



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682
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Larry Keeton, DIRECTOR

STAFF REPORT

RECOMMENDATION TO THE HEARING EXAMINER

Date: April 22, 2008

Application Date: September 29, 2006

Date Application Determined

Date of Development Moratorium:

Complete: July 22, 2007

September 13, 2007

Project: Ridgeline Preliminary Plat

Type of Application: Preliminary Plat

Request Summary:

The applicant, Fred Depee, is proposing to subdivide 18.28 acres into 102 single family residential lots. This will be processed as a Preliminary Plat. The site will be served by public sewer and water. Proposed housing types include permitted single family detached. The proposal includes construction of associated streets, sidewalks, parks, street trees, utilities, and street frontage improvements along Phillips Road SE and SE Baker Road to serve the lots in the plat.

Decision Summary: Recommend Approval, subject to conditions.

Project Location:

The parcel is located on the SW corner of Phillips Road SE and SE Baker Road in the South Port Orchard.

Assessor's Account #: 182302-2-004-2009, 182302-2-039-2008

Applicant/Owner of Record:

Fred Depee
3234 Mahail Lane
Port Orchard, WA 98366

Project Representative

West Sound Engineering, Inc.
217 Wilkins Dr.
Port Orchard, WA 98366

Engineer:

Craig Baldwin P.E.
217 Wilkins Dr.
West Sound Engineering, Inc.
Port Orchard, WA 98366

State Environmental Policy Act (SEPA) Status:

Pursuant to WAC 197-11-340, a Mitigated Determination of Non-Significance was signed by the Responsible Official on January 4th, 2008.

COMMENTS / MITIGATION MEASURES:

1. The SEPA comment period previously occurred concurrent with the Notice of Application dated July 24, 2007. Multiple comments were received and reviewed with regard to potential development impacts.

2. The subject development occurs within the southern portion of the Port Orchard Urban Growth area. Pursuant to 197-11-600(4), the 2005 Kitsap County Comprehensive Plan Environmental Impact Statement (EIS) is hereby incorporated by reference, and may be viewed at www.kitsapgov.com (contact Kitsap County DCD at 360-337-7181 to view a copy of the Comprehensive Plan EIS).

3. The proposal has been reviewed pursuant to KCC Title 19 (Critical Areas). The subject parcel is physically separated from Lake Emelia by SE Baker Road, which contains a partially blocked cross culvert. A wetland determination has been submitted indicating a lack of wetland presence on the subject parcel, with subsequent field confirmation by the Washington Department of Ecology. While SE Baker Road currently creates a break in buffer continuity between the lake edge and the subject parcel, the developed site condition will result in moderate adverse impacts to wildlife habitat due to increased noise and decreased forest cover. No Class I or II Wildlife Habitat Conservation areas have been identified on-site.

4. In order to minimize water quality and quantity impacts both on and off the site, stormwater treatment will be required pursuant to KCC Title 12 and the stormwater conditions specified in the Kitsap County Development Engineering memorandum dated December 28, 2007. Stormwater infiltration will primarily be utilized, with potential overflow routed north via culvert toward Lake Emelia.

TRAFFIC MITIGATION

5. Traffic mitigation is required as specified in the December 28, 2007 memorandum from Kitsap County Development Engineering. **Conditions 29, 30 and 35**, as listed below, are required pursuant to SEPA Substantive Authority (KCC 19.04.200.D):

29. The applicant shall construct a left turn pocket on Phillips Road at the southern most entrance to the plat. This improvement is for SEPA mitigation. The design shall meet Kitsap County Road Standards and shall be constructed as part of the SDAP for the Ridgeline development.

30. The applicants shall pay their fair share towards the cost of design and construction of a future westbound right-turn lane on Phillips Road at the intersection of Phillips Road and Mullenix Road. The right-turn lane will be constructed on the north leg of the intersection for southbound vehicles on Phillips Road turning to go westbound on Mullenix Road. The applicant's fair share is \$20,000, based on December 2007 dollars. An annual inflationary increase equal to the Seattle-Tacoma-Bremerton CPI-U from January through December shall be added to the \$20,000 until the money is paid to Kitsap County. This right-turn lane improvement is not listed on the Kitsap County 6-year Transportation Improvement Program. This payment is for SEPA mitigation and shall be paid prior to issuance of the SDAP. The applicant shall construct a right turn pocket on Phillips Road SE at SE Mullenix Road. The design shall meet Kitsap County Road Standards and shall be constructed as part of the SDAP for the Ridgeline development.

35. Final plan approval will require documentation of WSDOT approval for impacts to and required mitigation on SR160. The mitigation will consist of an eastbound deceleration right-turn lane on SR160 at Phillips Road SE. The design details are currently under discussion between the applicant and WSDOT. The WSDOT point of contact is Dale Severson at (360) 357-2736:

Washington State Department of Transportation
Development Review Attn: Dale Severson
PO Box 47440
Olympia, WA 98504-7440

Traffic impacts were addressed through Notice of Application by Washington State Department of Transportation. Conditions of approval shall address and include the recommendations from WDOT as stated in the letter dated December 07, 2007 (exhibit 48).

Site Physical Characteristics:

The subject property parcel is approximately 18.28-acres in size and currently undeveloped on a Category Two Aquifer Recharge Area. Slopes on the site are characterized as a rolling topography with fall of about 58 feet over the length of the site. The steepest slopes are approximately 33 percent. Vegetation consists of Alder, Aspen, Fir, Cedar, Pine and associated shrubs and under-story plants. The site soils are classified as Alderwood very gravelly sandy loam according to the USDA Soil Conservation District. It specifies that *this soil is suited to urban development if community sewage systems are built. The main limitations are slope, depth to the cemented hardpan, and the seasonal perched water table. In areas of moderate or high population density, onsite sewage disposal systems often fail or do not function properly during periods of high rainfall because of these limitations.*

Project Description:

The proposed Preliminary Plat will develop and sub-divide 18.28 acres into 102 plots for single family residences. Three lots have been dedicated as recreational parks, and allowances have been made for on-street parking for 59 vehicles. The housing will consist of 102 single family lots with a minimum lot size 60' wide and 90' deep and vary in size up to approximately 72' wide and 110' deep.

Existing Zoning and Comprehensive Plan Designation:

The subject property was in the newly designated Port Orchard Urban Growth Area that the Hearings Board invalidated. This proposal vested prior to the invalidation. The parcel is designated Residential and zoned Urban Low (densities of 4 to 9 dwelling units per acre). KCC 17.330.010 Purpose states *The intent of this zone is to recognize, maintain, and protect urban low density residential areas and establish urban densities where a full range of community services and facilities are present or will be present at the time of development in accordance with the urban growth areas as depicted on the Comprehensive Plan. This zone is also intended to create energy-efficient residential areas which are capable of allowing the provision of community services in a more economical manner; and provide for additional related uses such as schools, parks, and utility uses necessary to serve immediate residential areas.*

Minimum Lot Area = 3,600-square feet

Minimum Lot Width = 60-feet

Minimum Lot Depth = 60-feet

Minimum Density = 4-dwelling unit/acre

Maximum Density = 9-dwelling units/acre

Minimum Setbacks = 20-feet front yard

= 5-feet side yard

= 5-feet rear yard

Maximum Building Height = 35 Feet

Surrounding Land Use and Zoning:

The surrounding properties of the project site are currently zoned Rural Residential as a result of the Hearings Board finding of invalidity with the designated Urban Growth Boundary. Beyond the immediate vicinity to the east (approx 600 feet), the zoning changes to Rural Protected (RP). There is an approximately 20 acre parcel beyond the immediate vicinity (approx. 700 feet) to the northwest zoned Urban Restricted (UR).

Public Utilities and Services:

Water: Annapolis Water Co.
Power: Puget Sound Energy
Sewer: Karcher Creek Sewer District
Police: Kitsap County Sheriff
Fire: South Kitsap Fire and Rescue
Schools: South Kitsap School District

Transportation:

The 102 homes will receive access from Phillips Road SE and SE Baker Road. The WSDOT has requested conditions to the access from Phillips Road SE. These include constructing an eastbound, right turn lane, with an eight-foot lane separation for eastbound, SR 160 traffic turning right onto Phillips Road SE. Kitsap Transit bus schedule indicates that no transit service is provided in the immediate vicinity of the project site. The nearest routes are Route 7 (South Park) located 1 mile to the north, and Route 85 (Mullenix) located 1.5 miles to the south.

The consulting engineer estimates that the project, for 104-lots, will produce approximately 1078 total trip movements daily. This was based on the original lot number of 104, which has since been reduced to 102 lots which would have a negligible impact on the revised trip movements daily.

Stormwater:

Preliminary storage facilities include a retention pond and roof infiltration trenches. The project runoff drains in three directions. Most of the proposed development is conveyed and discharged to the north, to an off-site closed depression. An infiltration pond is proposed to mitigate for the increase in runoff volume will be located in the northwestern corner bordered by SE Baker Road. Stormwater quantity control facilities will consist of individual roof infiltration trenches and an open pond. Facilities for water quality will consist of biofiltration swales alongside development internal streets.

Policies and Regulations Applicable to the Subject Proposal:

Kitsap County Code

Stormwater Drainage, Title 12

Preliminary Plat, General Provisions, Title 16.04

Preliminary Plat, Title 16.12

Kitsap County Zoning Code, Title 17, (February 15, 1999)

Section 110 Definitions

Section 330 Urban Low Residential Zone

Section 385 Landscaping

Section 400 Land Use Review

Section 405 Pre-Application Review

Section 421 Conditional Use Permits
Section 435 Off-Street Parking and Loading
Section 520 Appeals
Section 525 Revocations of Permits or Variances

Kitsap County Critical Areas Ordinance, Title 19, (Adopted May 7, 1998 / Amended August 9, 1999)

Kitsap County Land Use and Development Procedures Title 21, (May 18, 1998)

Kitsap County Comprehensive Plan (Amended December, 2006)

Comprehensive Plan Provisions

The following provisions are goals of the Comprehensive Plan addressing the preliminary plat:

Land Use Goals

Policy LU-2

Where densities are expressed as a range on the Comprehensive Plan Land Use Map and/or in the Kitsap County zoning code, the lower end of the density range should be considered as a minimum density for new development within urban residential classifications. All new residential development within the Urban Growth Area should achieve these minimum densities except where lower densities are appropriate to recognize the presence of critical areas including streams, wetlands, fish and wildlife habitat, geologically hazardous areas, flood-prone areas and aquifer recharge areas and to recognize the existence of neighborhoods or subdivisions which have little vacant land and little or no opportunity for infill or redevelopment.

Policy LU-3

Density incentives should be developed and applied in the Urban Growth Area to encourage the provision of affordable housing, significant open space, community amenities, transportation-oriented planning and high quality design.

Policy LU-14

Require urban-level sanitary sewer service or equivalent wastewater service in all UGAs.

Policy LU-133

Implement development regulations to control stormwater runoff that meet or exceed the state's minimum stormwater technical requirements. Require stormwater facilities concurrent with development. Emphasize source control for stormwater and nonpoint pollutants. Emphasize water quantity and quality protection of natural drainages, fish and wildlife habitat and wetlands. Utilize infiltration to the fullest extent practicable to minimize downstream impacts and maximize groundwater resources.

Policy LU-137

Require that runoff resulting from development activity and roads be controlled so that the peak rates, durations and volumes of runoff leaving the post-developed site do not exceed the capacity of receiving drainage conveyance facilities, do not increase the potential for stream bank erosion, and do not add significant volume to an offsite closed depression. Seek to maintain the quantity of runoff, flow peaks, and flow durations at pre-development levels to reduce runoff and related flooding.

Policy LU-148

Encourage LID practices to reduce the need for stormwater facilities and maximize groundwater resources. Monitor the effectiveness of LID techniques when they are implemented as stormwater control BMPs.

Surface Water Resources Policies

Policy NS-27

Kitsap County shall consider cumulative impacts of existing and future development on surface water quality and quantity.

Policy NS-28

Kitsap County should minimize and mitigate for impervious surface and loss of natural vegetative cover associated with development. Native vegetative cover provides many benefits, reduces stormwater runoff, provides wildlife habitat and maintains rural character.

Policy NS-32

Kitsap County shall require construction activities to use best management practices to minimize erosion and siltation problems.

Housing

Policy HS-12

Greenbelts, open space and play areas, particularly in areas of higher population concentration, shall be encouraged.

Policy HS-13

Development regulations shall consider minimum standards for on-site outdoor play areas for children, especially in higher densities, as appropriate.

Policy HS-15

Pedestrian-scale and cluster residential neighborhoods in urban areas shall be encouraged.

Transportation

Roadway Aesthetics

The goal and policies of this section address the need to provide landscape enhancement of existing and new roads to support the local character.

Policy T-81

Provide streetscape designs in urbanized areas.

Policy T-83

Retain native vegetation as a priority.

Public Comment:

To date, the County has received a letter from the Washington State Department of Transportation (WSDOT), approximately 30 comments from property owners in the immediate vicinity and an entire file of comments and correspondences from a Mr. Peter Boorman.

WSDOT would like the development approval conditioned to construct an eastbound right turn lane for SR 160 traffic turning right on to Phillips Road. WSDOT is scoping a Safety Project in the vicinity of Phillips Road, which will widen SR 160, provide illumination, and construct a left turn lane at this location, and has offered to include the design and construction of the right turn lane, illumination, buffer and stormwater retention in the scoping of their Safety Project. They have also requested that if any stormwater is directed onto state right-of-way, they be given the opportunity to review and comment on the drainage plans and supporting calculations prior to project approval.

Comments from the property owners generally reflected concerns for the displacement of the wildlife that inhabit the area, the density of proposed single family residences in relation to existing properties on acreage, the contamination and eventual destruction of Lake Emelia, increased traffic and the possible contamination of the ground water which the community depends on for their water supply. There were also questions posed concerning Mr. Depee's position on the Kitsap County's Board of Planning Commissioners.

Mr. Boorman first opposed this development in 1996 when Mr. Depee first proposed to develop this plot of land. He has reiterated his opposition to this development on a number of issues: Mr. Depee's position on the Kitsap County Planning Commission and a previous member of the Kitsap County 10 year Comprehensive Planning Committee; that Mr. Depee selected himself to review the SE corner of Port Orchard that was reclassified Urban Low Density – an area in which Mr. Depee owns property; has issued a challenge to the Department of Community Development's "Determination of Non-Significance" (DNS) in the development of this property; has questioned the validity and truthfulness of the SEPA Environmental Checklist submitted by Mr. Depee; the influence of additional traffic and the ability of the existing roadways to safely handle the increased volume; the environmental impact of this development on Lake Emelia, Cool Creek, surrounding wetlands and the ground water the community depends on for their water supply; and the non-availability of sewerage and water to the area, among other points of objection/opposition.

Lake Emelia Community Club submitted a signature card of 30 individuals expressing concern for Lake Emelia, which is stocked with trout for fishing, and also used for swimming and boating; safety issues such as: septic tanks, sewer systems, fire and police protection, the impact on local schools, and the increased traffic in the area.

Analysis:

Density

The proposed Preliminary Plat is requesting minimum lots sizes of 5263 square feet, and minimum lot dimensions of 60X90 feet. The overall average lot size is 5908 square feet. Gross density calculation is approximately 5.6 units per acre.

Sewage Disposal

Public sewer has been proposed for this project with a Binding Sewer Availability letter from Karcher Creek Sewer District (Exhibit 20). The nearest sewer hookup is approximately 1.25 miles to the north of the project site.

Prior to the development moratorium which went into effect on September 13, the applicant had a vested preliminary plat application on file with the county which was deemed complete on July 22, 2007, and a binding sewer availability letter with Karcher Creek Sewer District to serve the proposed 102 single family residences of the development. As it stands right now, this urban area is a stand alone urban parcel within a rural residential zone.

This property is outside Karcher Creek Sewer District boundaries. To receive service, annexation into the District is required. Also, a Developer Extension Contract (DEC) is required for this property. The sewer line may be extended, but no one will be able to connect to it unless they are in the UGA.

Parks, Playgrounds and Recreation

The applicant has proposed to develop a recreational park facility within the open space tracts. The size of this park is equal to 3 of the residential lots. Staff is requiring that a construction development plan for this park be submitted with the Site Development Activity Permit. The proposed recreational facility would provide adequate recreational opportunities for all residents of this community.

Access

Two new private roadways, one from Phillips Road SE and another from SE Baker Road, will be created to provide access to the new lots within the plat. All roadways will be paved asphalt roads with concrete curb, gutter and sidewalk along both sides. The access to and within the proposed plat shall meet fire apparatus access requirements. For maintenance of the access width, each lot shall have a condition stating the emergency apparatus access is to be kept clear at all times.

Sidewalks

A five-foot sidewalk will be required on both sides of the proposed plat roadway.

Streetscape

Landscaping will be required along the roadways and within developed parks. A curb/gutter, minimum 5-foot planting strip and a minimum 5-foot sidewalk cross-section are required. Street trees shall be provided along all roadways at an average interval of 30 feet coordinated with lot driveways. The entry to the plat shall also be landscaped with appropriate vegetation around the detention pond. Where possible, existing vegetation shall be retained. The landscape plan shall differentiate between retention of existing vegetation and new plantings.

A final landscaping plan that complies with KCC 17.385 will be required prior to issuance of the Site Development Activity Permit (SDAP) approval. Installation of some landscaping may be required prior to final SDAP approval.

Traffic

The anticipated trip generation from the 102 lots in the plat is estimated to be approximately 1078 trips per day.

Off-Street and On-Street Parking

Each single-family residence is required to provide two and one half parking spaces. It is required that each lot needs to accommodate two spaces with the balance of spaces being accommodated off-street within the development. A minimum of 51 guest/visitor parking spaces is required for the 102 proposed units. The applicant has demonstrated parking for 59 vehicles on the site plan.

Recreational Amenities

A recreation is proposed to be developed within the proposed park.

The Hearing Examiner is required to make finding for the following requirements:

- A. KCC Section 16.12.080 Hearing - *Appropriate facilities and Improvements determinations.* The Hearing Examiner determines whether the proposal includes appropriate provisions for drainage, roads, alleys and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire protection facilities, school sites and grounds and other public and private facilities and improvements.

The Kitsap County Health District, Public Works, Development Engineering, Planning and Fire District and the Washington State Department of Transportation were involved with the review process. Kitsap County reviewed the preliminary plat to make certain and determined that the development will not be detrimental to the health, safety and welfare of persons residing in this subdivision and or to persons residing near the subdivision.

B. KCC Section 16.012.090 Hearing Conformance to Comprehensive Plan determination.

The hearing examiner shall determine if the proposed subdivision conforms to the general purposes of the Comprehensive Plan, and if the public use and interest will apparently be served by the proposal.

The Department has reviewed the preliminary plat and found the project consistent with Comprehensive Plan policies and the implementations regulations in the KCC Title 17 Zoning. The gross density for the plat proposal falls within the range of 4 to 9-dwelling units per gross acre at 5.6 dwelling units per acre, which is consistent with the UL zoning designation.

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| County Health District: | A checklist dated August 28 th 2007 recommends approval with conditions. |
| County Development Engineering/
Public Works | Recommends approval, subject to conditions. |
| County Fire Prevention Bureau: | Specific requirements are noted in a memo dated 03/29/2007. |
| Public Input: | Received approximately 32 comments all of which voiced their opposition to the proposed development on various counts. See Public Comment above. |

Findings:

Staff has reviewed The Ridgeline Preliminary Plat application against the requirements in the Kitsap County Code and found the project consistent. The following are findings for the Preliminary Plat Subdivision:

1. The Hearing Examiner has review authority for this Preliminary Plat/Performance Based Development (PBD) application per *Kitsap County Code* (KCC) 16.12, 17.425.020 and 21.04.030.
2. The proposed development/use is one permitted within the subject zoning designation and complies with all of the applicable provisions of this Ordinance and all other applicable regulations, including prescribed development/performance standards and all applicable development standards and design guidelines.
3. The proposed development would be harmonious and compatible with existing and future developments within the land use designation and general area.
4. The subject site is physically suitable for the type, density and intensity of the use being proposed.

5. Appropriate provisions have been made for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys and other public right-of-ways, transit stops, potable water supply, sanitary waste, parks and recreation, playgrounds, schools and all other relevant facts, including: sidewalks or other planning features that ensure safe walking conditions for students who walk to and from school.
6. The location, size, design and operating characteristics of the proposed development/use would not be detrimental to the public interest, health, safety, or welfare of the County.
7. The preliminary plat, as conditioned below, incorporates appropriate provisions for the public health, safety, and general welfare, as required by RCW 58.17.110(2) and KCC, Section 16.12.160.

Recommendation:

Based upon the above findings, it is recommended that the Preliminary Plat/Performance Based Development (PBD) request for The Ridgeline be **approved**, subject to the following conditions:

1. All Building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.
2. A mitigation plan for wetland and buffer impacts associated with the road construction must be included in the Site Development Application Permit pursuant Title 19.200 Kitsap County Code.
3. Street Trees 2-1/2" to 3" caliper will be provided along all interior roadways. Quantity of trees will be based on 30-foot spacing along each roadway curb length per KCC Section 385.010 D. The actual planting spacing may vary tighter or wider, but will not exceed 50' in length. Species and planting plan will be subject to approval by DCD planner prior to SDAP approval.
4. The play area will be fully developed with Consumer Product Safety Commission (CPSC) approved play equipment and professionally landscaped. The Development Plans, Landscape Plans and Irrigation Plans for these areas will be subject to approval by DCD planner prior to SDAP approval.
5. Details for all plantings and street trees will be provided to the DCD planner for approval, the details shall show automatic irrigation design, soil amendments and planting details, and a minimum of 2 inches of bark mulch over all disturbed soils of the planting area. Per KCC Section 385.010 H. I. J., prior to SDAP approval.
6. The owner shall create a homeowner's association, conveyed to subsequent property owners, that will ultimately be responsible for the maintenance of recreational open

space facilities, tot lot, critical area buffer fencing, perimeter and entry landscaping, street trees, roadway maintenance and other activities associated with the infrastructure and support of a residential community.

7. Land use approval is limited to the uses proposed by the applicant on the recommended site plan and the SEPA Environmental Checklist dated June 06, 2007. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the Kitsap County Code.
8. Pursuant to KCC 21.04, land use approval is valid for a period of up to three (3) years from the decision date.

The Health District has reviewed the above referenced project and recommends preliminary plat approval subject to the following conditions:

9. Water is to be provided by Annapolis Water Company.
10. Sewerage is to be provided by Karcher Creek Sewer District.
11. Any wells or septic tanks that may be found on the property would have to be properly decommissioned.
12. A Building Clearance for Sewered Properties is required from the Health District prior to issuance of each building permit. These will each require a binding water availability letter, and sewer letter.

The Fire Marshal's Office has reviewed the above project for fire protection purposes and has the following conditions:

A fire protection review of the above project was performed using the codes in effect at the present time, which is the 2003 edition of the International Fire Code as amended by the state of Washington and Kitsap County and effective July 1, 2004, and amended September 14, 2005. This review shall not be construed as a complete review of the project and will cover the general requirements related to land use such as apparatus access design and required fire protection. The code in effect at the time of permit application will govern the regulations that will apply.

The following conditions have been noted as a result of the pre-application conference dated March 17, 2007 of the above project for fire protection purposes:

Fire flow

13. A minimum of 500 gallons of water per minute, measured at a residual pressure of 20 psi. supplied for a minimum of 2 hours will be required to provide adequate fire flow for a building of less than 3,600 square feet, if the construction type consists of Type V-B.

The required fire flow of 500 gpm requires a minimum of 1 hydrant to supply said volume.

14. Where a portion of the building hereafter constructed is more than 600 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the building, on-site fire hydrants shall be provided.

Emergency fire department access

15. Access roads shall be extended to within 150 feet of all portions of an exterior wall on all buildings, portions of buildings, or facilities being considered, as measured by an approved route around the exterior of the building or facility.
16. The unobstructed width of a fire apparatus access road shall be not less than 20 feet, except for approved security gates. The fire apparatus access road shall have an unobstructed vertical clearance of not less than 13 feet 6 inches.
17. Fire apparatus access roads shall be designed and maintained to support an imposed load of 75,000 pounds and shall be surfaced so as to provide all-weather driving surface.
18. All dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions or the turning around of fire apparatus.
19. The turning radius of a fire apparatus access road shall be a minimum of 25 feet inside diameter.
20. Fire department access roads shall not exceed 12% grade.

Timing of installation for fire apparatus access and water supply:

21. Fire apparatus access and water supply are required for this project. Such access and water supply shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods are provided.
22. Approved vehicle access for fire fighting shall be provided to the construction site.
23. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading (75,000 pounds) under all-weather conditions.
24. Vehicle access shall be maintained until permanent fire apparatus access roads are available.
25. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on site.

26. Buildings shall be constructed in accordance with the provisions of the International Building Code, and the International Fire Code, as adopted and enforced by Kitsap County.

Development Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. A site evaluation was conducted on January 18, 2006. These comments are based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans stamped received October 3, 2006 to Kitsap County Development Engineering.

Development Engineering accepts the concepts contained in this preliminary submittal and requires the following conditions as an element of the land use approval:

GENERAL

21. Construction plans and profiles for all roads, storm drainage facilities and appurtenances prepared by the developer's engineer shall be submitted to Kitsap County for review and acceptance. No construction shall be started prior to said plan acceptance.

22. Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.

STORMWATER

23. The information provided demonstrates this proposal is a *Major Development* as defined in **Kitsap County Code Title 12**, and as such will require a Site Development Activity Permit (**SDAP**) from Development Engineering.

24. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with **Kitsap County Code Title 12** or as amended at the time of SDAP application. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.

25. Kitsap County Code Title 12 classifies all water quality BMPs other than wet ponds/vaults, oil/water separators, and biofilters as experimental. The design engineer shall provide the required information as described in Section 6.6 of the Kitsap County Stormwater Design Manual with the SDAP application in order to gain approval from Development Engineering to use the experimental BMP. This requirement may be waived if the Washington State Department of Ecology (Ecology) has approved the specific BMP and the BMP is being utilized in accordance with the Ecology approval parameters.

26. Any project that includes off site improvements that create additional impervious surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with **Kitsap County Code Title 12** or as amended at the time of SDAP application.

27. The project proponent shall be responsible for installing any necessary off-site downstream drainage improvements. Procurement of any permits or easements necessary to install off-site improvements shall be the responsibility of the project proponent.

28. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: the Washington State website <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Charles Gilman at (360) 407-7451, email chgi461@ecy.wa.gov. This permit is required prior to issuance of the SDAP.

29. Individual on-site infiltration systems may be used instead of a secondary drainage system and will be required on lots that cannot be directed to the secondary system. The engineer shall submit a detailed site and grading plan showing the location and design of those proposed stormwater infiltration systems to Development Engineering with the SDAP submittal. Maintenance of these systems will be the responsibility of the homeowner.

30. Before final project approval, the proponent must submit a letter of concurrence from the Washington State Department of Transportation for any connection into the State Highway 303 drainage system.

31. Upon completion of the storm drainage facilities, the developer will be required to post a two-year maintenance bond for the facility. The developer will be responsible for providing regular and adequate maintenance during this two-year period and supportive maintenance records. At the end of this time, the County will inspect the system and, when the facility is acceptable and 80% of the homes have been completed, the County will take over maintenance and operation of the system. Wording to this effect must appear on the plat and in the covenants before final recording. Areas proposed to be maintained by the County that are not in the right-of-way must be shown as a separate tract/s or drainage easement/s with Kitsap County being designated as the grantee.

32. Kitsap County will not be responsible for any damage to any private roads, tracts, and/or easement areas that may occur during routine maintenance activities and that in Kitsap County's judgment occur, in whole or in part, because of any construction materials or techniques, or any maintenance materials or techniques. This includes, but is not limited to, damage to pavement or vegetated areas caused by maintenance trucks.

33. The water quality BMP shall be sized to provide treatment of the post-developed peak flow rate from the 6-month, 24-hour storm event per the KCSDM Section 6.2.

34. Impervious area allowed per lot shall be indicated on the face of the final plat.

TRAFFIC AND ROADS

35. At Building Permit application, submit (KCPW Form 1601) for issuance of a Concurrency Certificate, as required by KCC section 20.04.030 Transportation Concurrency.

36. The following note shall appear on the face of the final plat map. “All interior roads shall remain private as proposed by the applicant. Should the applicant or his successors or assigns choose to dedicate these roads to Kitsap County, it shall be subject to a further review by Kitsap County Development Engineering and Public Works. For roads to be dedicated to Kitsap County, they must meet all the requirements of the Kitsap County Code as adopted at the time of dedication. All improvements necessary to bring said roads to the then current Kitsap County standards shall be done at no expense to the County prior to being accepted into the Kitsap County road system for maintenance.”

37. All lots shall access from interior roads only. This note shall appear on the face of the final performance based development map.

38. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.

39. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of site access road and State Highway 303. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards. The certification shall also note necessary measures to correct and maintain the minimum sight triangle. The condition may be waived if the application submits documentation from WSDOT that adequate sight distance is available for the proposed site access.

40. Final plan approval will require documentation of WSDOT approval for impacts to and any required mitigation on State Highway 303. WSDOT point of contact is Dale Severson at (360) 357-2736:

Washington State Department of Transportation
Development Review Attn: Dale Severson
PO Box 47440
Olympia, WA 98504-7440

41. Should a County Road Improvement District (CRID) for the installation of roadways be formed, which includes this property within the CRID boundary, the owners of this property shall be obligated to participate. A covenant shall be recorded before the issuance of Occupancy Permits or performance based development recording indicating participation in the future CRIDs.

SURVEY

42. Provide a Final Plat Subdivision prepared in compliance with Kitsap County Code Title 16.16

43. All potential park areas, common open space, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance will be addressed on the face of the final plat as well as in the CC&R's.

SOLID WASTE

44. Contact the solid waste service provider Waste Management @ (360) 674-3166 for information on implementing the service provider's solid waste/recycling storage requirements for the proposed activity. Indicate method of waste disposal on the final plans. Provide documentation from the solid waste/recycling service provider that their requirements for this project have been met.

OTHER

45. Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit.

46. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 4.7.5.

47. A Hydraulic Project Approval (HPA) may be required for discharge into the wetland. Prior to SDAP approval, the applicant shall submit an approved HPA from the Washington State Department of Fish and Wildlife (WDFW) or documentation from WDFW specifying that an HPA is not required.

Wastewater

48. Connection to the County sanitary sewer system is available provided the current owner has an approved Sewer availability agreement with the Wastewater Division. All sewer mains must gravity into the County sewer system unless the terrain is unacceptable to allow this type of sewer design.

cc: Fred Depee, 3234 Mahali Lane, Port Orchard, WA 98366
West Sound Engineering, Inc. 217 Wilkins Dr., Port Orchard, WA 98366
Craig Baldwin P.E. West Sound Engineering, Inc. 217 Wilkins Dr., Port Orchard, WA, 98366

Interested Parties:

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Christopher Lemke, 3455 SE Emelia Lane, Port Orchard, WA 98367
David & Patricia Bonwell, 11358 Quail Run Drive NW, Silverdale, WA 98383
Don & Loretta Anderson, 3255 SE Baker Road, Port Orchard, WA 98367
Dr. Sheila Sheinberg, 3515 Baker Road SE, Port Orchard, WA 98367
James Roton, 3325 SE Emelia Lane, Port Orchard, WA 98367
Joe & Harriet Higdon, 3389 SE Baker Road, Port Orchard, WA 98367
John & Melody Sander, 10587 Bethel-Burley Road, Port Orchard, WA 98367
John Sanders 3377 SE Baker Road, Port Orchard, WA 98367
Karen Jake, 3456 SE Emelia Lane, Port Orchard, WA 98367
Kenny & Ginny Baker, 3330 SE Baker Road, Port Orchard, WA 98367
Lake Emelia Community Club, c/o Debra Lemke, 3455 SE Emelia Lane, Port Orchard, WA 98366

Loretta Anderson, 3255 SE Baker Road, Port Orchard, WA 98367
Margaret Stubbs, 3398 Emelia Lane, Port Orchard, WA 98367
Michael & Susan Watkins, 6677 Valley View Lane SE, Port Orchard, WA
98366
Mr. & Mrs Leonard Crews, 3255 SE Emelia Lane, Port Orchard, WA 98367
Peggy Henry, 3338 Baker Road SE, Port Orchard, WA 98367
Peter Boorman, 3515 SE Baker Road, Port Orchard, WA 98367
Robert Roberts, 3256 Emelia Lane, Port Orchard, WA 98367
Ryan Vancil, Esq., Vancil Law Offices, PLLC, 216 Ericksen Av NE Suite 3,
Bainbridge Island, WA 98110
William Simmons, 3338 Baker Road SE, Port Orchard, WA 98367

Kitsap County Health District, MS-30
Kitsap County Parks & Recreation Dept., MS-6
Kitsap County Development Engineering / Public Works
DCD Staff Planner Dennis Oost
DCD Code Enforcement
Hearing Examiner
Clerk of Hearing Examiner
DCD File
DCD Building Permit File
DCD Fire Marshall