SUMMARY OF APPLICATION AND DECISION

APPLICATION: Preliminary plat approval for the subdivision of a 7.56 acre parcel into seven (7) residential lots. The subject parcel is zoned Rural Residential (RR) and is located within the West Deer Lake Residential Areas of More Intensive Rural Development (RAID). The proposal will result in a project that meets the one dwelling unit per acre base density requirements of the RAID. Lot size averaging is being proposed for this subdivision, with lot sizes ranging from 0.4 acres to 3.6 acres in size. The subject parcel is located off Wintergreen Drive in Deer Lake Shores Division 1, Clinton, WA 98236. The owner and applicant is Melvin Simmons of Clinton, WA.

DECISION: Preliminary Long Plat 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 6, 2010.

I.

PRELIMINARY INFORMATION

Applicant: Melvin Simmons

Property Location: Off Wintergreen Drive in Deer Lake Shores Division 1, Clinton, WA 98236, and Assessor’s Parcel No. R32926-340-1810.

SEPA: A Notice that a SEPA Threshold Determination of Non-Significance would likely be issued on the proposal was issued on January 16, 2008. Island County issued a Determination of Non-Significance on December 15, 2009, under WAC 197-11-340.

Publication: March 24, 2010

Mailing of Notice to Applicant: March 8, 2010

Sign Posted: January 8, 2008

Mailing of Staff Report: March 24, 2010

Date of Application: January 4, 2008

Hearing Date: April 6, 2010

Exhibit Log:
   1. Staff Report with attached Exhibits A-F
      a. Letter from Betsy Roberts, received 1/30/08
      b. Final SEPA Threshold Determination, dated 12/15/09
      c. Letter from Bobak Talebi to John Bertrand, dated 11/18/09 with attached letter from John Bertrand to Bobak Talebi, dated 10/26/09
      d. Letter from Aneta Hupfauer to Bobak Talebi, dated 2/17/2010 with attachment letter from Aneta Hupfauer to Bobak Talebi, dated 11/24/09
      e. Email from Justin Craven to Bobak Talebi, dated 12/3/09
      f. Plat of Deer Lake Shores Division 1, dated 11/4/09
   2. Master Land Development Permit Application, received 12/20/07
   3. Application for Long Plat Preliminary, received 12/20/07
   4. Plat of Deer Lake Shores Erosion and Sedimentation Control Plan, received 12/20/07
   5. Plat of Deer Lake Shores Preliminary Subdivision, received 12/20/07
   6. Letter from Connie Bowers to Larry Kwarsick with attached Certificate of Transportation Concurrency, received 12/20/07
   7. Letter to Island County Planning Department from Paul Simmons, received 12/20/07
   8. Site Registration, received 12/20/07
   9. Application for Access to County Road Right of Way, received 12/20/07
  10. Declaration of Joint Access and Utility Easement and Covenant, received 12/20/07
  11. Letter from Jim Wiggins to Paul and Mel Simmons, received 12/20/07
  12. Hydrologic Analysis West Deer Lake Residential Plat, received 12/20/07
  13. List of Adjacent Owners to Simons Plat, received 12/20/07
  14. Environmental Checklist, received 12/20/07
  15. New info submitted: Letter from Larry Kwarsick to Island County Planning Department, received 5/5/09
16. New info submitted: Letter from Paul Simmons to Larry Kwarsick, received 5/5/09
17. New info submitted: Letter from Jolyn Leslie to Mel Simmons, received 5/5/09
18. New info submitted: Memorandum for Storm Drainage System Design Calculations from Quin Clements to Island County Public Works, received 5/5/09
19. New info submitted: Letter from Quin Clements to John Bertrand, received 10/18/09
20. New info submitted: Deer Lake Shores Roadway Grading and Drainage Plan, received 10/8/09
21. New info submitted: Site Registration, received 10/8/09
22. New info submitted: Memo Larry Kwarsick to Bobak Talebi, received 11/10/09
23. New info submitted: Solid Waste Management Plan for Planned Residential Development, received 12/24/09
24. Site data, dated 1/4/08
25. Notice of Complete Application from Cindy White for Ginger Burgess to Sound Planning Services, dated 1/4/08
26. Letter from Aneta Hupfauer to Ginger Burgess, dated 2/1/08
27. Review letter from John Bertrand to Ginger Burgess, dated 2/5/08
28. Critical area review memorandum from Mattia Boscolo to Ginger Burgess, dated 3/3/08
29. Review letter from Ginger Burgess to Larry Kwarsick, dated 3/20/08
30. Wetland determination letter from Jeff Tate to Mel Simmons, dated 12/17/08
31. Memorandum from Bobak Talebi to Phil Simmons, dated 2/26/09
32. Response to new information from John Bertrand to Bobak Talebi, dated 5/11/09
33. Memorandum from Bobak Talebi to Aneta Hupfauer, John Bertrand and Justin Craven, dated 5/12/09
34. Letter from Aneta Hupfauer to Bobak Talebi, dated 5/18/09
35. Email response to new information from Justin Craven to Bobak Talebi, dated 6/22/09
36. Review Comments from Bobak Talebi to Larry Kwarsick, dated 7/22/09
37. Memorandum from Bobak Talebi to Aneta Hupfauer, John Bertrand and Justin Craven, dated 10/22/09
38. Response to new information from Aneta Hupfauer to Bobak Talebi, dated 11/2/09
39. Memorandum from Bobak Talebi to Aneta Hupfauer, John Bertrand and Justin Craven, dated 11/17/09
40. Email from Aneta Hupfauer to Bobak Talebi, dated 1/19/2010
41. Public comment letter from Lyle Forssell to Ginger Burgess, received 1/31/08
42. Affidavit of Posting the Public Notice Sign, received 1/8/08
43. Affidavit of Mailing property owners within 300 feet of parcel, dated 1/11/08
44. Affidavit of Mailing to contact person, dated 1/11/08
45. Island County Notice of Application with SEPA, dated 1/16/08
46. Affidavit of Publication, received 1/24/08
47. Letter from the Office of the Hearing Examiner for notice of hearing, dated 2/25/09
II.

There was no public comment at the hearing on this matter. There was written public comment in response to the Notice of Application. The comments raised concern about solid waste disposal, critical areas, and potential impacts to ground water and Deer Lake.

Staff addressed all of the issues raised, made Findings of Fact in the staff report and recommended approval of the application. A copy of the staff report is attached hereto and incorporated herein by this reference. The Findings in the staff report are supported by the record as a whole and are adopted by the Hearing Examiner by this reference.

III

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

I.

Planning Department staff set forth their Conclusions of law in the attached staff report, concluding that subject to the recommended Conditions of Approval, the proposed subdivision would conform to all of the applicable Island County Ordinances, the requirements of RCW 58.17, and would protect the health, safety, and welfare of the public and that approval would be in the public interest. The Hearing Examiner concurs in staff’s Conclusions of Law and should enter a Decision granting Preliminary Approval of the proposed long plat subject to the conditions recommended by Planning.

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

Preliminary Long Plat approval is hereby granted to PLP 498/07 subject to the conditions of approval set forth in the Staff Report attached hereto.

Entered this 19th day of April, 2010, 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.
FILE NUMBER: **PLP 498/07**

**APPLICANT:** Melvin Simmons  
**ASSESSOR’S PARCEL NUMBER:** R32926-340-1810

**PROPOSAL**

Preliminary plat approval for the subdivision of a 7.56 acre parcel into seven (7) residential lots. The subject parcel is zoned Rural Residential (RR) and is located within the West Deer Lake Residential Areas of More Intensive Rural Development (RAID). The proposal will result in a project that meets the 1 dwelling unit per acre base density requirements of the RAID. Lot size averaging is being proposed for this subdivision, with lot sizes ranging from 0.4 acres to 3.6 acres in size. The subject parcel is located off Wintergreen Drive in Deer Lake Shores Division 1, Clinton, WA 98236. The owner and applicant is Melvin Simmons of Clinton, WA 98236.

**STAFF FINDINGS & ANALYSIS**

1. **Project History and Review Process**

The long plat application was submitted on December 20, 2007 and found to be complete on January 4, 2008. The review of the application followed the Type III Decision Process as required by ICC 16.19.
2. Parties of Record

The public comment period for the proposal was 14 days and ended on January 30, 2008. There was one public comment received during the comment period and one comment submitted after the public comment period. (Exhibit A)

3. Site Description & Consistency Review

a. Location: The subject parcel is located off Wintergreen Drive in Deer Lake Shores Division 1, Clinton, WA 98236. It is located within the NW ¼ of Section 6, Township 29 North, Range 3 East, Willamette Meridian Assessor’s Parcel No. R32926-340-1810.

b. Site Condition and Size: The subject property consists of one parcel 7.56 acres in size which is approximately 320 feet from north to south and 550 feet from east to west. The site contains some gentle slopes and is well vegetated with a mix of shrubs and trees. There is a wetland and buffer located in the south east portion of the property, which will affect proposed lots 4 and 5.

c. Zoning/Type of Land Use Permitted: The parcel is zoned Rural Residential (RR) and is located within the West Deer Lake Residential Areas of More Intensive Rural Development (RAID). The applicants are using lots size averaging, which meets the minimum lot size and base density requirements of the RR zone. Single-family residences are a Permitted Use in the Rural Residential zone.

d. Access: The proposed lots will access from private road that gains access from Wintergreen Drive. During review staff found that Sequoia Lane has already been taken by another private road in Island County, and a private road name will need to be approved prior to final long plat approval.

e. Surrounding Zoning and Development: All surrounding parcels are zoned Rural Residential (RR) and Rural (R) across Wintergreen Drive.

f. Density of Development: The parcel is zoned Rural Residential (RR), which has a minimum lot size of 1 acre and a base density of one (1) dwelling unit per acre. The applicants are using lots size averaging, which meets the minimum lot size and base density requirements of the RR zone.

g. Natural Features and Critical Areas: There are no known endangered species on the subject site. According to the USDA Soil Survey for Island County - 1958, the predominant soil type found on this property is Whidbey gravelly sandy loam (Wb) with 15 to 30 percent slopes, Keystone loamy sand (Kd) with 15 to 30 percent slopes. The FEMA flood zone designation is Zone A and X. There is a wetland and buffer located in the south east portion of the property, which will affect proposed lots 4 and 5, as shown on the approved preliminary long plat map (Exhibit E).

h. Shoreline: The project is within Shoreline Rural Jurisdiction.

i. Bald Eagle Habitat: The site is not located within a Bald Eagle Habitat.
j. Cultural Resources: According to maps provided by the State Office of Archaeology and Historic Preservation, the project is not within the vicinity of known cultural resources.

k. Historic Districts: The site is not within a Historical District.

a. Accident Potential or Noise Zone. The site is not located within an AICUZ Accident Potential or Noise Zone.

4. Land Use Controls

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

1. Rural Residential Lands (RR).

   Goal: Provide for the 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:

   A. Infill development is permitted on existing platted lots.

   B. Base density is either 3, 2, 1 or 0.4 dwelling units per acre as determined in item C.

   C. Subdivision of Rural Residential (RR) parcels shall be allowed at the average existing parcel size of all existing parcels 5 acres or smaller within each area of more intensive rural development, provided that for those areas with an average parcel size less than 14,500 square feet, the minimum parcel size shall be 14,500 square feet or the minimum required by County health requirements, whichever is greater. The allowable minimum parcel size for each area of more intensive development shall be either 14,500 square feet, 0.5 acres, 1 acre, or 2.5 acres, however, potential subdivision may be limited by applicable shorelines regulations, critical areas regulations, County health requirements, public facility limitations, and other land use or zoning limitations. The minimum parcel size for each area of more intensive rural development shall not change over time and shall be indicated in the development regulations.

   D. Rural Residential areas with established sewer districts at the time of adoption of this plan will be capable of subdivision and development at 3 dwelling units per acre only if remedial action is taken to address any storm drainage problems associated with existing development. Further, these areas may subdivide and develop at up to 6 dwelling units per acre if a long-term storm drainage plan is developed with an implementation schedule approved by the County.

   E. Lot size averaging shall be allowed for subdivision provided the base density threshold is met.

   F. The Rural Residential designation shall provide for appropriately categorized permitted and conditional uses that include single family detached dwellings,
duplexes, triplexes, fourplexes, accessory uses, agricultural products (growing, harvesting, managing and selling), bed and breakfast inns, bed and breakfast rooms, boat launches, day care nurseries, fire stations, guest cottages, home occupations, livestock husbandry, minor utilities, mobile homes, and water tanks.

G. All non-residential uses within the Rural Residential designation must comply with rural design guidelines to assure compatibility with adjacent uses.

H. Raising of large livestock shall be provided for conditioned on the approval of an Animal Management Plan.

I. A proactive planning approach shall be used for access management onto State Highway. Possible consolidation of access points should be explored.

2. Residential Development.

The proposal is consistent with the Goals and Policies for residential development. 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.

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

1. Rural Residential Zone 17.03.070 ICC. The parcel is zoned Rural Residential (RR) and is located within the West Deer Lake Residential Areas of More Intensive Rural Development (RAID). The minimum lot size of 1 acre and a base density of one (1) dwelling unit per acre. The applicants are using lots size averaging, which meets the minimum lot size and base density requirements of the RR zone.

Chapter 16.06 Island County Code.

1. This proposal would create a total of 7 lots for the purpose of development, lease, sale, or gift and 1 tract for community area, 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 October 26, 2009, and November 18, 2009.

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 adopted level of service standards through the year 2020.

3. Requirements of Titles 8, Health, Welfare and Sanitation, concerning potable water supplies and sanitary wastes are addressed in the Island County Health Department’s comments dated November 24, 2009, and February 17, 2010.

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 (30502007 CC), 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.

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. The requirements of Chapter 16.25.040 ICC do not, 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 January 16, 2008. Island County issued a Determination of Non-Significance on December 15, 2009, under WAC 197-11-340. No appeals were filed with this office. ( Exhibit B)

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, October 26, 2009, and November 18, 2009. (Exhibit C)

b. Island County Health Department 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 November 24, 2009, and February 17, 2010. (Exhibit D)

c. Island County Critical Areas Planner has no objection to the preliminary approval of the subdivision. Comments and conditions of approval are provided in the attached memorandum from Justin Craven dated December 3, 2009. (Exhibit E)

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. Health Department comments and requirements are described in the attached memorandum from Aneta Hupfauer, dated November 24, 2009, and February 17, 2010. Public Works comments and requirements are described in the attached memorandum from John Bertrand, dated October 26, 2009, and November 18, 2009. Comments and requirements from Island County’s Critical Areas Planner are contained in the attached memorandum from Justin Craven, dated December 3, 2009. Other Planning and Community Development comments and requirements are described in this Staff Report.

   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 recommends approval of the Preliminary Long Plat, PLP 498/07, submitted on behalf of Melvin Simmons, proposing to subdivide a parcel (R33106-197-4610) totaling 7.56 acres into 7 residential lots of various sizes, with a proposed project density of one dwelling unit per acre subject to the following conditions:

1. Compliance with Island County Public Works requirements as specified in the attached comments and conditions dated October 26, 2009, and November 18, 2009.

2. Compliance with Island County Health Department requirements as specified in the attached comments and conditions dated November 24, 2009, and February 17, 2010.

3. Compliance with Island County Critical Areas Planner requirements as specified in the attached comments and conditions from Justin Craven dated December 3, 2009.

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

7. Prior to submittal of the Final Short Plat application, obtain approval of (1) a Private Road Name Petition. 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.

8. The following shall appear under Notes on the final 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.”

9. A regulated wetland and its associated 100 foot buffer exist on site. The following language shall appear under Restrictions on the final long plat:

“The regulated wetland and the associated buffer shall be left natural and undisturbed unless otherwise authorized by Island County. Any alteration to regulated wetlands, streams or their buffers is prohibited, including removal of trees, brush or other vegetation; construction of accesses, bridges or trails; installation of utilities, including wells and septic systems and their lines; and any excavation, clearing, or fill.

10. The following language shall be listed under Restrictions on the Final Map:

“Lot size averaging was used to create the subject parcels. The maximum base density has been achieved and no further subdivisions shall be approved unless it is in compliance with Island County Code. The total area of the seven (7) subject parcels may not be less than seven (7) acres, unless otherwise approved by Island County.”

11. The plat is regulated under the Shoreline Management Act and Island County's Shoreline Management Master Program and associated regulations. The following language shall appear under Restrictions on the final short plat.

“The shoreline of Deer Lake is regulated under the Shoreline Management Act and Island County's Shoreline Management Master Program and associated regulations. Development on lots adjacent to the lake is subject to the setbacks and buffers established in the Island County Shoreline...
12. In accordance with ICC Chapter 11.03, several erosion and sedimentation control (ESC) requirements shall apply to all development activities:
   
a. Erosion on-and off-site. During and after construction, all persons engaging in development activities shall minimize erosion and sedimentation on-site and shall protect properties and watercourses downstream from the site from erosion due to increases in the velocity and peak flow rate of stormwater runoff from the site.

b. Transport of sediment. The applicant shall minimize the transport of sediment onto paved surfaces, and if sediment is transported onto a paved surface, shall clean the paved surface at the end of each day in accordance with erosion and sedimentation control best management practices (BMPs).

c. Stabilizing exposed soil. The applicant shall stabilize denuded areas and soil stockpiles with temporary erosion and sedimentation control BMPs.

d. Temporary erosion and sedimentation control measures shall be maintained until final site stabilization.

e. Sediment retention. The applicant shall route stormwater runoff from the site through a sediment retention BMP.

13. 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 498/07 R32926-340-1810**

   B. The name of the subdivision: **Melvin Simmons**

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

15. 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.

16. 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.

17. 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.

18. 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.

19. The Certificate of Title submitted with the final short plat application shall be dated no earlier than 30 days prior to submitting the application.

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

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

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.

20. This approval of the preliminary subdivision is valid for five years from the date of this decision and shall expire on February 25, 2015. All requirements for final approval must be fulfilled and the final plat approved and recorded within that time. A one-time, one-year extension may be approved if the applicant submits a written request with Community Development at least thirty (30) days before the expiration date. An extension may be granted only upon a finding that the applicant has attempted in good faith to complete the short plat within the five-year period.
Bobak Talebi, Planner

February 25, 2010

Attachments:
- Parties of Record (Exhibit A)
- SEPA Threshold Determination (Exhibit B)
- Memorandum from the Public Works Department, October 26, 2009, and November 18, 2009 (Exhibit C)
- Memorandum from the Health Department, dated November 24, 2009, and February 17, 2010 (Exhibit D)
- Memorandum from the Critical Areas Planner, dated December 3, 2009 (Exhibit E)
- Preliminary subdivision map (Exhibit F)