Island County Planning Agency

16.09.002 Planning Commission Created. The Board of County Commissioners, pursuant to provisions of chapter 201, Laws of 1959 (RCW 36.70), create a Planning Commission which shall assist the Planning Department in carrying out its duties, including assistance in the preparation and execution of the comprehensive plan and recommendation to the Board of County Commissioners and the Planning Department for the adoption of official controls and/or amendments thereto.

16.09.010 Terms of Office. Repealed.

REQUEST - ONE-YEAR EXTENSION OF SHORT PLAT 85-01 - RON BASHON

C. J. "Joe" Hinds, representing Ron Bashon, Terronda West, requested that although not a scheduled item on the Commissioners' Agenda, that the Board hear a request for a one-year extension of Short Plat 85-01, given his understanding that the Short Plat expiration date is tomorrow. (Note: the actual expiration date was later verified by Mr. Granger to be February 27, 1987 as opposed to January 27, 1987).

Mr. Hinds discussed Mr. Bashon's letter of January 17, 1987, and his meeting with Commissioner Koetje on January 20, 1987, outlining reasons why the short plat had not been approved and evidence that the short plat should have previously been approved by the County. He noted a meeting of September 18, 1986 of Terronda West (standing committee operating on behalf of the property owners of Terronda West) at which Larry Waters, DSHS and Joye Bonvouloir, Island County Health Department, attended. Seven to ten documents had been noted with regard to the water system and it is Mr. Hinds feeling that DSHS and Island County Health Department negated actions of the DOE (Department of Ecology) who he contends had in fact approved the water system.

Mr. Granger who serves as the Short Plat Administrator, pointed out that he had already granted Mr. Bashon a one year extension; beyond that, there are no provisions in the Island County Code for further extension.

Dave Jamieson, Jr., Deputy Prosecuting Attorney, explained the Commissioners' authority over short plats and extensions of time to comply with conditions of preliminary approval, as contained in Island County Code, ICC 16.04A.100:

> "Preliminary approval of an applications shall be valid twelve months. During said period the conditions of approval, if any, must be fulfilled and required improvements completed. Upon written request within twelve months, and upon good cause shown, the administrator may grant one additional twelve month time period.".

Therefore, there is a possibility of having a total of two years in order to complete the conditions of the preliminary approval and improvements. Once the Short Plat Administrator makes a decision on the short plat, any appeal would go to the Hearing Examiner; any decision of the Hearing Examiner on a short plat may be appealed through the courts. The County Commissioners do not have any involvement in the day to day operations granting or conditioning short plats under the system in Island County, and do not have authority to make any rulings at all on a short plat. In Mr. Jamieson's opinion, the Hearing Examiner would not have any authority, other than what is given by law, in that in this case there is only one extension of twelve months that can be granted, and the applicant for the short plat would have a total of 24 months to comply with conditions, that period is soon expiring.

In explanation of the requirements for extension of the existing

Terronda West Water System, Tim McDonald, Environmental Health Director, referred to Island County Code 8.07B. The approval authority on the proposed extension of water system in this case is DSHS (Department of Social and Health Services) because this is a Class 2 water system and requires also any necessary extension of water rights. It is his understanding that DSHS does not feel these additional water connections are included in the original Terronda West engineering approval.

Dave Bonvouloir, representing the Island County Engineering Department, addressed the Engineering Department's letter of July 21, 1985, which outlined the specific short plat requirements. Surveying information was received on July 18, 1986, and a number of corrections were requested by Mr. Bonvouloir in a July 31, 1986 memo to the surveyor; no corrections have been received to date. The road has not been constructed, access permit not applied for and there are a number of other outstanding requirements.

As to how far along Mr. Bashon is in meeting conditions of short plat approval, Mr. Hinds referred to a letter dated November 15, 1986 from Mr. Bashon to Anna Marie Sibon, Island County Planning Department, commenting on completion of conditions.

Mr. Granger pointed out that staff allows as a matter of course some flexibility within a few days of meeting all requirements. The applicant has another 30 days in which to work out the problems with the water system, get the roads in place, obtain access permits, and to meet other conditions. If the applicant is showing a good faith effort toward meeting those conditions and is within a short period of time, Mr. Granger agrees the County would be ill-advised not to allow Mr. Bashon to continue a couple of weeks and meet those conditions and accept the short plat at the end of that time. There are other options, one of which would be bonding, that could possibly be considered, but this method is not favored by Mr. Granger. He confirmed that if Mr. Bashon could meet the requirements within 30 days, or within a reasonably short period of time afterward, there is no issue.

Mr. Hinds confirmed his understanding that the Commissioners' do not have jurisdiction and that recourse would be through the courts.

The Departments involved agreed to meet with Mr. Hinds and Mr. Bashon, as they have in the past; however, the overriding issue remains the receipt of approval by DSHS of the water system. (Verbatim transcript on this portion requested by Mr. Hinds; prepared and placed on file in the County Commissioners's Office.)

There being no further business to come before the Board at this time, the meeting was adjourned by the Chairman at 3:10 p.m. The Board will meet in Regular Session again on February 2, 1987 at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Dwain A. Colby, Chairman

Gordon H. Koetje, Member

ATTEST:

Harry H. Ferrier, Island County Auditor
& Ex-Officio Clerk of the Board