



## Island County Planning and Community Development

P.O. Box 5000, Coupeville, WA 98239

Ph: Whidbey 360-679-7339 | Camano 360-387-3443 | Fax: 360-679-7306

Email: PlanningDept@islandcountywa.gov | www.islandcountywa.gov

### STAFF REPORT & RECOMMENDATION PRELIMINARY LONG PLAT– TYPE III PLP 450/21 – Titan Framing LLC

#### I – PROJECT SUMMARY

Jeff Glaspy of Titan Homes proposes to create a 7-lot PRD Planned Residential Development (PRD) with two clusters of homes. In the northeast portion of the proposed plat there will be 5 lots, and in the southeast portion 2 lots, of a previously cleared 19.23 acre aliquot parcel within the Rural zone. An associated Clearing and Grading Permit (CGP) proposal involves minimal tree removal and grading for roads and 7 parcels with drainfields, while leaving 13 +/- acres in open space. A Type-F stream is located approximately 750 ft to the northwest of the subject parcel and a freshwater emergent Category D wetland is in the western portion, with a 200 ft buffer determined in the previously submitted wetland report.

After thoroughly reviewing the materials submitted by the applicant, Island County has determined that the proposal, with conditions, complies with all applicable subdivision, land use, and environmental regulations.

#### II – PERMIT DATA

|                                     |  |
|-------------------------------------|--|
| <b>Permit Type</b>                  | PLP (Preliminary Long Plat)                |
| <b>Permit Number</b>                | PLP 450/21                                 |
| <b>Date of Complete Application</b> | 11/24/21                                   |
| <b>Decision</b>                     | Recommendation of Approval with Conditions |
| <b>Applicant/Owner</b>              | Titan Framing LLC / Titan Homes NW         |
| <b>Agent</b>                        | Jeff Glaspy                                |

#### III – SITE DATA

|                         |   |
|-------------------------|---|
| <b>Address</b>          | N. Camano Ridge Rd                                    |
| <b>Location</b>         | Camano Island   |
| <b>Parcel Number(s)</b> | R23235-194-4600                                       |
| <b>Site Area(s)</b>     | Approx. 20 acres up to centerline of Camano Ridge Rd. |
| <b>Zone Designation</b> | Rural   |
| <b>Critical Areas</b>   | Wetlands, Streams                                     |

#### IV – STAFF CONTACTS

| <b>Department</b>     | <b>Name</b>       | <b>Phone</b> | <b>Email</b>                    |
|-----------------------|-------------------|--------------|---------------------------------|
| <b>Planning</b>       | Cindy White       | 360-678-7818 | cindyw@islandcountywa.gov       |
| <b>Public Health</b>  | Patty Shults      | 360-678-7267 | pl.shults@islandcountywa.gov    |
| <b>Public Works</b>   | Donah Dunn        | 360-678-7812 | d.dunn@islandcountywa.gov       |
| <b>Critical Areas</b> | Renee Zavas-Silva | 360-678-7811 | r.zavassilva@islandcountywa.gov |

#### V – REGULATORY COMPLIANCE

| <b>Regulatory Requirement</b>  | <b>Complies (Y/N)</b> | <b>Comments</b>  |
|--------------------------------|-----------------------|--|
| 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 (R) Zone – ICC 17.03.070 | Yes                   | Single-family Residence is a permitted Use in the Rural Zone   |
| Land Use Standards – 17.03.180 | Yes                   | Project will comply with Conditions of Approval for signage, lighting and setbacks.                      |
| Public Health                  | Yes                   | Project will comply with Conditions of Approval. See attached memo from Patty Shults dated June 30, 2022 |
| Public Works                   | Yes                   | Project will comply with Conditions of Approval  |
| Critical Areas                 | Yes                   | Project will comply with Conditions of Approval  |
| 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.

## A. PROJECT SITE AND DESCRIPTION

The project site consists of one approx. 19.23 acre aliquot parcel R23235-194-4600, located on the west side of North Camano Ridge Road.

Parcel R23235-194-4600 was created through the Unregulated Segregation process.

A Type-F stream is located approximately 750 ft to the northwest of the subject parcel and a freshwater emergent Category D wetland is in the western portion, with a 200 ft buffer determined in the submitted wetland report. The Critical Areas Planner has no objections to PLP 450/21 (Exhibit G).

An associated clearing and grading permit proposal involves minimal tree removal and grading for roads and 7 parcels with drainfields, while leaving 13 +/- acres in open space. Critical Areas Review - Island County mapping system shows a Type-F stream is located approximately 750 ft to the Northwest of the subject parcel and a freshwater emergent Category D wetland is in the western portion, with a 200 ft buffer determined by the previously submitted wetland report.

**The subject parcel is zoned Rural (R).** Permitted Uses in the Rural zone include single-family residences. 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 for increasing of the allowed base density with a certain amount of Open Space.

### Lot/Density

Minimum lot size shall be five (5) acres. Base density shall be one (1) dwelling unit per five (5) gross acres.

For lots, tracts, or parcels twenty (20) acres or larger in size the base density may be increased as specified in section 17.03.180.E. through the approval of a PRD pursuant to chapter 16.17, with fractional units rounded upward to the next whole number.

A portion of the 20 acre parcel was conveyed to Island County for public road, by deed, under Auditors File number 1999087, reducing the parcel size to 19.23 acres. For the purposes of subdivisions, Lot area/lot size, means the total land area within the lot lines. Gross lot area shall include any land area required to be dedicated for public right-of-way or public open space, and/or donated for such purposes.

## B. LAND USE REVIEW PROCESS - ICC 16.19 \*

### **Pre-application Conference**

**Finding:** A Pre-application Conference, PRE 300/21, was held on August 19, 2021.

### **ICC 16.19.080 - Acceptance of Application**

**Finding:** This Planned Residential Development application was submitted on November 24, 2021, and determined to be complete, by Island County on December

8, 2021. The review of the application followed the Type III decision process as required by ICC 16.19

**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, January 19, 2022, mailed to parties-of-record and property owners within 300 feet of the parcel, January 14, 2022, and published in the Whidbey News Times on January 19<sup>th</sup>, 2022 and the Stanwood Camano News on January 18, 2022 (Exhibit D).

**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.

**Finding:** The public comment period was January 19, 2022 through February 2, 2022 as required by Island County Code (ICC 16.19.140.B) (Exhibit D).

Island County received comments from eight people during the review period for this application. These included concerns about how the proposal would impact habitat, streams, wetlands and their buffers from the development to the existing adjacent roads and adjacent parcels, drainage, and included statements that the proposal is not in character with the surrounding parcels. Public comments (Exhibit L) will be addressed throughout the staff report.

**ICC 16.19.150 – SEPA Compliance**

This proposal is not exempt from SEPA per WAC 197-11-800.1.b.i, because it proposes development inclusive of lands covered by water.

**Finding:** A SEPA environmental checklist was submitted with the application on November 24, 2021 for a total of 7 proposed lots (Exhibit E). The applicant submitted the SEPA Checklist on November 24, 2021 to complete the checklist for non-project specific actions (Exhibit)). A SEPA determination of non-significance was issued January 19, 2022 (Exhibit D).

---

**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, 16, and 17 ICC pertaining to such development.

### **ICC 16.06.110 – Preliminary Subdivision approval**

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”.

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 20-acre parcel into 7 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 applied to ensure compliance with the above mentioned titles of Island County Code.

### **ICC 16.19.070 Specific Criteria of Approval PRD**

No application for PRD approval shall be approved unless it meets the requirements of this section. No development pursuant to an approved PRD shall be undertaken unless it meets the requirements of titles 8, 11, 13, 16, and 17.

Preservation of natural features:

1. Proposed structures, uses and roads shall be located to minimize disturbance to natural features by, for example, minimizing tree and soil removal.
2. Open space, in the amount required by chapter 17.03 or chapter 17.06, as applicable, shall be clearly defined and protect natural features in the following order of importance or priority:
  - a. First, include critical areas designated and regulated by chapter 17.02B;
  - b. Second, for Commercial Agriculture (CA) and Rural Agriculture (RA) zoned lands include areas of prime agricultural soils identified by NRCS;
  - c. Third, include areas useful for wildlife and fish and wildlife habitat; and
  - d. Fourth, include natural features, identified by the applicant, that are important to the overall design of the PRD.
3. When site conditions permit, open space aggregation is encouraged into one (1) contiguous area and shall not include private yards.

### **ICC 16.17.110 Open space and community area.**

1. All land proposed as open space must be established and conveyed by conservation easement under one (1) of the following options:
  - a. It may be conveyed to a public agency that will agree to maintain the open space and any buildings, structures, or improvements which have been placed on it; or
  - b. When no maintenance of the open space is required, it may be conveyed to all new owners in undivided joint ownership; or
  - c. When maintenance of the open space is required and the applicant does not propose to remain responsible for maintenance, then a homeowners' association or similar organization shall be established by covenant for the maintenance of the open space. Membership in the association or organization and dues or other assessment for maintenance purposes shall be mandatory.
2. The open space must be subject to covenants approved by the county which restrict the open space to the uses specified in the PRD application and which provide for the maintenance of the open space in a manner which assures its continuing use for the intended purpose.
3. Open space may not be put to any use not specified in the application unless the PRD has been amended by Island County to permit said use. However, no change of use so authorized may be considered as a waiver of any of the covenants limiting the use of open space, and all rights to enforce these covenants against any unpermitted use are expressly reserved by the county.
4. A portion of any required open space, not to exceed fifteen (15) percent, area may be designated community area.
5. Community area may be used for well sites, drain fields or recreational purposes. The uses authorized for the community areas must be appropriate to the scale and character of the planned residential development considering its location, size, density, expected population, topography, and the number and type of dwellings to be provided.

### **58.17 RCW – Approval or Disapproval of Subdivision and Dedication**

Revised Code of Washington section 58.17.110 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, and Camano Island Fire District 1, which did not respond to requests for comments.

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**

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

#### **Comprehensive Plan Consistency**

Goal 7 of the Land Use Chapter of the Island County Comprehensive Plan states:

*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.*

**Finding:** The subject parcel is in accordance with the Comprehensive Plan, this goal is achieved through the proposed Long Plat-Planned Residential Development outlined in the Island County Code.

#### **Density Bonus System – 17.03.180.E**

Parcels from 20 to 40 acres: 100% Maximum Density Bonus, 65% Minimum Open Space Ratio:

1. Parcel size (with roads) = 20 acres
2. 65% of 20 acres = 13 acres (open space)
3. Allowed density bonus = 3 units
4. Base Density = 4 units
5. Total Allowed Density = 7 units

The parcel legal description notes that it excludes right-of-way for N Camano Ridge Rd. According to ICC 17.03.040 – Definitions:

**Lot area/lot size** means the total land area within the lot lines. Gross lot area shall include any land area required to be dedicated for public right-of-way or public open space, and/or donated for such purposes.

**Setbacks – ICC 17.03.180.S.**

Lots within the Rural zone are subject to a 30 ft setback from arterial/collector road, a 20 ft setback from local access roads/private access roads Camano Ridge Rd and a 5 ft setback from side property lines.

**Finding:** The proposed plat designates building envelopes on each of the proposed 7 lots, which meet the setback requirements in ICC 17.03.180.S. The plat map shows the front setback over 100 ft from Sunset Ridge (Exhibit F).

**VII - SEPA THRESHOLD DETERMINATION**

Determination: Determination of Non-Significance (DNS)

Pursuant to WAC 197-11-340, Island County has determined that this proposal will not have a probable significant adverse impact on the environment, based on information found within the SEPA Environmental Checklist submitted with the application on November 24, 2021 (Exhibit E). An Environmental Impact Statement is not required under RCW 43.21C.030(2)(c). This information, and the entire project file, is available for review by the public upon request.

Note: SEPA Threshold Determinations may be appealed by following the instructions outlined in section "X" of this report.

SEPA RESPONSIBLE OFFICIAL:

SIGNED THIS \_\_\_\_\_ DAY OF DECEMBER, 2022

Jonathan Lange, Assistant Director and SEPA Official  
Island County Planning and Community Development  
P.O. Box 5000  
Coupeville, WA 98239-5000

**VIII – CONDITIONS OF APPROVAL**

Based upon the above review, Island County Planning and Community Development concludes that the proposed 7 lot subdivision complies with all applicable zoning, land use, land development, and environmental regulations and hereby forwards a recommendation of Conditional Approval to the Island County Hearing Examiner of Preliminary Long Plat application 450/21 PRD-PLP subject to the following conditions:

The final plat must be consistent with the requirements identified in ICC 16.06.120.

1. This recommendation is preliminary approval only. A final plat application must be submitted to Island County for review and approval within five years of the approval date.
2. This Preliminary Subdivision approval shall expire if all requirements for final approval



have not been fulfilled and the Subdivision recorded within five (5) years of the date of the preliminary approval. 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.

3. The applicant must adhere to the conditions, recommendations, and requirements noted in the attached memo June 30, 2022, from Island County Public Health (Exhibit G).
4. The applicant must adhere to the conditions, recommendations, and requirements noted in the attached memo July 8, 2022, from Island County Critical Areas Planner (Exhibit H).
5. The applicant must adhere to the conditions, recommendations, and requirements noted in the attached memo dated July 20, 2022, from Island County Public Works (Exhibit I). Or as amended.
6. The final plat application shall include a summary on how the conditions are being met.
7. The final plat must conform to the approved preliminary plat (Exhibit F), 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 applicant shall note on the face of the plat that all structures shall apply to 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. Prior to starting any work or construction activities, the applicant shall obtain all required building permits and approvals.
15. 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.
16. The recommendation for preliminary 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.
17. Prior to final Plat, a proposed Conveyance of Open space by conservation easement, under one of the 3 options in ICC 16.17.110. A. needs to be submitted for approval and recorded concurrently with the Final Plat
18. Prior to final approval, covenants approved by the county, restricting the open space to the uses specified in the PRD application and which provide for the maintenance of the open space in a manner which assures its continuing use for the intended purpose shall be recorded with the final plat

**The following shall appear on the face of the final plat map:**

- 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:

*PRD – PLP 450/21 and Parcel # R23235-194-4600*

- b. The name of the Planned Residential Development:
- c. Approved \_\_\_\_\_
- d. Title block on the lower right corner of the PRD map to include:

*Name, address, and telephone number of the applicant(s); and  
Date of drawing.*

- e. Legend that includes:
  - i. Site address if assigned and tax assessor parcel number of the property proposed for the PRD; and
  - ii. Total approximate area of the site and approximate area of each proposed and existing parcel or lot.
  - iii. North arrow; and
  - iv. Engineering scale and bar scale (not larger than 1" = 20' or smaller than 1" = 200').

**The following shall appear under Notes on the final plat:**

- a. Address will be assigned by Island County according to ICC 14.04A, established by Ord. C-32-96 and hereafter amended.
- b. All structures shall apply to setbacks and site coverage set in ICC 17.03.180.S and will be reviewed with all future building permits.
- c. This permit does not allow the conversion of buffer into residential lawn or landscaping.

**The following shall appear under restrictions.**

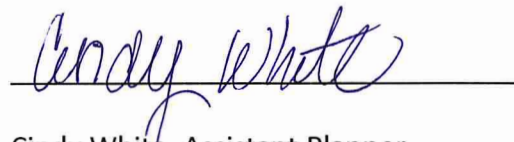
- a. Wetland and stream boundaries and assigned buffers are subject to change. Additional environmental review may be required by Island County for future development proposals, pursuant to ICC 17.02B and ICC 16.19.110.D.
- b. The Open Space is to be left in its undisturbed natural state, except for removal of dead or dying trees that are an immediate threat to fall on power lines, a building or other improvements, with the approval by Island County
- c. No clearing or development within regulated critical areas or associated buffers is authorized without environmental planning review

- d. The PRD herein shown shall be limited to the number of lots proposed; no further subdivision within the PRD shall be allowed
- e. A proposed Conveyance of Open space by conservation easement, recorded under AF# \_\_\_\_\_ to meet ICC: ~~17.110.A~~ 16.17.110A
- f. Covenants approved by the county, restricting the open space to the uses specified in the PRD

### IX – APPEALS

Final decisions of the hearing examiner on a Type III decision shall be a final land use decision. Such final decision may be appealed as provided by state law to the Superior Court. Such Type III decisions include, but are not limited to, site plan review for conditional uses classified as Type III decisions in chapters 17.03 and 16.19.

SIGNED THIS 15<sup>th</sup> DAY OF DECEMBER 2022



Cindy White, Assistant Planner  
Island County Planning & Community Development

#### Exhibits

- A. Staff report, recommendation
- B. Application
- C. Wetland delineation, Biological Site Assessment
- D. Legal Notices
- E. SEPA checklist
- F. Plat Maps
- G. Public Health comments
- H. Critical Areas comments
- I. Public Works comments
- J. Review letters
- K. Applicant's responses to review letters
- L. Public comments
- M. Correspondence

