



Staff Report for the Hearing Examiner

Report Date: August 28, 2017
Hearing Date: September 14, 2017

Application Submittal Date: May 16, 2016
Application Complete Date: May 16, 2016

Permit Number: 16 02134

Project Name: Living Hope Community Baptist Church

Type of Application: Conditional Use Permit

This staff report was prepared by Meg Sands, Planner, Steve Heacock, Environmental Planner, and Candy Vickery, Engineer 1, based on information available up until the time the report was prepared. New information relevant to review of this application may become available prior to the hearing or at the hearing. Staff may wish to change their analysis based upon that new information, and reserves the right to do so.

Proposal Summary:

The Department of Community Development is recommending approval, subject to 60 conditions, of the applicant's request for a Conditional Use Permit to construct a church and associated infrastructure in 4 phases. At full build-out the proposed 2-story church would be 38,000 square feet and provide area for a 400-seat worship center, offices for staff, and classrooms for children and adults. The proposal also includes a playfield to provide for a soccer camp for 1 week in the summer. The project proposes a total of 118 parking spaces.

The 4.84-acre parcel is undeveloped and zoned Urban Low Residential (UL). It is located at 2691 SE Sedgwick Road in Port Orchard. The project will be served by public sewer and water from the West Sound Utility District.

Project Request:

The applicant is requesting a Conditional Use Permit to construct a church with associated infrastructure in 4 phases (Exhibit 22).

Phase 1

Install 3 temporary modular buildings: a 2,000-square foot office, a 3,000-square foot worship building, and a 3,000-square foot classroom. Construct a permanent 1,200-square foot maintenance building. Construct the northern parking area with 27 parking spaces. Install landscaping for this phase of build out. Construct the stormwater pond for full build out.

Phase 2

Construct the first phase of the permanent church building. It is a 2-story, 16,000-square foot building. The main floor and second floor are both approximately 8,000 square feet. The main floor will include an approximately 2,100-square foot, 230-seat, worship area. The Phase 1 worship building will be reconfigured for classroom and office use. The northern parking area will be expanded 54 parking spaces for a total of 81 spaces. Additional landscaping will be installed near the new area developed.

Phase 3

Expand the existing 16,000-square foot church building constructed in Phase 2 by adding 14,000 square feet, 7,000 square feet to the main floor and 7,000 square feet to the second floor, for a total of 30,000 square feet. This expansion will include approximately 2,000 square feet of office space and 12,000 square feet of classroom space. Construct the southern parking area, which will add 16 parking spaces for an overall total of 97 spaces. Begin grading for the playfield.

Phase 4

Expand the existing church building approximately 8,000 square feet for an overall total of 38,000 square feet; the single-story addition would be a multipurpose worship area that would include 400 seats for the congregation to hold worship services and also be used as a gymnasium. Expand the northern parking area by 21 parking spaces for a final total of 118 parking spaces. Install final landscaping of portions of the parking areas and around the building. Final construction of the playfield will be completed. Remove all temporary modular buildings.

Project Location:

2691 SE Sedgwick Road
Port Orchard, Washington
South Kitsap County
Commissioner District 2

Assessor's Account #:

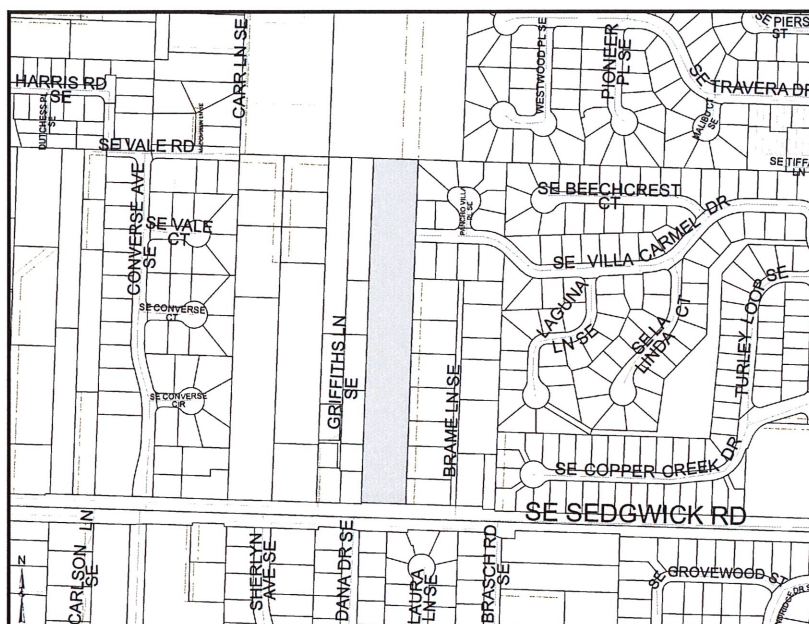
012301-4-038-2005

Applicant/Owner of Record:

Living Hope Community Baptist Church
Pastor Joe Parkinson
PO BOX 908
Port Orchard, WA 98366

Engineer/Project Representative:

Frederick A. Kegel, PE, PLS
835 Kegel Lane SE
Port Orchard, WA 98367



SEPA (State Environmental Policy Act):

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of "major" environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the revised Notice of Application dated February 10, 2017 (Exhibit 18). A Determination of Nonsignificance (DNS) was issued on August 2, 2017 (Exhibit 28). SEPA noted the following: "Comments were received about traffic concerns and headlight impacts from vehicles for evening activities. The comments will be reviewed with regard to potential development impacts and addressed in the staff report".

The SEPA appeal period expired August 15, 2017. No appeals were filed; therefore, the SEPA determination is final.

Physical Characteristics:

The long narrow rectangular parcel is approximately 4.84 acres and is relatively level, but generally slopes from the northwest corner downward towards the southeast. It was previously developed with a single-family residence, but is currently undeveloped. The parcel runs lengthwise north-south. The south two-thirds has been cleared and has grown back with mostly scotch broom and the north one-third is forested with coniferous trees. The entire parcel is located within a Category I Critical Aquifer Recharge Area; no other critical areas have been identified (Exhibits 13 and 11).

Comprehensive Plan and Zoning Designations:

The Comprehensive Plan designation is Urban Low-Density Residential (Exhibit 12) and the Zoning designation is Urban Low Residential (UL, Exhibit 10).

Minimum Density = 5 dwelling units/acre
Base/Maximum Density = 9 dwelling units/acre

Minimum Lot Size = 2,400 square feet
Lot Width = 40 feet
Lot Depth = 60 feet
Maximum Height = 35 feet
Maximum Impervious Surface Coverage Not Applicable

Standard Zoning Setbacks*/**

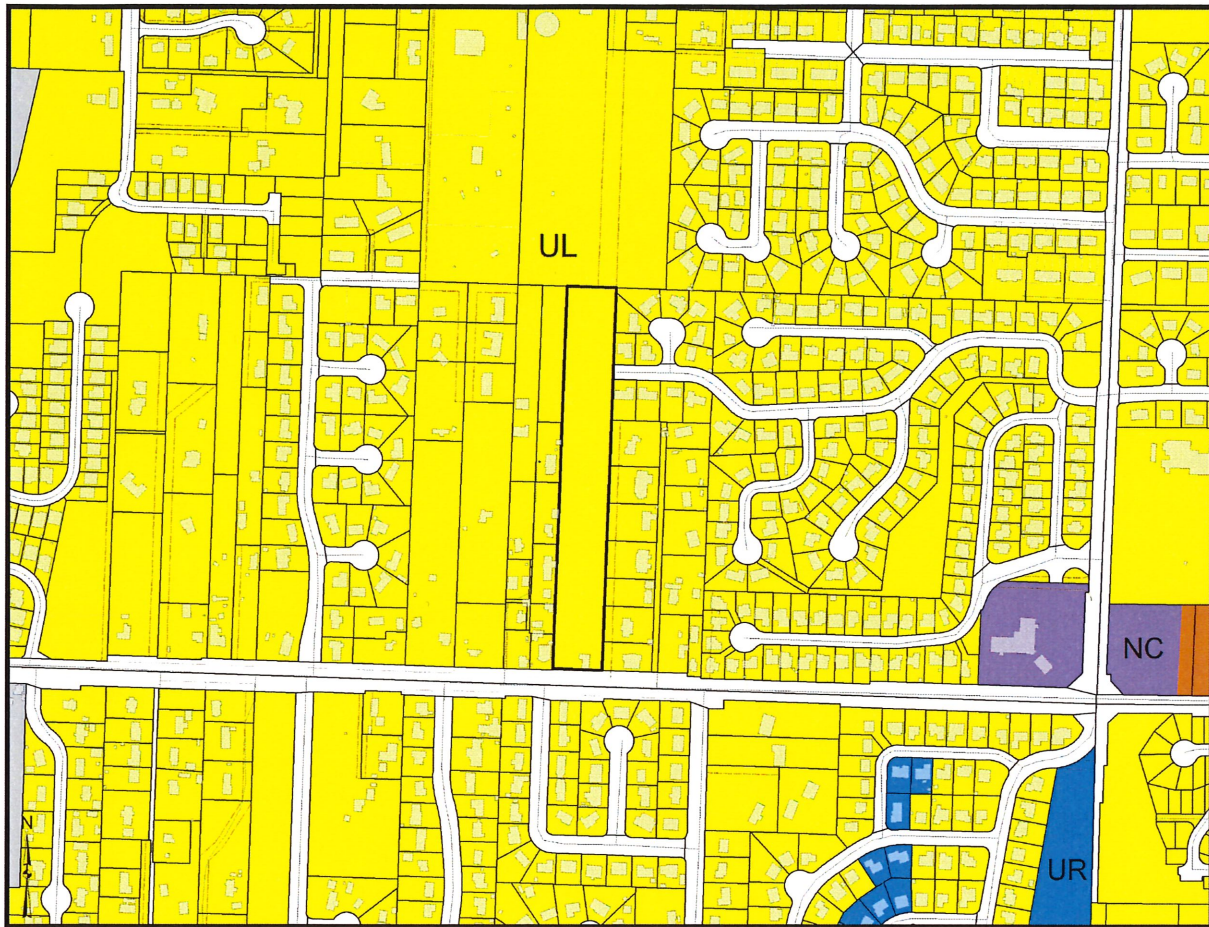
Front = 20 feet for garage or carport, 10 feet for habitable area
Side = 35 feet
Rear = 35 feet

*KCC 17.381.040(A)(12) and 17.381.050(A)(12), Footnote 12 applies, which states "All buildings and activities shall be set back a minimum of fifty feet in FRL, MRO, RW, RP, RR, RCO, RI or parks zones and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer, and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts". The subject property is located outside the FRL, MRO, RW, RP, RR RCO, RI and parks zones; therefore, the 35-foot setback for all buildings and activities applies.

**KCC 17.382.060, Footnote 29 does not apply, which states "One-hundred-foot setback required for single-family buildings abutting FRL or RW zones". The subject property does not abut the Forest Resource Lands (FRL) or Rural Wooded (RW) zones.

Surrounding Land Use and Zoning:

The surrounding area is generally characterized by platted urban size lots, less than a half-acre (.5 acres), and typically less than a quarter acre (.25 acres), developed with a detached single-family residence (SFR). Annapolis Water District has a water tank located on 10.8 acres, abutting the subject property to the north and abutting the water district property to the west is a church located on 4.96 acres. The general area is zoned UL, the same as the subject property (Exhibit 10). The gray areas within the lot boundaries represent buildings.

**Public Utilities and Services:**

Water: West Sound Utility District
 Power: Puget Sound Energy
 Sewer: West Sound Utility District
 Police: Kitsap County Sheriff
 Fire: Fire District #7
 Schools: School District #402

Policies and Regulations Applicable to the Subject Proposal:

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an

opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan
Adopted December 11, 2006 (Amended December 2012)

The following Comprehensive Plan goals and policies are most relevant to this application:

Land Use

Policy LU-16

Require urban-level sanitary sewer service or equivalent wastewater service in all UGAs. Update county-owned and -operated wastewater facility plans to include, not only capacity demand and needs, but also future major collection or conveyance systems for the 2025 planning horizon (existing and projected).

Policy LU-19

In accordance with Kitsap County Health District and Washington State requirements, require connection to a public sewer system for new or extensively remodeled development located within 200 feet of the public sewer system, and within an urban growth area or LAMIRD.

Policy LU-26

Encourage compact development patterns within UGAs, allowing for efficiencies in transportation and utilities, as well as public and capital facilities.

Policy LU-27

Encourage infill development on vacant and underutilized lands within UGAs.

Policy LU-28

Encourage development patterns in UGAs that support pedestrian connectivity between neighborhoods and community destinations where possible.

Policy LU-58

Encourage innovative, high quality infill development and redevelopment in existing developed areas within the UGA, while addressing the following issues:

- a. Preservation of historic and natural characteristics of neighborhoods and sites;*
- b. Provision of non-motorized access, and pedestrian mobility and safety;*
- c. Creation of usable open spaces, community space and facilities;*
- d. Design variety through lot clustering, flexible setback requirements and mixed attached and detached housing types; and*
- e. Design variations in multifamily buildings such as in facades, roof lines and other building design features.*

Policy LU-62

Encourage non-motorized and pedestrian linkages in UGAs.

Policy LU-65

Encourage development in residential zones to occur in a manner that results in the design and construction of an interconnected system of pedestrian and bicycle trails linking residential neighborhoods with open spaces, recreational areas, transportation corridors and retail and employment opportunities.

Policy LU-133

Protect property from excess stormwater runoff, erosion and sedimentation.

Policy LU-135

Require that all surface water and stormwater entering a project site in its predevelopment state be received at the naturally occurring or otherwise legal location. Require all surface and stormwater leaving a project site to be discharged at all times during and after development at the naturally occurring or otherwise legally existing locations so as not to be diverted onto or away from downstream properties.

Policy LU-136

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-138

Require that all sites meeting the definition of a major development as defined in KCC section 12.08.010 provide permanent facilities for the treatment of water runoff quality and quantity control through the application of BMPs. Encourage monitoring of larger-scale development projects and roads to assess their impacts to surface water quality.

Policy LU-139

Require individuals and groups responsible for operation and maintenance of stormwater facilities to operate and maintain their facilities in accordance with the requirements of Title 12 of the KCC, Stormwater Management Ordinance and Design Manual.

Policy LU-147

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.

Policy LU-162

Promote construction of facilities and technologies that maximize the retention and recharge of stormwater.

Transportation

Policy T-18

Promote pedestrian paths, greenbelt links, and compatible street orientation to link residential and employment centers.

Policy T-26

Provide safe access for disabled individuals in accordance with the Americans with Disabilities Act.

Policy T-29

Provide adequate lighting for roadway and intersection visibility in accordance with adopted standards.

Policy T-30

Provide adequate lighting for pedestrian and cyclists where needed.

Policy T-63

Require the provision of accessible bicycle/pedestrian facilities within the roadway system of new developments.

Policy T-88

Maintain a transportation concurrency management system that tests new development for its impacts on the network at the site-specific level (area of influence), and also periodically monitors the cumulative effect at the countywide level.

Policy T-94

Coordinate LOS standards with regional and state agencies.

Policy T-96

Coordinate with WSDOT to maintain operations on state highways that are as efficient as possible, particularly on highways of statewide significance.

Policy T-97

Promote the consolidation of access along state highways and the Kitsap County arterial system.

Policy T-102

Provide streetscape designs in urbanized areas.

Policy T-104

Retain native vegetation as a priority.

Policy T-106

Encourage placing utilities underground rather than aboveground.

The County's development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Kitsap County Code (KCC)

Title 11 Roads, Highways and Bridges

Title 12 Storm Water Drainage

Title 13 Water and Sewers

Title 14 Buildings and Construction

Title 17 Zoning

Chapter 18.04 State Environmental Policy Act (SEPA)

Title 19 Critical Areas Ordinance

Chapter 20.04 Transportation Facilities Concurrency Ordinance

Chapter 21.04 Land Use and Development Procedures

Documents Consulted in the Analysis:

A complete index of exhibits is located in the project file. To date, the index to the record consists of Exhibits 1-28.

Exhibit #	Document	Date or date stamped
5	Building Elevations	05.16.2016
22		05.23.2017
7	Conditional Use Permit Application	06.02.2016
28	Determination of Nonsignificance	08.02.2017
26	DSE memo	06.06.2017
25	Drainage Report (revised)	05.23.2017
2	Environmental (SEPA) Checklist	05.16.2016
27	Health District Decision	06.06.2017
24	Landscape Plan; Sheet 5 of 5 (revised)	05.23.2017
24	Phasing Plan; Sheets 2, 3, 4 of 5 (revised)	05.23.2017
22	Parking Narrative (revised)	05.23.2017
22	Project Narrative (revised)	05.23.2017
24	Site Plan; Sheet 1 of 5 (revised)	05.23.2017
6	Traffic Impact Analysis	05.16.2016

Public Comments:

Oldoren letter, Exhibit 9, indicated no objection to the project.

Beitel email, Exhibit 8, supports the proposed use of the property, but was concerned about access and traffic. Staff comment: the project has been conditioned to comply with the Washington State Department of Transportation (WSDOT) requirements for access and traffic mitigation.

Todd email, Exhibit 17, requested building elevations/drawings of the church. Staff comment: the requested information was provided.

Davis email, Exhibit 20, stated concerns about traffic. Staff comment: the project has been conditioned to comply with the WSDOT requirements for access and traffic mitigation.

Analysis:

Land Use, Planning and Zoning

The project proposal is for a church and associated parking. At Kitsap County Code (KCC) Table 17.381.040(A) Urban Residential Zones, the use table indicates Places of Worship requires a Conditional Use Permit in the UL zone, which is subject to footnote 12. Footnote 12 states *"All buildings and activities shall be set back a minimum of fifty feet in FRL, MRO, RW, RP, RR, RCO, RI or parks zones and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer, and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts"*. The subject property is located outside the FRL, MRO, RW, RP, RR, RCO, RI and parks zones; therefore, the 35-foot side and rear yard setback for all buildings and activities applies. In addition, the director is requiring an increase of the buffer and landscaping standards in specific areas. This element will be address under the landscaping heading below.

The soccer camp that is proposed for one week in the summer is considered an accessory church use. At KCC Table 17.381.040(A) Urban Residential Zones, the use table indicates an accessory use is permitted, if the church receives CUP approval. The soccer camp can accommodate approximately 100 participants, which may include church members and the

community at large. This is an activity the church has provided for years and plans to continue to provide upon completion of the playfield in the last phase of development.

Landscaping

A minimum of 15% of the site is required to be landscaped (KCC 17.385.025). Proposed landscaping is estimated to be over 30% of which half of that area is the playfield. KCC, as outlined earlier in the staff report, requires a 35-foot side and rear yard setback for all buildings and activities. The expectation is that this area is available for landscaping to screen the project from adjacent properties. Due to the narrow lot dimensions, the proposed size of the permanent building and one-way drive aisles, there is minimal side yard areas available for landscaping as currently designed. It is reasonable and appropriate to provide a functional screening buffer to protect existing residences and potential future residences. The code also provides that the director may increase the buffer and landscaping standards as outlined earlier in the staff report.

A 25-foot screening buffer shall be retained on the west, north, and east sides of the playfield. The existing trees shall be retained to keep the existing buffer in place. Evergreen trees will be required to be planted in areas void of trees to provide an effective screening buffer. Trees to be planted should be similar to those already found in the area. The proposed 6-foot solid board fence around the playfield may be installed at the applicant's discretion.

The landscape screening buffer along the entire west property line is required to be 2 rows of effective screening vegetation/trees triangulated on 10-foot centers and a 6-foot solid board fence, except adjacent to the playfield.

A minimum 10-foot screening buffer that provides effective screening and a 6-foot solid board fence shall be provided along the entire east property line, except adjacent to the playfield.

Phase 1

Installation of the landscape buffer within the front yard setback area along the south property line, rain garden landscape features, landscaping around the storm water pond and maintenance building, and the east and west perimeter screening buffer landscaping will be required during Phase 1. Installation of proposed and required fencing will also be required during this phase, except the proposed fence around the playfield area.

Phase 2

Additional landscaping is proposed to be installed near the new area developed. Landscaping will be required in the landscape islands in the expanded northern parking area.

Phase 3

Additional landscaping is proposed to be installed near the new area developed. Landscaping will be required in the landscape islands in the expanded southern parking area and around the southern building façade.

Phase 4

Install additional façade landscaping around the building. Install landscaping in landscape islands in the expanded northern parking area. Complete construction of the playfield.

Critical Areas

According to Kitsap County geographic information system (GIS) data, the entire parcel lies within a Category I Critical Aquifer Recharge Area (Exhibit 13). No other critical areas have been identified (Exhibit 11). A church and its associated activities is not a use identified as

“activities with potential threat to groundwater” at KCC 19.600.620; therefore, a hydrogeological report is not needed for this project. Furthermore, this project will be conditioned to prohibit any “activities with potential threat to groundwater” without additional review and approval by the Kitsap County Department of Community Development.

Fire Flow

Fire flow is required for this project. All relevant information such as water line size, location, hydrant location, and available fire flow will be required with the Site Development Activity Permit (SDAP).

Phase 1

Installation of fire sprinklers in the 3,000-square foot modulars may be required based on the use and occupancy load.

Phases 2, 3 and 4

Installation of fire sprinklers will be required throughout the permanent building.

Water

Public water, provided by West Sound Utility District, has been proposed for this project. A binding water availability letter will be required with the SDAP application.

Phase 1

Installation of public water will be required.

Sewage Treatment

Public sewer, provided by West Sound Utility District, has been proposed for this project. A binding sewer availability letter will be required with the SDAP application. The actual design will be reviewed and approved by the utility district. An approved Sewered Building Clearance will be required from the Health District prior to building permit issuance.

Phase 1

Installation of public sewer will be required.

Stormwater

Stormwater quantity and quality control is proposed via a large infiltration pond, sized to collect runoff from rooftop, asphalt paved parking lot, and concrete sidewalk impervious surface areas.

Phase 1

Installation of stormwater treatment for full buildout will be required.

Solid Waste

Appropriate handling of solid waste generated by the proposed activities is required. A minimum 6-yard dumpster and at least 150 square feet of exterior recyclable materials storage space is required. The project will be conditioned to comply with all relevant code and the requirements of the solid waste service provider, Waste Management. It appears the solid waste area may need to be moved or revised to provide for the required 10-foot screening buffer along the east property line.

Phase 1

Provisions for handling solid waste will be required.

Access

Access to the site is via Sedgwick Road, also known as State Route 160, a paved state highway. Washington State Department of Transportation (WSDOT) has jurisdiction over access and requires an Access Connection Permit. A copy of the access permit will be required with the SDAP application. The county is not aware of any mitigation requirements from WSDOT at this time; however, the applicant will be required to comply with any mitigation required.

Phase 1

Construct access to the site and comply with any state mitigation requirements.

Phases 2, 3, 4

Comply with any state mitigation requirements.

Traffic

The proposed project would increase traffic generation in the area during hours of operation. The expected average Sunday daily trip (ASDT) generation for Phase 2, with 230 seats of church use, is 426 vehicles per day based on information outlined in the Traffic Impact Analysis (TIA, Exhibit 6). The applicant's consultant chose a timeframe for analysis, approximately 5 years after Phase 1 completion. As stated above, the state will determine if any traffic mitigation is required for the project.

Sidewalks

A sidewalk from the right-of-way into the site and along the east side of the proposed permanent building and to the office modular will be constructed during Phase 1. A sidewalk along the west side of the permanent building and near the north end of the building that connects to the east side sidewalk will be constructed during Phase 4.

Off-Street Parking

The church plans to provide individual seats rather than benches or pews for the congregation worship seating area. At KCC 17.435.030, a place of worship requires a minimum of 1 parking space per 4 seats. The project will provide adequate parking for each phase as outlined below.

Internal access to the building and parking areas will be one way throughout the site.

Phase 1 – 27 parking spaces proposed; 20 spaces required.

Installation of a 3,000-square foot worship modular that will provide seating capacity for 80 attendees is proposed for this phase. The applicant proposes to construct the northern parking area with 27 parking spaces. The parking area is proposed to be gravel during this phase. The KCC requires a minimum of 20 parking spaces (80 seats X 1 space/4 seats = 20 parking spaces).

Internal access will be paved on the south end of the project, along the west side of the building area for the entire project, and the driving area between the modulars during Phase 1.

Phase 2 – 81 parking spaces proposed; 58 spaces required.

Construction of a 2-story, 16,000 square foot building is proposed for this phase. The main floor and second floor are both approximately 8,000 square feet. The main floor will include an approximately 2,100-square foot, 230-seat, worship area. The Phase 1 worship building will be reconfigured for classroom and office use. The northern parking area will be expanded 54 parking spaces for a total of 81 spaces. The expanded parking area and the existing parking

area will be gravel during this phase. The KCC requires a minimum of 58 parking spaces (230 seats X 1 space/4 seats = 57.5 or 58 parking spaces).

The drive aisle along the east side of the building area for the entire project will be paved during Phase 2.

Phase 3 – 97 parking spaces proposed; 58 parking spaces required.

Although the church building will be expanded by 14,000 square feet during this phase, the worship area and number of seats is not proposed to change or increase; therefore, the required number of parking spaces will not change or increase for Phase 3. The applicant proposes to construct the southern parking area during this phase, which will add 16 parking spaces for an overall total of 97 spaces. The expanded parking area will be gravel during this phase. The KCC still requires a minimum of 58 parking spaces (230 seats X 1 space/4 seats = 57.5 or 58 parking spaces).

Phase 4 – 118 parking spaces proposed; 100 spaces required.

Expansion of the existing church building by approximately 8,000 square feet for an overall total of 38,000 square feet; the single-story addition would be a multipurpose worship area that would provide 400 seats for the congregation to hold worship services and also be used as a gymnasium. The applicant proposes to expand the northern parking area by 21 parking spaces for a final total of 118 parking spaces. All parking areas will be paved during this phase. The KCC requires a minimum of 100 parking spaces (400 seats X 1 space/4 seats = 100 parking spaces).

There is a possibility the building footprint and overall square footage may need to change or decrease to meet the landscaping and other project requirements. As a result, the proposed number of parking spaces may need to change or be reduced. The current proposed parking spaces exceeds the code requirement by 18 spaces. Furthermore, if the vehicle occupant load is less than 4 and the congregation attendance is at the stated capacity, there may be an insufficient number of parking spaces. The applicant could provide shuttle service, encourage more carpooling or offer other reasonable options that will work without reducing the stated seating capacity. If the parking needs/capacity of the site are exceeded, the number of seats will need to change accordingly to bring the site into compliance.

Lighting

Lighting has been proposed in the parking areas and next to or on the permanent building. Lighting shall be the minimum necessary for safety and security purposes and be compatible with the surround residential uses.

Signage

A monument sign is proposed near the entrance (Exhibit 24, Sheet 5 of 5). No details of the sign have been provided except for the size - 50 square feet maximum. Signage will be required to comply with KCC 510 Sign Code or the code in effect at the time of a complete sign permit application.

Agency Recommendation

Development Services and Engineering recommends approval of this project with 47 conditions, of that Engineering has 24 conditions (Exhibit 26), Environmental Review has 1 condition, and Planning/Zoning has 22 conditions. Fire Marshal recommends approval with 7 conditions. Kitsap Public Health District recommends approval with 6 conditions (Exhibit 27).

Staff Evaluation of Decision Criteria

1. The Hearing Examiner has review authority for this Conditional Use Permit application under KCC, Sections 17.421.020 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Hearing Examiner. The Hearing Examiner may approve, approve with conditions or deny a Conditional Use Permit. The Hearing Examiner may also continue the hearing to allow for additional information necessary to make the proper decision. The powers of the Hearing Examiner are at KCC, Chapter 2.10.
2. The proposal is consistent with the comprehensive plan.
3. The proposal complies with or will comply with requirements of Title 17 Zoning and complies with or will comply with all the other applicable provisions of the KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
4. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity.
5. 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.

Recommendation:

Based upon the information above, the Department of Community Development recommends that the Conditional Use Permit request for Living Hope Community Baptist Church be **approved**, subject to the following 60 conditions:

Development Services and Engineering**Engineering**

1. 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.

Stormwater

2. 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 Services and Engineering.
3. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Conditional Use Permit application was deemed complete, May 16, 2016. 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.

4. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Services and Engineering for review and approval. The phasing plan shall, as a minimum, address the following items:

Time tables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase.

The extent of drainage improvements to be installed during the various phases.

5. 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:
<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.
6. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as an Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.
7. The design of the infiltration facilities will be accordance with Section 7.3.4 of the Kitsap County Stormwater Design Manual.
8. The infiltration facilities shall remain off line until the drainage areas are stabilized and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over infiltration facilities. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.
9. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Development Services and Engineering.
10. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits 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.

11. If the project proposal is modified from that shown on the submitted site plan dated May 23, 2017, Development Services and Engineering will require additional review and potentially new conditions.

Traffic and Roads

12. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.
13. All rights of access for adjoining properties currently in existence shall be preserved. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP acceptance.
14. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
15. 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. A note to this effect shall appear on the face of 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.
16. A Washington State Department of Transportation (WSDOT) Access Connection Permit is required for access to State Route 160 (Sedgwick Road). Provide a copy of the permit with the Site Development Activity Permit application materials.
17. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the site access and State Route 160. 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.
18. 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).
19. Before SDAP acceptance, the applicant shall submit a set of drawings to the Washington State Department of Transportation for review. The applicant shall notify Development Services and Engineering in writing when the plans have been submitted to WSDOT. Development Services and Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT lies with the property owner.

20. Final plan approval will require documentation of WSDOT approval for impacts to and any required mitigation on State Route 160. WSDOT point of contact is Dale Severson at (360) 357-2736:

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

Solid Waste

21. 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 (e.g. dumpster size and location) for the project. Pay particular attention to the access requirements of collection trucks. Documentation shall be provided from the solid waste/recycling service provider that their requirements for this project have been met.
22. The SDAP submittal shall show solid waste dumpster location, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Provided area must accommodate a minimum 6- yard dumpster.
23. The SDAP submittal shall show that at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Recyclable materials storage space and containers shall be provided during Phase 1 construction.
24. 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.

Environmental Review

25. No uses that are identified as “activities with potential threat to groundwater” at Kitsap County Code 19.600.620 shall occur without amending this Conditional Use Permit.

Planning/Zoning

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

27. Drive aisles and parking areas shall be paved in each phase as detailed on the plans set (Exhibit 24). This information shall also be provided on the Site Development Activity Permit.
28. Each phase shall comply with the minimum number of parking spaces required by Kitsap County Code 17.435 based on the planned number of congregation seats. The ratio shall be at least 1 parking space per 4 seats. If the vehicle occupant load is not high enough to meet the available parking onsite, the number of congregation seats shall be decreased accordingly or shuttle services or other alternative transportation options shall be provided.
29. Wheel stops shall be installed in all parking spaces.
30. Wheel stops and/or curbing in all parking areas shall be required to prevent potential damage to landscaping. Wheel stops and/or curbing shall be depicted on the construction plans or Site Development Activity Permit (SDAP).
31. A final landscape plan shall be submitted with the Site Development Activity Permit. The landscape plan shall clearly detail the landscaping and fencing for each phase. The plan shall differentiate between existing vegetation to remain and new plantings. The final landscape plan shall conform to the requirements of Kitsap County Code 17.385 and conditions of approval.
32. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.385. Landscaping shall be installed and inspected prior to requesting a final inspection of each phase.
33. To ensure survivability of the required landscaping, a bond for a two-year period shall be required prior to final Site Development Activity Permit (SDAP) construction inspection and approval for each phase. The bond shall be 100% of the planting and installation cost. A bid for the landscaping and installation cost shall be provided prior to final SDAP approval.
34. The survivability bond shall be extended for two-year periods if any replanting is required.
35. A 25-foot screening buffer of existing trees shall be retained on the west, north, and east sides of the playfield. Evergreen trees shall be planted in areas void of trees to provide an effective screen during Phase 1.
36. The screening buffer along the entire west property line shall be 2 rows of screening vegetation/trees triangulated on 10-foot centers and a 6-foot solid board fence, except adjacent to the playfield.
37. The screening buffer along the entire east property line to the point of access and the sidewalk shall be 1 row of screening vegetation/trees planted 10-foot on center and a 6-foot solid board fence, except adjacent to the playfield.
38. The landscape buffer, perimeter screening buffer, proposed landscape areas south of the permanent building, rain garden landscape features, landscape islands/areas in the

phase 1 parking area, and landscaping around the stormwater pond and maintenance building shall be planted during Phase 1.

39. Installation of the proposed and required fencing along the east and west property lines shall occur during Phase 1. Installation of the proposed fence around the playfield shall be at the applicant's discretion, unless approval is granted for less than a 25-foot screening buffer, then a 6-foot solid board fence that connects to the existing fence and extends north to and along the north property line shall be required during Phase 3.
40. 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.
41. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.510 Sign Code or the code in effect at the time of a complete sign permit application, and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
42. The recipient of any conditional use permit 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 conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared by the Department and recorded at the applicant's expense.
43. 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 Kitsap County Code (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, and is not, to be construed as approval for more extensive or other utilization of the subject property.
44. This Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within three years of the Notice of Decision date or the resolution of any appeals.
45. The decision set forth herein is based upon representations made and exhibits contained in the project application 16 02134 Living Hope Community Baptist Church, Conditional Use Permit. 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.
46. 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.

47. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit.

Fire

48. Fire flow in the amount of 1313 gallons per minute at 20 pounds per square inch for a minimum of 2 hours shall be required for the project. This is based on the proposed building of 38000 square feet and constructed of Type V-B construction. Any changes to the structure will require a recalculation of fire flow. International Fire Code (IFC) 508.5 as amended by Kitsap County.
49. Water line size and location and the location of fire hydrants shall be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor shall be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits.
50. A minimum of 2 onsite fire hydrants shall be installed. 1 of the required fire hydrants shall be within 50 feet of the fire department connection for the fire sprinkler system.
51. A Post Indicator Valve (PIV) shall be installed if exterior access is not provided to the fire sprinkler riser room.
52. An addressable fire alarm system shall be installed to monitor the fire sprinkler system. If the occupant load of the building is 1000 occupants or more, a voice evacuation fire alarm system shall be installed.
53. Phase 1, the 3000-square foot modulars may be required to have fire sprinklers installed based on use and occupancy load.
54. Beginning with Phase 2 construction of the church building fire sprinklers shall be installed throughout the building.

Health District

55. This project shall be served by public water and sewer.
56. A binding sewer letter shall be submitted with the Site Development Activity Permit.
57. Prior to Building Permit issuance an approved Sewered Building Clearance shall be obtained from the Health District. To obtain an approved Sewered Building Clearance the sewer main shall be extended, or a bond shall be posted to ensure that the project cost is covered.
58. A binding water letter shall be submitted with the Site Development Activity Permit.
59. The existing septic tanks shall be pumped and decommissioned to code.

60. The existing well shall be decommissioned by a certified well driller prior to Building Permit final. A Sewered Building Clearance may be issued so long as the well decommissioning application has been submitted to the Health District.

Attachments:

Appendix A – Site Plan, Phases 3 & 4

Appendix B – Landscape Plan



Meg Sands, Staff Planner

28 August 2017

Date



Scott Diener, Development Services and Engineering Manager

8/28/17

Date

c: joe@alivinghope.net
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Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Meg Sands
DCD File 16 02134

