



Notice of Hearing Examiner Decision

05/24/2018

To: Interested Parties and Parties of Record

RE: Project Name: Tracyton Greens – Preliminary Subdivision
Applicant: Liden Land Investment LLC
12968 Old Military Rd NE
Poulsbo, WA
Application: Preliminary Plat
Permit Number: 17-02589

Enclosed is the Decision issued by the Kitsap County Hearing Examiner for the above project.

The applicant is encouraged to review the Kitsap County Office of Hearing Examiner Rules of Procedure found at:

<https://spf.kitsapgov.com/dcd/HEDocs/HE-Rules-for-Kitsap-County.pdf>

The Decision of the Hearing Examiner is final, unless appealed, as provided under Washington law.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review at the Department of Community Development, Monday through Thursday, 8:00 AM to 4:00 PM and Friday 9:00 AM to 1:00 PM, except holidays. If you wish to view the case file or have other questions, please contact Help@Kitsap1.com or (360) 337-5777.

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Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Jeff Smith

DCD File 17-02589

**KITSAP COUNTY HEARING EXAMINER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION**

**Tracyton Greens Preliminary Plat
File No. 17-02589**

May 17, 2018

1. FINDINGS OF FACT

1.1 Proposal. The Applicant requests Preliminary Plat approval to subdivide 6.51 acres into 19 lots with single-family detached homes. The proposal will include a 40-foot wide private roadway, associated internal and external sidewalks, on-street parking, and public sewer and water. The proposal also includes open space, a recreational amenity, and preserved area for a stream, wetland, and associated buffers.

Applicant/Property Owner: Linden Land Investment LLC, 12968 Old Military Road NE, Poulsbo, WA 98370.

Applicant's Engineer: Seabold Engineering LLC, P.O. Box 445, Indianola, WA 98342.

Site Location: The project is at 6394 and 6398 Tracyton Boulevard NW, Bremerton, WA (Assessor Nos. 272501-3-070-2004 and 272501-3-069-2007).

1.2 Hearing. An open record public hearing was held on April 26, 2018. The Kitsap County Department of Community Development ("DCD"), through Mr. Smith, a planner with over 20 years of planning experience, testified on plat compliance with the Kitsap County Code ("KCC"). With the proposed conditions, DCD found the plat consistent and recommended approval.

The Applicant, through Mr. Laughlin, testified. He explained that while a denser project could have been built, the 19 lot approach reduces critical areas impacts and makes the project compatible with the surrounding neighborhood. The new roadway will follow an existing driveway to avoid disrupting access to properties to the north. The Applicant expressed concerns about the equities of the frontage improvements. However, to expedite the hearing process, the improvements were included in the plans.

Mr. Goschke, a neighbor to the south, had two questions. He was concerned about trees along the property line. The Applicant had said they would be removed as Mr. Goschke wants, but Mr. Goschke was concerned that DCD may require their retention. The trees have been topped, and he has safety concerns. Mr. Goschke also had a question about easement scope. He had granted an easement to the property owner, and he had questions on its scope. A property owner who lives to the east may have landlocked herself when she sold one of two parcels she owned, and he asked about her ability to use the easement.

Mr. Heacock, from DCD, addressed the first question. He said tree retention will be reviewed during the Site Development Activity Permit (“SDAP”) process. Where trees have been topped and altered, they may not be safe. If they must be removed where buffers are required, that would be allowed with replanting to mitigate. The County encourages use of existing roads, including when in buffers, as long as impacts can be mitigated. Mr. Heacock also addressed the on-site well. DCD is encouraging the Applicant to work out an arrangement with the well owner so it can be decommissioned. The well is close to the creek, so for creek flow purposes it would be beneficial to take it off line.

Ms. Vickery from DCD explained that stormwater management is a major part of her duties, but previous work with DCD involved survey matters. While she is not an attorney, she has knowledge and experience in dealing with access easements. Easements are a private matter between private parties. If this easement granted non-exclusive use, then its holder can grant usage rights to others. She has not reviewed the easement referred to, so does not know how it was structured. Staff then pulled the easement (Exhibit 21), and Ms. Vickery read an excerpt, noting the language stating it is non-exclusive. Regardless, the question is one for the parties to the easement.

1.3 Administrative Record. Prior to the hearing, the Hearing Examiner reviewed Exhibits 1-34 which included the Staff Report. At the hearing, a power point was proposed for addition as Exhibit 35. The Examiner admitted all exhibits.

1.4 SEPA. The SEPA comment period occurred concurrent with the Notice of Application.¹ DCD issued a Mitigated Determination of Non-Significance (“MDNS”).² As the appeal deadline was May 3, 2018, the Examiner continued the hearing through day end May 3, with the record remaining open. As no appeal was filed, a second hearing day was not required and the record closed on May 3. MDNS comments and conditions include:

Comments:

1. The SEPA comment period previously occurred concurrent with the Notice of Application dated July 13, 2017. There were public comments received by neighbors concerned with potential traffic impacts, right of way safety concerns and future sewer extension connections to the area. Comments will be addressed in the staff report.

Conditions:

1. The proposal will be conditioned for Stormwater control pursuant to KCC Title 12 (Stormwater Management). On-site dispersion and infiltration is proposed.
2. Due to the presence of wetlands and a fish-type creek on site (Moser Creek), the proposal will be conditioned to follow the requirements in KCC Title 19.200 (wetlands) and KCC Title 19.300 (streams).

¹ Exhibit 14; WAC 197-11-355.

² Exhibit 31.

3. On site wetland and streams buffers will be placed in a protective Open Space Tract.

4. Frontage improvements along the entire property frontage of Tracyton Blvd. NE are required, including a 12-foot travel lane, 5-foot bicycle lane, vertical curb, gutter, and 5-foot sidewalk. This work will interface with the planned Kitsap County culvert replacement project, slated for replacement in the summer of 2018.

Mitigation Measures:

1. Due to the proximity of the existing entrance road to the creek and wetland, a non-conforming access impact is unavoidable. Impacts to the buffer include 5,370 square feet. Buffer averaging of 6,175 square feet is proposed on site.

2. An on-site well supplies potable water to the neighbor to the north. Decommissioning this well would benefit the recharge of the wetland and Moser Creek. Negotiation to decommission this well and provide a water supply to the neighbor is encouraged.

1.5 Public Notice. Under KCC Title 21 Land Use and Development Procedures, the Preliminary Plat was properly noticed, with both mailing and publication for the notice of application and public hearing.³ There was public comment from two individuals. Mr. Goschke commented about a need for an easement across his property and was concerned with traffic safety at the plat entrance. Mr. Ishihara had questions on sewer facilities and whether sewer will be extended on Tracyton Boulevard.

1.6 Agency Comment. Agency comment was received regarding regulatory compliance, as further described below. As long as requirements are met, there were no objections to approval.

1.7 Zoning/Plan Designations. The Comprehensive Plan designation is Urban Low-Density Residential⁴ and the zoning designation is Urban Low Residential.⁵ This zone is designed to:

[R]ecognize, maintain, and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner.⁶

It provides for minimum/maximum densities of 5-9 dwelling units per acre, with a minimum lot area of 2,400 square feet. At approximately 8 dwelling units per net acre, the

³ Exhibits 14, 23, and 34.

⁴ Exhibit 28.

⁵ Exhibit 26.

⁶ KCC 17.200.010.

minimum density requirement is met; and at approximately 3 dwelling units per gross acre, the maximum allowed is not exceeded.⁷ These code provisions also apply:

- Minimum Lot Width: 40 feet
- Minimum Lot Depth: 60 feet
- Maximum Height: 35 feet
- Setbacks: Range between 5 and 20 feet

1.8 Surrounding Land Use and Zoning. The surrounding properties along the west, north and east sides are zoned Urban Low Residential. The Sydney Manor and Stampede subdivisions are on the east and the Coronado subdivision is to the northwest. South of Tracyton Boulevard NW, properties are zoned Rural Residential and developed with single-family homes on smaller lots. Properties to the north are developed with single-family homes on similar sized parcels.

1.9 Physical Characteristics. The two vacant lots are on Tracyton Boulevard NW's north side, within the unincorporated community of Tracyton. Existing access is on the site's east and south sides. The parcel includes mixed forest and open space. A well is near the center, and provides water to an abutting property to the north. Depending on negotiations with the property owner, the well may be decommissioned. The topography is rolling with a downhill gradient from east to west.

Moser Creek, a Type F stream requiring a 150-foot buffer, borders the site's west side. A Category II wetland on the west requires 100-foot buffer. As outlined above, a buffer incursion is necessary, so the MDNS outlined mitigation consistent with Title 19, regulating critical areas. The stream drains north to south to a culvert under Tracyton Boulevard NW, and then one-third of a mile to Dyes Inlet. Kitsap County Public Works is replacing the culvert through a program to eliminate fish blockage. The Soil Survey of Kitsap County classifies the site soils as Alderwood gravelly sandy loam, moderately deep and moderately well-drained; and Mckenna gravelly loam, moderately deep and poorly drained.

1.10 Project Details. The request is to subdivide 6.51 acres into 19 standard single-family residential lots for detached housing. The proposal includes a private roadway, associated sidewalks, on-street overflow parking, a recreation area, and public water and sewer. The Applicant will disturb only about 2.5 acres. The existing access off Tracyton Boulevard NW, named Clifford Place NW, provides access to the project site and two additional properties to the north with single-family homes. The road crosses the corner of property Mr. Goschke owns. The Applicant negotiated an access easement with the abutting property owner and recorded the agreement with the Kitsap County Auditor (Auditor File #201802230104).⁸

Through the County's 2018 Transportation Improvement Program, Kitsap County

⁷ KCC 17.110.213 (minimum density calculation based on net acreage; KCC 17.11.212 (maximum density calculation based on gross acreage); Exhibit 2; Exhibit 33 (Staff Report), pp. 3 and 7.

⁸ Exhibit 21.

Public Works has programmed the replacement of the failing culvert as TIP Project #10 for \$365,000.⁹ An existing but failing and undersized 18-inch diameter corrugated culvert is located under Tracyton Boulevard NW in Moser Creek, a fish-bearing stream on the site's west side. Culvert replacement involves a new 10-foot span, 6.5-foot rise, three-sided concrete structure over Moser Creek and will enhance fish passage. The Applicant is dedicating property to extend the culvert for the future construction of a 5-foot sidewalk and 5-foot bike lane. Public Works plans to replace the culvert in 2018 before plat construction.

1.11 Utility and Public Services.

- **Water:** City of Bremerton
- **Power:** Puget Sound Energy
- **Sewer:** Kitsap County Waste Water
- **Police:** Kitsap County Sheriff
- **Fire:** Central Kitsap Fire and Rescue
- **Schools:** Central Kitsap School District

1.12 Access and Transportation. The development will receive vehicular access from Tracyton Boulevard NW with a functional classification as Minor Arterial. Except along the property frontage, the right-of-way is mostly 60 feet wide with approximately two 11-foot travel lanes. The Applicant agreed to dedicate approximately 30 feet of private property to provide additional space for frontage improvements and the culvert replacement.

The Applicant has prepared a traffic impact analysis report to address potential impacts on the road system. The traffic engineer estimates there will be 14 peak AM trips and will provide field verification of the required sight distance.¹⁰ The proposal includes dedication of property and frontage improvements for the entire length on Tracyton Boulevard NW with a 5-foot sidewalk, curb, and a future 5-foot bike lane. The frontage improvements were included as SEPA mitigation to address the project's traffic impacts and ensure safe non-vehicular plat access. The Examiner lacks jurisdiction to revise these SEPA conditions. Engineering staff and Public Works reviewed the transportation component and issued preliminary approval.

1.13 Stormwater. Stormwater facilities will utilize full dispersion for the road surfaces to meet stormwater treatment and flow control requirements, with rain gardens installed for the rooftop hard surfaces. A storm drainage report was submitted,¹¹ which Engineering has reviewed and issued preliminary approval on.¹²

1.14 Sewer and Water Service. Kitsap County Waste Water will be the public sewer provider for the Preliminary Plat.¹³ The preliminary site plans show a pump station and Public Works has conditioned the plat to require the pump station for approval of the SDAP. The City

⁹ Exhibit 19.

¹⁰ Exhibit 12.

¹¹ Exhibit 9.

¹² Exhibit 25.

¹³ Exhibit 10.

of Bremerton will be the water provider for the Preliminary Plat, and the Applicant has received a nonbinding letter of water availability from the water utility.¹⁴

1.15 Schools. Central Kitsap School District was notified of the plat. If the District comments on a bus stop or other issues, those comments will be included with the SDAP review.

1.16 Lighting. Urban residential plats generally include illumination of internal roadways and street lighting at the intersection where private roads intersect with County right-of-way, under KCC 11.40 Street Lighting. The developer is usually responsible for installing lighting at the County's intersection, which is then conveyed to the County. If desired, the developer and/or Home Owners Association (HOA) install the internal street lighting. The individual property owners are billed through the local purveyor for lighting, with the HOA responsible for maintenance.

1.17 Fire Protection. The Fire Marshal's Office has reviewed the project, included conditions of preliminary approval, and forwarded a copy of the plans to Central Kitsap Fire and Rescue for comments. The Fire Marshal conditioned the project to provide fire flow with fire hydrants not over 600 feet apart within the plat.

1.18 Landscaping. Landscaping is required on Tracyton Boulevard NW at the subdivision, and street trees are required along the internal road. Street trees may conflict with the critical area buffer and will not be required to be planted along Tracyton Boulevard NW. A final landscape plan will have to be submitted with the SDAP. Street trees must be spaced at least 25 feet on-center along the internal roadway, and can be planted on individual lots or the 2.5-foot vegetative strip. The street trees adjacent to sidewalks should be a variety with a limb height to not impede pedestrians walking on the sidewalk. The Kitsap County Road Standards lists recommended types of trees.

1.19 Parking. The plat must follow KCC 17.490 Off-Street Parking and Loading. Two off-street parking spaces are required per residential lot and 0.5 per lot for overflow on-street parking, or 38 off-street spaces and 10 on-street spaces. The Applicant is providing 10 on-street parallel parking spaces. Off-street parking will be verified during building permit application. The Applicant has documented that the project follows the minimum overflow parking requirements and on-street parking will be shown on the SDAP site plan.

1.20 Sidewalks. The road within the plat will remain private and will have a functional classification as a low volume local access road. The Applicant is providing a 5-foot sidewalk on one side of the private road within the plat. Rolled curbing is prohibited and is not proposed.

1.21 Urban Standards – KCC 16.24.040. As addressed below, KCC urban standards requirements are met.

¹⁴ Exhibit 32.

- Access. See above, including § 1.12.
- Public Transit. The project is not currently on an existing Kitsap Transit route.
- Non-Motorized Facilities. There are no internal trails proposed. Public Works has identified a future bicycle lane, which is to be constructed to address the non-motorized plan requirements. Where clustered mailboxes are proposed, clear zone requirements must be met.¹⁵
- Off-Street and On-Street Parking. See § 1.19 above.
- Fire Protection. See § 1.17 above.
- Landscaping Requirements. See § 1.18 above.
- Utilities - Water supply and sewer. See §§ 1.11 and 1.14 above.
- Recreation. The Preliminary Plat will include a recreational open space amenity consistent with subdivision standards, calculated at 7,410 square feet.¹⁶ The recreation facility is centrally located near the southeast side of the wetland. Provisions must be made to provide a level area to provide a safe location for younger children and provide appropriate amenities.

1.22 Appropriate Provisions for Facilities and Improvements - KCC 16.04.080.

As addressed below, appropriate provisions for facilities and improvements have been made consistent with KCC 16.04.080, to ensure the plat serves the public interest.

- Code/Plan Consistency. The project, as conditioned, is consistent with the Comprehensive Plan and County Code. Both provide for attractive urban development adequately supported by urban facilities and services. The Staff Report explained relevant Plan policies, which outline these objectives. No policy or code provision was identified which the project would contravene.
- Adequacy of Access. Staff has reviewed the adequacy of the plat access on Tracyton Boulevard NW. Provisions have been made to verify sight distance on Tracyton Boulevard NW at construction. At the time of SDAP approval, the County will evaluate sight distance based on traffic speed, intersection geometry, and road frontage improvements. These measures, along with compliance with County transportation requirements, provide for adequate access. See also § 1.12 above.

¹⁵ KCC 16.24.040(C)(1)(d).

¹⁶ See KCC 16.24.040(H) (390 square feet x 19 units).

- Safe Walking Conditions. See §§ 1.12 and 1.20 above, which address the provision of sidewalks to ensure safe walking conditions are in place.
- Lot Configuration. Consistent with KCC requirements, the proposed 19 lots run at right angles to the street the lots face, and the Applicant is not proposing irregular lots.
- Home Owner Associations. Applicable code requirements shall be met. Several conditions are included addressing same. A condition is included for property owner maintenance of certain plat conditions. Although an HOA may take responsibility for such work, such associations can be dissolved. This condition ensures that regardless of whether an HOA takes on these responsibilities, they remain with the ultimate property owners.

1.23 Single-Family Subdivision/Development Standards – KCC 17.420.037. The plat meets single-family platting requirements.

- Sidewalk Requirements. See §§ 1.12 and 1.20 above.
- Public Streets and Connectivity Requirements. The preliminary subdivision will include an internal private road, which will not involve the dedication of the road to the County. Except for the two property owners to the north, there is limited opportunity for connectivity due to topographic limitations and the existing Olympic High School campus.
- Utilities Connectivity Requirements for Public Utility Extensions to Abutting or Contiguous Properties. There may be an opportunity for connectivity for urban services from the abutting residential subdivisions.
- Landscaping Requirements. See § 1.18 above.
- Off-Street Parking. See § 1.19 above.

2. CONCLUSIONS OF LAW

2.1 The Hearing Examiner reviews Preliminary Plat applications for consistency with Single-Family Subdivision/Development Standards and platting requirements. These requirements include zoning and platting requirements at Title 17, KCC 16.04.080, KCC 16.24.040 Urban Standards, Ch. 16.40 KCC 16.40, and KCC 17.420.037. These regulations require that plats meet sizing and related requirements (*i.e.*, density, height, setbacks, and landscaping), and be adequately served with necessary infrastructure and services (*i.e.*, stormwater facilities, sewage, water supply, transportation facilities, recreational facilities, and schools).

2.2 The zoning code authorizes the proposed residential use at the densities proposed. As addressed in the findings above, and assuming the below conditions are complied

with, the proposal can meet all platting requirements, including lot size, setbacks, and infrastructure requirements. Conditions are imposed to ensure these requirements are complied with.

2.3 Conditions are imposed to ensure County transportation, stormwater, and water/sewer service requirements are complied with. The proposal, as conditioned, and as the findings address throughout, includes provisions to address impacts on drainage; roads, including adequate access and safe walking conditions; water supplies; sanitary wastes; fire protection; landscaping; and other supporting public and private facilities and improvements.

2.4 As mitigated and proposed, the project is consistent with Comprehensive Plan policies providing for attractively designed urban development adequately supported by urban facilities and services.

2.5 Given project consistency with requirements and policies, the Hearing Examiner concludes it should be approved.

DECISION

The Hearing Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves the requested Preliminary Plat, provided the following conditions are adhered to.

1. All required permits shall be obtained prior to commencement of land clearing and/or construction.

Planning/Zoning.

2. All building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.

3. A Final Landscape Plan will be required to be submitted consistent with KCC 17.500 Landscaping, during civil site plan review, which depicts natural vegetation, and the planting and irrigation plan. The tree retention plan recommended should be included with the SDAP.

4. Street trees shall be planted along the access road on individual lots at approximately 25' spacing or the vegetative strip between the sidewalk and thicken edge. A final landscape plan will be subject to approval by DCD prior to SDAP approval. Trees on individual lots are required to be installed prior to Certificate of Occupancy of individual residential units.

5. Include a note on the face of the plat showing building setbacks for the lots as conditioned per the plat approval.

6. Prior to the plat transferring to the HOA, the developer will be responsible for irrigation and maintenance of all landscaping to ensure survival up to two years. The developer or the HOA should maintain all landscaping consistent with Tree Care Industry Association standard practices.

7. Pursuant to KCC 21.04.110 Timeline and Duration of Approval, Kitsap County's land use approval for the Preliminary Plat is valid for a period of up to five (5) years from the decision date of the Preliminary Plat consistent with RCW 58.17.140 and .170.

8. The decision set forth herein is based upon representations made and exhibits contained in the project application (Exhibits 1A and 1B). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County.

9. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the Applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the Applicant agrees to promptly bring such development or activities into compliance.

10. Any violation of the conditions of approval shall be grounds to initiate revocation of this plat.

11. Land segregations of five or more lots within a UGA that propose roads and/or stormwater facilities to be privately maintained shall form an HOA, registered with the State of Washington. Conditions, covenants and restrictions (CCR) documents shall address, at a minimum, ownership of and maintenance responsibilities for any private roads and any private stormwater facilities. In rural zones where private roads and/or stormwater facilities are proposed, road and storm facility maintenance agreements may suffice.

Environmental.

12. Land use approval is limited to the uses proposed by the Applicant on the recommended site plan and the SEPA Environmental Determination dated April 18, 2018. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the KCC.

Health.

13. The existing septic tank needs to be abandoned to code. Sewered building clearances will be required prior to building permit issuance.

14. The existing well must be decommissioned by a licensed well driller prior to Final Plat

Fire.

15. Fire hydrants. Water line size and location, the location of new and existing fire hydrants must be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits. Minimum fire flow of 500 gallons per minute at 20 psi is required. IFC 507.3 Amended by Kitsap County.

16. Access. When a road is more than 150 feet, a turnaround is required. What appears to be a modified turnaround is shown on plans but not identified as such. If this is the case, provide minimum of 25 feet inside radius and a method of how turnaround will be kept clear of obstructions, per IFC 503, 503.4 Amended by Kitsap County.

17. No parking signs. When fire department access is only 20' wide, roads shall be posted with approved signs or marked per IFC 503.3.

Development Engineering.

18. 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 plan acceptance.

19. 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 KCC Titles 11 and 12.

Stormwater.

20. The information provided demonstrates this proposal meets the definition of a Large Project and as such will require a Full Drainage Review SDAP from Development Services and Engineering.

21. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with KCC Title 12 effective at the time the Preliminary Plat application was deemed complete, June 28, 2017. 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.

22. The SDAP shall demonstrate the project meets the requirements of Minimum Requirements 1-9, by using the first feasible BMP for each surface from BMP List #2 or by meeting the LID Performance Standard.

23. The site plan indicates that greater than one (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: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.

24. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before recording the Final Plat for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.

25. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the Final Plat; provide per lot areas for rooftop and for driveway.

26. The following note shall be added to the face of the Final Plat: Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall drainage facilities shall be mitigated in accordance with KCC Title 12.

27. Prior to recording the Final Plat, soil amendment is required over all disturbed areas within Tracts that are not covered by hard surface; provided, that in the event completion of a Recreational Tract has been bonded, soil amendment shall be completed prior to expiration of the performance bond covering that work.

28. The following condition shall be added to the face of the Final Plat: At the time of submittal of a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.

29. If the project proposal is modified from that shown on the submitted site plan dated November 20, 2017, Development Services and Engineering will require additional review and potentially new conditions.

Traffic and Roads.

30. An Application for Concurrency Test (KCPW Form 1601) shall be submitted as required by Chapter 20.04.030, Transportation Concurrency, of the KCC. The KCPW Form 1601 reserves road capacity for the project.

31. 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 Services and Engineering. 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."

32. All traffic control devices on public and private roads shall comply with the Manual on Uniform Traffic Control Devices as amended by the Washington Administrative Code. This is in accordance with 23 Code of Federal Regulations (CFR), Part 655.

33. The hammerhead shall be designed to accommodate a SU design vehicle. The wheel path of the design vehicle shall remain within the paved area for all required movements.

34. All rights of access for adjoining properties currently in existence shall be preserved and documented on the face of the Final Plat. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to recording the Final Plat.

35. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per Washington State Department of Transportation (WSDOT) standard plans at the time of construction.

36. All lots shall access from interior roads only. This note shall appear on the face of the Final Plat map.

37. The property owners within the plat shall be responsible for maintenance of all landscaping within the existing and proposed right-of-way including any structures other than roadway, storm drainage facilities, and traffic signage. Maintenance shall include, but not be limited to, mowing of lawn areas. A note to this effect shall appear on the face of the Final Plat map and the accepted construction plans. In addition, Development Services and Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.

38. The Applicant shall submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards, Figure 4-3.

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

40. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the interior plat road and Tracyton Boulevard. 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.

41. With the SDAP application submittal materials, the Applicant shall provide an Auto-TURN analysis of site access at Tracyton Boulevard showing the design vehicle can make all movements without lane encroachment.

42. All work, equipment and materials for traffic signal and street lighting installations shall meet and be in compliance with all requirements of the Kitsap County Road Standards, Project Contract Provisions of Plans and Specifications accepted for construction by Kitsap County, MUTCD Manual on Uniform Traffic Control Devices, NEMA National Electrical Manufacturer's Association, NEC National Electrical Code, WSDOT Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).

43. The property owner shall dedicate adequate right-of-way along the entire property frontage of Tracyton Boulevard, to accommodate a 12-foot travel lane, 5-foot bike lane, and 5-foot sidewalk. The Final Plat shall include a dedication statement and depict this right-of-way dedication.

44. Frontage improvements, consisting of 12-foot travel lane, vertical curb, gutter, 5-foot sidewalk, and 5-foot bike lane, are required along the area of the dedicated right-of-way of Tracyton Boulevard. Applicant shall coordinate with Kitsap County Public Works regarding the planned culvert installation project and construct the required frontage improvements prior to recording the Final Plat.

45. Frontage improvements, consisting of curb, planting strip and 5-foot sidewalk on one side, are required along the interior plat roads.

46. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process. The need for and scope of bonding will be determined at that time.

Survey.

47. A Final Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.

48. All potential park areas, common open space, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance responsibility shall be addressed on the face of the Final Plat, as well as in the CCRs.

49. Access to all lots shall be from roads within the proposed plat boundaries. A note to this effect shall be placed on the Final Plat.

Waste Water.

50. Kitsap County sanitary sewer is available for the project. The Applicant shall submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works - Sewer Utility Division Standards and Regulations.

51. The preliminary utility design shows individual sewage pump stations. A commercial sewage pump station will be required for approval of the SDAP.

Solid Waste.

52. Prior to SDAP approval, Waste Management (360-674-3166) shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider for the project. The Applicant shall pay particular attention to the access requirements of collection trucks. Documentation shall be provided from the solid waste/recycling service provider that its requirements for this project have been met.

THIS DECISION is entered this 17th day of May, 2018.



Kitsap County Hearing Examiner
Susan Elizabeth Drummond