APPLICATION: Holbeck Construction & Design, Inc. is requesting Preliminary Approval for a thirteen (13)-lot Planned Residential Development (PRD) on approximately 37.1 acres of land zoned Rural. The proposed lots range in size between 22,145 square feet and 53,069 square feet. The proposal includes approximately 25.9 acres of open space (70% of the site), with 3.88 acres of the open space (15% of the open space) designated as Community Area. The Community Area contains open area to serve as a recreation space, drainage pond, drainage swale, and a portion of the road. The Camano Hills Water Company will provide water to all thirteen (13) lots.

DECISION: Preliminary Planned Residential Development Approval is granted 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 April 17, 2008.

I.

PRELIMINARY INFORMATION

Applicant: Holbeck Construction & Design Inc.


Applicable Ordinances, Statutes and Regulations: Island County Comprehensive Plan, Land Divisions and Dedications Chapter 16.06 ICC, Planned Residential Development
SEPA: A Notice that a SEPA Threshold Determination of Non-Significance would likely be issued on the proposal was issued on November 9, 2007. Island County issued a Determination of Non-Significance on February 29, 2008, under WAC 197-11-340. No appeals were filed with this office.

Publication: April 1, 2008 in the Stanwood Camano News

Mailing of Notice to Applicant: March 12, 2008

Sign Posted: November 14, 2007

Mailing of Staff Report: April 4, 2008

Date of Application: November 6, 2008

Hearing Date: April 17, 2008

Exhibit Log:
1. Staff Report
2. Pre-Application Conference application, received 7/6/07, Part A
3. Additional information memo submitted with Pre-Application, received 7/6/07
4. June 27, 07 letter from Land Title Company, received 7/6/07
5. July 3, 07 letter of intent for water service Camano Hills Water Co., received 7/6/07
6. Application for Access to County Road Right of Way, received 7/6/07
7. Site Plan Map received 7/6/07, dated June 27, 07
10. Parcel Summary Report, R23235-161-1250, (previous owner)
12. Permit Snapshot, R23235-161-1250
13. Letter to Connie Berry, from Island County P&CD, dated 9/12/79 with Short Plat Application approval and documentation, received 7/6/07 with Pre-App
14. Request For Comment, dated 7/13/07
15. Letter from Monica Felici to Vince Muscolo, dated 7/13/07
16. Email from Daniel Beseau to Ali Sanders, dated 7/24/07 with attached Comp Plan Chapter 16.17, Chapter 16.25 and ICC 17.03.050 – 17.03.070.B, revised 12/05
17. Letter from John Bertrand, Island County Public Works to Ali Sanders Island County P&CD, dated 7/25/07
18. Letter from Aneta Hupfauer, Island County Public Health to Vince Muscolo, dated 7/26/07
19. Pre-Application Meeting Sign in Sheet, dated 7/26/07
20. Pre-Application Staff Comments from Ali Sanders to Vince Muscolo, dated 7/26/07
21. Land Development Permit Application, received 11/06/07
22. Application for Long Plat, Preliminary Form I, received 11/06/07
23. Application for Planned Residential Development, Form K, received 11/06/07
24. Memo addressing PRD application form K from Vince Muscolo, received 11/06/07
25. Certificate of Transportation Concurrency, received 11/06/07
26. Legal Description, received 11/06/07
27. Letter from Camano Hills Water Co. re: water service, received 11/06/07
28. Island County Health Dept. Site Registration, received 11/06/07
29. Email from Katie Hicks, Island County Health Dept. to Vince Muscolo and Aneta Hupfauer, Island County Health Dept., dated 10/25/07, received 11/06/07
30. Camano Island Ridgeview 13-Lot PRD Drainage Report, prepared by Dale K. Herrigstad, received 11/06/07
31. Gibson Traffic Consultants Ridgeview PRD Traffic Impact Analysis, received 11/06/07
32. Vicinity Map for Ridgeview PRD, received 11/06/07
33. Parcel Summary Report, R23235-161-1250, received 11/06/07
34. Parcel Summary Report. R23235-205-1980, received 11/06/07
35. Small map, received 11/06/07
36. Environmental Checklist, received 11/06/07
37. 11 x 17 Map: Erosion Control Plan, received 11/09/07
38. Map: 1 of 7, received 11/06/07: C1 Cover Sheet, Vicinity Plan & Construction Notes
39. Map: 2 of 7, received 11/06/07: C2 Overall Site Plan & Water Plan
40. Map: 3 of 7, received 11/06/07: C3 Erosion Control Plan
41. Map: 4 of 7, received 11/06/07: C4 Storm Drainage Plan
42. Map: 5 of 7, received 11/06/07: C5 Partial Road Plan & Profile
43. Map: 6 of 7, received 11/06/07: C6 Partial Road Plan & Profile
44. Map: 7 of 7, received 11/06/07: C7 Pond Plan & Control Structures
45. Request for comment, dated 11/9/07
46. Quarter Section Map
47. Series of ArcExplorer Critical Area Maps
48. Virtual Earth Map
49. Zoning & Critical Areas Fact Sheet, R23235-161-1250
51. Quarter Section Zoning Map
52. Notice of Complete Application, dated 11/09/07
53. Affidavit of Mailing the Public Notice to the contact person, dated 11/16/07
54. Affidavit of Mailing the Public Notice to property owners within 300’, dated 11/16/07
55. Affidavit of Posting of the Public Notice Sign, received 11/19/07
56. List of property owners within 300’
57. Affidavit of Publication, received 11/26/07
58. Email from Ginger Burgess to Joan Schrammeck, dated 11/28/07
59. Letter from Aneta Hupfauer, Island County Public Health to Ginger Burgess, dated 11/29/07
60. Email from Ginger Burgess to Tom Cencak and reply, dated 12/3/07
61. Letter from John Bertrand, Island County Public Works to Ginger Burgess, dated 12/5/07
62. Letter from Dean Saksena, Sno. Co. PUD to Ginger Burgess, received 12/10/07
63. Letter from Ginger Burgess to Vince Muscolo, dated 12/14/07
64. Letter from Vince Muscolo to Ginger Burgess, dated 1/16/08, received 1/23/08 with attached:
   a. Letter from Camano Hills Water Co., Inc., dated 7/3/07
   b. Site Registration, dated 10/16/07
65. Map: Site Plan for Soil Logs only, C2 Rev.:A, dated 12/13/07, received 1/23/08
66. Map: 1 of 8, received 1/23/08: C1 Cover Sheet, Vicinity Plan & Construction Notes
67. Map: 2 of 8, received 1/23/08: C2 Preliminary PRD Map
68. Map: 3 of 8, received 1/23/08: C3 Erosion Control Plan
69. Map: 4 of 8, received 1/23/08: C4 Storm Drainage Plan
70. Map: 5 of 8, received 1/23/08: C5 Partial Road Plan & Profile
71. Map: 6 of 8, received 1/23/08: C6 Partial Road Plan & Profile
72. Map: 7 of 8, received 1/23/08: C7 Pond Plan & Control Structures
73. Map: 8 of 8, received 1/23/08: C8 Water Main Plan
74. Memorandum from Ginger Burgess to John Bertrand and Aneta Hupfauer, dated 1/28/08
75. Email from Craig Helgeland to Ginger Burgess, dated 1/30/08 with attached Fire Hydrant information
76. Memorandum from Aneta Hupfauer to Ginger Burgess, dated 2/4/08
77. Letter from John Bertrand to Ginger Burgess, dated 2/5/08
78. Review Comments Letter from Ginger Burgess to Vince Muscolo, dated 2/11/08
79. Letter from Dale Herrigstad to Ginger Burgess with attached maps, dated 2/14/08
80. Map: 1 of 9, received 2/14/08: C1 Cover Sheet, Vicinity Plan & Construction Notes
81. Map: 2 of 9, received 2/14/08: C2 Preliminary PRD Map
82. Map: 3 of 9, received 2/14/08: C3 Erosion Control Plan
83. Map: 4 of 9, received 2/14/08: C4 Storm Drainage Plan
84. Map: 5 of 9, received 2/14/08: C5 Partial Road Plan & Profile
85. Map: 6 of 9, received 2/14/08: C6 Partial Road Plan & Profile
86. Map: 7 of 9, received 2/14/08: C7 Pond Plan & Control Structures
87. Map: 8 of 9, received 2/14/08: C8 Water Main Plan
88. Map: 9 of 9, received 2/14/08: C9 Site Sections
89. Memorandum from Ginger Burgess to John Bertrand & Aneta Hupfauer, dated 2/15/08
90. Memorandum from Aneta Hupfauer to Ginger Burgess, dated 2/22/08
91. Letter from John Bertrand to Ginger Burgess, dated 2/26/08
92. Memorandum from Ginger Burgess to Vince Muscolo, dated 2/28/08 with 2 attached maps
93. Final SEPA Threshold Determination, dated 2/29/08
94. Affidavit of Mailing Final SEPA Threshold Determination to Contact Person, dated 2/29/08
95. Letter from Dale Herrigstad to Ginger Burgess, dated 3/4/08 with attached exhibits 95 - 97
96. Map: 2 of 9, received 3/5/08: C2 Preliminary PRD Map
Holbeck Construction & Design, Inc. seeks Preliminary Approval for a proposed thirteen lot Planned Residential Development on approximately 37.1 acres of land in the Rural District. Island County Planning & Community Development has reviewed the proposal and has recommended Preliminary Approval be granted in the Staff Report, Exhibit No. 1 in the Hearing Examiner file. The Findings of Fact set forth in the Staff Report are uncontested. The applicant indicates that the factual matters set forth in the report are accurate. The applicant has indicated no objection to any of the proposed conditions of approval. The Hearing Examiner has reviewed the records and file herein and hereby adopts the Findings of Fact set forth in the Staff Report through this reference. A copy of the Staff Report is attached hereto and incorporated herein.

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.

Subject to the nineteen conditions of approval recommended by Island County Planning & Community Development in the attached Staff Report, the proposed Planned Residential Development will be consistent with the requirements of the Island County Planning & Community Development.
Code, as set forth in the attached Staff Report, and will comply with the requirements of RCW 58.17. Subject to compliance with the conditions of approval, the proposed Planned Residential Development and subdivision will be in the public interest.

The Island County Hearing Examiner should approve PRD 447/07 subject to the conditions recommended by staff in the attached 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 Planned Residential Development approval to a proposed thirteen lot subdivision to be located on Assessor’s Parcel Nos. R23235-205-1980 and R23235-161-1250, located on Camano Island, Washington. Subject to the following conditions:

1. Compliance with Island County Public Works requirements as specified in the attached comments and conditions dated February 26, 2008.

2. Compliance with Island County Public Health requirements as specified in the attached comments and conditions dated November 29, 2007, and February 4, 2008.

3. Prior to final PRD 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.

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

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

6. Prior to submittal of the Final PRD application, obtain approval of Private Road Name Petitions for the easements involved, and addresses will be assigned prior to final approval. 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.
7. The following shall appear under Notes on the final plat map:

“Addresses assigned pursuant to RCW 58.17.280 are only approximate. Before, or at, the time of building permit application submittal, an application for address shall be applied for with a plot plan showing the location of the driveway. Only then will a determination be made if the addresses assigned to meet the requirements of RCW 58.17.280 are accurate or if they will need to be changed.”

8. On the face of the final map, clearly define the areas dedicated to Open Space.

9. There is a Rural Forest zoned parcel located to the west, within 500 feet of the subject parcel; therefore, compliance with the provisions of ICC 16.25.040 is required. The following declaration must appear on the face of the final plat map:

“Applicant and Applicant’s heirs, legal representatives, assigns, and lessees, hereby acknowledge and agree to accept by the placement of this notice, and the acceptance and recording of this instrument, that 1) The property herein described is situated within five hundred (500) feet of agricultural, forest land, or a surface mining operation, or lands designated mineral lands of long term commercial significance; 2) A variety of commercial activities may occur on these lands that are not compatible with residential development for certain periods of limited duration, and therefore the property may be subject to noise, dust, smoke and odors resulting from harvest, planting, fertilization, waste disposal and pest control associated with permitted agricultural, surface mining or forest practices; 3) For mineral lands these activities may include mining, extraction, screening, washing, crushing, stockpiling, blasting, transporting and recycling of minerals; and 4) These practices, when performed in accordance with County, State and Federal law, shall not be subject to legal action as a public nuisance unless the activity has a substantial adverse effect on the public health and safety. By the recording of this notice, the County does not intend to affect or impair any right to sue for damages under new RCW 7.48.305.”

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

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

PLANNED RESIDENTIAL DEVELOPMENT NO. PRD 447/07.R23235-205-1980, R23235-161-1250

B. The name of the subdivision: Ridgeview

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

11. The following shall appear under “Restrictions” on the final map:

a. “The PRD herein shown shall be limited to the number of lots proposed; no further subdivision within the PRD shall be allowed.”

b. “The Open Space is to be left in its undisturbed natural state, except for those portions designated for the Community Area and the removal of dead or dying trees that are an immediate threat to fall on power lines, a
building or other improvement. The only clearing onsite shall consist of
the clearing of the interior lots, the land designated as the Road tract, and
the land within the designated Community Area.”

c. “Any future trails constructed within the designated Open Space areas are
restricted to pedestrian use only; no motorized vehicles allowed, except for
maintenance purposes only. Maximum width of trails shall be 5 feet.”

d. “During all installation, maintenance, or repair of drainage facilities in the
Open Space, the only clearing, cutting, or removal of vegetation shall be
within an area which is the minimum needed. All other vegetation must
remain and meet the Open Space restrictions as noted herein. No clearing,
cutting, or removal of vegetation outside the drainage area shall be
allowed.”

e. “Minimum building setbacks shall be as follows: The interior lots 1
through 13 shall have a minimum building setback of twenty (20) feet
from the local access road easement that serves those lots and a minimum
building setback of five (5) feet from each interior lot boundary. No
variances shall be granted to place structures within these setbacks.”

f. “Prior to issuance of building permits for Lot 10 and Lot 11, a sight-
obscura buffer shall be installed in the 50-foot separation between said
Lots. The existing native vegetation shall remain, and any augmentation
of the existing vegetation shall be with native vegetation.”

12. Lighting fixtures shall be shielded, hooded and oriented towards the ground so
that direct rays of light from the lighting sources are not visible past the property
boundaries and do not shine into the night sky.

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

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

15. All requirements shall be completed and the final plat map must be recorded
within five (5) years from the date of this approval.

16. The total of all property taxes for the year in which the PRD 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 PRD.

17. 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, along with three copies.
C. Four paper copies of the proposed final PRD maps.
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.

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

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

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

A. Permanent black ink on paper or 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 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 23\textsuperscript{rd} day of April, 2008, pursuant to authority granted under the laws of the State of Washington and Island County.

\begin{flushright}
\hspace*{1cm}
MICHAEL BOBBINK
Island County Hearing Examiner
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\textbf{APPEAL PROCESS:}

\textbf{PRD}

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.
Preliminary Planned Residential Development

Staff Report and Recommendation

Ridgeview

FILE NUMBER: PRD 447/07

APPLICANT: Holbeck Construction & Design, Inc

ASSESSOR’S PARCEL NUMBERS: R23235-205-1980, R23235-161-1250

PROPOSAL

Holbeck Construction & Design, Inc. is requesting Preliminary Approval for a thirteen (13)-lot Planned Residential Development (PRD) on approximately 37.1 acres of land zoned Rural. The proposed lots range in size between 22,145 square feet and 53,069 square feet. The proposal includes approximately 25.9 acres of open space (70% of the site), with 3.88 acres of the open space (15% of the open space) designated as Community Area. The Community Area contains open area to serve as a recreation space, drainage pond, drainage swale, and a portion of the road. The Camano Hills Water Company will provide water to all thirteen (13) lots.

STAFF FINDINGS & ANALYSIS

1. Project History and Review Process

- Assessor’s Parcel R23235-161-1250 was created as Lot B of short plat SHP 099/79, approved September 12, 1979.

- On May 22, 2007, Resolution C-51-07 was signed by the Board of Island County Commissioners to vacate an unnamed County road right-of-way located on the west 30 feet of Assessors Parcel R23235-205-1980. Two conditions were placed on future development: that future development shall incorporate both parcels owned by the petitioner, and that any new access proposed over and across either parcel shall not encumber adjacent parcels with road setback requirements. The subject application meets both conditions.
• On July 26, 2007, a Pre-Application conference (926/07 PRE) was held for a PRD on Assessors Parcels R23235-205-1980 and R23235-161-1250. The conclusion of the Pre-Application conference was that the applicant needed to submit a PRD application and a Preliminary Long Plat (PLP) application. On November 6, 2007, the applicant submitted a PRD application and PLP application with a SEPA. The applications were accepted as complete on November 9, 2007, and had a public comment period of November 20, 2007, to December 4, 2007. No public comments were received. Two review letters, dated December 14, 2007, and February 11, 2008, were sent to the agent, informing him that additional information was needed to reach a decision. These letters included comments from the Public Works and Public Health Departments. New information was received from the applicant on January 23, 2008, February 14, 2008, and March 5, 2008.

2. Site Description & Consistency Review

a. Location: The property is located northeast of the intersection of West Camano Drive and Carp Lake Road on Camano Island, Washington. It is in the SW ¼ of Section 35, Township 32N, Range 2 E, W.M., Assessor’s Parcel Nos.R23235-205-1980 and R23235-161-1250.

b. Site Condition and Size: The parcels total approximately 37.1 acres, with R23235-205-1980 being 34.7 acres and R23235-161-1250 being 2.4 acres. The site has a rolling topography with a general slope to the west. It is forested with a mix of alder, fir, big leaf maple and madrona, with an understory of evergreen huckleberry, sword fern, salal, and holly.

c. Zoning/Type of Land Use Permitted: The subject property is zoned Rural (R). Permitted Uses in the Rural zone include single-family residences and accessory uses. Chapter 17.03.060 ICC sets forth a minimum lot size requirement of five (5) acres, with a base density of one (1) dwelling unit per five (5) acres. PRDs are allowed in this zone for parcels 20 acres or larger. PRDs allow for the increase of the allowed base density with a given amount of Open Space.

d. Access: The seven (7) eastern lots and six (6) western lots will access onto two new roads, contained within 40-foot easements, which will connect to a third new road, which will then connect to West Camano Drive. The new roads will be private.

e. Surrounding Zoning and Development: The subject property is bordered to the west by parcels zoned Rural Forest (RF), and on all other sides by Rural (R) zoned parcels. The parcels to the north and east contain residential development and the parcels to the south and west are undeveloped.

f. Density of Development: As listed in ICC 17.03.060, the established base density for the Rural zone is one (1) dwelling unit per five (5) acres. According to Chapter 17.03.180.E ICC, the base density may be increased by up to 100% for parcels between 20 and 40 acres in size in the Rural zone, provided that a minimum of 65% of said parcel is dedicated to Open Space. The applicants are
proposing the PRD on two contiguous parcels totaling 37.1 acres, and dedicating 70% of the property as Open Space. For a parcel of this size, the applicants have the opportunity to create up to thirteen (13) residential lots. The proposed lot sizes are between 22,145 and 53,069 square feet.

g. **Natural Features and Critical Areas:** Per Island County resources and staff site visits, the site does not contain any critical areas or endangered species habitat. According to the Soil Conservation Service Soil Survey for Island County, the predominant soil type found on the site is Alderwood gravelly sandy loam (Ae) with 5 to 15 percent slopes, with Alderwood gravelly sandy loam (Af) with 15 to 30 percent slopes, and Everett gravelly sandy loam (Ee) with 15 to 30 percent slopes. The FEMA flood zone designation for the site is X. Steep slopes are located in the southwest portion of the site.

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

i. **Archaeological Sites:** According to maps provided by the State Office of Archaeology and Historic Preservation, the project is not located on or near an archaeological site.

j. **Historic Districts:** The site is not located within a Historic 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 Lands.** In the Island County Comprehensive Plan, the subject site was located within the Rural Land Use Designation. The established goal of Rural lands is to “Maintain low residential densities to preserve rural character and to provide buffers between urban activities and agricultural and forestry uses.” Consistency of the proposal with policy statements for the Rural Lands is achieved as follows:

   i. Minimum parcel size is five (5) acres. The base density is one (1) dwelling unit per five (5) acres. As for the new lots being created through this proposal, they will be smaller than five (5) acres. The next point below will describe how this is possible.

   ii. Preference shall be given to PRD cluster development consisting of either attached or detached housing in the event subdivision of land occurs. A density bonus should be granted proportional to the size of the PRD and the Open Space Ratio, and there are no adverse impacts to critical areas or natural resource conservation areas. The applicants are proposing a thirteen (13) lot PRD. The lots and roads total 11.2 acres, while the open space totals 25.9 acres, or 70% of the total area.

   iii. The proposed land use for the thirteen (13) lots through the PRD process for single-family homes and 70% Open Space is consistent with the Permitted Uses of Rural lands.
iv. The development is not near designated Commercial Agriculture lands, so there should be no potential for conflict with and/or conversion of farmland.

2. **Residential Development.** The established goal of residential development is to “encourage clustered residential development where appropriate. All residential development should preserve the community feel of an area and further the protection of rural character in Island County.”

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

i. This proposal reduces the inappropriate conversion of undeveloped land into sprawling, low-density development. Because this PRD is required to have a certain amount of Open Space and is clustered, the development is not sprawling.

ii. Standards for subdivision and planned residential developments shall encourage clustering and avoid or minimize the adverse impacts to the visual or physical environment while still fostering rural lifestyles and rural character. Said proposal is following a “cluster-type” development plan, and the residences and 70% of the property dedicated to Open Space will maintain rural lifestyles and character.

iii. Each lot will utilize individual septic systems and drainfields that will be located on each individual lot. Water will be provided to each lot by the Camano Hills Water Company.

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

1. As listed in ICC 17.03.060, the established base density for the Rural zone is one (1) dwelling unit per five (5) acres. For lots, tracts, or parcels twenty acres or larger in size the base density may be increased as specified in ICC 17.03.180.E through the approval of a PRD pursuant to Chapter 16.17 ICC.

2. According to ICC 17.03.180.E ICC, the Density Bonus System is designed to provide incentives for cluster development in order to reserve opportunities for future urban development, provide permanent preservation of open space, critical areas, wildlife habitat and natural lands, and protect agricultural and forest resource lands. For parcels between 20 and 40 acres in size, a density bonus of up to 100% can be obtained when at least 65% of the land is dedicated as open space.

**Chapter 16.17 Island County Code.**

1. This proposed PRD will not result in a significant adverse environmental impact that cannot be mitigated by reasonable mitigation measures. The proposal will not create adverse environmental impacts.
2. The subject site is physically suitable for the type, density, and intensity of the use being proposed. All departments/agencies have no objection to the proposal; therefore, it has been found that the site is physically suitable for the proposal.

3. The proposal places the thirteen (13) lots into three (3) separate clusters of six (6), four (4), and three (3) lots. Clusters are required to be separated from each other by at least 200 feet of open space, and no more than 6 dwelling units can be in a single cluster. The 200-foot separation may be reduced if a sight-obscuring buffer is provided. The separation between Lot 10 and Lot 11 is only fifty (50) feet, and a sight-obscuring buffer is proposed for that area.

4. The Community Area, proposed to total 3.88 acres, is proposed to be a cleared area for recreation, a drainage pond, drainage swale, and a portion of the road. This area will not exceed 15% of the required amount of open space.

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 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 February 26, 2008.

2. According to a memorandum from the Public Works Director 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 Stanwood-Camano 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 have been satisfied and that sufficient road capacity exists for the proposal (10962007 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 situated within 500 feet of property that is zoned Rural Forest (emphasis added), Rural Agriculture or Commercial Agriculture or lands designated as mineral resource lands. The requirements of Chapter 16.25.040 ICC therefore 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 November 9, 2007. Island County issued a Determination of Non-Significance on February 29, 2008, under WAC 197-11-340. No appeals were filed with this office.

4. Agency Comments
   a. Island County Public Works 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 February 26, 2008.
   b. Island County Public Health has no objection to the preliminary approval of this subdivision. Comments and Conditions of approval are provided in the attached memorandums from Aneta Hupfauer, dated November 29, 2007, and February 4, 2008.
   c. Snohomish Public Utilities District No. 1 has no objection to the preliminary approval of this subdivision. Comments and conditions of approval are provided in the attached letter from Dean Saksena dated December 6, 2007.

5. Public Comments

No public comments were received for this application.

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 Public Health, Engineering, and Planning and Community Development evaluated the proposed project for compliance with Titles 8, 11, 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 memorandums from Aneta Hupfauer, dated November 29, 2007, and February 4, 2008. Public Works comments and requirements are described in the attached memorandum from John Bertrand, dated February 26, 2008. Other Planning and Community Development comments and requirements are described in this Staff Report. Comments and requirements from Snohomish Public Utilities District No. 1 are contained in the attached letter from Dean Saksena dated December 6, 2007.
B. A Determination of Consistency was performed according to ICC 16.19.100. Upon conformance with the conditions 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 16.04, 16.06, and 16.17 ICC and Chapter 58.17 RCW.

RECOMMENDATION

Based on the foregoing Findings, Analysis and Conclusions, the Department of Planning and Community Development recommends approval of the Planned Residential Development, PRD 447/07, submitted by Holbeck Design & Construction, Inc., proposing to develop two (2) parcels (R23235-205-1980, R23235-161-1250) totaling 37.1 acres into thirteen (13) residential lots, and 70% of the property into Open Space, subject to the following conditions:

1. Compliance with Island County Public Works requirements as specified in the attached comments and conditions dated February 26, 2008.

2. Compliance with Island County Public Health requirements as specified in the attached comments and conditions dated November 29, 2007, and February 4, 2008.

3. Prior to final PRD 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.

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

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

6. Prior to submittal of the Final PRD application, obtain approval of Private Road Name Petitions for the easements involved, and addresses will be assigned prior to final approval. 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.

7. The following shall appear under Notes on the final plat map:

“Addresses assigned pursuant to RCW 58.17.280 are only approximate.
Before, or at, the time of building permit application submittal, an application
for address shall be applied for with a plot plan showing the location of the
driveway. Only then will a determination be made if the addresses assigned to
meet the requirements of RCW 58.17.280 are accurate or if they will need to
be changed.”

8. On the face of the final map, clearly define the areas dedicated to Open Space.

9. There is a Rural Forest zoned parcel located to the west, within 500 feet of the
subject parcel; therefore, compliance with the provisions of ICC 16.25.040 is
required. The following declaration must appear on the face of the final plat map:

“Applicant and Applicant’s heirs, legal representatives, assigns, and lessees,
hereby acknowledge and agree to accept by the placement of this notice, and
the acceptance and recording of this instrument, that 1) The property herein
described is situated within five hundred (500) feet of agricultural, forest land,
or a surface mining operation, or lands designated mineral lands of long term
commercial significance; 2) A variety of commercial activities may occur on
these lands that are not compatible with residential development for certain
periods of limited duration, and therefore the property may be subject to noise,
dust, smoke and odors resulting from harvest, planting, fertilization, waste
disposal and pest control associated with permitted agricultural, surface
mining or forest practices; 3) For mineral lands these activities may include
mining, extraction, screening, washing, crushing, stockpiling, blasting,
transporting and recycling of minerals; and 4) These practices, when
performed in accordance with County, State and Federal law, shall not be
subject to legal action as a public nuisance unless the activity has a substantial
adverse effect on the public health and safety. By the recording of this notice,
the County does not intend to affect or impair any right to sue for damages
under new RCW 7.48.305.”

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

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

PLANNED RESIDENTIAL DEVELOPMENT NO. PRD
E. The name of the subdivision: **Ridgeview**

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

11. The following shall appear under “Restrictions” on the final map:

   a. “The PRD herein shown shall be limited to the number of lots proposed; no further subdivision within the PRD shall be allowed.”

   b. “The Open Space is to be left in its undisturbed natural state, except for those portions designated for the Community Area and the removal of dead or dying trees that are an immediate threat to fall on power lines, a building or other improvement. The only clearing onsite shall consist of the clearing of the interior lots, the land designated as the Road tract, and the land within the designated Community Area.”

   c. “Any future trails constructed within the designated Open Space areas are restricted to pedestrian use only; no motorized vehicles allowed, except for maintenance purposes only. Maximum width of trails shall be 5 feet.”

   d. “During all installation, maintenance, or repair of drainage facilities in the Open Space, the only clearing, cutting, or removal of vegetation shall be within an area which is the minimum needed. All other vegetation must remain and meet the Open Space restrictions as noted herein. No clearing, cutting, or removal of vegetation outside the drainage area shall be allowed.”

   e. “Minimum building setbacks shall be as follows: The interior lots 1 through 13 shall have a minimum building setback of twenty (20) feet from the local access road easement that serves those lots and a minimum building setback of five (5) feet from each interior lot boundary. No variances shall be granted to place structures within these setbacks.”

   f. “Prior to issuance of building permits for Lot 10 and Lot 11, a sight-obscuring buffer shall be installed in the 50-foot separation between said Lots. The existing native vegetation shall remain, and any augmentation of the existing vegetation shall be with native vegetation.”

12. Lighting fixtures shall be shielded, hooded and oriented towards the ground so that direct rays of light from the lighting sources are not visible past the property boundaries and do not shine into the night sky.

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

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

15. All requirements shall be completed and the final plat map must be recorded within five (5) years from the date of this approval.
16. The total of all property taxes for the year in which the PRD 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 PRD.

17. 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, along with three copies.
   C. Four paper copies of the proposed final PRD maps.
   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.

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

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

   C. Permanent black ink on paper or 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 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 April 3, 2008

Attachments:
   Memorandum from Island County Public Works, dated February 26, 2008
   Memorandum from Island County Public Health, dated November 29, 2007
   Memorandum from Island County Public Health, dated February 4, 2008
   Final Long Plat Application