August 27, 2007, under WAC 197-11-340. No appeals were filed with this office.

4. Agency Comments

   a. The Island County Public Works Department has no objection to the preliminary approval of this subdivision. Comments and conditions for approval are provided in the attached memorandum from John Bertrand dated July 18, 2007.

   b. The Island County Public Health has no objection to the preliminary approval of this subdivision. Comments and Conditions of approval are provided in the attached memorandum from Aneta Hupfauer dated July 11, 2007.

   c. The Island County Building Division has no objection to the preliminary approval of the subdivision. Comments and conditions of approval are provided in the attached email from Daniel Beseau dated June 29, 2007.

   d. The Washington Department of Archaeology and Historic Preservation (DAHP) has no objection to the preliminary approval of the subdivision. Comments and conditions of approval are provided in the attached letter from Gregory Griffith dated July 17, 2007.

5. Public Comments

There were no written public comments received during the comment period that ran from July 4, 2007 to July 18, 2007, regarding this development.

CONCLUSIONS

1. The application was accepted and reviewed as a Type III Decision according to the timeframes and process established in ICC 16.19.
2. The staff of Island County Health, Engineering, and Planning and Community Development evaluated the proposed project for compliance with Titles 11, 8, 13, and 17 and with Chapters 16.06, 16.14C and 16.19 of the Island County Code. Other county and/or state agencies were consulted as appropriate. Public Health comments and requirements are described in the attached memorandum from Aneta Hupfauer dated July 11, 2007. Public Works comments and requirements are described in the attached memorandum from John Bertrand dated July 18, 2007. Building comments and requirements are described in the attached email from Daniel Beseau dated June 29, 2007. Other Planning and Community Development comments and requirements are described in this Staff Report. Washington DAHP comments and conditions are described in the attached letter from Gregory Griffiths dated July 17, 2007.

A. A Determination of Consistency was performed according to ICC 16.19.100. Upon conformance with the condition of approval, the proposed subdivision will be consistent with the adopted Island County standards for lot size, density, land use, roads, drainage facilities, proposed method of waste disposal and system of water supply as required.

B. A check for Adequacy was performed according to ICC 11.05. Appropriate provisions have been made for specified public facilities and the proposal complies with the adopted level of service standards for drainage ways, community parks, potable water supplies, sanitary waste disposal, schools, streets and transit stops.

C. Upon conformance with the conditions of approval, the proposed subdivision will conform to the requirements of Chapters 16.06 and 16.04 ICC and Chapter 58.17 RCW.

**RECOMMENDATION**

Based on the foregoing Findings, Analysis and Conclusions, the Planning and Community Development Department recommends approval of the Preliminary Long Plat, PLP 268/07, submitted on behalf of Dan Ollis and James & Carolyn Patterson, proposing to subdivide one (1) parcel (S6655-00-10001-0) totaling 2.81 acres into six (6) residential lots, with a proposed project density of one (1) dwelling unit per 0.46 acres subject to the following conditions:

1. Compliance with Island County Public Works requirements as specified in the attached comments and conditions dated July 18, 2007.

2. Compliance with Island County Public Health requirements as specified in the attached comments and conditions dated July 11, 2007.
3. Compliance with Island County Building Division requirements as specified in the attached comments and conditions dated June 29, 2007.

4. Prior to final plat approval, all site and off-site improvements required as a condition of preliminary approval shall be complete, OR, at the discretion of the Board of Island County Commissioners by recommendation of the Planning Director and County Engineer shall be bonded for.

5. All utilities installed on-site shall be underground.

6. Any structures lying on proposed boundary lines or within the required building setbacks shall be removed.

7. Ground disturbing activities should be careful to make sure that any archaeological resources that might be discovered are protected from disturbance. If such resources are uncovered, construction work should be halted immediately and contact made with DAHP and interested tribes for further consultation.

8. All proposed development shall comply with the state noise ordinance, air pollution control regulations, water quality standards, and all other pertinent codes and ordinances.

9. Prior to submittal of the Final Long Plat application, obtain approval of: 1) a Private Road Name Petition (attached), and 2) individual addresses for the proposed lots. Pursuant to ICC 14.04, RCW 58.17.280, Ordinance #C-32-96, the addresses must appear on the final plat map and the following standards for posting the address must be followed:

   The property owner shall post the address in a manner that it can be read from the public or private road accessing the addressed property and provide adequate identification of the addressed property in accordance with the following. Addresses shall be posted on the addressed building, with one-half inch (1/2") channel numerals at least five inches (5") in height, in colors contrasting with the background in such manner and location as to be clearly visible from the road. In instances where the main building's posted address is not clearly visible from the road, house numbers shall be visibly posted at one location at a height between four feet (4') and eight feet (8') from road level and anywhere within an arc of 30 feet from the point of intersection of the driveway with the access road, with numerals at least three inches (3") high on a contrasting background and visible when traveling in either direction.

10. In addition to the standard final map requirements, the following shall also appear on the face of the final plat:

   D. The complete plat number and existing parcel number must appear at the top right corner of each sheet of the final plat as follows:

   LONG PLAT NO. PLP 268/07 S6655-00-10001-0

E. The name of the subdivision: Patterson Plat

F. (Approved Private Road Name) ________ (Private)
11. The proposed building envelopes, parking areas, and driveways as shown on the preliminary plat map to be removed from the final plat map.

12. All requirements shall be completed and the Final Plat Map must be recorded within five (5) years from the date of this approval.

13. All requirements for Final Subdivision approval required in ICC 16.06.120 & 130 shall be met. The final subdivision shall be consistent with the approved preliminary plat as modified by conditions of preliminary approval listed in this section.

14. The above requirements are subject to change if proposed lots sizes or any other information provided by the applicant or their authorized representatives proves inaccurate.

15. The total of all property taxes for the year in which the plat is to receive final approval and any delinquent assessments for which the property may be liable shall be paid in full to the Island County Treasurer prior to the recording of the final plat.

16. Upon completion of the above requirements, the applicant shall submit:

   A. The original Final Long Plat application and all required materials, along with three copies.
   B. An original, complete Certificate of Title, formatted to meet the Washington State Recording requirements dated no earlier than 30 days prior to submittal.
   C. Four paper copies of the proposed final plat.
   D. A signed and notarized statement by the owner that all conditions of preliminary approval have been met.
   E. Established application fees for a Final Plat application.

   Note: The information shall be collated into four, separate, identical packages each to include the above listed items.

17. On the final map, ALL certification stamps and signatures must be in permanent black ink.

18. The Island County Auditor will only accept the following for recording:

   C. Permanent black ink on paper, linen, photo mylar with a fixed silver halide base, and permanent black ink on mylar when the ink is coated with a suitable substance to assume permanent legibility. They will not accept under any circumstance: Diazo mylar, linen with an image produced by a dry electrostatic process, mylars with an image produced by a dry electrostatic process, or taped down edges.

   D. Sheet size must be 24 x 18 inches. Borders must be 2 inches on the left edge and ½ inch on the top, bottom, and right edges. If any part of a signature, seal,
drawing, or any other mark is located in the required borders, the Auditor’s Office will not accept the plat for recording.

This Staff Report and Recommendation was prepared by:

______________________________________________
Ginger Burgess, Assistant Planner October 4, 2007

Attachments:
Memorandum from Island County Public Works, dated July 18, 2007
Memorandum from Island County Public Health, dated July 11, 2007
Email from Island County Building, dated June 29, 2007
Letter from Washington Department of Archaeology and Historic Preservation, dated July 17, 2007
Determination of Consistency, dated September 17, 2007
Determination of Adequacy, dated September 17, 2007
Final Long Plat Application
Private Road Name Petition

cc: Carolyn & James Patterson, owners
Dan Ollis, applicant and agent
Aneta Hupfauer, Island County Public Health
John Bertrand, Island County Public Works
Michael Bobbink, Hearing Examiner
File PLP 268/07