



Notice of Hearing Examiner Decision

04/06/2020

To: Interested Parties and Parties of Record

RE: Project Name: Farm Kitchen
 Applicant: Hollis Fay
 24311 Port Gamble Rd NE
 Poulsbo, WA
 Application: Conditional Use Permit
 Permit Number: 19-01275

The Kitsap County Hearing Examiner has **APPROVED** the land use application for **19-01275 Farm Kitchen Conditional Use Permit (CUP)**, subject to the conditions outlined in this Notice and included Decision.

THE DECISION OF THE HEARING EXAMINER IS FINAL, UNLESS TIMELY APPEALED, AS PROVIDED UNDER WASHINGTON LAW.

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>

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.

CC: Applicant: Hollis Fay, hollis@farmkitchen.com
Owner: Hollis A. Fay, info@farmkitchen.com
Health District
Public Works
Parks
Navy
DSE
DCD
Prosecutor's
Assessor

Kitsap Sun
Kitsap Transit
Poulsbo Fire District #18
North Kitsap Fire District
South Kitsap Fire District
North Kitsap School District
Puget Sound Energy
Water Purveyor
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
WA Dept of Fish & Wildlife WA State Dept of Ecology-SEPA
Interested Parties:
None

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

**Conditional Use Permit
Farm Kitchen, File No. 19-01275**

March 30, 2020

1. FINDINGS OF FACT

1.1 Proposal. The Applicant requests a Conditional Use Permit ("CUP") to operate a commercial kitchen, event facility, and vacation rental on a 7.5 acre parcel. The property is developed with:

- A single-family residence (2,683 square feet);
- Two carports (1,062 and 800 square feet);
- Two general purpose buildings (3,652 and 1,728 square feet); and,
- Several other accessory buildings.

Applicant/Property Owner. Hollis Fay, 24311 Port Gamble Road NE, Poulsbo, WA 98370.

Location. 24309 Port Gamble Road, Poulsbo, WA 98370. Assessor Parcel No. 322702-3-025-2000.

1.2 Administrative Record. The Hearing Examiner admitted Exhibits 1-38, which included the Staff Report, application materials, documentation of agency consultation, and public notice documents. At the hearing, both the Department of Community Development ("DCD") and Applicant submitted power point presentations, and both submitted timely comment after the hearing (Exhibits 37 and 38). The record was kept open until March 17.

1.3 Notice. Hearing and application notice was provided consistent with KCC requirements.¹

1.4 Hearing. An open record public hearing was held March 12, 2020. DCD, through Ms. Sands, summarized the proposal and relevant code requirements. DCD found the proposal consistent with requirements, and recommended approval with conditions. The Applicant, Ms. Fay, and her business partner, Ms. Thatcher, provided additional detail. DCD's proposed conditions were acceptable, excepting Condition 9 (monthly weekend long business closure); and, Condition 15 (parking stall striping). These issues are addressed below. No member of the public indicated a wish to speak.

¹ Exhibits 13, 25 and 32; KCC 21.04.080, .210.

1.5 SEPA. DCD issued an unappealed Determination of Non-Significance, with a condition requiring Title 12 compliance on stormwater control.²

1.6 Agency Comment. The proposal was circulated within the County. As long as requirements are met, there were no agency objections to approval.

1.7 Zoning/Plan Designations and Surrounding Land Uses. The Comprehensive Plan and zoning designations are Rural Residential.³ Surrounding properties are also zoned Rural Residential and are undeveloped or in residential use.

1.8 Site Physical Characteristics. For over twenty years, the owner has operated an organic farm. There are several market garden areas and a fruit orchard. The property is developed with a single-family residence and multiple accessory buildings. The main barn is used as a commercial kitchen, while a hay barn is used for agricultural purposes and storage. Several other small buildings will support event activities. Outside the developed and farmed areas, the property is landscaped, and coupled with 100-foot plus mixed deciduous and evergreen forested area along the north property line. The site's southern half is relatively flat, sloping down toward the north and west.

1.9 Utility and Public Services.

- **Water:** Public water and on-site well
- **Power:** Puget Sound Energy
- **Sewer:** On-site septic
- **Police:** Kitsap County Sheriff
- **Fire:** North Kitsap Fire and Rescue #10
- **Schools:** North Kitsap School District #400

1.10 Access and Transportation. Access to the site is from Port Gamble Road NE, a paved county-maintained road classified as rural local access. The county road can handle the traffic the proposal is expected to generate, so traffic mitigation is not required. The property owner is responsible for maintenance of any landscaping or structures within the existing and proposed right-of-way, including mowing of lawn areas.⁴ The Applicant must improve the existing access point to meet current standards for a commercial road approach.⁵

1.11 Off-Street Parking. The code does not specify the number of parking spaces for a commercial kitchen, event facility or vacation rental.⁶ The use will have a maximum of 150 guests, including all participants, attendees, guests, officials, vendors and other service providers. DCD's analysis showed 75 parking spaces would be required for large events of 150 people. The site has 65 parking spaces, which are expected to be adequate to serve an outdoor event for a maximum attendance of 150, assuming utilization of shuttles and/or ride sharing services as

² Exhibit 24; Exhibit 33 (Staff Report), p. 2.

³ Exhibits 27 and 31; Exhibit 33 (Staff Report), p. 3.

⁴ Exhibit 33 (Staff Report), p. 14; Condition 30.

⁵ Exhibit 33 (Staff Report), p. 13; Condition 31.

⁶ KCC 17.490.030.

proposed as the Applicant proposes.⁷ All parking shall occur on-site and no parking is allowed on Port Gamble Road NE or any public right-of-way.

1.12 Environmental. There is a sliver of Geologic Critical Areas mapped as moderate Erosion Hazard Area along most of the west property line.⁸ The proposal is outside this area. The site is over a Category II Critical Aquifer Recharge Areas.⁹ The existing and proposed uses, commercial kitchen, event facility and vacation rental, are not identified as "activities with potential threat to groundwater" at KCC 19.600.620; therefore, a hydrogeological report is not needed. The project is conditioned to prohibit any "activities with potential threat to groundwater" without additional DCD review and approval.¹⁰

1.13 Lighting. The main barn exterior and walkways are illuminated. The large patio area with a seasonal (May-September) canopy is illuminated within the canopy. Other buildings and walkways have exterior lighting; parking areas are lit for safety and security; and, selective lighting illuminates vegetation features.¹¹

1.14 Signage. An existing 8.5 foot sign, with an area just over 20 square feet, is at the site entrance. Due to its size, a sign permit is required.¹²

1.15 Landscaping. Excluding parking areas, 85% of the property is landscaped. There are several market garden areas and a fruit orchard. In addition to the landscaping and farmed areas, along the north property line, there is a mixed deciduous and evergreen forested area, with trees over 100 feet tall.¹³

1.16 Development Engineering/Stormwater. All buildings are existing, and any stormwater requirements would have been reviewed as part of the building permit application for that structure. The parking areas are proposed on existing hard surface areas that are typically gravel, and on grassy areas. The project falls below the threshold requiring further stormwater mitigation.¹⁴

1.17 Fire Safety. Fire apparatus access roads are required. Places of assembly, canopies greater than 400 square feet, and tents require a fire code permit.¹⁵

1.18 Solid Waste. Waste Management determined there is adequate access for its collection vehicles, and approved the proposal for garbage and recycling service.¹⁶ If a compactor is used, liquid wastes may not discharge into the stormwater system.¹⁷

⁷ Exhibits 7, 8 and 16; Exhibit 33 (Staff Report), pp. 11-12.

⁸ Exhibit 29; Exhibit 33 (Staff Report), p. 14.

⁹ Exhibit 28; Exhibit 33 (Staff Report), p. 14.

¹⁰ Exhibit 33 (Staff Report), p. 14; Condition 28.

¹¹ Exhibit 23; Exhibit 33 (Staff Report), p. 11.

¹² Exhibit 33 (Staff Report), pp. 12-13; Exhibit 23; KCC 17.510.050(K).

¹³ Exhibit 5; Exhibit 33 (Staff Report), p. 13.

¹⁴ Exhibits 11, 12 and 21; Exhibit 33 (Staff Report), pp. 13-14.

¹⁵ Exhibit 33 (Staff Report), p. 14.

¹⁶ Exhibit 18.

¹⁷ Exhibit 33 (Staff Report), p. 14; Condition 36.

1.19 Water/Sewer. An on-site Group B well classified as a public water system and an on-site septic system serve the property.¹⁸

1.20 Kitsap Public Health District. The District approved the proposal with a condition that limits the number of events of 25 or more people to 60 per calendar year due to the Group B well, public water system. To hold more than 60 such events, the Applicant must upgrade to a Group A public water system.¹⁹

1.21 Planning/Zoning. The Comprehensive Plan and zoning designations are Rural Residential, which provide for one dwelling unit per five acres. Plan policies encourage rural economic growth, and resource-based economic uses which do not require urban services and facilities.²⁰ The Plan's Economic Development chapter promotes local food economy growth.

- ED Goal 5: Support the local food economy.
- ED Policy 29: Expand the county's capacity to produce, process, distribute and access local foods.
- ED Policy 30: Support, including agro-tourism and value-added programs that will stimulate economic growth.
- ED Policy 33: Strengthen the food value chain by supporting new congregation and distribution opportunities such as farm stands, farmer's markets, and food hubs.²¹

The events center is linked to the farming operation and kitchen, and supports the local food economy. The unique rural setting is necessary for use establishment. The Applicant documented project economic benefits and the use's link to local food production.²² More generally, the project does not require urban services and facilities, and conditions are imposed to ensure use compatibility with neighboring uses, and avoidance of material detriment. Impacts, including from noise and traffic, are mitigated. The use is consistent with Comprehensive Plan goal and policy objectives.

1.22 Conditions/Staff Report. Excepting Conditions 9 and 15, DCD's proposed conditions should be incorporated without substantive revision, and except as the Decision revises it, the Staff Report is incorporated.

1.22.1 Disputed Condition/Once Monthly Business Closure – Condition 9.²³ DCD proposed a condition which would require business closure for events one weekend a month, from Friday-Sunday. The Applicant is concerned with losing business, and requested a May-August exception, as this is the “primary time people wish to visit our area and book events

¹⁸ Exhibit 2; Exhibit 33 (Staff Report), p. 15.

¹⁹ Exhibit 33 (Staff Report), p. 15; Condition 37.

²⁰ See e.g., Comprehensive Plan LU Goal 13 and LU Policy 50.

²¹ See also Comprehensive Plan ED Goals 1 and 3, and ED Policies 5, 11, 15, 21, and 23.

²² Exhibit 36 (Applicant power point); Testimony, Ms. Thatcher.

²³ DCD proposed that, “[n]o events shall occur the last full weekend of each month, including Friday, Saturday and Sunday.

such as weddings and family celebrations.”²⁴ Also, these are the months when the flower gardens are at their best, so the farm venue is often of most interest to clients.²⁵

The use described in application materials, and at the hearing, is well thought through, orderly, and aesthetically attractive. Neighbors have not voiced any concerns about the use, or about the business’s current operations. The Applicant emphasized that the uptick in activity during these months also corresponds with the period “that our seven neighborhood households are most likely to be away on vacation or camping trips.”²⁶

DCD was concerned about impacts to neighbors. If Health District requirements are met, up to 150 people at a time (including event coordinators, and vendors) could be at the site. DCD has had complaints with other rural event venues related to loud music and traffic. Its proposed condition attempted to provide the neighbors a weekend of respite. In responding to the request to lift the condition over the summer months, DCD explained:

[T]he applicant asks to defer the event-free weekends to the spring, fall and winter months when most events will be indoors, but during this time the capacity of the venue is smaller as the Main Barn can only safely hold 85 people. The greater impact will be during the peak season when the ability to be outside will allow greater occupancy. Being outside also allows greater noise and other disturbance impacts. Thus, the mitigation is needed during these peak times and not when the impact is least likely.²⁷

In its post-hearing comment, DCD proposed additional language, including mailed notice. As this was not included in the original conditions, and the Applicant has not had an opportunity to review and comment on the new language, it is not incorporated.

DCD’s proposed language limiting events during the summer months is simple and straightforward. But, with that clarity comes less flexibility to tailor conditions to actual impacts. One way to address this is for the Applicant to either comply with the proposed condition, or to develop a neighbor compatibility plan, should an issue arise during the summer months. This would give DCD an added alternative for addressing future issues, should there be any, while allowing the Applicant some flexibility to adjust operations to mitigate specific impacts.

Since the hearing, the COVID-19 situation has drastically curtailed economic activity, with a shelter in place directive issuing March 23. The parties have not had the opportunity to address its ramifications, but the conditions are appropriate for judicial notice. Given local government will be doing all it can to revive the economy, and it will presumably take time for event demand to reach “pre-COVID” levels, it is reasonable to waive the condition for the upcoming events season, or for six months.

²⁴ Exhibit 37.

²⁵ Exhibit 37.

²⁶ Exhibit 37.

²⁷ Exhibit 38, pg. 3.

1.22.2 Disputed Condition/Parking Stripes – Condition 15. DCD proposed requiring parking area striping for all events.²⁸ Following the hearing, the Applicant proposed requiring striping for events with over 85 attending, while DCD proposed same when 70 or more are attending. The Applicant stated with 40-70 attendees, this would typically generate 15-35 vehicles (“which can readily park without the need for additional guidance of striping”). The parties agree striping is useful for guidance, but when it becomes needed (70 or 85, a roughly 8 vehicle difference), was disputed. 75 attendees is not quite in the middle. If 35 can readily park, 2-3 additional vehicles is not an issue. DCD’s revised language, but using 75 as the figure, is a reasonable compromise to minimize unnecessary work while also ensuring smooth traffic flow.

2. CONCLUSIONS OF LAW

2.1 Hearing Examiner Review Authority. The Hearing Examiner has review authority for this CUP application.²⁹ The Hearing Examiner may approve, approve with conditions, or deny a CUP.³⁰ The Hearing Examiner may also continue the hearing to allow for additional information necessary to make the proper decision.

2.2 Uses. A CUP is required for this use. The project is a combination farm kitchen, event facility, and vacation rental. The event facility, while not specifically listed at KCC 17.410.042, is properly characterized as a civil or social club, or private recreational facility. These uses are authorized by CUP, with conditions to ensure adequate access to County right-of-way, and avoid material detriment to surrounding uses.³¹ The kitchen is a long-standing and authorized use, but will be used to serve events, so is folded into the CUP. The single-family residence would be rented for short 30-day periods or less.³² Typically, an administrative CUP would be required, but with this consolidated review, the use is incorporated into this CUP.³³

2.3 Conditional Use Permit Requirements. A CUP must comply with:

1. The proposal is consistent with the Comprehensive Plan;
2. The proposal complies with applicable requirements of this title [Title 17];
3. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity; and
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.³⁴

²⁸ “Unmarked parking areas shall be striped prior to each scheduled event, with temporary striping acceptable.”

²⁹ KCC Sections 17.410.010(C) and 21.04.100.

³⁰ KCC 17.550.030(A).

³¹ KCC 17.410.042, #s 324 and 306, *see also* FN 12.

³² KCC 17.410.042, # 108, *see also* FN 34 (the residence could be rented out for longer periods, and would not require a CUP).

³³ KCC 21.04.180.

³⁴ KCC 17.550.030(A).

Comprehensive Plan. The Rural Residential designation promotes economic activity consistent with the rural character. The proposal does not require urban infrastructure and supports rural food production and economic development. Critical areas are protected and the proposal does not conflict with agricultural, forest, and mineral resource uses. The proposal achieves Comprehensive Plan consistency.

Code Compliance. The proposal is conditioned to ensure compliance with Title 17 and other applicable code requirements. No code provision was identified which would not be complied with. County code provisions addressing landscaping, critical areas, lighting, stormwater management, and other requirements have been or will be complied with. The project follows Title 17.

Compatibility/Material Detriment. The project has been conditioned to ensure compatibility with surrounding uses and avoid material detriment. While no neighbor concerns were raised, noise and traffic are the mostly likely concerns with this use. The use is limited through operating hours, number of attendees, must comply with County noise code requirements, and the project has been designed to minimize impacts. Condition 9 (quiet weekend/compatibility plan) provides added protection, should issues arise. The Applicant has demonstrated consistency with this criterion.

DECISION

The Hearing Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves the requested CUP, provided these conditions are adhered to:

Planning/Zoning

1. All required permits shall be obtained prior to commencement of any proposed uses or activities.
2. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
3. Artificial outdoor lighting shall be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with surrounding properties. Light standards (poles) shall not exceed 20 feet in height.
4. Any and all signage design and location (including exempt signs) shall comply with KCC 17.510 and be reviewed and approved by DCD prior to installation. Signage may require a separate permit.
5. A sign permit for the existing Farm Kitchen sign shall be applied for within 30 days of the Notice of Decision.

6. Use of the commercial kitchen may occur year-round, seven days a week, by appointment only.
7. The use of the commercial kitchen is limited to five people at the same time.
8. The commercial kitchen hours of operation are 6:00 AM to 9:30 PM.
9. This condition is stayed until six months after Decision issuance, or September 30. After that point, the Applicant shall comply with either (a) or (b), below.
 - a. No events shall occur the last full weekend of each month, including Friday, Saturday and Sunday.
 - b. Excepting May-August, no events shall occur the last full weekend of each month, including Friday, Saturday and Sunday. If there are neighbor complaints substantiating traffic, noise, and/or post-event clean-up impacts substantially interfering with neighboring uses, and occurring during May-August, the Applicant shall either comply with (a) above, or submit a neighborhood compatibility plan for DCD review and approval to specifically address the identified impacts.
10. The event facility shall be limited to one event per day.
11. All event activities shall occur between the hours of operation specified below, and all noise, music, amplified sound, and sound-related equipment shall be turned off or stopped at the end time specified. All participants shall be off the property no later than one hour after the last time specified. Event facility hours of operation are:

Monday through Thursday:	7:30 AM to 9:00 PM
Friday and Saturday:	8:00 AM to 10:00 PM
Sunday:	8:00 AM to 8:00 PM
12. Maximum occupancy for indoor events shall be limited to 85.
13. The maximum number of event participants per outdoor event is limited to 150, which includes but is not limited to participants, attendees, guests, officials, vendors and other service providers.
14. Sixty-five (65) parking spaces shall be provided on the subject property as indicated on the parking plan (Exhibit 16).
15. Events for 75 participants or more, which includes attendees, guests, officials, vendors and/or other service providers, requires parking areas to be striped before the scheduled event. Temporary striping is acceptable.
16. No parking is allowed on Port Gamble Road NE or any public right-of-way.

17. No outside storage is allowed for the commercial kitchen, event facility and/or vacation rental uses.

18. All events shall comply with the noise regulations at KCC Title 10, specifically Chapter 10.28 Noise.

19. All events shall comply with the Washington State Liquor and Cannabis Board regarding any permits required for the serving of alcohol.

20. Landscaping shall be installed and maintained in conformance with the requirements of KCC 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.

21. The recipient of any CUP shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the administrative CUP and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the Applicant's expense.

22. The uses of the subject property are limited to the uses proposed by the Applicant and any other uses will be subject to further review pursuant to the requirements of the KCC. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not be, and is not to be, construed as approval for more extensive or other utilization of the subject property.

23. The decision set forth herein is based upon representations made and exhibits contained in the project application 19-01275 Farm Kitchen CUP. 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 and potentially the Hearing Examiner.

24. 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.

25. This CUP approval shall automatically become void if no development permit application is accepted as complete by DCD within four years of the Notice of Decision date or the resolution of any appeals.

26. Any violation of the conditions of approval shall be grounds to initiate revocation of this CUP.

Development Engineering

27. If the project proposal is modified from that shown on the submitted site plan dated October 1, 2019, Development Services and Engineering will require additional review and potentially new conditions.

Environmental

28. No uses that are identified as “activities with potential threat to groundwater” at KCC 19.600.620 shall occur prior to amending or revising this CUP.

Traffic and Roads

29. The Applicant shall submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the KCC. The KCPW 1601 form reserves road capacity for the project.

30. The property owners 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.

31. 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 as established in Chapter 11.22 of the KCC. The existing approach shall be improved to meet current standards for a Commercial Road Approach: 20-foot width at the throat; 35-foot radii on each side where it meets the existing road.

Fire Safety

32. Fire apparatus access roads shall be constructed and maintained. Any proposed revision to these roads shall be submitted to, reviewed by, and approved by the Kitsap County Fire Marshal’s Office. All fire apparatus access roads shall comply with International Fire Code (IFC) 503 as amended by Kitsap County.

33. Fire apparatus access roads shall comply with the following:

a. Unobstructed width of 20 feet and height of 13 feet 6 inches.

b. Shall be designed and maintained to support a 60,000 pound fire apparatus and be provided with an all-weather driving surface.

c. Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.

d. Inside turning radius for commercial projects shall be a minimum of 35 feet.

e. Access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the structure as measured by an approved route around the exterior of the structure or facility.

f. Road shall not be more than 12% grade.

34. Prior to establishing the event facility, submit a Fire Code Permit: Places of Assembly.

35. Prior to installing the canopy over the patio or setting up a tent, submit a Fire Code Permit: Temporary Membrane structure (Tent).

Solid Waste

36. If using a compactor, liquid wastes generated as a result of compaction must not discharge into the stormwater system per BKCBH Ordinance No. 1996-11, Section IV.2.a.

Kitsap Public Health District

37. Events shall be limited to 60 events per calendar year that serve more than 25 people. If over 60 events per year are planned, the Group B well shall be upgraded to a Group A public water system.

Absent a timely appeal or grant of reconsideration, this Decision is final.³⁵

DECISION entered March 30, 2020.



Kitsap County Hearing Examiner
Susan Elizabeth Drummond

³⁵ Ch. 36.70C RCW (providing requirements for appeal within 21-days to superior court); HE Rule 2.12.1.