



ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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STAFF REPORT & DECISION PRELIMINARY LONG PLAT- TYPE III PLP 062/19 – GILLIGAN ISLAND ACRES (previously DRIFTWOOD SHORES BAY VIEW)

I – PROJECT SUMMARY

The applicant, Dustin Martin represented by Cascade Surveying and Engineering, Inc., proposes a 7 lot residential preliminary plat subdivision on an approximately 7.9 acre parcel, parcel S6510-00-00023-0. The proposed Gilligan's Island Acres was previously known as Driftwood Shores Bay View (the name was changed earlier in 2020) preliminary long plat, will have lots ranging in size from 30,092 sq. ft. to 97,851 sq. ft. in size, to be served by the Driftwood Shores water system and individual waste water systems.

II – PERMIT DATA

Permit Type	PLP (Preliminary Long Plat)
Permit Number	PLP 062/19
Date of Complete Application	2/27/19
Decision	Recommendation of Approval
Applicant/Owner	Dustin Martin, 472 Lehman Drive, Camano Island WA
Agent	Cascade Surveying and Engineering, Inc.

III – SITE DATA

Address	472 Lehman Drive, Camano Island, WA
Location	Camano Island
Parcel Number(s)	S6510-00-00023-0
Site Area(s)	7.9 acres (346,049 sq.ft.)
Zone Designation	Rural Residential (RR)
Critical Areas	Wetland located to the east of project site; steep slopes located to the west of project site; shoreline jurisdiction (Rural Conservancy) touches site on NE corner. .

IV – STAFF CONTACTS

Department	Name	Phone	Email
Planning	Hiller West	360-678-7814	h.west@islandcountywa.gov
Public Health	Clea Barenburg	360-678-7267	c.barenburg@islandcountywa.gov
Public Works	Bill Poss	360-678-7813	billp@islandcountywa.gov
Critical Areas	Hannah Liss	360-678-7811	h.liss@islandcountwa.gov

V – REGULATORY COMPLIANCE

Regulatory Requirement	Complies (Y/N)	Comments
Land Divisions – ICC 16.06	Yes	Project complies with Land Division standards
Land Use Review – ICC 16.19	Yes	Project has been processed in accordance with ICC 16.19
Rural Residential (RR) Zone – ICC 17.03.070	Yes	Single-family Residential is a permitted Use in the Rural Residential Zone
Site Coverage & Setbacks – 17.03.180.S	Yes	Project will comply with Conditions of Approval
Ebey's Landing Natl. Hist. Reserve Design Review – ICC 17.04A	N/A	Not applicable.
Public Health	Yes	Project will comply with Conditions of Approval
Public Works	Yes	Project will comply with Conditions of Approval
Critical Areas	Yes	There are no critical areas on the project site. Site is located outside all wetland buffers.
SEPA	Yes	Determination of Non significance

VI – FINDINGS

Only major issues, errors in the development proposal, and justification for conditions of approval are discussed below. Staff finds that all other aspects of the proposed development comply with applicable laws, rules, codes, and requirements.

1. PROJECT SITE AND DESCRIPTION

- A. The project site consists of one ~ 7.9 acre parcel (S6510-00-00023-0) that is located on the east side of SE Camano Drive, north of the Driftwood Shores Road intersection.
- B. The subject parcel is developed with one dwelling unit (on proposed lot 2) and is relatively flat to gently sloped land. There are no critical areas on the site, though wetlands exist to the east and there are steep slopes to the west of SE Camano Drive. The site is located well away from critical area buffers.

2. RURAL RESIDENTIAL ZONING - ICC 17.03.070

- A. The subject parcel is zoned Rural Residential (RR). Single-family residential development is a permitted use within this zone.

3. RESIDENTIAL AREAS OF MORE INTENSIVE RURAL DEVELOPMENT (RAID) – ICC 17.03.075

- A. The subject parcel is not located within a RAID.

4. BACKGROUND

- A. Critical Areas Review- Island County's mapping system does not show any wetland areas on the site or immediately adjacent. Two site visits were conducted by critical areas staff in November 2019 and January 2020 during which no wetlands were observed within parcel boundaries (see exhibit no. 22, e-mail from Hannah Rae Liss, Critical Area Planner, dated February 10, 2020).
- B. The subject parcel contains an unregulated stream (as defined by ICC 17.02B.060) which was addressed in a March 2019 Critical Areas study prepared by Island Botanical Service (exhibit no.9).
- C. Historic Preservation Review – The subject parcel is not located within a Historic Review Area and is therefore not subject to historical reserve design standards.

5. LAND USE REVIEW PROCESS - ICC 16.19

ICC 16.19.080 - Acceptance of Applications

Finding: The applicant submitted the application and the application was deemed complete on March 12, 2019 (exhibit no. 24).

ICC 16.19.140 - Notice of application shall be provided to the public for all land use permit and applications requiring Type I, II and III decisions

Finding: A Notice of Application was posted on the site on March 14, 2019 (exhibit no. 26), mailed to parties of record and property owners within 300 feet of the parcel on March 11, 2019 (exhibit no. 27) and published in the Stanwood/Camano News on March 19, 2019 (Exhibit no. 28).

ICC 16.19.140.B - Public Comment Period

The public comment period of fourteen (14) days shall be provided, except as otherwise provided in Chapter 90.58 RCW (for applications within shoreline jurisdiction).

Finding: The public comment period was March 19th through April 2nd 2019 as required by Island County Code (ICC 16.19.140.B). One written public comment was received, dated 4/1/2019, from Mr. Chuck Burrows (exhibit no. 10).

ICC 16.19.150 – SEPA Compliance

Finding: This proposal is not exempt from SEPA per WAC 197-11-800.1.b.i. because it includes the location of more than four detached single family residential units.

A SEPA environmental checklist was submitted with the application for a total of 7 proposed lots (Exhibit no. 3). A SEPA determination of non-significance was issued on March 12, 2020 (Exhibit no. 23).

6. CRITERIA FOR APPROVAL – ICC 16.06 & 58.17 RCW

No application for Land Division shall be approved unless it meets the requirements of these sections. No development pursuant to an approved Long Plat shall be undertaken unless it meets the requirements of Titles 8, 11, 13 and 17 ICC pertaining to such development.

ICC 16.06.110 – Preliminary Subdivision approval

1. Pursuant to Island County Code (ICC 16.06.110) the division of land into five or more lots, where any one of the resulting lots is less than ten acres in size must be authorized through a “Subdivision Process”.
2. Island County Code 16.06.110 requires a preliminary plat to meet the requirements of ICC Chapter 16.06 (Land Divisions and Dedications), and Island County Titles 8 (Health, Welfare and Sanitation), 11 (Land Development Standards), 13 (Public Works), and 17 (Zoning) as they pertain to the development proposal.

Finding: The applicant is proposing to divide the approximately 7.9 acre parcel into seven lots; therefore, the applicant was required to apply for Subdivision Approval. The proposal has been reviewed by Island County Public Health, Public Works, Planning, and Critical Areas. Comments from these departments have been attached and conditions have been recommended to ensure compliance with the above mentioned Titles of Island County Code.

58.17 RCW – Approval or Disapproval of Subdivision and Dedication

1. 58.17.110 RCW requires written findings that appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.

Finding: Public Health and Public Works reviewed the application for public health, safety in regards to drainage ways, streets and roads, transit stops, potable water supplies, sanitary wastes, and parks and recreation. The departments added conditions of approval to meet the County requirements for the health, safety and general welfare. The proposal will be served by the Stanwood School District (Exhibit and Camano Fire District.. ICC does not require open space or additional parks and recreational additions to the preliminary long plat. The site is not within walking distance of any schools. No sidewalks are required for this plat.

The proposal complies with the adopted level of service standards for drainage ways, potable water supplies, sanitary waste disposal, schools, streets and transit stops. Therefore, staff finds the applicant has satisfied the requirements of 58.17.110 RCW.

58.17.140 RCW – Time Limitation for Approval or Disapproval of Plats

1. Washington State Law, 58.17.140 RCW, requires that a final plat be submitted for review within five years of preliminary plat approval if the date of preliminary plat approval is after January 1, 2015.

Finding: A condition has been attached to this decision, requiring the applicant file for final plat approval within five years of the date of this decision (see Condition 2).

7. Comprehensive Plan Consistency

1. Consistent with the Growth Management Act (RCW 36.70A.070(5)(d)), Rural Residential Areas were designated within Island County, at a density greater than typical rural development, as of July 1, 1990.

Finding: The subject parcel is zoned Rural Residential and the proposed 7 lot Long Plat is consistent with the allowed density within this zone (2 d.u./acre). In accordance with the Comprehensive Plan, this goal is achieved through the proposed Long Plat and densities outlined in the Island County Code.

8. Setbacks – ICC 17.03.180.S.

1. Lots within the Rural Residential – RR zone are subject to a 30 foot setback from arterial/collector roads (East Camano Drive), a 20 foot setback from local access roads/private access roads (Lehman Drive), and a 5 foot setback from side and rear property lines.

Finding: The proposed plat (Exhibits 2 and 31) designates building envelopes on the proposed seven lots, which meet the setback requirements in ICC 17.03.180.S. The plat map shows a 30 foot setback East Camano Drive, 20 foot setback from Lehman Drive, and 5 foot setbacks from side property lines. There are no applicable setbacks from critical areas and/or their buffers.

VII - SEPA THRESHOLD DETERMINATION

Pursuant to WAC 197-11-340, Island County has determined that this proposal will not have a probable significant adverse impact on the environment. A SEPA environmental checklist was submitted with the application. A SEPA determination of DNS was issued on March 12, 2020 (exhibit no. 23).

VIII – RECOMMENDATION

Based upon the above review, Island County Planning and Community Development concludes that the proposed seven lot subdivision complies with all applicable zoning, land use, land development, and environmental regulations and hereby forwards a recommendation of approval to the Island County Hearing Examiner for Preliminary Long Plat application 062/19 PLP subject to the following conditions of approval:

1. The final plat must be consistent with the requirements identified in ICC 16.06.120.
2. This decision is a preliminary approval only. A final plat application must be submitted to Island County for review and approval within five years of the approval date.
3. This Preliminary Subdivision approval shall expire if a final plat meeting the requirements of the preliminary plat is not submitted for review within five (5) years of the date of preliminary

plat approval, unless an extension has been granted in accordance with Island County code. Provided that any judicial appeal filed and accepted for review after preliminary approval shall automatically stay the time periods referenced above until a final decision on the appeal is rendered.

4. The applicant must adhere to the conditions, recommendations, and requirements noted in the attached memo dated May 12, 2020 from Island County Public Health. (Exhibit no. 16).
5. The applicant must adhere to the conditions, recommendations, and requirements noted in the attached memo dated February 18, 2020 from Island County Public Works. (Exhibit no. 12).
6. The applicant must adhere to the conditions, recommendations, and requirements noted in the attached memo dated September 6, 2019 from Tamra Patterson, Island County Plans Examiner (Exhibit no. 15).
7. The final plat application shall include a summary on how the conditions are being met.
8. The final plat must conform to the approved preliminary plat (Exhibits 2 and 31) except as specifically authorized by this decision.
9. Prior to final plat approval, all site and off-site improvements required as a condition of preliminary approval shall be complete.
10. All utilities installed on-site shall be underground.
11. All proposed development shall comply with the state noise ordinance, air pollution control regulations, water quality standards, and all other pertinent codes and ordinances.
12. Prior to final plat approval the applicant shall note on the face of the plat that all structures shall comply with setbacks and site coverage outlined above and set in ICC 17.03.180.S for new lots and will be reviewed with all future building permits.
13. This decision shall not be construed to authorize work, development, construction, or other site modifications in excess of the work, development, construction, and modifications specifically authorized by this decision.
14. The following shall also appear on the face of the final plat:
 - a. The existing parcel number and final plat number must appear at the top right corner of each sheet. The final plat number will be assigned to the plat at the time of submittal. Please show the following on the top right corner of each sheet:
 - b. The name of the subdivision: Gilligan Island Acres

15. The following shall appear under Notes on the final plat:
 - a. "Addresses assigned pursuant to RCW 58.17.280 are only approximate. Before, or at, the time of building permit application submittal, an application for an 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."
16. Prior to starting any work or construction activities, the applicant shall obtain all required building permits and approvals.
17. This project is required to comply with Washington State and Island County water quality standards, Washington State laws and regulations protecting archaeological sites and resources and all other pertinent State laws, rules, regulations, codes, and ordinances.
18. The conditions of approval identified in this decision are subject to change if any information provided by the applicant or their authorized representative is found to be inaccurate.
19. The entirety of the attached document, Inadvertent Archaeological and Historic Resources Discovery Plan for Island County (Exhibit 51), is hereby adopted into this decision by reference. All terms of this adopted document constitute Conditions of Approval for this decision. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) and human remains (RCW 68.50) is required. Failure to comply with the terms of this adopted attached document, Inadvertent Archaeological and Historic Resources Discovery Plan for Island County, could constitute a misdemeanor and possible civil penalties and/or constitute a Class C Felony.

SIGNED THIS _____ DAY OF May, 2020

Hiller West
Development Services Manager