



Notice of Administrative Decision

Date: 09/02/2020

To: Jeffrey & Kui Cha Davison, yeconst@wavecable.com
Paul Bogataj, paul@wsengineering.com
Richard & Nancy Heembrock, rheembrock@msn.com

RE: **Permit Number:** Permit #19-03557
Project Name: Short Subdivision # 7446
Type of Application: Preliminary Short Plat

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit #19-03557: Short Subdivision # 7446 – Preliminary Short Plat, subject to the conditions outlined in this Notice and included Staff Report.**

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <https://www.cognitofrms.com/KitsapCounty1/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

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

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

CC: Interested Parties:
Richard & Nancy Heembrock, rheembrock@msn.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Peggy Bakalarski
DCD File #19-03557



Kitsap County Department of Community Development

August 27, 2020

Jeffrey & Kui Cha Davison
7037 Muirkirk Lane SW
Port Orchard, WA 98367-6407

Yeeconst@wavecable.com

RE: Short Subdivision # 7446
Permit No. 19-03557
Tax Account No. 012301-4-010-2007

Dear Applicant(s):

This is to inform you that the above-referenced short subdivision has been granted **preliminary** approval.

This decision is in compliance with Kitsap County Code 21.04 Land Use and Development Procedures. All applicable criteria have been met for preliminary short subdivision in accordance with Kitsap County Code Title 16.48 short subdivision.

The Department has further determined that the land segregation as it is presented in the preliminary short subdivision, received 08/13.2019 by the Department of Community Development, conforms or will conform subject to conditions set forth in this letter, to the following:

1. Kitsap County Code Title 17 Zoning;
2. Kitsap County Code Title 12 Storm Water Drainage;
3. Kitsap County Comprehensive Plan and subarea plans;
4. Kitsap County Critical Areas Ordinance;
5. And all other elements of the Kitsap County Code that pertain to this land segregation.

Approval is subject to the following conditions:

LAND USE

1. Adhere to all elements and requirements set forth in Kitsap County Code 16.48.
2. The following condition shall be added to the face of the final short subdivision: Building permits issued on a lot in this short subdivision may be subject to impact fees pursuant to Kitsap County Code.
3. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
4. The decision set forth herein is based upon representations made and exhibits contained in the project application (19-03557). 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.

5. 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.

SURVEY

1. At the time of submittal of the final short subdivision a title certificate, current to within 30 days, is required. Please note or delineate on the face of the Final short subdivision all pertinent special exception items in Schedule "B" of the title certificate.
2. A Road Maintenance Agreement will be required for the access easements shown on the face of the plat. This may be in the form of a note on the face of the Final Plat that addresses ownership and maintenance responsibilities of the access easement, or in the form of a Road Maintenance Agreement document to be recorded separately and referenced on the face of the Final Plat.
3. A Final Short Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
4. All private roads shall be constructed in accordance to Fire Code requirements. Ten feet for utility easement shall be provided on the east side of the private road tract.

STORMWATER

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.
2. 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.
3. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12, and as such will require a Site Development Activity Permit (SDAP) from Development Services and Engineering, prepared to the level of Full Drainage Review and demonstrating compliance with Minimum Requirements 1-9, as outlined in the Kitsap County Stormwater Design Manual.

4. 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 Short Subdivision application was deemed complete, August 13, 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.
5. Any project that includes off-site improvements that create additional impervious surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Short Subdivision application was deemed complete, August 13, 2019.
6. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall.
7. The project proponent shall be responsible for installing any necessary off-site downstream drainage improvements needed to resolve the drainage problem identified in the Preliminary Drainage Report (runoff pooling at the east side of Carr Lane and perforated pipe across Salmonberry Road flooding). Procurement of any permits or easements necessary to install off-site improvements shall be the responsibility of the project proponent.
8. 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.
9. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as a 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.
10. The design of the infiltration facilities will be accordance with Volume II, Chapter 5 of the Kitsap County Stormwater Design Manual.
11. The infiltration facilities shall remain off line until the drainage areas are stabilized and the water quality treatment facility is adequately established.
12. 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.

13. All lots shall use individual on-site infiltration systems. Before the issuance of building permits and/or occupancy permits, the property owner shall submit to the Department of Community Development for review, a sketch showing the design and location of a stormwater infiltration facility for the distribution of surface water runoff. Maintenance of these systems will be the responsibility of the homeowner.
14. Before SDAP acceptance, the applicant shall submit a set of drawings to the City of Port Orchard for review. The applicant shall notify Development Services and Engineering in writing when the plans have been submitted to the City. Development Services and Engineering shall coordinate with the City to determine if the City has any comments to the submittal.
15. Prior to SDAP approval, the applicant shall submit a letter of concurrence for roadway improvements and traffic impacts from the City of Port Orchard. The applicant shall document a good faith effort to obtain such concurrence, including a copy of all written correspondence sent to the City, dates and receipts of submittal to the City (either actual receipts from the City of Port Orchard or parcel delivery receipts). If the City does not respond within the time frame requested by the applicant, minimum of 20 working days required, the County shall not require further efforts.
16. 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.
17. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final plat, along with the following condition: Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall drainage facilities shall be mitigated in accordance with Kitsap County Code Title 12.
18. 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.
19. 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.

20. If the project proposal is modified from that shown on the submitted site plan accepted for review March 9, 2020, Development Services and Engineering will require additional review and potentially new conditions.

TRAFFIC

1. 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.
2. The following note shall appear on the face of the final plat map. "All interior roads shall remain private."
3. 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.
4. The hammerhead shall be designed to accommodate a SU design vehicle. The wheel path of the design vehicle shall remain within the paved area for all required movements.
5. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
6. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
7. 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.
8. Frontage improvements, consisting of vertical curb, gutter and 5-foot wide sidewalk, are required along the property frontage along SE Salmonberry Road.
9. Frontage improvements, consisting of vertical curb, gutter and 5-foot wide sidewalk, are required along one side of the interior plat road.
10. Frontage along Salmonberry Road shall be designed and constructed according to the Kitsap County Road Standards effective at the time the Preliminary Short Subdivision application was deemed complete, August 13, 2019.
11. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on SE Salmonberry Road. 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.

12. 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.
13. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
14. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of SE Salmonberry Road and the plat access 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.
15. 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).
16. 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.

FIRE MARSHAL

1. Turn around to be curbed and painted. 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.
2. Label hydrant on final plat.
3. Please add the following language on final plat: Fire department turnaround to be maintained as originally constructed and clear from any obstructions. No parking.

HEALTH DISTRICT

1. A Building Site Application for a community drainfield must be submitted and approved prior to Final Short Plat.

WASTEWATER

1. Prior to SDAP approval, Waste Management (360) 674-3166 shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider for the project. Pay particular attention to the

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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.

Preliminary approval of this short subdivision will automatically expire five (5) years from the date of this letter. However, upon written request to the Department of Community Development by the original applicant and the current owner(s) of the subject property, at least thirty (30) days prior to expiration, a six (6) month extension may be granted.

Preparation of the final short subdivision shall be done in accordance with Kitsap County Code 16.48. All applicable conditions of preliminary approval must be addressed with the submittal of final short subdivision application. Submittals that do not address all conditions will be considered incomplete and returned without review. All of the above relevant conditions and any/all building setbacks and buffers established as conditions of approval must appear on the final short subdivision.

If you have any questions or comments regarding this letter, please feel free to contact **Peggy Bakalarski** for Survey matters; **Candy Vickery** for Stormwater and Traffic matters; **Scott Diener** for Land Use matters; **Greg Gentile** for Fire Marshal matters; or **Candy Vickery** for Wastewater matters, all of whom can be reached at (360) 337-5777. Please contact **Kerrie Yanda** for Health District matters at (360) 337-5285.

Sincerely,



Peggy Bakalarski, Project Lead

08.27.2020

Date



Shawn Aire, Development Services and Engineering Supervisor

08.27.2020

Date

Cc: Westsound Engineering – **Paul@wsengineering.com**
Interested Parties: **Rheembock@msn.com**