



# Kitsap County Department of Community Development

## Hearing Examiner Staff Report and Recommendation

**Report Date:** 1/4/2024  
**Hearing Date:** 1/11/2024

**Application Submittal Date:** 12/5/2022  
**Application Complete Date:** 1/5/2023

**Project Name:**

Calvary Church Expansion  
Type of Application:  
Conditional Use Permit (CUP)  
Permit Number: 22-05849

**Project Location:**

23300 Stottlemeyer Rd NE  
Poulsbo, WA 98370  
Commissioner District #1

**Assessor's Account #:**

062602-2-046-2000  
062602-2-047-2009

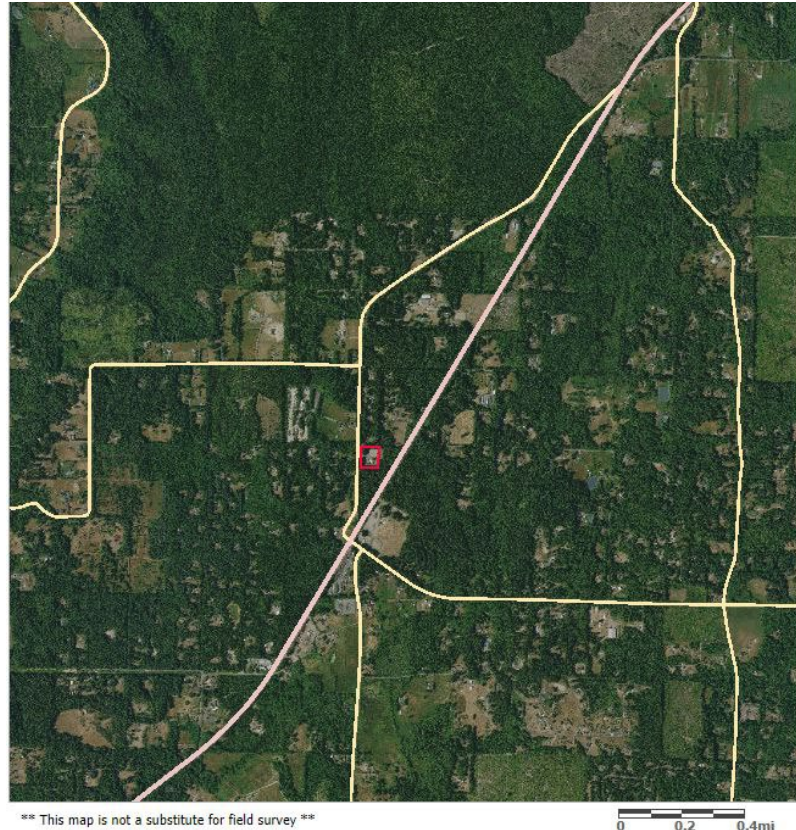
**Applicant/Owner of Record:**

Larry Howe with Calvary  
Church of Poulsbo  
23300 Stottlemeyer Rd NE  
Poulsbo, WA 98370

**Recommendation Summary:**

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

Vicinity Map:



### 1. Background

Kitsap County approved Conditional Use Permit (Case# 991216-068) for a place of worship in January 4, 2000. This proposal modifies the existing CUP to increase seating capacity, add fire protection, add parking, and modernize the stormwater facilities to address an expanded land use. The church expects to operate during Sunday morning, periodically on Sunday evening, with smaller uses during the week and on weeknights.

Kitsap County Code (KCC) Sections 17.550.020 and 21.04.100 identify the hearing examiner as the deciding authority. The Hearing Examiner has review authority for this Conditional Use Permit application. 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 or remand the application to make a proper decision. KCC Chapter 2.10 establishes the powers of the Hearing Examiner. The excerpts below from Ordinance 230-1999 provides the hearing examiner flexibility to impose conditions for the project to comply with current Kitsap County Codes.

## **2. Project Request:**

The proposal amends an existing conditional use permit (Case# 991216-068) by adding a new building to the existing church in 2 phases. Phase 1 will construct a new building with a worship center, that seats a maximum of 570 people, and children's Sunday school classrooms. Phase 2 will be a fellowship hall connecting the existing church building with the proposed Phase 1 building. Additionally, expansion of the associated parking and stormwater facilities is proposed as part of Phase 1.

## **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 2/16/2023 (Exhibit 20). The Department issued a Determination of Nonsignificance (DNS) on 12/21/2023 (Exhibit 22). SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under conditions at the end of this report:

The SEPA appeal period expired 1/4/2024. No appeals were filed; therefore, the SEPA determination is final.

## **4. Physical Characteristics:**

The project site covers a total of 4.92 acres. Parcel A is approximately 2.44 acres and has the church, two portable structures, two parking lots, and an outdoor amphitheater located on it, as well as evergreen trees that border the property to the southeast and northwest. Parcel B is approximately 2.47 acres and contains a storm water retention pond associated with one of the parking lots on Parcel A, the rest of the parcel is covered in forest. On the site, topography

generally has an east facing aspect with an average slope of 2%-8%; there is approximately 42 feet of relief across the site.

The project’s two parcels are owned by Calvary Chapel of Poulsbo and are in the RR (Rural Residential) zone. North and west of the site, land is zoned RR and has a comprehensive plan designation Rural Residential. Directly east of the site is one parcel of RR zoning and comprehensive plan designation. South and east of the site (beyond lone RR parcel) land is zoned REC (Rural Employment Center) and has a Type III Limited Area of More Intense Rural Development, this is similarly reflected in the comprehensive plan.

**Table 1 – Adjacent Land Use and Zoning Designations**

Surrounding Property	Current Land Use	Zoning Designation
North	Single-family residence	Rural Residential (RR)
South	Single-family residence	RR
East	Kitsap County Public Works Road Shed	Rural Employment Center (REC)
West	Vacant	REC

**Table 2 – Density, Dimensions, and Design (KCC 17.420)**

Standard	Required Standards	Proposed
Min. density (du/acre)	N/A	N/A
Max. density (du/acre)	1 du / 5 acres	N/A
Min. lot size	5 acres	N/A
Max. lot size	N/A	N/A
Min. lot width	140 feet	
Min. lot depth	140 feet	
Max. height (37)(40)(50)	35 feet (2)	
Max. impervious surface coverage	N/A	
Max. lot coverage	N/A	
<b>Setbacks (34)(35)(48)</b>		
Min. front (41)(42)(43)	50 feet (29)	
Side (42)(43)	20 feet; 5 feet for accessory structures (29)	
Rear (42)(43)	20 feet; 5 feet for accessory structures (29)	

Referenced footnotes (FN):

KCC 17.420.060

A. Where noted on the preceding tables, the following additional provisions apply:

2. N/A.
29. N/A.
34. Development abutting a street for which a standard has been established by the Kitsap County arterial plan shall provide a special setback from the centerline of said street or a distance adequate to accommodate one-half of the right-of-way standard established by the arterial plans for the street. The building setback required by the underlying zone shall be in addition to the special setback and shall be measured from the edge of the special setback line. The special setback area shall be treated as additional required yard area and reserved for future street widening purposes.
35. N/A.
37. N/A.
40. Height limitations set forth elsewhere in this title shall not apply to the following: barns, silos, or other farm buildings and structures, provided they are not less than fifty feet from every lot line; chimneys, spires on places of worship, belfries, cupolas, domes, smokestacks, flagpoles, grain elevators, cooling towers, solar energy systems, monuments, fire house towers, masts, aerials, elevator shafts, and other similar projections; and outdoor theater screens, provided said screens contain no advertising matter other than the name of the theater. The proponent seeking exception to the height limitation shall certify that the object being considered under this provision will not shade an existing solar energy system which, by the determination of the director, contributes substantially to the space- or water-heating requirements of a building.
41. N/A.
42. The following exceptions apply to historic lots:
  - a. Building setback lines that do not meet the requirements of this title but were legally established prior to the adoption of this title shall be considered the building line for alterations, remodels, and accessory structures on the lot or parcel; providing, that no structure or portion of such addition may further project beyond the established building line.
  - b. Any single-family residential lot of record as defined in Chapter 17.110 that has a smaller width or lot depth than that required by this title, or is less than one acre, may use that residential zoning classification that most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.
43. Any structure otherwise permitted under this section may be placed on a lot or parcel within a required yard area if the director finds that such a location is necessary because existing sewer systems or roadways make compliance with the yard area requirements of this title impossible without substantial changes to the site.
48. N/A.
50. N/A.

*Staff Comment: The proposal expands structures towards the interior of the site, in a manner that meets all applicable zoning setbacks. These expanded structures will not impede a future*

*expansion of Bond Road, an arterial to the east, which meets the intent of FN 34. The project must comply with the 35-foot height limit, with the exception of projections according to FN 40.*

**Table 3 – Public Utilities and Services**

Utilities/Services	Service Provider
Water	North Peninsula Water System
Power	Puget Sound Energy
Sewer	Onsite Septic
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue District No. 18
School	North Kitsap School District No. 400

**5. Access:**

Stottlemeyer Rd NE, a county-maintained right-of-way, provides direct access to the project site.

**6. Site Design:**

This proposal expands parking and modernizes the stormwater facilities to address an expanded land use (see Exhibits 3 and 5). This expansion requires installation of landscaping that complies with KCC Chapter 17.500. Buffers on the project site edges must meet, or be augmented to meet, landscape buffer requirements.

The project must implement downcast lighting to prevent off-site light pollution from external light sources. The proposal doesn't include a signage proposal; however, a proposed condition of approval will require replacement of a non-conforming sign located near Bond Road. This will require an additional sign permit.

**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 adopted the Comprehensive Plan on June 30, 2016 with annual updates through April 2020. The following Comprehensive Plan goals and policies are most relevant to this application. A church qualifies as an amenity to neighborhoods as a cultural resource and human service of sorts. No direct policies reference churches; however, it is within this context that human service goals and capital facility and utility goals apply.

**Land Use**

*Land Use Policy 13. Examine health and equity impacts of land use decisions to all populations.*

*Land Use Policy 33. Recognize and adopt Western Washington Phase II Municipal Stormwater National Pollutant Discharge Elimination System Permit requirements for low impact development.*

*Land Use Policy 50*

*Limit the designed 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 54. In accordance with RCW 36.70A.070(5)(c):*

- *to preserve rural character of the County, emphasize controlling rural development; assuring visual compatibility of rural development with the surrounding rural area,*
- *reduce the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area,*
- *protect critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources, and,*
- *protect against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.*

*This policy is implemented through Comprehensive Plan Land Use designations, zoning designations, and zoning code provisions.*

*Land Use Policy 55. Encourage development practices and design standards for the rural area, such as minimizing changes in grade from pre-development site conditions in order to maximize native vegetation retention.*

*Land Use Policy 59. Allow or conditionally allow home-based cottage-type businesses and industries in the rural areas that do not negatively affect rural level of service or rural character.*

### **Housing, Human Services**

*Housing and Human Services Goal 4. Ensure that all people have fair and equal access to housing and services.*

*Housing and Human Services Goal 5. Increase support, referral, and connections to social services.*

**Capital Facility and Utilities**

*CapF and Utilities Goal 7. Integrate social, educational and cultural components in public facilities when possible.*

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
Chapter 18.04	State Environmental Policy Act (SEPA)
Title 19	Critical Areas Ordinance
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

**8. Documents Consulted in the Analysis:**

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

Exhibit #	Document	Dated	Date Received / Accepted
<b>1</b>	<b>STAFF REPORT</b>	<b>01/04/2024</b>	
2	Project Narrative		01/03/23
3	Preliminary Site Plan		01/03/23
4	Preliminary Plans		01/03/23
5	Landscape Plans		12/05/22
6	Building Elevations & Floor Plans		01/03/23
7	Prelim Drainage Report		12/05/22
8	Geotech Report		12/05/22
9	Title Report		12/05/22
10	Existing Conditional Use Permit		12/05/22
11	Septic Documentation		12/05/22
12	Property Owner Authorization		12/05/22
13	Water Availability Letter (non-binding)		12/05/22
14	Pre-Application Meeting Summary		12/05/22
15	SEPA Checklist		01/03/23
16	Stormwater Worksheet		12/05/22
17	Concurrency Test (Waiver)		12/05/22
18	Parking Analysis Worksheet		01/03/23

19	Permit Application Submission Form		12/05/22
20	Notice of Application	02/16/2023	
21	ROW Permit Review Status		10/12/2023
22	SEPA Determination	12/21/2023	
23	Notice of Public Hearing	12/27/2023	
24	Certification of Public Notice	01/02/2024	
25	Staff Presentation		
26	Hearing Sign In		

**9. Public Outreach and Comments:**

The Department received no comments in response to this application.

**10. Analysis:**

a. Planning/Zoning

17.550.030 Decision criteria – Conditional use permit.

- A. The hearing examiner may approve, approve with conditions, or deny a hearing examiner conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:
  - 1. The proposal is consistent with the Comprehensive Plan;
  - 2. The proposal complies with applicable requirements of this title;
  - 3. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity; and
  - 4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.
- B. As a condition of approval, the hearing examiner may:
  - 1. Increase requirements in the standards, criteria, or policies established by this title;
  - 2. Stipulate the exact location as a means of minimizing hazards to life, limb, property damage, erosion, landslides, or traffic;
  - 3. Require structural features or equipment essential to serve the same purpose set forth in Chapter 17.420;
  - 4. Include requirements to improve compatibility with other uses permitted in the same zone, protecting them from nuisance generating features in matters of noise, odors, air pollution, wastes, vibration, traffic, physical hazards, and similar matters. The hearing examiner may not, in connection with action on a conditional use permit, reduce the requirements specified by this title as pertaining to any use nor otherwise reduce the requirements of this title in matters for which a variance is the remedy provided;
  - 5. Assure that the degree of compatibility with the purpose of this title shall be maintained with respect to the particular use on the particular site and in



- consideration of other existing and potential uses, within the general area in which the use is proposed to be located;
6. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, dust, fumes, vibration, odors, and hazard or public need;
  7. Require the posting of construction and maintenance bonds or other security sufficient to secure to the county the estimated cost of construction and/or installation and maintenance of required improvements; and
  8. Impose any requirement that will protect the public health, safety, and welfare.
- C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the conditional use permit shall be denied.

*Staff Comment:*

*Kitsap County already approved a CUP for a place of worship at this location. The church must be expanded to accommodate an increasing number of community members in its congregation. This project is suitable in type, density, and intensity of use for the surrounding area because it serves as a community center in a rural setting. The most intense use will occur on the weekends which will not conflict with the surrounding community.*

*A condition of approval requires consolidation of the two parcels in perpetuity through a single lot determination and notice to title.*

*The proposal meets KCC by better aligning the Comprehensive Plan policies. The existing conditional use permit required less stormwater controls, parking, landscaping and buffer requirements. This proposal increases the land use intensity through physical expansion. However, the proposal brings the project site further into compliance with current KCC. The proposed conditions of approval minimize impacts to neighboring properties and ensure that the project is not materially detrimental to said properties.*

b. Lighting

KCC Section 17.105.110 Obnoxious things.

In all zones, except as provided for elsewhere in this title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas or radiation which is materially deleterious to surrounding people, properties or uses. Lighting is to be directed away from adjoining properties. Not more than one foot candle of illumination may leave the property boundaries.

*Staff Comment: The proposal is conditioned to direct lighting away from adjoining properties and not allow more than one foot candle of illumination to leave the site.*

c. Off-Street Parking

Use Identified in 17.490.030	Standard	Number of Spaces Required	Number of Spaces Provided
Places of Worship	1 per 4 seats or 8 feet of bench length in the main auditorium	754 seats @ 1 space per 4 seats = 188.5 spaces	754 seats @ 1 space per 4 seats
Total		189	189

The proposal includes a Worship Center and Auxiliary Worship Center with a combined capacity of 754 seats. Per Kitsap County Code (KCC) 17.490.030 places of worship require 1 parking space per 4 seats. Currently 83 parking spaces exist on the project site. The project adds 106 stalls to the existing parking lot, for a total of 189 stalls to meet KCC requirements. The project designates 6 handicap accessible spaces and complies with the required number of ADA spaces per KCC 17.490.060.

d. Signage

The proposal doesn't include signage; however, a condition of approval for this project requires that all signage comply with current Kitsap County Code. This includes replacing the sign on Bond Road with a monument sign that complies with KCC Section 17.510.100.

e. Landscaping

i. Kitsap County Code (KCC) Section 17.420 and 17.500 requires 15 % landscaping, including 35 sf of landscaping for parking lots per KCC Section 17.490.050. Native vegetation buffers do not count towards landscaping and must be shown on the site plan (see KCC section 17.500.020 G).

ii. KCC Section 17.500.027

The director may require different buffer types depending on the proposed use of the site and adjacent zones and/or uses. Vegetation-based LID BMPs may be utilized within buffers as long as the primary purpose of the landscaping or screening buffer is not compromised. These types of buffers shall include:

A. Partial Screening Buffer. This type of landscaping is intended to provide partial visual separation of uses from streets and between compatible uses in order to soften the appearance of parking areas and building elevations.

1. Roadside and Setback Area Buffer. Required along existing or planned roads and side and rear property lines within urban growth areas. The planting area shall encompass the required front setback area, and areas adjacent to side and rear property lines.

2. Separation Buffer. This type of landscaping is intended to create a visual separation that may be less than one hundred percent sight-obscuring between compatible land uses or zones. Required along the perimeters of multifamily residential, commercial, industrial and public facility development which abut like zones or uses.

- B. Solid Screening Buffer. This type of landscaping is intended to provide a solid sight barrier between totally separate and incompatible land uses such as residential and commercial or industrial uses. It is also intended to provide a sight barrier around outdoor storage yards, service yards, trash receptacles, mechanical and electrical equipment, etc.
  - 1. Required along the perimeters of multi-family residential, commercial, industrial, and public facility development, which abut different uses and/or zones. The buffer shall provide one hundred percent sight-obscuring screening between different uses or zones.
  - 2. Required for residential subdivisions, commercial, industrial, or public facility development abutting a rural zone, a buffer of twenty-five to fifty feet of sight-obscuring, screening vegetation shall be provided. The director may modify this requirement after evaluating the effects of wind-throw or other safety concerns. In the event that the buffer will only contain high-branching trees which allow visibility through the buffer, a row of evergreen trees planted ten feet on center may be required along the highest point of the buffer.
  - 3. Required around the perimeter of storm drainage facilities, with the exception of vegetation-based LID BMPs, to provide sight-obscuring screening from adjacent properties and/or roadways, and consist of:
  - 4. Required around trash receptacles, mechanical and electrical equipment, and other similar above ground items, and consisting of evergreen shrubs adequate to screen a majority of the equipment or item while providing access to the item.
- iii. A detailed plant schedule with spacing, and implementation notes shall be required with the Site Development Activity Permit (SDAP).
- iv. All installations must comply with KCC Section 17.500.030 Installation and maintenance.

	Required Landscape Buffers	Proposed Landscape Buffers
North	Separation Buffer	Separation Buffer
South	Solid Screen Buffer	Solid Screen Buffer
East	Solid Screen Buffer	Solid Screen Buffer
West	Separation Buffer	Separation Buffer

*Staff Comment:*

*Churches are considered an amenity or culturally significant land use that is relatively compatible with residential land uses. This implies that the project requires a separation buffer (less than 100% obscuring) on all sides except the southern edge. The southern parcel line is adjacent to Rural Employment Center zoning designation which allows more industrial and commercial uses. Therefore, the southern edge requires a solid screening buffer (100% obscuring). The application and existing conditions suggest that the existing native vegetation meets the landscaping buffer requirements. The project*

*includes a condition of approval for the project to meet KCC Section 17.500.027 and 17.500.030. This condition requires augmentation of the buffers if inspections reveal the project doesn't meet the buffer requirements.*

*Ordinance 230-1999 requires a conditional use permit to include a site plan that references a natural vegetation buffer. The vernacular of native vegetation buffer from the previous code meets the intent of KCC 17.500 regarding landscape buffers to provide visual barriers from adjacent properties.*

*The Department proposes a condition of approval to provide a detailed site plan to comply with the 15% landscaping requirement and KCC 17.500.027.*

- f. Frontage Improvements  
Not required as part of this proposal.
- g. Design Districts/Requirements  
The project is not within a design district.
- h. Development Engineering/Stormwater  
Development Services and Engineering reviewed the land use proposal and finds the concept supportable in its approach to civil site development. Further review will occur with associated site development or building permits.
- i. Environmental  
No critical areas or steep slopes exist on the site. However, two wetlands exist nearby. A 1.14-acre wetland exists approximately 600 feet northeast of the site as identified by the National Wetlands Inventory as a Freshwater Forested/Shrub Wetland with a PSSCC (Palustrine, Scrub-Shrub, Seasonally Flooded) classification. A 4.22-acre wetland exists approximately 400 feet northwest of the site as identified by NWI as a Freshwater Emergent Wetland with a classification of PEM1C (Palustrine, Emergent, Persistent, Seasonally Flooded). Neither wetland will impact the proposed project.
- j. Access, Traffic, and Roads  
Development Engineering reviewed the land use proposal and finds the concept supportable in its approach to civil site development subject to the conditions of approval.
- k. Fire Safety  
The project meets Kitsap County Code provided the project implements the conditions of approval.
- l. Solid Waste

Development Engineering reviewed the land use proposal and finds the concept supportable in its approach to solid waste subject to the conditions of approval.

m. Water/Sewer

Potable water is provided by a North Peninsula water system; sanitary sewage disposal is provided by an on-site septic system.

n. Kitsap Public Health District

The proposal suggests a capacity of 754 persons. The septic system approval notes a capacity of 454 persons. The project includes a condition of approval to confirm the septic system will support the additional capacity. Should the septic system require expansion the site plan submitted for the SDAP shall show said expansion.

**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 Hearing Examiner may approve, approve with conditions, or deny a Conditional Use Permit. The Hearing Examiner may also continue the hearing or remand the application to allow for additional information necessary to make the proper decision. KCC Chapter 2.10 establishes the powers of the Hearing Examiner. The excerpts below from Ordinance 230-1999 provides the hearing examiner flexibility to impose conditions for the project to comply with current Kitsap County Codes.

KCC Section 420.020 of in Ordinance 230-1999 states “The Hearing Examiner shall have the authority to approve, approve with conditions, disapprove, or revoke or modify conditional use permits, subject to the provisions of this Section. Changes in use of site area, or alteration of structures or uses classified as conditional and existing prior to the effective date of this Ordinance shall conform to all regulations pertaining to conditional uses. In permitting a conditional use the Hearing Examiner may impose, in addition to regulations and standards expressly specified in this Ordinance, other conditions found necessary to protect the best interests of the surrounding property or neighborhood, or the County as a whole. These conditions may include requirements increasing the required lot size or yard dimensions, increasing street widths, controlling the location and number of vehicular access points to the property, increasing or decreasing the number of off-street parking or loading spaces required, limiting the number of signs, limiting the coverage or height of buildings or structures because of obstructions to view and reduction of light and air to adjacent property, limiting or prohibiting openings in sides of buildings or structures or requiring screening and landscaping where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area, and requirements under which any future enlargement or alteration of the use shall be reviewed by the County and new conditions imposed. Application for Conditional Use Permits shall follow the requirements as outlined in Section 410.”

KCC Section 410.010 of in Ordinance 230-1999 “The purpose of Site Plan Review is to ensure design compatibility between new developments, existing uses and future developments. Site

Plan Review is required in order to promote developments that are harmonious with their surroundings and maintain a high quality of life for area residents; to ensure that new developments are planned and designed to protect privacy, to determine appropriate lighting and noise mitigation measures and to ensure adequate and safe access. Site Plan Review is required for Conditional Use Permits, and developments in all Business Park, Commercial, Industrial, Airport, and Mineral Resource Zones.”

**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 request for 22-05849 Calvary Church Expansion be approved, subject to the following conditions:

A. Planning/Zoning

1. 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 not be valid.
2. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
3. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
4. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500. Landscaping shall be installed and inspected prior to

requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.

5. The recipient of any conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.
6. 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.
7. The decision set forth herein is based upon representations made and exhibits contained in the project application (22-05849). 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.
8. 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.
9. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit.
10. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
11. Under the director's authority Kitsap County Zoning Ordinance (KCZO) 1998 zoning ordinance - 445.060 all signage must meet the screening, buffering, setbacks, size, and operational limitations of the current sign regulations. The sign located on Bond Road shall be replaced with a sign that complies with Kitsap County Code (KCC) Section 17.510. Permanent signage shall require a separate permit unless otherwise exempted by KCC.

KCC 1998 zoning ordinance - 445.060 Conditions to Enhance Compatibility. In order to enhance compatibility, the Director may impose conditions when a sign permit is issued pursuant to Section 445.040.C. Such conditions may include, but are not limited to screening, buffering, setbacks, and limitations upon the size or hours and methods of operation. The sign permit shall be revoked if the permittee fails to comply with the conditions imposed.

12. A detailed, to scale, planting plan that shows location and planting schedule shall be provided for the Department to review within the Site Development Activity Permit (SDAP).
13. The applicant shall provide a single lot determination with any subsequent permits and record a Notice to Title with the Kitsap County Auditor that the parcels are now considered one parcel.
14. Per KCC Section 17.105.110 In all zones, except as provided for elsewhere in this title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas or radiation which is materially deleterious to surrounding people, properties or uses. Lighting is to be directed away from adjoining properties. Not more than one foot candle of illumination may leave the property boundaries.
15. Approval is subject to the conditions of the Geotechnical report, Date 11/1/2022 authored by Krazan and Associates, associated with this permit and on file at the Department of Community Development.

B. Development Engineering

16. 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.
17. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12 and as such will require a Full Drainage Site Development Activity Permit (SDAP) from Development Engineering.
18. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Engineering for review and approval. The phasing plan shall, as a minimum, address the following items: Time tables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase; AND the extent of drainage improvements to be installed during the various phases.



19. 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 SDAP (or Building Permit if no SDAP required) 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, or Building Permit if an SDAP is not required.
20. Any project that includes off-site improvements that create additional hard surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12.
21. 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](mailto:joshklimek@ecy.wa.gov). This permit is required prior to issuance of the SDAP. Processing time for NPDES permit is a minimum of 37 days.
22. The application indicates that a significant quantity of grading material will be exported from the site. Prior to issuing the SDAP an approved fill site(s) must be identified.
  - Any fill site receiving 150 cubic yards or more of material must obtain an SDAP.
  - Fill sites receiving 5,000 cubic yards or more, or located within a critical area, must have an engineered SDAP.
  - For any fill site receiving less than 150 cubic yards, the SDAP holder shall submit to Kitsap County Department of Community Development load slips indicating the location of the receiving site and the quantity of material received by said site.
23. The application indicates that a significant quantity of grading material will be imported to and/or exported from the site. Typically, this means five or more trucks entering/leaving the site per hour. Because of this a vehicle wheel wash must be included as an element of the siltation erosion control plan.
24. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before requesting final inspection for the SDAP (or for the Building Permit if an SDAP is not required) 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. If the project proposal is modified from that shown on the site plan approved for this permit application, Development Engineering will require additional review and potentially new conditions.

#### C. Environmental

26. Bald Eagles- This permit is conditioned for compliance with the Federal Bald and Golden Eagle Protection Act and the National Bald Eagle Management Guidelines. The applicant is responsible for following all federal setbacks, construction windows and obtaining any federal permits as necessary through the US Fish and Wildlife Service.
27. If archaeological resources are uncovered during excavation, developers and property owners must immediately stop work and notify Kitsap County, the Office of Archaeology and Historic Preservation and affected Indian tribes.

Uncovered sites shall require a site inspection by a professional archaeologist in coordination with the affected tribe(s). Tribal historic preservation officers shall be provided the opportunity to evaluate and comment on cultural resources evaluations conducted by the professional archaeologist.

Work shall not recommence until authorized by the Office of Archaeology and Historic Preservation through an archaeological excavation and removal permit, which may condition development permits pursuant to KC 442-07.

#### D. Traffic and Roads

28. At building permit application, submit Kitsap County Public Works Form 1601 for issuance of a concurrency certificate, as required by Kitsap County Code 20.04.030, Transportation Concurrency.
29. Public roads shall not exceed 12% grade or less depending on the road classification per Kitsap County Road Standards.
30. All rights of access for adjoining properties currently in existence shall be preserved. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP acceptance or Building Permit approval, if a SDAP is not required.

31. The property owners shall be responsible for maintenance of all landscaping within the existing and proposed right-of-way including any structures other than roadway, storm drainage facilities, and traffic signage. Maintenance shall include, but not be limited to, mowing of lawn areas. A note to this effect shall appear on the accepted construction plans. In addition, Development Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
32. The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.
33. 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).
34. Before SDAP acceptance, the applicant shall submit a set of drawings to the Washington State Department of Transportation for review. The applicant shall notify Development Services and Engineering in writing when the plans have been submitted to WSDOT. Development Services and Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT lies with the property owner.
35. Final plan approval will require documentation of Washington State Department of Transportation (WSDOT) approval for impacts to and any required mitigation on State rights of way. WSDOT point of contact is Dale Severson who can be reached at (360) 357-2736 or by email [dale.severson@wsdot.wa.gov](mailto:dale.severson@wsdot.wa.gov)
36. 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, or Building Permit process, if a SDAP is not required. The need for and scope of bonding will be determined at that time.

37. Prior to completion of this permit with the Department of Community Development, the Applicant shall satisfy all conditions of a Right of Way Permit through the Department of Public Works for any and all work performed in the county Right of Way associated with this project. Apart from the Site Development Activity Permit (SDAP), the Right of Way permit may require extra work to comply with current Washington State Department of Transportation or Kitsap County Road Standards. You may contact Kitsap County Public Works, Right of Way Construction Division at (360) 337-5777 to obtain a Right of Way permit.

E. Fire Safety

38. Civil plans submitted shall clearly indicate location of fire access routes. These routes shall comply with all the fire access design requirements and be placed so no point of the building exceeds 150 feet, measured by the lay of a hose.

Site hydrants shall also be provided and clearly shown on civil plans. A spacing of 400 feet shall be accomplished between hydrants, with one hydrant placed near the site entrance and one within 50 feet of the remotely located fire department connection.

39. A fire flow availability letter shall be provided with the building permit that indicates the required flow is adequate. The flow required is based on the total square footage (to include all phases) and construction type. \*Reductions are allowed with the installation of an NFPA 13 fire sprinkler system.

40. If a minimum 20 feet between the new and existing structure is maintained, a fire sprinkler system will be required for the new structure (phase 1). Once phase 2 commences, the fire sprinkler system shall be extended to cover the existing structure.

A monitored fire alarm system will also be required.

41. Please be aware that the proposed structure and modifications to the existing structure will be subject to the code adopted at the time of permit submittal. This will include, but is not limited to: energy code, electric vehicle charging infrastructure requirements, ADA compliance, etc.

F. Solid Waste

42. Prior to SDAP approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at [pnwcmsservices@wm.com](mailto:pnwcmsservices@wm.com) or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>.

- 43. The SDAP submittal shall show solid waste dumpster location, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Provided area must accommodate a minimum 6-yard dumpster.
  
- 44. The SDAP submittal shall show at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans.
  
- 45. Solid Waste enclosures shall be covered and placed on an impervious surface. Enclosures shall be directly connected to sewer system, where feasible. If direct connection to sewer is infeasible, the enclosure shall be sloped to drain into a dead-end sump.

G. Kitsap Public Health District

No comments at this time.

**Report prepared by:**



Darren Gurnee, Senior Planner and Project Lead

1/3/2024

Date

**Report approved by:**



for Katharine Shaffer

Katharine Shaffer, Planning Supervisor

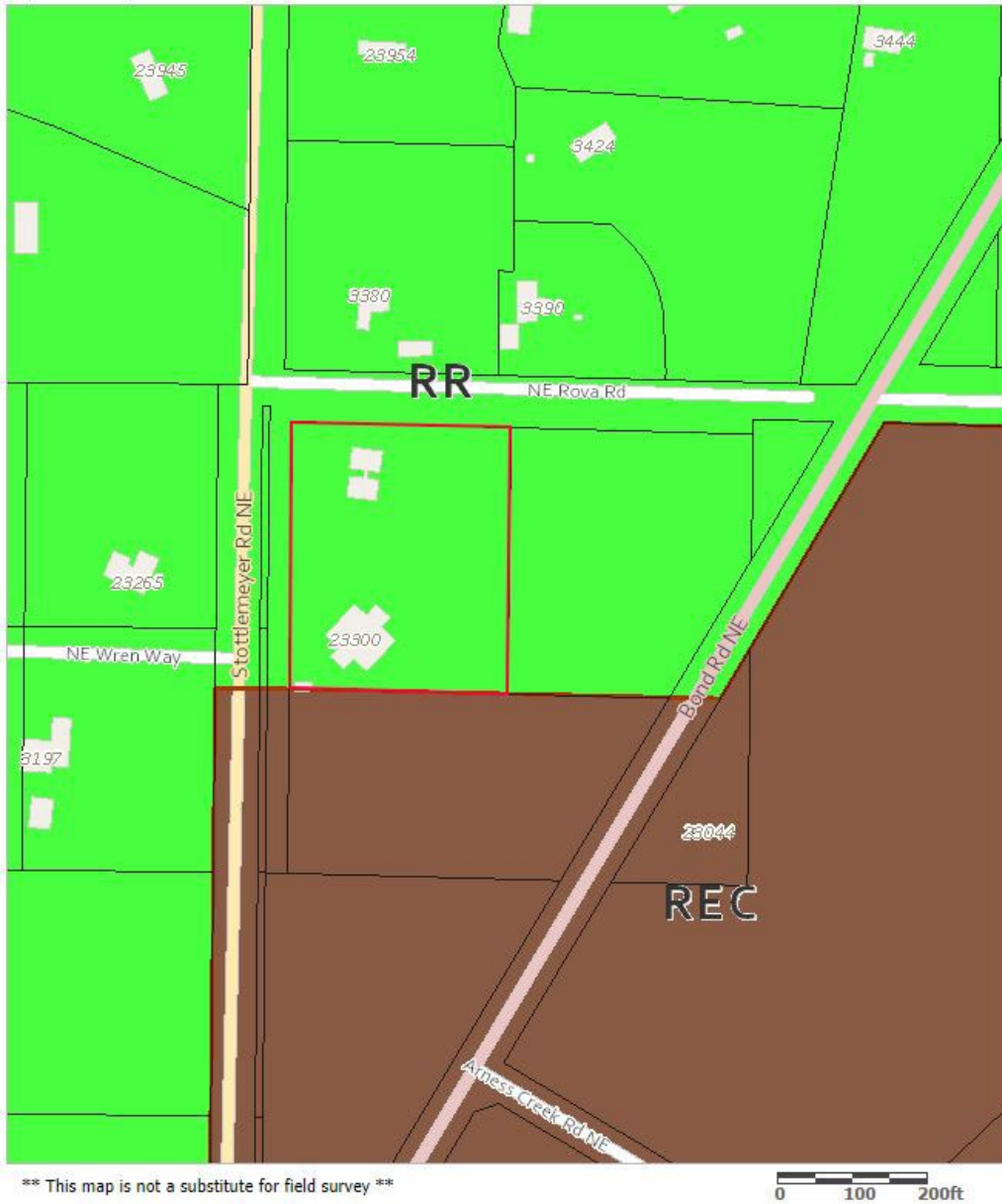
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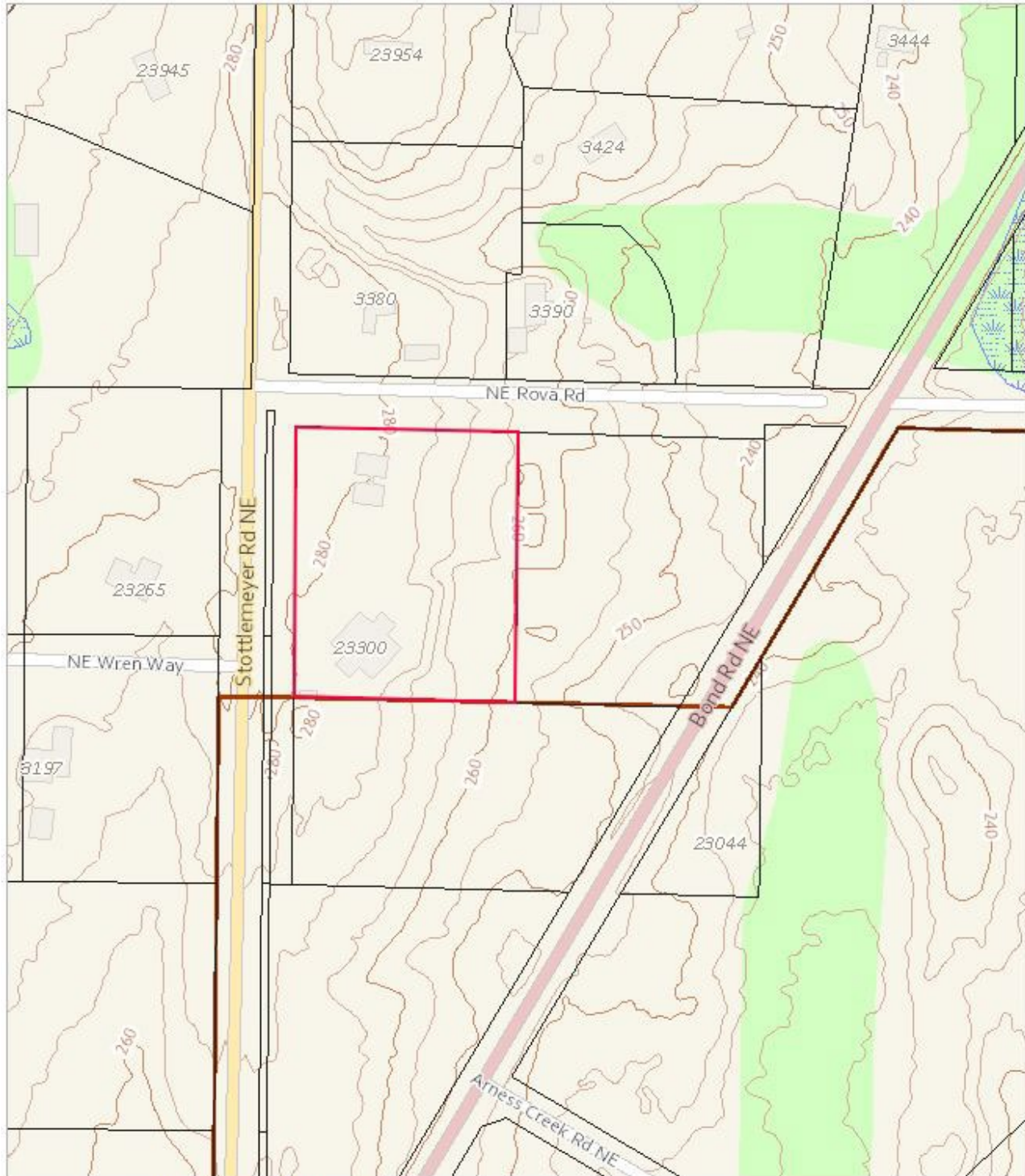
**Enc:**

- Attachment A: Zoning Designation
- Attachment B: Critical Areas Map
- Attachment C: Aerial Imagery

Attachment A: Zoning Designation



Attachment B: Critical Areas Map

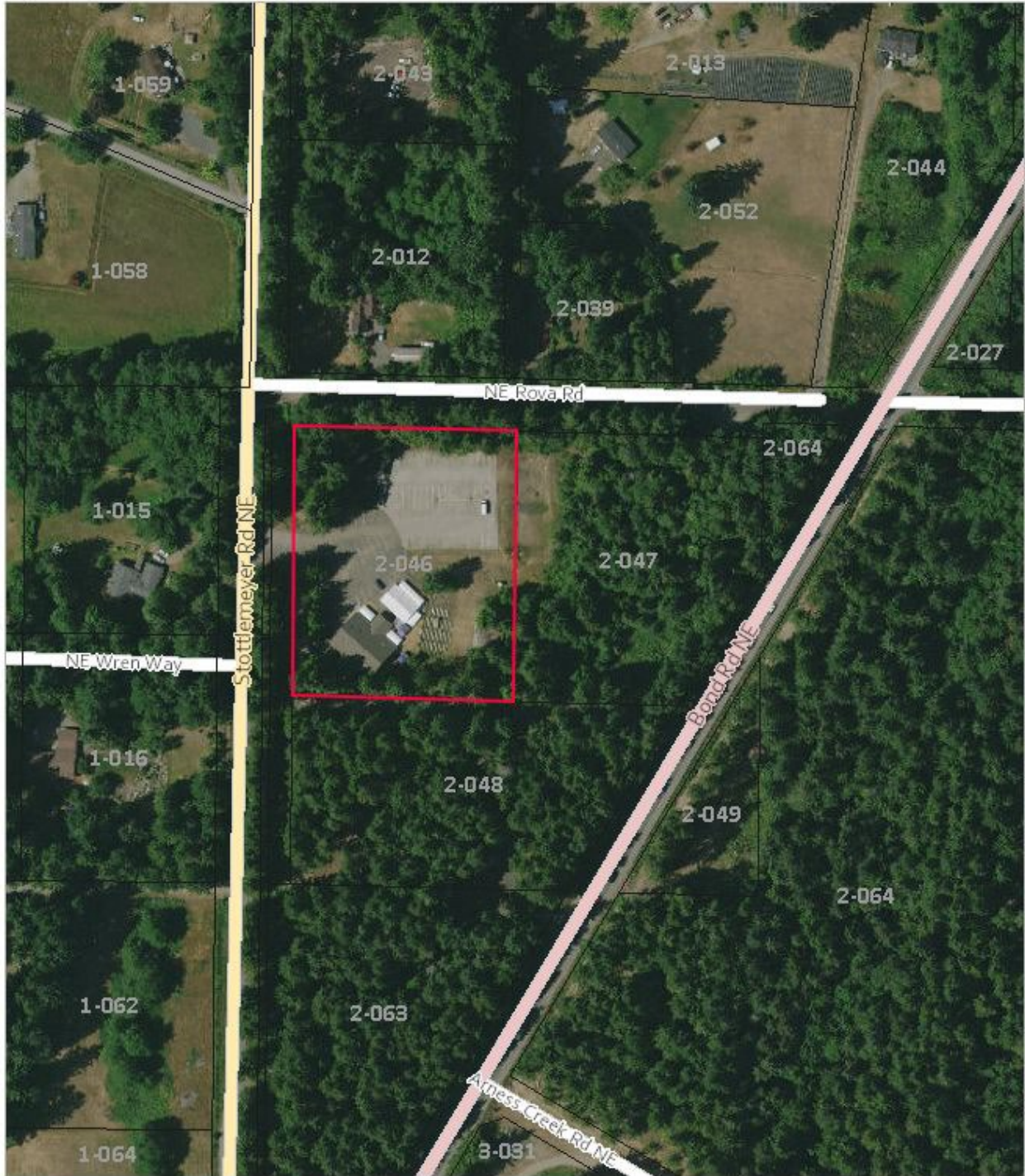


\*\* This map is not a substitute for field survey \*\*

0 100 200ft



Attachment C: Aerial Imagery



\*\* This map is not a substitute for field survey \*\*

