



## Hearing Examiner Staff Report and Recommendation

**Report Date:** June 17, 2021  
**Hearing Date:** June 24, 2021

**Application Submittal Date:** September 29, 2020  
**Application Complete Date:** October 19, 2020

**Project Name:** Nguyen ADU  
**Type of Application:** Conditional Use Permit  
**Permit Number:** 20-04553

### Project Location

8091 Wenatchee PI NW  
Silverdale, WA 98383  
Commissioner District 3

### Assessor's Account #

232501-4-058-1004

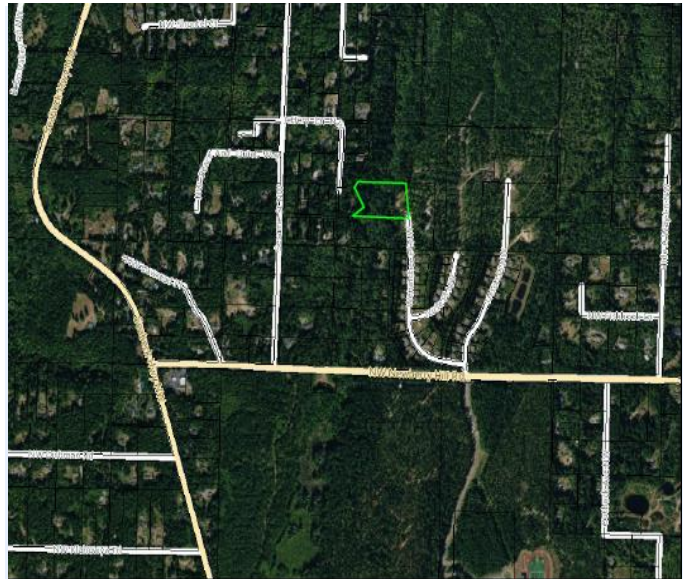
### Applicant/Owner of Record

Thien Quang Nguyen  
8091 Wenatchee PI NW  
Silverdale, WA 98383

### Recommendation Summary

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

VICINITY MAP



### 1. Background

The proposal is for approval of a Conditional Use Permit (CUP) for an Accessory Dwelling Unit (ADU). The proposed ADU will be a detached, 897-square foot structure. The ADU will be accessory to a 2,737 square foot primary single-family unit. The ADU and primary unit will be served by a separate septic tank but with a shared drainfield. The ADU will be served by Kitsap Public Utility District (KPUD) for drinking water. The structure and utilities will be located outside of the 150-foot natural vegetation buffer and 15-foot building setback for a Type-F stream and 25-foot top of slope buffer and 15-foot building setback. Both the single-family residence and ADU are new construction, single story homes that will have same material, color and pitched roofing. The siding, windows, and trim will be the same in material and colors. Paint colors are still to be determined. However, both will be painted with the same base color.

### 2. Project Request

The applicant is requesting approval of a Conditional Use Permit to construct an 897-square-foot accessory dwelling unit. The ADU will be served by an on-site two-party well and on-site septic system.

### **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.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application dated December 18, 2020 (Exhibit 21). A Determination of Nonsignificance (DNS) was issued on June 9, 2021 (Exhibit 25). SEPA noted the following information/SEPA mitigation conditions have been imposed:

#### COMMENTS:

1. The proposal is conditioned to follow the requirements of Kitsap County Code (KCC) Title 17, Zoning, specifically all requirements for Accessory Dwelling Units in KCC 17.410.060.B.3.
2. The project will be conditioned for stormwater controls pursuant to KCC Title 12 and critical areas per KCC Title 19.

The SEPA appeal period expired June 22, 2021. No appeals were filed; therefore, the SEPA determination is final.

### **4. Physical Characteristics**

The subject property is located west of Silverdale, north of NW Newberry Hill Road and east of Seabeck Highway. The property is 4.95 acres in size and has been partially cleared. Most of the site includes large stands of conifers and deciduous trees. The property slopes 135 feet down in elevation from the east to the west side. The west side of the property is located within a deep ravine that includes Anderson Creek that is classified as a Type-F stream per KCC 19.300 Fish and Wildlife Conservation Areas. Kitsap County resource maps show Geologic Hazard Areas on approximately 60% of the property, which fall under

requirements in KCC 19.400 Geologic Hazard Areas. The applicant hired a geologist to prepare a Geological Assessment Report, dated August 12, 2020. The geologic conditions include moderate landslide areas, high or moderate erosion hazard erosion hazard areas, faults located north and south of the property, and the slopes qualify as a moderate seismic hazard area.

**Table 1 - Comprehensive Plan Designation and Zoning**

Comprehensive Plan: Rural Protection Zone: Rural Protection Residential (RP)	Standard	Proposed
Minimum Density	Not Applicable	NA
Maximum Density	1-dwelling unit (DU) per 10 acres	Special provisions apply to an ADU
Minimum Lot Size	10 acres	4.95 acres
Maximum Lot Size	NA	NA
Minimum Lot Width	140 feet	362 feet
Minimum Lot Depth	140 feet	592 feet +/-
Maximum Height	35 feet	2 stories, <35 feet
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes: None

**Table 2 - Setback for Zoning District**

	Standard	Proposed
Front (East)	50'	94'
Side (North)	20'	158'
Side (South)	20'	169.75'
Rear (West)	20'	420'

**Table 3 - Surrounding Land Use and Zoning**

Surrounding Property	Land Use	Zoning
North	Currently undeveloped	Rural Protection (RP)
South	Undeveloped	RP
East	Undeveloped	RP
West	Developed Single-Family Unit	RP

**Table 4 - Public Utilities and Services**

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy

Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District #402

**5. Access**

Access to the site is by a driveway approach onto Wenatchee Place NW, a County-maintained road located off a cul-de-sac.

**6. Site Design**

Consistent with KCC Title 17 Zoning for permitted uses, the parcel would be developed with a single-family dwelling and a new ADU, reviewed for consistency with KCC 17.410.060 Provisions for Special Uses. There will be off-street parking next to the SFR and next to the ADU, consistent with KCC 17.490 Off-Street Parking and Loading.

**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:

*Limit the designated rural area to low residential densities that can be sustained by minimal infrastructure improvements, cause minimal environmental degradation, and that will not cumulatively create the future necessity or expectation of urban levels of service.*

*Land Use Policy 51*

*Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.*

*Land Use Policy 53*

*Outside of the Type III Limited Area of More Intensive Rural Development (LAMIRD), limit development only to that which serves rural residential or resource needs and does not draw population from Urban Growth Areas. This policy is implemented through*

*Comprehensive Plan Land Use designations, zoning designations, and zoning code provisions.*

*Housing and Human Services Policy 5*

*Use regulatory strategies to incentivize and provide flexibility for development of affordable and special needs housing.*

*Housing and Human Services Policy 7*

*Adopt regulatory changes to allow non-traditional housing types.*

*Housing and Human Services Policy 11*

*Promote fair housing to ensure that all residents of Kitsap County have an equal and fair opportunity to obtain safe and sanitary housing suitable to their needs and financial resources, regardless of race, religion, gender, sexual orientation, age, national origin, family status, income, disability, or other protected class.*

*Housing and Human Services Policy 12*

*Identify and remove regulatory barriers that limits access to or the provision of a diverse affordable housing supply.*

*Housing and Human Services Policy 14*

*Disperse affordable housing opportunities throughout the County.*

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 17	Zoning
Title 19	Critical Areas Ordinance
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 1- 33.

Exhibit #	Document	Dated	Date Accepted
1	Permit Questionnaire		10/14/2020

2	Project Narrative		10/14/2020
3	Building Site Application		10/14/2020
4	Binding Water Availability Letter		10/14/2020
5	Concurrency Test Application		10/14/2020
6	Site Plan		10/14/2020
7	Elevations and Floor Plans – Single Family Residence (SFR)		10/14/2020
8	Elevations and Floor Plans – ADU		10/14/2020
9	Site Assessment and Planning Packet		10/14/2020
10	State Environmental Policy Act (SEPA) Checklist		10/14/2020
11	Stormwater Worksheet		10/14/2020
12	Stormwater Pollution Prevention Plans (SWPPP)		10/14/2020
13	Drainage Report		10/14/2020
14	SWPPP Narrative		10/14/2020
15	Stormwater Best Management Practices (BMP) Infeasibility Worksheet		10/14/2020
16	Stormwater BMP List		10/14/2020
17	Geological Assessment Report		10/14/2020
18	Soil Management BMP Worksheet		10/14/2020
19	Soils Report - SFR		10/14/2020
20	Notice of Complete Application	10/19/2020	
21	Notice of Application	12/18/2020	
22	Information Request	03/09/2021	
23	Customer Response Letter		03/15/2021
24	Notice of Public Hearing	06/09/2021	
25	SEPA Determination of Non-Significance (DNS)	06/09/2021	
26	Map – Comprehensive Plan	06/15/2021	
27	Map – Critical Areas	06/15/2021	
28	Map – General Features	06/15/2021	
29	Map – Zoning	06/15/2021	
30	Certification of Public Notice	6/16/2021	
31	Preliminary Conditions Memo		
32	Staff Report		
33	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 Conditional Use Permit through the Notice of Application with the notification of property owners located up to 800 feet around the site. After the issuance of the Notice of Application, the Department did not receive written responses from neighbors concerned about the Conditional Use Permit, as of June 15, 2021.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
NA		

Issue Ref. No.	Issue	Staff Response
NA		

**10. Analysis**

**a. Planning/Zoning**

An Accessory dwelling unit is defined under KCC 17.110.020. Accessory Dwelling Unit means separate living quarters detached from the primary residence. No mobile home or recreational vehicle shall be considered an accessory dwelling unit. This definition excludes guest houses. An accessory dwelling unit within the RP zone requires a Conditional Use Permit as specified in KCC 17.410.042(A) Rural, resource, and urban residential zones use table subject to footnote 1. Footnote 1 indicates an ADU is subject to compliance with Section KCC 17.410.060 Provisions applying to special uses.

**Accessory Dwelling Unit (ADU) Standards**

An ADU is required to meet the provisions and requirements outlined in KCC 17.410.060(B)(3) – Provisions applying to special uses; Accessory Dwelling Unit (ADU). In order to encourage the provision of affordable and independent housing for a variety of households, an accessory dwelling unit may be located within residential zones. Criteria from KCC 17.410.060(B)(3) are listed below, with a staff response of the individual standard immediately following:

- a. An ADU shall be allowed as a permitted use in those areas contained within an urban growth boundary.

*Staff Response: The proposed ADU is not within an urban growth boundary. Therefore, the ADU cannot be permitted in conjunction with a building permit as an outright use. Land use approval through a conditional use permit is required for this ADU.*

- b. An ADU shall be subject to a conditional use permit in those areas outside an urban growth boundary.

*Staff Response: The subject property is outside an urban growth boundary. As a result, the applicant has applied for and is requesting approval of a conditional use permit as required by the KCC.*

- c. Only one ADU shall be allowed per lot.

*Staff Response: The applicant has applied for the primary unit building permit (# 20-04551) and one ADU is proposed for the subject lot. The building permit 20-04552 has been submitted for the ADU.*

- d. Owner of the property must reside in either the primary residence or the ADU.

*Staff Response: The owner of the property, Thien Quang Nguyen will live onsite in the new house.*

- e. The ADU shall not exceed fifty percent of the square footage of the habitable area of primary residence or 900 square feet (sf), whichever is smaller. Dimensions are determined by exterior measurements.

*Staff Response: The application shows a house as the primary unit with 2,727 sf of floor area. Consistent with the above requirement in KCC 17.410.060 the applicant is proposing an 897 sf ADU.*

- f. The ADU shall be located within 150 feet of the primary residence or shall be the conversion of an existing detached structure (i.e., garage).

*Staff Response: Based on the application the ADU building is proposed to be located approximately 10 feet from the primary residence (Exhibits 6).*

- g. The ADU shall be designed to maintain the appearance of the primary residence.

*Staff Response: The primary residence and ADU are planned to be similar in appearance. The applicant is proposing similar siding, windows, roofing and paint for the ADU and the new house. (Exhibits 7 and 8).*

- h. All setback requirements for the zone in which the ADU is located shall apply.

*Staff Response: The front yard setback, along the north property line is over 94 feet. The south side yard setback is shown as 169.75 feet, and the north side yard setback is over 158 feet. The rear yard setback, along the west property line, is over 420 feet (Exhibit 6). All required zoning setbacks as delineated for the ADU comply with the KCC.*



- i. The ADU shall meet the applicable health district standards for water and sewage disposal.

*Staff Response: The Health District approved the Building Site Application (BSA) for the ADU with one condition on 11/02/2020 (Exhibit 3).*

- j. No mobile homes or recreational vehicles shall be allowed as an ADU.

*Staff Response: The applicant has proposed a stick built ADU and primary SFR.*

- k. An ADU shall use the same side street entrance as the primary residence and shall provide additional off-street parking.

*Staff Response: There is one access point to the property from Wenatchee Pl NW. The ADU and the new primary residence will have parking and use the same existing access from the east property line.*

- l. An ADU is not permitted on the same lot where an accessory living quarters exists.

*Staff Response: Based on the SFR floor plan the structure will not have accessory living quarters (Exhibit 7).*

**b. Lighting**

Not applicable; there are no lighting requirements for an ADU.

**c. Off-Street Parking**

Three parking spaces are required for the single-family residence and one additional parking space is required for the ADU.

*Staff Response: There will be 4 parking spaces provided in front of the primary residence next to the ADU. The proposal is consistent with off-street parking standards per KCC 17.490.030.*

**Table 5 - Parking Table**

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Primary Residence & ADU	3 Historical Lot 1-Accessory Dwelling		3 Historical Lot 1-Accessory Dwelling
Total			4

**d. Signage**

Not applicable; there is no signage requirements for an ADU, and none is proposed.

**e. Landscaping**

Not applicable; there are no landscaping requirements for an ADU.

**Table 6 - Landscaping Table**

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

**f. Frontage Improvements**

Not applicable; there are no frontage improvement requirements for an ADU. However, there are access requirements that limit access to one road approach. This is addressed below under the access heading.

**g. Design Districts/Requirements**

Not applicable; the subject property is not located within a design district.

**h. Development Engineering/Stormwater**

The information provided demonstrates this proposal is a Small Project as defined in Kitsap County Code Title 12, and as such will require the ADU building permit site plan to demonstrate compliance with Minimum Requirements.

**i. Environmental**

The project is required to be reviewed pursuant to the Kitsap County Critical Areas Ordinance, KCC Title 19. The critical areas are regulated under the KCC Title 19 (CAO) that include geologically hazardous areas, frequently flooded areas, critical aquifer recharge area, wetlands, and Fish and Wildlife habitat conservation areas and wetlands. The Kitsap County resource maps show a that the project site includes geologic hazard areas pursuant to KCC 19.400 and a Type-F stream which is regulated per the requirement in KCC 19.300 Fish and Wildlife Conservation Areas.

The lower southeast corner to the edge of the ravine have slopes of 8% and the ravine has slopes up to 80%. The property is classified as moderate erosion and moderate landslide area. The Geological Assessment finds that the top of slope is stable and that the 25-foot natural vegetation buffer with a 15-foot construction setback is recommended. No activity is proposed in the required buffer and the project will be conditioned to maintain a 25-foot top slope buffer as recommended by the Assessment. No seismic hazard areas prone to liquefaction were identified on the property. Anderson Creek, a Type-F (fish) stream requires a 150-foot natural vegetation buffer with a 15-foot construction setback. The entirety of the 150-stream buffer is within the ravine buffer and setback. Because of this, a habitat report is not required. The stream is within a ravine and by code (KCC 19.400), a 25-foot buffer and 15-foot building setback is required from top of slope.

**j. Access, Traffic and Roads**

Access to the site is from a driveway approach on a County maintained road from a cul-de-sac called Wenatchee PI NW, which has a functional classification as a local access road. It is anticipated that the ADU will not create significant impacts to the rural local road network.

**k. Fire Safety**

The building permit for the ADU will be evaluated to ensure compliance with fire safety requirements in the International Residential Code (IRC) and International Fire Code (IFC). The ADU will be required to install an automatic fire suppression system.

**l. Solid Waste**

Waste Management is the local service provider. Solid waste generated by the ADU is expected to be picked up as part of the typical residential solid waste collection.

**m. Water/Sewer**

The property and dwellings will be served by KPUD water service and by an on-site sewage disposal system.

**n. Kitsap Public Health District**

Kitsap Public Health District (KPHD) has reviewed the application and recommends approval onsite septic and potable water from an existing two party well. KPHD approved the BSA on November 2, 2020.

**11. Review Authority**

The Hearing Examiner has review authority for this Conditional Use Permit application under KCC, Sections 17.550.020 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.

## 12. Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

## 13. Recommendation

Based upon the analysis above and the decision criteria found in KCC 17.550.030.A, the Department of Community Development recommends that the Conditional Use Permit request for the Nguyen Accessory Dwelling Unit be **approved**, subject to the following 39 conditions:

### a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. The ADU is subject to the payment of impact fees. Impact fees must be paid at time of permit issuance, or if deferred, must be paid prior to final inspection. No certificate of occupancy will be granted until all impact fees are paid.
3. Any proposed modification (not including cosmetic work such as painting, papering and similar finish work), remodel or expansion of the accessory dwelling unit (ADU) building, regardless of whether a building permit is required, shall be reviewed by the Department of Community Development and granted approval prior to such modification, expansion, construction and/or issuance of a building permit.
4. Only one ADU shall be permitted on the subject property.

5. The owner of the property must reside in either the primary residence or the ADU and only one of the structures may be rented at any one time.
6. The ADU's habitable area shall not exceed 50% of the primary residence or 900 sf, whichever is smaller. The proposed size of the ADU is 897 sf (Exhibit 8).
7. The ADU shall be located within 150 feet of the primary residence.
8. The ADU shall be designed to maintain the appearance of the primary residence.
9. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
10. No mobile home or recreational vehicle shall be allowed as an ADU.
11. The ADU shall use the same side street entrance as the primary residence and shall provide one additional off-street parking space.
12. An accessory living quarters (ALQ) or guest house (GH) is not permitted on the same lot unless the ADU is removed or converted and the ALQ or GH complies with all requirements imposed by the Kitsap County Code (KCC).
13. A property with a primary residence and an accessory dwelling unit ADU cannot be segregated to create two separate legal lots unless it complies with all subdivision, zoning and density requirements in place at the time of a complete subdivision application.
14. The ADU cannot be sold separately from the primary residence unless it has legally been segregated onto its own lot.
15. 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 an 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 and recorded by the Department at the applicant's expense.
16. 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. 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.

17. 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.
18. The decision set forth herein is based upon representations made and exhibits contained in the project application 20-04553 Nguyen ADU CUP. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
19. 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 four years of the Notice of Decision date or the resolution of any appeals.
20. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit.

**b. Development Engineering**

21. This project is located within a critical area or critical area buffer and requires engineered drainage design that conforms with Kitsap County Code Title 12 Stormwater, at the time of building permit application.
22. 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 R-ADU application is deemed fully complete. 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 Code in effect at the time of SDAP application.
23. The design of the infiltration facilities shall be in accordance with Vol. II, Ch. 5.4 of the Kitsap County Stormwater Design Manual.
24. The infiltration facilities shall remain offline until the drainage areas are stabilized,

and the water quality treatment facility is adequately established. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.

25. Immediately after excavation of the proposed infiltration facilities, the Project Engineer shall provide an inspection(s) to verify that the actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report(s), properly stamped and sealed to Development Services and Engineering.
26. Where slopes are steeper than 15% and flatter than 30%, infiltration facilities (excluding individual lot systems) shall be placed no closer to the top of slope than the distance equal to the total vertical height of the slope area. 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.
27. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before (requesting final building inspection/recording the final plat/binding site plan) 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.

**c. Environmental**

28. Subject to the conditions of the Geotechnical report associated with this permit and on file at the Department of Community Development.
29. A non-clearing native vegetation buffer shall be maintained from the toe of the slope to 25 feet beyond the top of the slope as depicted on the approved site plan. In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer.

**d. Traffic**

- 30. At building permit application, submit KCPW Form 1601 for issuance of a concurrency certificate, as required by KCC Section 20.04.030, Transportation Concurrency.
  - 31. Private driveway approaches to existing County roads shall be reviewed and approved by Development Engineering.
  - 32. 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.
  - 33. Work within the county right-of-way requires a permit to perform work in the right-of-way from the Kitsap County Department of Public Works.
- e. Fire Safety**
- 34. The project will require automatic fire suppression system.
- f. Solid Waste**
- None
- g. Kitsap Public Health District**
- 35. The applicant shall comply with all applicable Kitsap Public Health District requirements.

**Report prepared by:**



\_\_\_\_\_  
Jeff Smith, Staff Planner / Project Lead

June 17, 2021

\_\_\_\_\_  
Date

**Report approved by:**



\_\_\_\_\_  
Scott Diener, DSE Manager

June 17, 2021

\_\_\_\_\_  
Date

**Attachments:**

Attachment A – Site Plan

Attachment B – Critical Areas



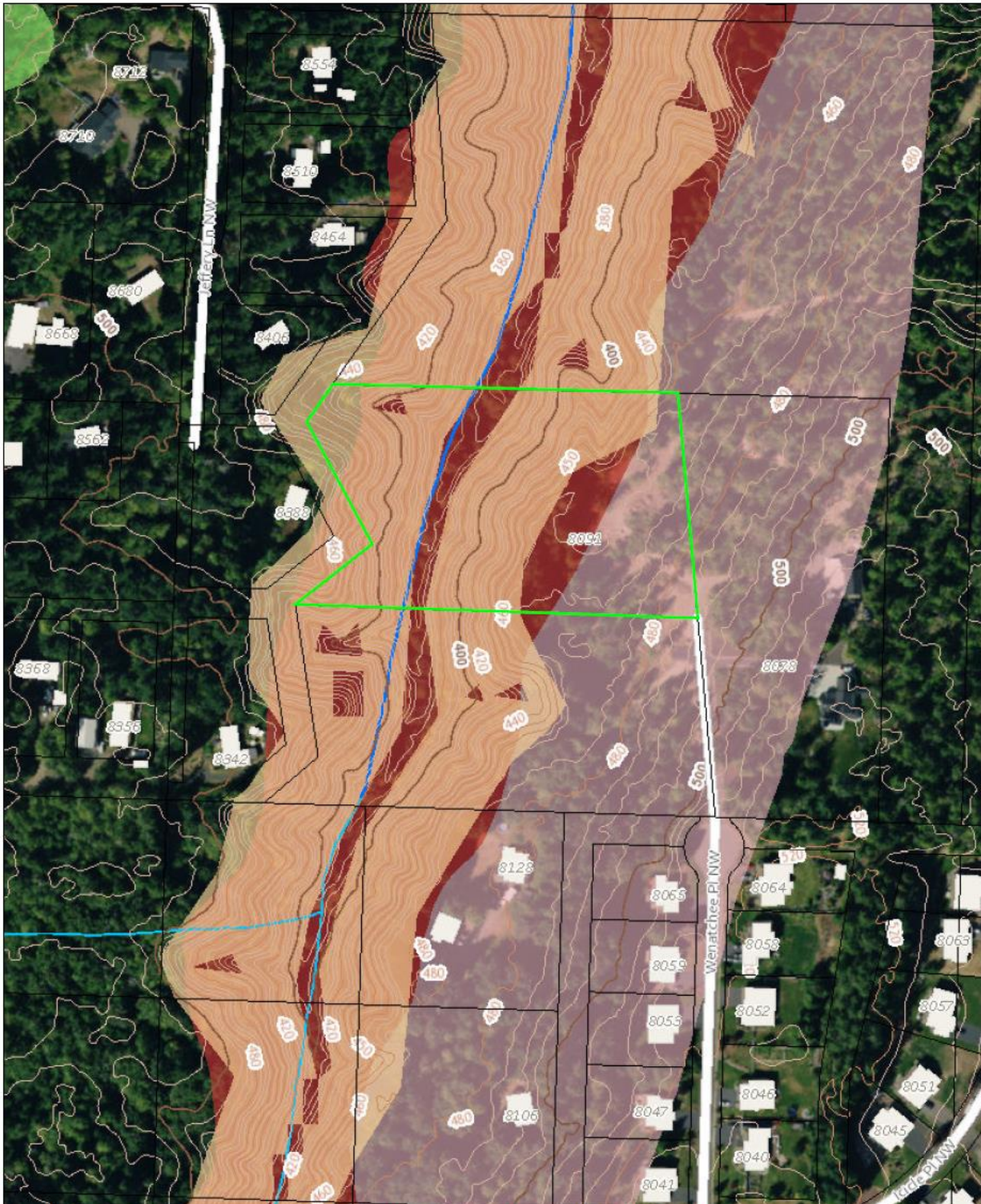
Attachment C – Zoning Map, etc.

CC: Applicant/Owner email: [tiennguyen1999@yahoo.com](mailto:tiennguyen1999@yahoo.com)  
Engineer or Project Representative email  
Interested Parties: NA  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Jeff Smith





Critical Areas



Comments

" This map is not a substitute for field survey " Map Scale: 1 inch = 200 feet  
Parcel No: 232501-4-058-1004 TaxPayer: NGUYEN THEN QUANG & MARYGRACE BAGARES & KU RYAN Site Address: 8091 WENATCHEE PL NW  
Kitsap Co. Parcel Search Application



**Zoning Map**



**Comments**

\*\* This map is not a substitute for field survey \*\* Map Scale: 1 inch = 400 feet  
Parcel No: 2325014-058-1004 TaxPayer: NGUYEN THEN QUANG & MARYGRACE BAGARES & KU RYAN Site Address: 8091 WENATCHEE PL NW

Kitsap Co. Parcel Search Application



Printed June 8, 2021