



Hearing Examiner Staff Report and Recommendation

Report Date: February 17, 2021
Hearing Date: February 25, 2021

Application Submittal Date: October 30, 2019
Application Complete Date: November 27, 2019

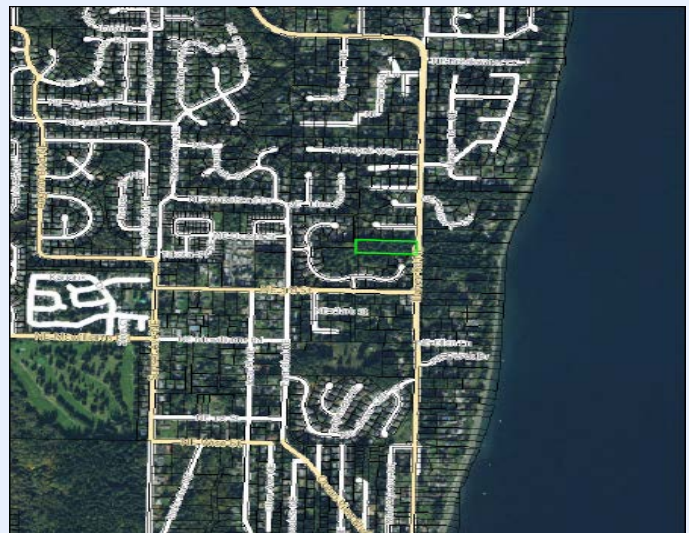
Project Name: GOLDLEAF Subdivision
Type of Application: Type-III, Preliminary Subdivision
Permit Number: 19-05056

Project Location
6800 Block Illahee Road NE
Bremerton, WA 98311
Commissioner District 3

Assessor's Account #
302502-3-051-2001

Applicant/Owner of Record
Goldleaf Corporation
1311 Marlow Ave Apt A8
Bremerton, WA 983102

VICINITY MAP



Recommendation Summary

Approved subject to conditions listed under section 13 of this report.

1. Background

The request is to subdivide 2.42 acres into 14 single-family residential lots consistent with the requirements in Kitsap County Code (KCC) 16.40 Subdivisions. The preliminary subdivision is in the Illahee community in Central Kitsap County. The project will include a private road and receive access from Illahee Road NE, a County maintained road. The project includes landscaping, two recreation facilities, stormwater treatment and detention control facilities, and supporting utilities, sewer and water service. The site will also include open space for both passive and active open space areas.

2. Project Request

Susan Venard @ Map-Limited
P.O. Box 620
Silverdale, WA 98383

3. 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.

This DNS was issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this DNS.

COMMENTS:

The SEPA comment period occurred concurrent with the Notice of Application dated December 27, 2019. The Department received an interested party request from Arlene Lind. A public comment was received from David Ely, neighboring property owner, regarding storm drainage runoff and ground water impacts to the shoreline. The comment will be addressed in the associated staff report.

CONDITIONS:

1. The proposal will be conditioned for Stormwater control pursuant to KCC Title 12 (Stormwater Management). On-site dispersion and infiltration are proposed.
2. Due to the presence of moderate Geological Hazardous Area, the proposal will be conditioned to follow the requirements in KCC Title 19.400.
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 Preliminary Plat application was deemed complete, November 27, 2019. The project requires a Site Development Activity Permit (SDAP) and 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. Per Kitsap County Stormwater Design Manual, Vol. II, Chapter 4.7 Downstream Analysis, the Site Development Activity Permit shall include a Level 2 Downstream Analysis, based on evidence of excessive downstream groundwater concerns. The Level 2 Downstream Analysis shall provide a rough quantitative analysis to define and evaluate proposed mitigation.
5. Frontage improvements, consisting of two 10-foot travel lanes with vertical curb and

gutter on both sides, and a 5-foot sidewalk on one side, are required on the interior plat roads.

6. The final plat shall include dedication of additional right of way width along the property frontage of Illahee Road NE; the right of way width shall be adequate to accommodate the following improvements: minimum required travel lane width, bike lane, and curb, gutter and sidewalk, per Kitsap County Road Standards for an Urban Minor Arterial road.
7. Should the County form a County Road Improvement District (CRID) in the future for construction of the frontage improvements, the lot owners within the plat must agree to participate. Prior to recording the final plat, the applicant shall execute a No-Protest CRID Covenant, that obligates lot owners within the plat to participate. The owners will retain their right to oppose a CRID assessment but not formation of the district.
8. The proposal will be conditioned per KCC Environment Policy 17 (reducing storm water runoff). Safeguard the quality and quantity of long-term water supplies by identifying and protecting critical aquifer recharge areas and utilizing Low Impact Development (LID) to the greatest extent possible for reducing stormwater runoff.

The proposal will be conditioned to follow the Illahee Community Plan, under Goal 9, which requires that the proposal address Illahee’s pedestrian thoroughfares to provide safe multimodal transportation options in and out of the community.

The SEPA comment and appeal period expired February 24, 2021. No appeals were filed; therefore, the SEPA determination is final. No comments were received.

4. Physical Characteristics

The subject property is approximately 2.42 acres, undeveloped, wooded with a variety of vegetation. The development site is a narrow rectangle shaped, approximately 164.35 feet wide and 604.51 feet in length. The general site declivity is towards the southeast corner with average grades of between 8 to 10%. The site contains a depression near the southeast corner with slopes approximately 10 to 12%. The Kitsap County resource maps indicated the upper northwest corner of the site has a moderate erosion hazard. The slopes have been documented through a topographic survey documenting that the grades are less than 8%. The Kitsap County Soil Survey identifies Alderwood very gravelly sandy loam (6 to 15% slopes). The soil is moderately deep and moderately well drained. The project site falls within the Illahee Subarea Plan boundaries and must be consistent with the community plan.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban Low Density Residential Zone: Urban Low Residential	Standard	Proposed
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Minimum Density	5 (2.42 acres of net developable acreage x 5= 12.1 or 12 required units)	14 units (5.8 DU/acre)
Maximum Density	9 (2.42 acres x 9 = 21.78 or 22 maximum units)	
Minimum Lot Size	2,400 sf	3,318 sf
Maximum Lot Size	9,000 sf	5,250 sf
Minimum Lot Width	40-feet	40 feet
Minimum Lot Depth	60-feet	59.45
Maximum Height	28 feet	2 stories, <28 feet
Maximum Impervious Surface Coverage	NA	51% (1.23 acres)
Maximum Lot Coverage	NA	NA

Applicable footnotes: KCC 17.420.060 #50. New or remodeled structures within the Illahee View Protection Overlay may not exceed twenty-eight feet. Kitsap County will not enforce vegetation height standards.

Staff Comment: Illahee Subarea Plan, see Appendix B1 Illahee View Protection overlay Map, KCC 17.700.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front	20 feet garage, 10 feet habitable area	20 feet garage, 10 feet habitable area
Side	5 feet	5 feet
Side	5 feet	5 feet
Rear	10 feet	10 feet

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residences	Urban Low Residential (UL)
South	Single-family residences	UL
East	Single-family residences	Urban Residential (UR)
West	Single-family residences	UL

Table 4 - Public Utilities and Services

	Provider
Water	North Perry Water District
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff

Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District #401

5. Access

The Goldleaf Preliminary Plat is proposing vehicular access from Illahee Road NE which has functional road classification as a minor arterial. The internal private road within the plat is approximately 20 feet wide, approximated 590 feet long and terminates at a cul-de-sac that will provide emergency vehicle turn around. The private maintained road within the plat is classified as low-volume local access road.

6. Site Design

The proposed Goldleaf Preliminary Plat was reviewed for consistency with requirements pursuant to KCC 17.420.037 Single-family Subdivision/Design Standards, Chapter 16.24 Land Segregation Standards, and Chapter 16.40 Subdivisions. The preliminary plat is required to comply with urban development standards for utilities, roads, sidewalks, landscaping and recreation facilities.

7. 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 June 30, 2016

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

Land Use Goal 1

Focus current and future and planning on infill development of existing Urban Growth Areas.

Land use Policy 2

Support innovative, high quality infill development and redevelopment in existing developed areas with Urban Growth Areas.

Land Use Policy 14

Through development standards, encourage urban amenities such as open space, plazas, and pedestrian features in areas of more intensive development within Urban Growth Areas.

Land Use Policy 15

Link non-motorized planning requirements to land use planning decisions.

Housing and Human Services Goal 6.

Integrate affordable housing and human services planning with transportation, workforce development, and economic development efforts.

Housing, Human Svcs Policy 23

Promote housing preservation and development in areas that are already well-served by schools, public transportation, commercial facilities, and have adequate infrastructure to support alternative modes of transportation.

Transportation Goal 1

Provide a safe and reliable multi-modal transportation system for people of all ages and abilities.

Transportation Policy 2.

Approve site design that is supportive of transit Service and its patrons.

Illahee Subarea Plan

Environment

Illahee Goal 2

Maintain current zoning that allows for protection of the environment.

Environment Policy 17.

Safeguard the quality and quantity of long-term water supplies by identifying and protecting critical aquifer recharge areas and utilizing Low Impact Development (LID) the greatest extent possible for reducing stormwater runoff.

Illahee Goal 3

Protect Illahee's existing views of Mount Rainier, the Cascade Mountain Range, Bainbridge Island, Puget Sound, and the Seattle Skyline.

Illahee Policy 3

Utilize the View Protection Overlay Zone for the Illahee community.

Transportation

Illahee Goal 9

Address Illahee's pedestrian thoroughfares to provide safe multimodal transportation options in and out of the community.

Section 5.6 Pedestrian Walkways, the community commented there was a need to increase pedestrian safety. It was their belief that paths, or sidewalks should be mandated for any new development.

Illehee Policy 12

Examine, and if feasible, create a safe multimodal transportation option for Illehee Road.

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

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 16	Land Division and Development
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

A complete index of exhibits is in the project file. To date, the index to the record consists of Exhibits 29.

Exhibit #	Document	Dated	Date Received
1	Engineered Drainage Report		11/25/2019
2	Project Application/Required Permit Questionnaire		11/25/2019
3	Project Narrative		11/25/2019
4	SEPA Checklist		11/25/2019
5	Traffic Concurrency		11/25/2019
6	Water Availability		11/25/2019
7	Sewer Availability		11/25/2019
8	NOA	12/27/2019	
9	Geotechnical Report		2/27/2020
10	Engineered Drainage Report - Revised		6/10/2020
11	Staff Response to Int Party Comments - Ely		7/14/2020
13	Geotechnical Report - Addendum		9/10/2020
14	Landscaping Plan		9/10/2020
15	Site Plan		9/10/2020
16	Stormwater Conditions Memo	2/4/2021	
17	Assessors Map	2/10/2021	

18	Central Kitsap Fire & Rescue Map	2/10/2021	
19	Comprehensive Plan Map	2/10/2021	
20	Critical Areas Imagery	2/10/2021	
21	Critical Drainage Map	2/10/2021	
22	Illahee View Protection Map	2/10/2021	
23	Notice of Public Hearing	2/10/2021	
24	SEPA Determination (DNS)	2/10/2021	
25	Utilities Map	2/10/2021	
26	Zoning Map	2/10/2021	
27	Certification of Public Notice	2/12/2021	
28	Staff Report	2/18/2021	
29	Staff Presentation		

9. Public Outreach and Comments

Pursuant to KCC Title 21 Land Use, and Development Procedures, the Department gave proper public notice for the Preliminary Plat 800 feet around the property. To date the project has two interested parties and only one person has commented. The Department received a request to be an interested party from Arlene Lind and public comments from David Ely who owns properties at 6564 and 6568 Illahee Road NE.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1	The proposed Use is incompatible usage for that parcel. All the surrounding properties are significantly larger lots. Putting this development in will negatively affect the values of all the neighboring properties.	
2.	Although the parcel was designated several years ago as part of the Urban growth area, allegedly suitable for 5 to 9 dwelling units per acre, this hillside is surrounded by larger properties, and what looked good on paper really isn't good in the field.	
3.	What is the plan for sewage? The existing Kitsap County sewer ends just south of the property. Onsite sewage disposal for this many houses on such small parcel seems dubious.	
4.	What is the applicant going to do with the water runoff from these 14 houses? The owner of the subject parcels has no easement or right-of-way to get water to the beach. Putting 14 homes on these	

	2.4 acres will generate a tremendous amount of runoff and ditches along Illahee Road already overflow in big streams. Additionally, most of the runoff from that comes down through my property comes out of the ground, from Austin Case's property to the north. Any runoff from this development is likely to increase the already prodigious quantities of water which flow down through my property and into the ravine between East Boulevard and Sunset, south of NE Arrowhead Drive.	
5.	Mr. Ely stated several times, infiltration isn't an acceptable answer here. Anything you put into the ground under that land will simply pop up on Lind's and Case's properties and become surface runoff, or further saturate our banks and causes additional sloughing beyond what we've already had.	

Issue Ref. No.	Issue	Staff Response
1	Incompatible usage of property	Like other properties north, west, and south of the subject property are zoned Urban Low Residential (5 to 9 DU/ac). The proposed plat is consistent with the allowed land uses pursuant to Kitsap County Code and surrounding residences, which should not negatively impact property values.
2.	Urban Low designation	The project proposal is consistent with the land use and density. The property contains only moderate slopes (8%) based County mapping and a topographic survey prepared by a State Licensed Surveyor. Density can only be calculated based on property conditions and allowed density per the UL zone; not the density of abutting properties.
3.	Sewage Plan	Consistent with KCC 17.410.050 Footnote #48 for an urban level of service, the applicant received a non-binding sewer availability letter from Kitsap County Public Works Wastewater.
4.	Water Runoff	The applicant submitted a preliminary storm drainage plan with a range of methods to mitigate storm drainage impacts pursuant to KCC Title 12. The 60% design plan was reviewed by Public Works and by Development Services and Engineering to determine if the storm drainage concept will function as proposed.
5.	Infiltration is unacceptable	Per the Kitsap County Stormwater Design Manual, stormwater mitigation methods must be considered in a certain order and the feasibility/infeasibility of each

		<p>method must be determined. The applicant must show through preliminary land use the method is feasible.</p> <p>The proposed storm drainage concept involves onsite infiltration and pervious pavement for the first 15 feet of the county roadway; then 65 feet of the roadway will be permeable. The remaining Illahee Road NE will be permeable. As a result of further review, the applicant submitted an additional report by EnviroSound Consulting Inc., dated January 6, 2020 to demonstrate with additional subsurface testing infiltration was feasible method.</p>
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10. Analysis

a. Planning/Zoning

The proposed Goldleaf Preliminary Plat was reviewed for consistency with requirements pursuant to KCC 17.420.037 Single-family Subdivision/Design Standards, Chapter 16.24 Land Segregation Standards, and Chapter 16.40 Subdivisions.

b. Lighting

Lighting and Central Mailboxes Urban Plats:

Urban residential plats generally include illumination of internal roadways and street lighting at the intersection where private roads intersect with County right-of-way, pursuant to 11.40 Street Lighting. The developer is responsible for installing lighting at the County's intersection and conveying the lights to the County. If desired, the developer and or Homeowners Association (HOA) may install the internal street lighting. The individual property owners are billed through the North Perry Road Water District, the water purveyor for lighting, with the HOA responsible for maintenance.

Comparable developments have moved away from traditional rural box styles and instead install a clustered mailbox design for efficiency, security, and aesthetics. Consistent with KCC 16.24.040 Urban Standards 1.C (d.), where clustered mailboxes are proposed, the mailboxes must meet the clear zone requirements.

c. Off-Street Parking

The Plat was reviewed for consistency with KCC 17.490 the proposal includes on street and off-street parking. The applicant is proposing 28 off-street parking spaces in driveways and 7 on-street parking spaces. Per 17.490.020, the County calculates the required number of spaces in the driveway and not within individual residential garages. During review of individual building permits for the homes, the location and number of off-street parking spaces will be verified. The 14 single family homes will have driveways from the private roadway, with area for parking of two vehicles for

each home. At the midpoint of the private road there will be a widened area to provide 7 parallel on-street parking spaces for overflow parking for the plat.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single-family (attached detached)	2 per unit + 0.5 per unit on street or set aside	28 + 7 on-street or set aside = 35	28 +7 on-street or set aside = 35
Total		35	35

d. Signage

Pursuant to KCC 17.510. Sign Code the applicant can apply for signage near the entrance of the subdivision during or after construction. Signage is not proposed at this time. When the final plat is recorded to establish the subdivision and lots are for sale, all signage will be required to be consistent with 17.510.060.M Conditionally Exempt signs - Real Estate Signage Program.

e. Schools

Central Kitsap School District was notified regarding the approval of the pending preliminary plat. If the District responds, their comments will be included with the review of the Site Development Activity Permit.

f. Landscaping

Pursuant to KCC 16.24 Urban Standards Landscaping Requirements, landscaping is required at entrances and street trees planted by the developer along streets or on individual lots at construction or for individual units prior to certificate of occupancy. The applicant will be required to submit a landscape plan with the Site Development Activity Permit application showing landscaping around storm drainage facility, street trees, the recreation facilities, and natural vegetation (Exhibit 14).

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft.) 15% of Site	NA	NA
Required Buffer(s) 17.500.025		
North	NA	NA
South	NA	NA

East	NA	NA
West	NA	NA
Street Trees	Yes	Yes

g. Frontage Improvements

Consistent with Comprehensive Plan and Illahee Community Plan polices, KCC 16.04.080 General Requirements, KCC 17.420.037 Single Family Design Standards and the preliminary plat is required to include frontage improvements along Illahee Road. The proposal is for a sidewalk on one side of the plat entry off Illahee Road NE with ADA ramps provided. The sidewalk will provide pedestrian access to the existing shoulder along Illahee Road. The proposal is for the County to form a future County Road Improvement District (CRID) to be paid for by property owners in the for construction of frontage improvements (curb, gutter, and sidewalk).

h. Design Districts/Requirements

The project sits within the Illahee Community Plan defined area and the Plan’s View Protection Overlay. Section 3.6 of the community plan provides standards for height restrictions and exceptions from the 28-foot/2-story height restrictions. In addition, the community plan includes vegetation restrictions. Similar to other Kitsap community plans, during building permit review of new residential development, contractors/property owners will be responsible for submitting a View Protection Overlay - Zone Height Worksheet, Brochure #26 (height certification) prepared by a licensed land surveyor, confirming that a residential structure does not exceed 28 feet in height (Exhibit 22).

i. Development Engineering/Stormwater

The preliminary drainage design provides water quantity control via several methods throughout the site: permeable pavement for a portion of the private roadway; a bioretention cell, an infiltration gallery; and a detention vault. Many of these methods also provide for water quality treatment. Additional water quality treatment of runoff conveyed to the detention vault, as well as road runoff conveyed to the infiltration gallery is proposed to be provided by Perkfilter devices. Staff reviewed and commented on the project Preliminary Drainage Report and Preliminary Engineering Plans accepted on November 25, 2019 and as revised by materials accepted for review February 27, 2020, June 10, 2020, July 29, 2020 and September 10, 2020. Development Services and Engineering has reviewed and approved the concept in the storm drainage report on February 2, 2021 (Exhibit 9 and 10).

j. Environmental

The County resource maps indicate the upper northwest portion of the property may be a potential erosion hazard based on the percentage of the slopes under KCC 19.400 Geologically Hazardous Areas. Based on County’s topographic mapping there appears to be a drainage course/small ravine starting from the southeast corner of the property down to the shoreline. Mapping indicates the Seattle Faultline is located

approximately 800 feet south of the property. The applicant indicates the slopes have been documented through a topographic survey to have grades less than 8% and no special mitigation is required. A geotechnical report was prepared by EnviroSound Consulting Inc., dated January 6, 2020 and an addendum report. Recommendations include inspections during footing excavation by a qualified geotechnical engineer, and footing drains and down spouts connected to the footing drains. See the addendum document subsurface conditions.

k. Access, Traffic and Roads

It is anticipated the applicant will deed a 31.5' strip of property to Kitsap County to provide adequate room for potential frontage improvements in a future transportation improvement district, including minimum traveled lane width, a bike lane and sidewalk, curb, and gutter.

l. Fire Safety

The Fire Marshal has reviewed the proposal and conditioned. Fire flow verification and adequate fire apparatus access for emergency responders are required and will be reviewed through the SDAP.

m. Solid Waste

Individual property owners will be responsible for solid waste collection. Waste Management approval is required for solid waste service for the plat.

n. Water/Sewer

The project requires an urban level of service for water and sewer service. The applicant has provided documentation that the water service is available from North Perry Avenue Water District and sanitary sewer is available from Kitsap County Public Works (Exhibits XX and XX).

o. Kitsap Public Health District

The Kitsap Public Health District has reviewed the proposal and does not have concerns with the request. The District has requested Sewered building clearance prior to building permit issuance.

Title 16 Land Division and Development

The proposal was reviewed for consistency with zoning requirements in KCC, Chapter 16.04.080 General Provisions, 16.24.040 Urban Standards and 16.40 Subdivisions.

16.04.080 General Requirements

The public use and interest will be served by the proposed land segregation. General requirements shall be met for all land segregations proposed under this title. In addition, all specific requirements relevant to each individual type of land segregation are found in their respective chapters of this title.

Staff Comment: The applicant's submittal met the general requirements per this section.

16.24.040 Urban Standards

The following are land segregation standards for preliminary subdivisions:

a. Access

The developed site will include a private paved road from Illahee Road NE. The first 15 feet of roadway within the public right-of-way will be impervious pavement; then the next 65 feet of roadway will be permeable pavement; and the remaining length, approximately 385 feet, will be impervious pavement, ending in a cul-de-sac, also impervious pavement.

b. Public Transit Provisions

Illahee Road NE is not currently served by Kitsap Transit and a bus stop is not required. The nearest bus route is #215 – McWilliams Commuter, located approximately ½ mile west on Sunset Avenue NE.

c. Non-motorized Facilities

The project fronts on the designated route of the Mosquito Fleet Trail. When future frontage improvements are completed the roadway will require a bicycle lane.

d. Off-Street and On-Street Parking

See off-street parking comments above.

e. Fire Protection

The project will include water main extensions and fire hydrants along with emergency vehicle access to meet the requirements of the Kitsap County Title 14 Building and Fire Code. The Project will be reviewed during the SDAP for fire and life safety requirements.

f. Landscaping Requirements

The applicant is providing street trees along Illahee Road NE and internally on individual lots. Street trees will be required to be installed prior to issuance of the certificate of occupancy of the residence. The applicant is proposing Norwegian Sunset Maple as the street tree. Split-rail fencing is recommended along the south property to prevent encroachment into the designated open space for the Ambleside plat (Exhibit 14).

g. Utilities

In addition to the project being served by an urban level of service for water and sewer as discussed above, the project will be served by Puget Sound Energy, and by the local utility providers.

h. Recreation Requirements

The preliminary plat will include recreational open space amenities consistent with subdivision standards. Open space requirements for the plat are 390 square feet of active

open space per lot, with grades less than or equal to 5%. The minimum area of active open space for this development is equal to $390 \times 14 = 5,460$ square feet. The project provides 5,868 square feet of active recreation area/open space meeting the Kitsap County Code for the development. Open Space Tract B is in the southeast corner of the site and has a total square footage of 7,630 square feet. Open Space Tract C is located north of the road tract, along the north margin of the site. It has a total area of 11,438 square feet and will also include a fitness course.

Staff Comments: The applicant is proposing a combined total 5,868 sf, approximately 400 sf over the minimum required. The recreation facility will be somewhat centrally located near the west side. Provisions must be made to provide a level area to provide a safe location for playgrounds catering to younger children. The proposal should include play equipment or other amenities consistent with housing demographic served.

11. Review Authority

The Hearing Examiner has review authority for this Subdivision application under KCC, Sections 16.04.080 and 21.04.100. Kitsap County has determined that this application requires review and approval of the Hearing Examiner. 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.

12. Findings

KCC Section 16.04.080 General Provisions-Appropriate facilities and Improvements determinations. The County must determine whether the proposal includes appropriate provisions for drainage, roads, alleys and other public ways, water supplies, sanitary waste, parks, playgrounds, fire protection facilities, school sites and grounds and other public and private facilities and improvements. The Hearing Examiner is required to make findings for the following requirements:

1. Documentation that the proposed subdivision complies with applicable provisions of the Kitsap County Comprehensive Plan, and Kitsap County Code, and that the public use and interest will apparently be served by the proposal.

Staff Comments: The Department determined that the plat proposal is consistent with the Urban Low zoning and is consistent with the Comprehensive Plan policies. The project falls within the required density of 5 to 9 dwelling units. The proposed density is based upon the net developable acreage, which is approximately 6 dwelling units per acre when rounding.

2. Adequacy of Access: Each lot within land segregation shall have approved access. The development receives access from Illahee Road NE, which has an urban road functional classification as a minor arterial. The applicant is proposing to construct a private road that meet minimum fire access requirements. Vertical curbs are required for designated on-street parking areas. The Engineering staff has reviewed the transportation element of the project and issued a preliminary approval on February 3, 2021.

Staff Comments: The applicant has addressed public safety by providing adequate access for ingress and egress for the plat.

3. Safe Walking Conditions: The applicant is required to provide information on pedestrian needs generated by the proposed land segregation.

Staff Comments: Pursuant to KCC Title 16, sidewalks are required. Consistent with this requirement, the applicant is providing frontage improvements and an internal sidewalk on one side of the private road tracts. Consistent with the application of the Kitsap County Road Standards, the project falls below 400 average daily trips for a local minor road and sidewalks are allowed on one side of the private road.

4. Lot Configuration: Lots should run at right angles to the street upon which the lots face.

Staff Comments: The proposed 14 lots within the project comply with the above standard for lot configuration. The applicant is proposing 20-foot garage setback from the driveway access off the private road and a minimum of 10-foot habitable area front yard.

13. Recommendation

Based upon the analysis above and the decision criteria found in KCC 16.04.080, the Department of Community Development recommends that the Preliminary Subdivision request for Goldleaf Preliminary Plat be approved, subject to the following 61 conditions:

1. All required permits shall be obtained prior to commencement of land clearing and/or construction.
 - a. **Planning/Zoning**
2. Review the linked Hearing Examiner decision for conditions of approval. The Staff Report conditions below are only recommended conditions to the Hearing Examiner and may be modified or not required by the Hearing Examiner.
3. Building permits for structures 28 feet in height will need to demonstrate compliance with requirements of the View Protection Overlay zone, per the Illahee Community Plan.

4. All Building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.
5. A Final Landscape Plan will be required to be submitted consistent with KCC 17.500 Landscaping, during civil site development activity plan (SDAP) review, which depicts natural vegetation, and the planting and irrigation plan.
6. Street trees shall be planted along the access road on individual lots at approximately 25 ft spacing in the vegetative strip between the sidewalk and thickened edge. A final landscape plan will be subject to approval by the Department prior to SDAP approval. Trees on individual lots are required to be installed prior to Certificate of Occupancy of individual units. Landscaping, including street trees are a condition of preliminary plat approval and required to be maintained in a healthy growing condition per KCC 17.500.030.
7. At the time of SDAP include the location of mailbox clusters consistent with KCC 16.24.040(C)(1)(d) and specify the type of the facility to be provided within Tract B per KCC 16.24.040(H)(4) and confirm at final inspection.
8. Include a note on the face of the plat showing building setbacks for the lots as conditioned per the plat approval.
9. Prior to the plat transferring to the Homeowner's Association (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 the Tree Care Industry Association's standard practices.
10. Pursuant to KCC Section 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.
11. 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.
12. 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.

13. Any violation of the conditions of approval shall be grounds to initiate revocation of this Plat.
14. Land segregations of five or more lots within a UGA that propose roads and/or storm water facilities to be privately maintained shall form a homeowners' association, registered with the state of Washington. Conditions, covenants and restrictions (CCR) document shall address, at a minimum, ownership of and maintenance responsibilities for any private roads and any private storm water facilities.

b. Development Engineering

15. 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.
16. Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.
17. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12 Stormwater Drainage, and as such will require a Full Drainage Site Development Activity Permit from Development Services and Engineering that demonstrates a design meeting Minimum Requirements #1-9.
14. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 Stormwater Drainage effective at the time the Preliminary Plat application was deemed complete, November 27, 2019. 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.
15. Per Kitsap County Stormwater Design Manual, Vol. II, Chapter 4.7 Downstream Analysis, the Site Development Activity Permit shall include a Level 2 Downstream Analysis, based on evidence of excessive downstream groundwater concerns. The Level 2 Downstream

Analysis shall provide a rough quantitative analysis to define and evaluate proposed mitigation.

16. 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.
17. 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.
18. During the construction of the proposed permeable pavement 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.
19. The design of the infiltration facilities will be accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual
20. The infiltration facilities shall remain offline 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 or be diverted to infiltration facilities.
21. 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.
22. All retention facilities shall be a minimum of 200 feet from any slope steeper than 30%. This distance may be reduced based on a geotechnical engineering report. That analysis will be prepared by a Civil Engineer licensed in the State of Washington, knowledgeable

in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.

23. This project includes the construction of a detention vault, which requires a building permit issued by the Department of Community Development. A Structural Engineer, registered in the State of Washington, shall prepare the construction drawings. In addition, a geotechnical engineering analysis of the vault design is required. That analysis will be prepared by a Civil Engineer licensed in the State of Washington, knowledgeable in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.
24. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of the SDAP 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. Kitsap County will not be responsible for any damage to any private roads, tracts, and/or easement areas that may occur during routine maintenance activities and that in Kitsap County's judgment occur, in whole or in part, because of any construction materials or techniques, or any maintenance materials or techniques. This includes, but is not limited to, damage to pavement or vegetated areas caused by maintenance trucks.
26. The rooftop area and driveway area per lot accounted for in each of the drainage facilities installed shall be indicated on the face of the final plat, in an Allowed Impervious Surface Table as shown below.

	Detention System	Bioretention System		Infiltration System
Lot 1 rooftop				

Lot 1 driveway				
Lot 2 rooftop				
Lot 2 driveway				
Etc. for each lot				

27. The following note shall be placed on the face of the Final Plat: Additional impervious surfaces created on an individual lot beyond the amount indicated in the Allowed Impervious Surface Table, or impervious surface areas directed to a facility other than that shown in the Table, shall be mitigated in accordance with Kitsap County Code Title 12 Stormwater Drainage and may require engineered drainage design and/or a SDAP.

28. 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 bond covering that work.

29. 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.

30. If the project proposal is modified from that shown on the submitted site plan accepted for review September 10, 2020, Development Services and Engineering will require additional review and potentially new conditions.

c. Environmental

31. The applicant is required to follow the geotechnical report recommendations, per KCC Chapter 19.400 Geological Hazardous Areas.

d. Traffic and Roads

32. 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.

33. The following note shall appear on the face of the final plat map: All interior roads shall remain private.

34. 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.
35. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction. The applicant is encouraged to request sidewalk and ramp form inspections to ensure grade is met.
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. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on Illahee Road NE. The cross-sections should show existing and proposed pavement, shoulders, ditches and slopes. The cross-sections should also depict centerline of pavement and right-of-way, the right-of-way lines, and easements.
39. 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 Kitsap County Code. Existing approaches may need to be improved to meet current standards.
40. Frontage improvements, consisting of two 10-foot travel lanes with vertical curb and gutter on both sides, and a 5-foot sidewalk on one side, are required on the interior plat roads.
41. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
42. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Illahee Road NE and the plat road. 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.

43. 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, Manual on Uniform Traffic Control Devices (MUTCD), National Electrical Manufacturer's Association (NEMA), National Electrical Code (NEC), Washington State Department of Transportation (WSDOT) Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).
 44. The final plat shall include dedication of additional right of way width along the property frontage of Illahee Road NE; the right of way width shall be adequate to accommodate the following improvements: minimum required travel lane width, bike lane, and curb, gutter and sidewalk, per Kitsap County Road Standards for an Urban Minor Arterial road.
 45. Should the County form a County Road Improvement District (CRID) in the future for construction of the frontage improvements, the lot owners within the plat must agree to participate. Prior to recording the final plat, the applicant shall execute a No-Protest CRID Covenant, that obligates lot owners within the plat to participate. The owners will retain their right to oppose a CRID assessment but not formation of the district.
 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.
- e. Survey**
47. A Final Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
 48. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easements shall be provided on each side of private road tracts.

49. 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.
50. 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.

f. Fire Safety

51. The minimum fire flow requirements for one- and two-family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.
52. Water line size and the location of 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.
53. When required by the Fire Code Official, fire department access roads shall be posted with approved signs or marked as follows: All curbs shall be painted red on the sides and top, and shall be labeled with 4-inch high white lettering at 25-foot intervals with the words "NO PARKING FIRE LANE" IFC 503.3
54. *Hydrants may be relocated as authorized and marked on plans w/ future submittals.

g. Public Works Sewer

55. The Sewer Availability Agreement account must be kept current and in good standing.
56. Kitsap County sanitary sewer is available for the project. The applicant needs to submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works - Sewer Utility Division Standards and Regulations.
57. Kitsap County sanitary sewer is available for the project. The applicant needs to submit an "Application to Construct Sanitary Sewer" to KCPW Sewer Utility Division.

h. Solid Waste

58. Prior to SDAP approval, Waste Management shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider 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. Contact information for Waste Management can be found at <http://www.wmnorthwest.com/>

59. This project includes the construction of rock walls or other retaining facilities that either exceed four feet in height or sustain a surcharge. A separate building permit with an engineered design is required for such walls. This note shall be placed on the face of the final construction drawings.

60. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9, Kitsap County Stormwater Design Manual.

i. Kitsap Public Health District

61. Sewered building clearances will be required prior to building permit issuance with binding water and non-binding sewer letters.

Report prepared by:



Jeff Smith, Staff Planner / Project Lead

2/17/2021

Date

Report approved by:



Scott Diener, Department Manager / Supervisor

2/17/2021

Date

Attachments:

Attachment A – Preliminary Plat/Site Plan
Attachment B – Preliminary Civil Site Plan
Attachment C – Zoning Map,

CC: Applicant/Owner email: Clinton Bergeron, goldleafcorp@comcast.net
Engineer or Project: Mark Eisses, MAP, LTD, marke@map-limited.com
Representative email: Susan Venard, MAP, LTD, suev@map-limited.com

Interested Parties:

David Ely, de2mr2@msn.com

Arlene Lind, lindaj1934@gmail.com

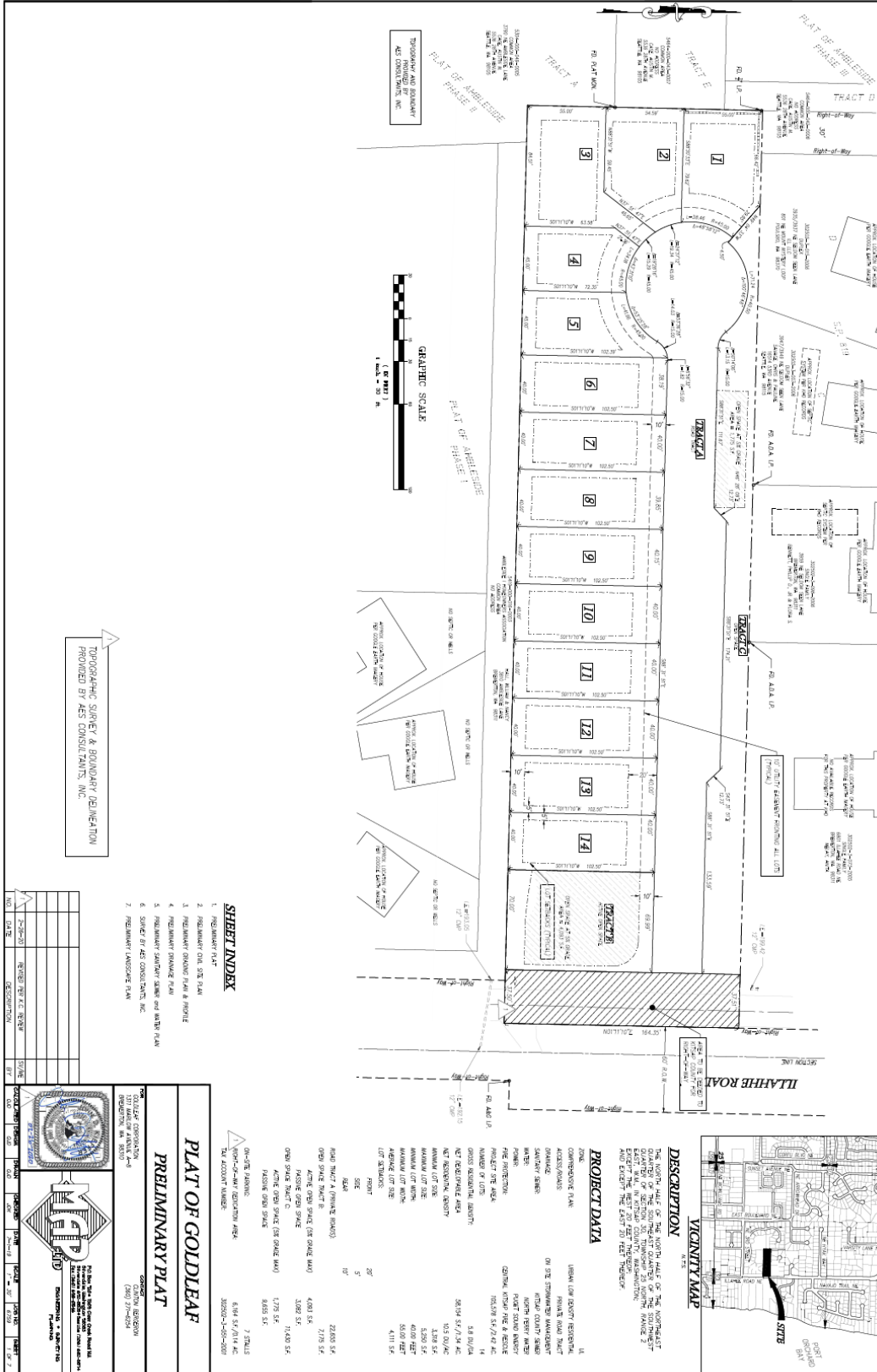
Illahee Community Council: Jim Aho, jimaho@gmail.com

Kitsap County Health District, MS-30

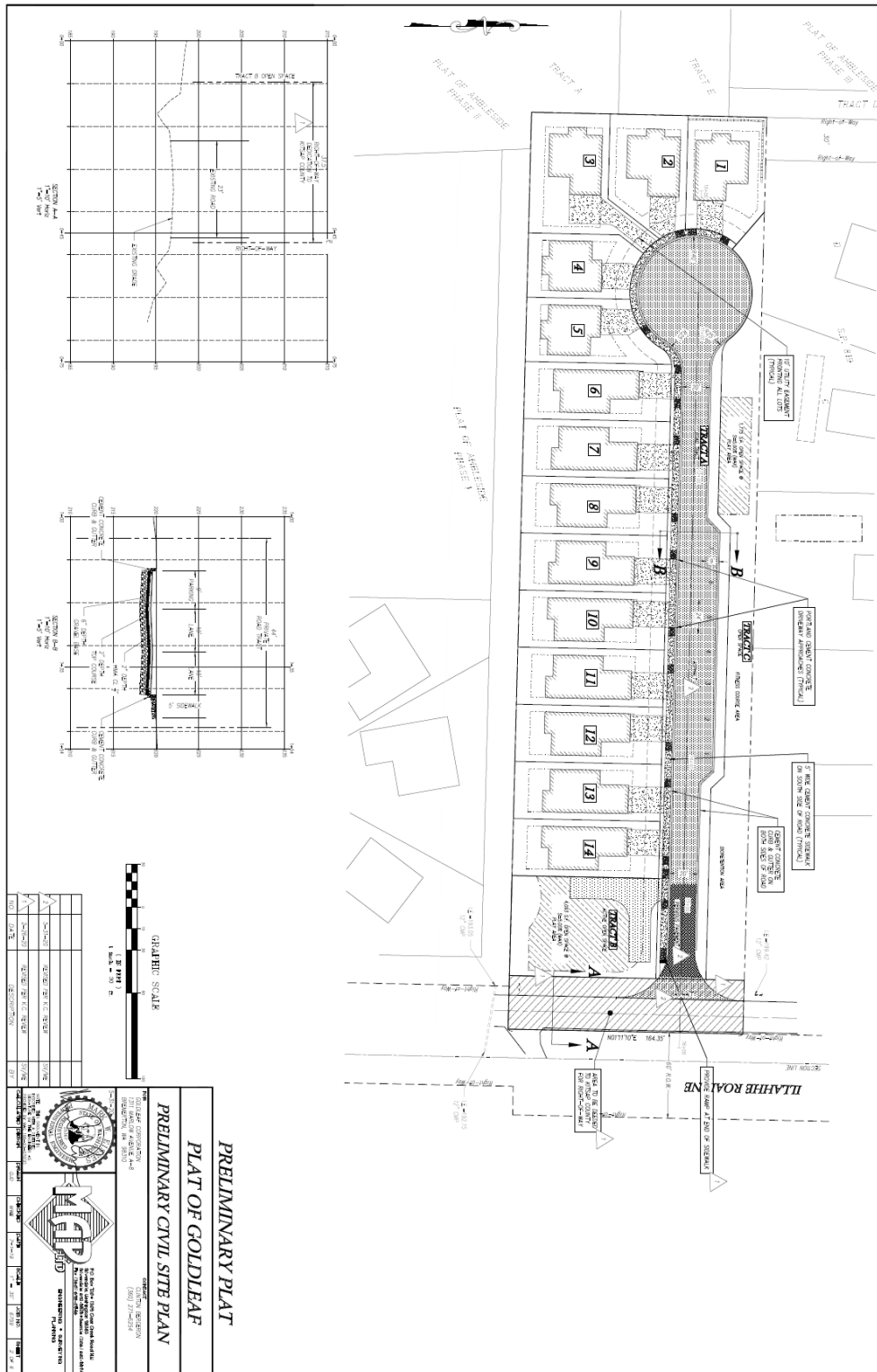
Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Jeff Smith

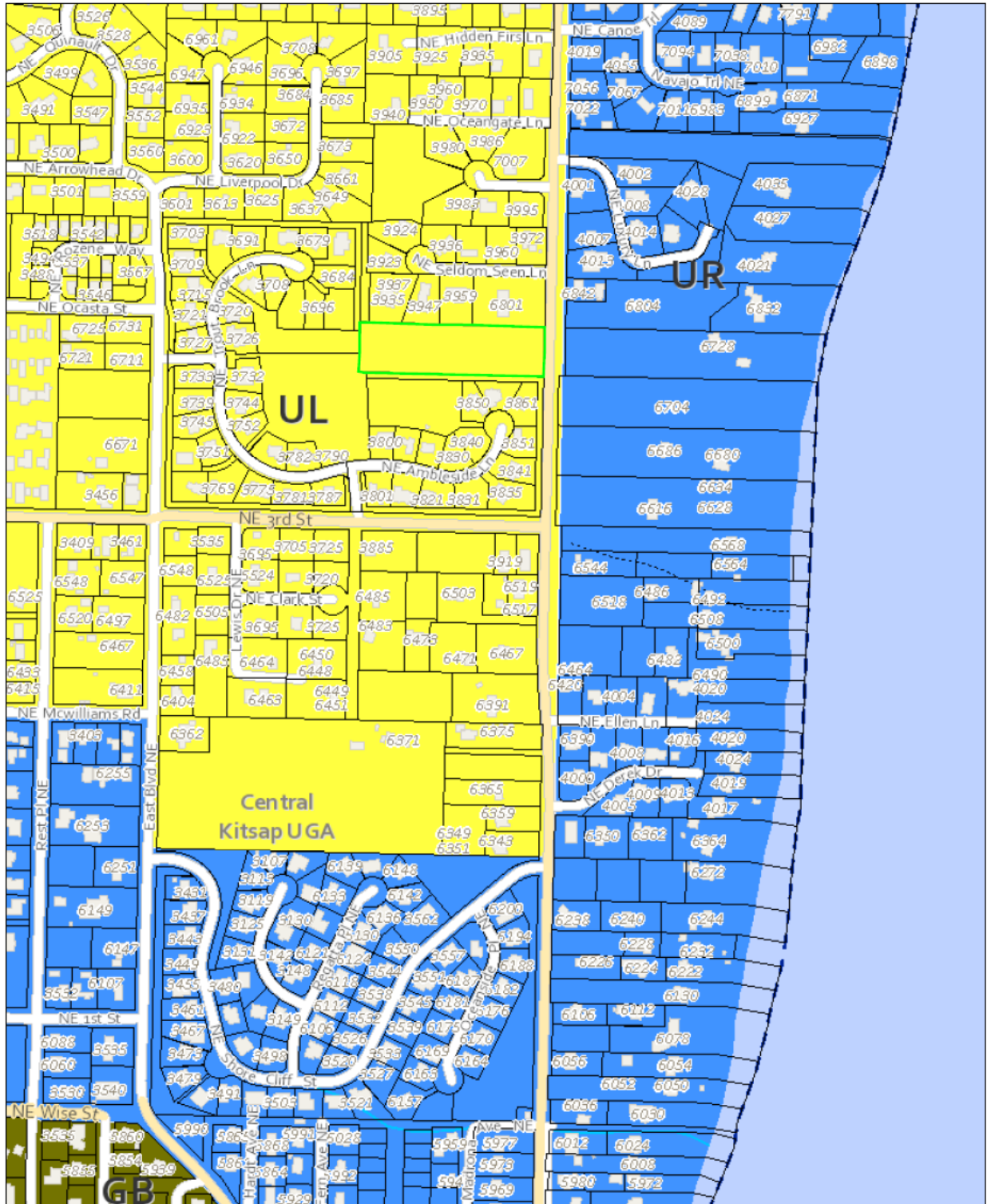
Site Plan



Preliminary Civil Site Plan



Zoning Map



Comments

** This map is not a substitute for field survey ** Map Scale: 1 inch = 400 feet

Parcel No: 302502-3-051-2001 TaxPayer: GOLDLEAF CORPORATION Site Address: NO ADDRESS FOUND

Kitsap Co. Parcel Search Application



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