



## Hearing Examiner Staff Report and Recommendation

**Report Date:** December 10, 2020  
**Hearing Date:** December 17, 2020

**Application Submittal Date:** December 4, 2012  
**Application Complete Date:** January 17, 2013

**Project Name:** Port Gamble Redevelopment Plan Preliminary Plat/Performance Based Development (PBD)

**Type of Application:** Type-III Plat/PBD -Master Plan

**Permit Number:** 13-00165

### Project Location

4790 NE State HWY 104  
Poulsbo, WA 98370  
Commissioner District #1

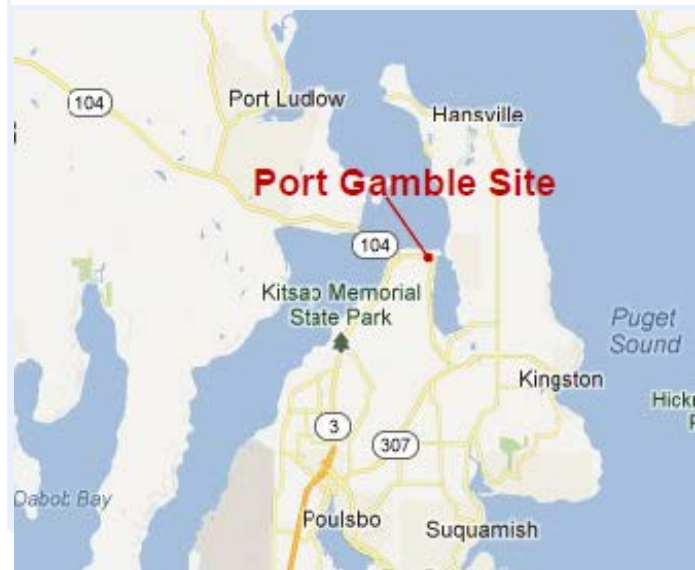
### Assessor's Account #

(Multiple Accounts, see attached)

### Applicant/Owner of Record

Olympic Property Group, LLC  
Linda Barry-Maraist  
19950 7TH AVE NE STE 200  
POULSBO WA, 98370

### VICINITY MAP



### Recommendation Summary

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

#### 1. Background

Olympic Property Group LLC (OPG) is requesting a Performance Based Development (PBD) and Preliminary Subdivision to allow redevelopment of the historic town of Port Gamble. This is pursuant to Kitsap County Code (KCC) Title 17, including KCC 17.321B.020 and 030 Port Gamble Rural Historic Town standards, as well as KCC Title 16 Land Division and Development standards. The project involves the construction of private access roads from State Route-104, stormwater treatment and detention control facilities, and supporting utilities. The project also includes open space, recreational amenities, and areas preserved for wetlands and associated buffers. The request was reviewed pursuant to KCC Title 16 Land Segregations, Title 17 Zoning, KCC Titles 12 Storm Water Drainage, KCC 19 Critical Areas and Title 22 Shoreline Master Program. The project proposal vested to adopted regulations in effect on January 17, 2013. The proposal also under review and subject to this staff report includes a

Shoreline Substantial Development Permit (SSDP). The PBD, Preliminary Subdivisions and SSDP Permits are Type-III land use applications subject to review by the Kitsap County Hearing Examiner as the review authority pursuant to KCC 21.04.100. It is expected a subsequent Development Agreement, pursuant to KCC 21.04.220 and Site Development to follow the Redevelopment Plan Plat/PBD and SSDP.

OPG is proposing redevelopment of 318.4-acres in the Port Gamble area, further described in this report. The proposal would redevelop the historic town with a mix of residential, commercial, agricultural and open space land uses intended to be consistent with the historic character of the town and promote economic sustainable development. Specifically, the proposal redevelopment of the Port Gamble site will include between 226 to 265 new residential units, 100 room hotel, 50,000 to 171, 000 square feet of commercial and 239 to 245 acres of open space. The buildout of the proposed redevelopment is projected to occur approximately 15-year timeframe (2034) depending on market conditions.

On January 17, 2013 the applicant submitted a PBD/Preliminary Plat application and Shoreline Permit for the Port Gamble Redevelopment Project. It was determined complete and vested 2013 regulations pursuant to KCC 21.04.150 Vesting. Kitsap County as SEPA lead agency, determined that the project may have a significant impact on the environment. An Environmental Impact Statement (EIS) was required. The EIS documents the analysis of three alternatives:

**Alternative 1 –Proposed Alternative (Full Buildout)**

This alternative represents the applicant’s proposal for site development, forecasting approximately 156,000 square feet (SF) of commercial mixed-uses (retail and office), approximately 15,000 SF of restaurant use, approximately 265 new residential units, approximately 30,480 SF of community/education/industrial space, and approximately 30,000 SF of other uses, including the West Sound Wildlife Shelter. All would be provided on the approximately 318.3-acre site. In addition, the proposal includes approximately 239 acres of open space uses.

**Alternative 2 – Lesser Development**

Alternative 2 assumes that approximately 35,000 SF of commercial mixed-use (retail and office), approximately 15,000 SF of restaurant use, 226 new residential units, and 30,000 SF of other uses (including the West Sound Wildlife Shelter) and would develop on the approximately 318.3-acre site. In addition, approximately 250.8 acres of open space uses would include landscape areas, parks, agricultural area, natural/wooded area, critical areas and buffers, and stormwater retention ponds. With redevelopment under this alternative, the existing and largely paved Mill Site area would be converted to approximately 2.17 acres of buildings uses, a 4.2-acre paved area would be used for parking, 4.95 acres would become landscaped area, 7.63 acres of critical areas and buffers would exist, and 12.44 acres of open space would be dedicated. Redevelopment would include approximately 39 multifamily dwelling units, a 100-room hotel, and 15,000 SF of restaurant use.

**Alternative 3 - No Action Alternative**

The applicant is projecting three scenarios under the no action Alternative. The existing buildings and infrastructure would age and degrade overtime. The existing land use and site coverages remain as described under existing conditions. Within a portion of the mill site approximately 200,000 SF of industrial use would be developed. The industrial uses would be more intensive than those which occur onsite today. The additional use would be consistent with those uses that occurred historically on the site.

**Project Details - Summary of Historic Town Development Alternatives**

<b>ZONE</b>	<b>USE</b>	<b>ALTERNATIVE 1 (Proposed Action)</b>	<b>ALTERNATIVE 2</b>
RHTR			
	Single-Family	104 dwelling units	104 dwelling units
	Cottage	40 dwelling units	40 dwelling units
RHTC			
	Townhouse/Condo/Cottage	33 dwelling units	33 dwelling units
	General Commercial	35,000 SF	35,000 SF
RHTW			
	Townhouse/Condo/Cottage	78 dwelling units	39 dwelling units
	Lodge/Hotel	100 rooms	100 rooms
	General Commercial	121,000 SF	0 SF
	Restaurant	15,000 SF	15,000 SF
RR/RW			
	Single-Family	10 dwelling units	10 dwelling units
	Winery/Brewery	3 establishments	3 establishments
	Wildlife Shelter	14,300 SF	14,300 SF

**2. Project Request**

Pope Resources is requesting is for approval of the Port Gamble Redevelopment Plan through a Preliminary Plat/Performance Based Development, and Shoreline Substantial Development Permit to create 226 to 265 new residential units, 35,000 to 156,000 SF of commercial uses, 15,000 sq. ft. of restaurant uses, a 100-room hotel, and open space/recreation space and trails.

**3. Subarea Plan Background**

The company town of Port Gamble was one the of the earliest and significant lumber producing centers of the Puget Sound region. In July 1853, Captain William C. Talbot of the San Francisco and East Machias, Maine, arrives in Puget Sound in the 50-ton schooner Julius Pringle searching the region for a good sawmill site. The town was first known as Teekalet, and later the name was changed to Port Gamble in the 1960's.

The town of Port Gamble was at the forefront of the development of the Pacific Northwest's timber industry and international trade during the second half of the 19th century. The town is an example of New England style architecture and institutions. It particularly intact town

site plan, architectural resources, and landscape convey its historic character and how it functioned as company town for 150 years with the most continuously operating mill in North America. The lumber mill closed in November 1995 based on log supply restrictions.

Port Gamble was designated a National Historic Landmark District (NHL) in 1967 and placed on the Register of Historic Places. Historian Jan Eakins developed an extensive history and description of Port Gamble in 1997 for the Historic American Engineering Record (HAER). This is the seminal work on Port Gamble and is referenced in Kitsap County's zoning for the area as a guide for future development. Since 1997, the successor owner of Port Gamble, Pope Resources and its land manager Olympic Property Group have retained historic preservation expertise to guide changes, alterations to structures, and new construction.

In 1998, Kitsap County designated Port Gamble as a Limited Area of More Intense Rural Development (LAMIRD) in its Comprehensive Plan, which was then updated in 2006. Port Gamble is discussed in the Rural and Resource Lands section, where it is described as the only example in the county of a "Rural Historic Town." The Rural Historic Town zoning seeks to protect the existing historic character of Port Gamble prior to an approved plan becoming effective. The ordinance divides Port Gamble into three distinct zones — Rural Historic Town Residential (RHTR), Rural Historic Town Commercial (RHTRC), and Rural Historic Town Waterfront (RHTW) — and outlines compatible land uses in each zone. It also creates Town Development Objectives ("TDOs") to guide future development.

#### **4. 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.

#### **Summary of SEPA Process**

As part of their permit application submittal in 2013, Pope Resources/Olympic Property Group agreed to prepare a project-level Environmental Impact Statement (EIS) for the project and pursuant to KCC 18.04.115 and WAC 197-11-315, and environmental checklist was not required. A Determination of Significance (DS) and request for comments on the scope of the EIS was issued on February 22, 2013. A public meeting was held on March 18, 2013 and the scoping period concluded on March 20, 2013, which exceeded the minimum 21-day period

that is required by SEPA. A total of 34 people signed in and a total of 8 people spoke. A total of 32 comment letters/emails were received during the scoping, which included six comment letters from local agencies and organizations, two comment letters from Tribal governments, one letter from a state agency and 25 comment letters from individuals.

The areas of interest and areas in need of additional clarification raised during the scoping process are identified by the following elements analyzed below:

- Earth
- Water Resources
- Plants and Animals
- Environmental Health
- Historic and Cultural Resources
- Air Quality Greenhouse Gas Emissions
- Land Use and plans and Policies
- Aesthetics/Light and Glare
- Recreation
- Traffic
- Public Services
- Utilities

The issues identified were incorporated in to the Draft EIS analysis in the relevant sections, along with other items identified during the EIS scoping process. The Draft EIS was issued on September 17, 2019. A 30-plus day comment period included a public meeting, which was held on September 24, 2019 at the Kingston Community Library in Kingston. There were 18 letters with comments on the DEIS submitted from individuals, Tribes and agencies on the DEIS. The comment letters received included support for and requesting clarification of information about project details. The comments, along with the responses to each of the comments, are included in in Chapter 4 of the Final EIS, which was issued on October 8, 2020. Pursuant to SEPA requirements an appeal period to the adequacy of the FEIS was conducted, which expired on October 22, 2020. No appeals were filed challenging the adequacy of the FEIS; therefore, the SEPA EIS is final.

## **5. Physical Characteristics**

The Port Gamble Redevelopment site is approximately 318.3 acres of land that includes waterfront property bordered by Port Gamble Bay to the east, Hood Canal to the north, and forest land to the south and west. The existing development on the town site is a mix of residential and commercial land uses. The northern area includes the historic town of Port Gamble, which has been designated a National Historic Landmark District. The historic town consists single-family residences, open space (active and passive), a cemetery, and a downtown area with shops, commercial business, and restaurants. Along the waterfront in the northeast corner of the historic town is the former location of the lumber yard and several docks, referred to as the mill site. The mill site is a flat, 28-acre low-lying acre formerly used

as lumber mill and port to ship logs. Pope Resources/Olympic Property Group performed a two-year cleanup operation of the mill site and Port Gamble Bay removing 8,592 pilings, 1.3 acres of over-water structures, docks dredged 110,000 cubic yards of wood waste and sediment, places 200,000 tons of clean cap and cleaned up 106 acres of Port Gamble Bay. This area contains an environmental lab, kayak business and cement slabs.

### **Topography**

The sites topography consists of flat to moderate slopes through the town with steep slopes at the northern and eastern edge sloping down 40 feet to the shoreline. Steep slopes within the stream ravine of Machias Creek. are present. The Mill Site on the shoreline is relatively flat and is partially within the 100-year floodplain (see FEIS shoreline page 3.1-4 -8 KCC 19.400).

### **Vegetation**

The existing vegetation on the site varies from large tracts containing conifers and deciduous trees and undergrowth, to large grassy areas and to landscaped developed areas. The town site includes large lawn areas interspersed with trees and gardens. The Mill Site have been heavily graded and devoid of most vegetation. The areas south of the designated town site outside the LAMIRD are heavily vegetated with conifers, deciduous trees and with a natural understory.

### **Critical Area (Wetlands and Streams)**

The Port Gamble site contains a total of 17 wetlands (Wetlands A thru Q) and 5 streams (Machias Creek and Streams 1 thru 4). Many of these mapped critical areas are in the southern and central portions of the development site. The wetlands range from Category II to IV. The wetland buffers range from 25 feet to 150 feet. Machias Creek is rated as a Type-F stream fish bearing, requiring 150-foot buffers. Streams 1 and 2 are seasonal, Non-fish, streams 3 and 4 are rated as non-fish bearing and each requires a minimum 50-foot stream buffers.

The project is vested and has been reviewed under the December 2005, which was remanded in February of 2007) Critical Areas Ordinance (CAO). Applicable provisions of the CAO follow.

- **Wetlands**

Wetlands have been identified throughout the project area and are placed within separate Open Space protection tracts. The wetlands are fully buffered from impacts and are analyzed under the 2013 GeoEngineers wetland and stream study. A revised report was created as part of an inter-agency stream typing field visit in February of 2020. The visit identified and verified wetland buffers, as well as re-typing a tributary of Machias creek. The revised report details the extent of stream typing modifications found in Appendix E of the FEIS document. All streams and wetlands have been identified and are buffered per the CAO requirements.

- Fish and Wildlife Habitat Conservation Areas

Machias Creek contains habitat for salmonid species, the presence of which have been confirmed by abutting landowners and visual observation during staff field reviews in the ravine area. A stream typing field visit occurred with an Interagency field visit in February of 2020. In attendance was Washington State Department of Fish and Wildlife (WDFW), State Department of Natural Resources (DNR), Kitsap County staff, tribal representatives, the applicant, and consultant representatives. The visit identified a modification to stream typing of upper tributaries of Machias creek, which have now been re-mapped and are adequately buffered from project impacts. The 2005 Critical Areas Ordinance requires a minimum 150-foot native vegetation buffer adjacent to fish-bearing streams, or 25-feet beyond top of ravine slope, whichever is greater (KCC 19.300.315). The proposal meets or exceeds this requirement.

As the shoreline functions and buffers are also managed under the Kitsap County Critical Area Ordinance (CAO) and the associated February 2007 CAO remand, shoreline buffers are also considered fish and wildlife habitat conservation areas and are therefore managed under 19.300.315 of the CAO. As such, the required buffers for the urban shoreline designation is 50-feet with an additional 15-foot building construction setback. As the buffers in the Mill site are currently devoid of native vegetation, and due to the narrow building area available from the associated bluff, the applicant has requested that the associated building setback line be reduced to 5 feet to accommodate the planned commercial uses. Although the height restriction is 35-feet, the Port Gamble zoning references a 30-foot building height limit for the Rural Historic Town Waterfront (RHTW) zone per KCC 17.420, footnote 22, which limits the height to 30-feet within 200 feet of the shoreline.

The upper Machias Creek ravine and wetland corridor contains heron nests which is currently regulated as a Class II Wildlife Conservation Area under the CAO. The applicant hired a consultant to monitor both heron and Bald eagle presence (Tetra Tech, 2017). As eagles and herons are not listed as endangered or threatened species, (Bald eagles are federally protected under the Bald and Golden Eagle protection act) the consultant did not find any Bald eagle nests within the project area, and a colony of heron nests (heronry) appears to be abandoned nests located in an Open Space and wetland protection area. Tetra Tech has created a heron management plan, which will be periodically reviewed. As the abandoned nests are in the open space tract, which is the project area closest to the heron habitat area, future heron uses will have the potential to be re-occupied, as the area will be retained in native vegetation and tree canopy.

- Geologically Hazardous Areas

The ravine areas and marine bluff are classified as Geologically Hazardous Areas due to their steep grade and potential for erosion. The geotechnical reports prepared for the project provide greater detail regarding specific soil conditions and slope characteristics and buffer setback recommendations. The native vegetation buffer requirement for

geologically hazardous area slopes is from the toe of slope to 25-feet beyond the top of slope. The project site plan includes the minimum buffer and exceeds the requirement within the Open Space Tract through retention of native vegetation beyond the top of slope buffer.

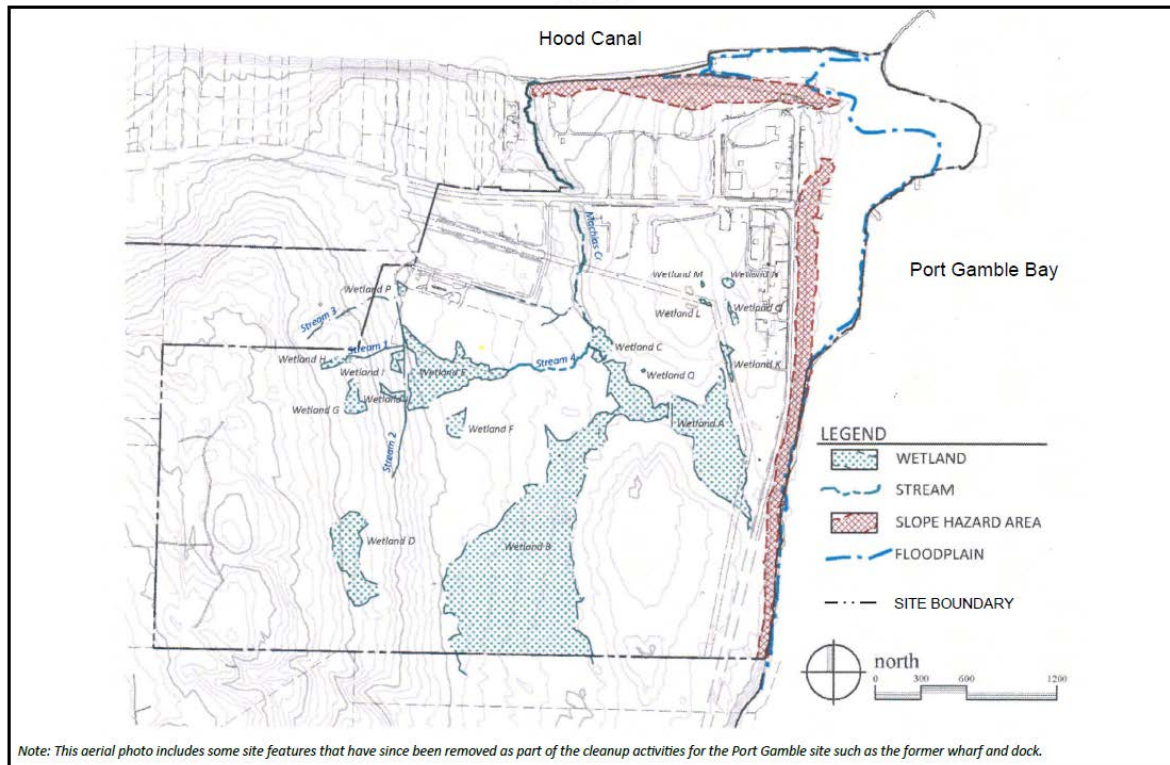
- Frequently Flooded Areas

While the primary project site does not contain flood hazard areas, the proposed hotel, restaurant and outfall expansion occurs in a mapped flood zone along the northerly edge of the Mill site. At the County's request, the applicant has submitted a habitat assessment biological report to assess impacts to listed species and biological resources in the area for a proposed fill, along with the assessment of impacts from the outfall expansion. A summary of the report is found in Appendix F of the FEIS document (GeoEngineers, Floodplain Habitat Assessment Report, April 2020). Temporary impacts from the importation of 5 to 8 feet of fill over portions of the Mill site, with the presence of the existing armored shoreline does not anticipate having negative impacts on the environment. The current outfall has little to no water quality or quantity control. The planned outfall will be treating and attenuating stormwater flows and will be an improvement on water quality in the Hood canal environment. Considering existing conditions of the proposed outfall construction footprint regarding biological resources, and the anticipated effects that the outfall may have on the physical environment, impacts to fish and wildlife would likely be minimal and localized. A native vegetation planting plan has been submitted to attract wildlife, control erosion and serve as a seed bank for the surrounding area. In summary, the planned activities in the flood zone have been identified as "likely to affect, not likely to adversely affect" listed species in the area.

- Critical Aquifer Recharge Areas

The project site occurs in a Category I Critical Aquifer Recharge Area. The Critical Areas Ordinance regulates activities that pose a potential contaminant threat or could increase the vulnerability of the aquifer under KCC 19.600. The 2005 Critical Areas Ordinance lists prohibited development activities at *Table 5, Operations With Potential Threat to Groundwater* (KCC 19.600.620) Residential development is not listed as a prohibited activity in Critical Aquifer Recharge Areas. Commercial development may be limited in scope and will be reviewed at building permit submittal for compliance with the code. A hydrogeologic report may be required for any proposed uses within a Category I or II Aquifer Recharge Area, per 19.600.615 A and B.





### Comprehensive Plan Designation and Zoning

In 1998 the County adopted the Comprehensive Plan that designated Port Gamble as a Type Limited Area of More Intensive Rural Development (Type-1 LAMIRD). The intent of the rural designation as it relates to the Port Gamble town/site is to provide for visually compatible infill development and redevelopment of the existing commercial, industrial and residential areas of Port Gamble, while containing more intensive rural uses in logical, town boundary. Type-1 LAMIRDs are meant to recognize the historical density, but not exceed them. In conjunction with the designation of the LAMIRD, the County adopted regulations for the Port Gamble Rural Historic Town to protect the historic character of the community. The Rural Historic Town zoning divides Port Gamble into three district zoning classifications: Rural Historic Town Residential (RHTR), Rural Historic Town Commercial (RHTC) and Rural Historic Town Waterfront (RHTW).

### Existing Uses

Of the 318.3-acre area, approximately 113.4 acres are located within the Type -1 LAMIRD designated by the Kitsap County Comprehensive Plan. The remaining 204.9 acres outside the LAMIRD area are designated Rural Residential and Rural Wooded and will be mostly classified as open space for the Performance Based Development for the Port Gamble Redevelopment Plan.

**EXISTING SITE USES**

	Residential Dwelling Units	General Commercial (sq. ft.)	Community/ Education (sq. ft.)	Other
RHTR	27 du	--	3,781 sq. ft.	--
RHTC	1 du	28,000 sq. ft.	3,000 sq. ft.	17,800 sq. ft. <sup>1</sup>
RHTW	--	--	4,000 sq. ft.	--
RW	--	--	--	--
RR	--	57,449 sq. ft. <sup>3</sup>	--	--
<b>Total</b>	<b>28 du</b>	<b>85,449 sq. ft.</b>	<b>10,781 sq. ft.</b>	<b>17,800 sq. ft.</b>

<sup>1</sup>'Other' in the RHTC-zoned portion of the site includes land uses such as water tanks, storage buildings, garages, etc.

<sup>2</sup>'Other' in the RHTW-zoned portion of the site includes sheds, storage buildings and former mill structures.

<sup>3</sup>Commercial uses in RR-zoned portion of the site include the Hood Canal Nursery and associated buildings.

**Port Gamble Zoning Map**



*Note: This aerial photo includes some site features that have since been removed as part of the cleanup activities for the Port Gamble site such as the former wharf and dock.*

**Rural Historic Town Residential (RHTR)**

The RHTR zone (outlined in red) includes approximately 68 acres of land. The existing structures include 27 homes, church, special event facility used for weddings and conferences, a cemetery that will be retained, these uses are intended to define the character of the zone.

The Redevelopment Plan identifies 144 new dwelling units, with 40 units in multifamily cottage housing units and 104 new single-family dwelling units on individual lots. The design

and layout of the single-family units will be compatible with existing historic character and general development patterns. The proposal includes small lots with reduced setbacks consistent with historic patterns. The request includes cottage housing, generally two-stories in height within two cottage housing parcels, including a 24-unit parcel and 16-unit parcel.

The applicant states that approximately 14.5 acres of the RHTR, which includes Tracts 909, 915, and 947, the streams, wetland, steep slopes and their buffers, Machias Creek will preserve described critical areas. The RHTR area is proposed to include up to 30 reserve lots to allow the relocation of residential units/lots if cultural resources are found in other locations. The proposal is to leave the lots undeveloped as natural wooded area or converted to open space if not required to avoid cultural resources.

#### **Rural Historic Town Commercial Town Site (RHTC)**

The RHTC area is approximately 13.8 acres of land. There are 21 commercial buildings (not including accessory structures) and one residential unit. Consistent with the listed permitted uses, the applicant is proposing mixed use with a range of new residential and commercial uses which includes 35,000 square feet of new commercial development, single-family units and mixed-use commercial development with commercial use on the ground floor and residential units above.

#### **Rural Historic Town Waterfront (RHTW)**

The RHTW zoning district (highlight in green) is approximately 31.4-acre area referred to as the old Mill Site, involves land along the waterfront, including the small spit located between Gamble Bay and Hood Canal. The area is flat, low-lying with an elevation of 10 to 14 feet above sea level of Hood Canal and Port Gamble Bay. The low-lying edge of the Mill site slopes up approximately 40 feet to the town of Port Gamble. The Mill site is accessed by an asphalt road that traverses down the bluff from the town site. The intent of the zone is to allow a range of uses reflecting historic development and 1990 uses while supporting revitalization of the town. Forest products manufacturing, natural resource-based industries are permitted only based on the allowances of the Shoreline Master Program. Less intensive uses similar to the commercial zone are also permitted.

#### **Rural Residential (RR)**

The RR zone occupies approximately a 7-acre area that includes the Hood Canal Nursery greenhouses. The rest of the zone will be primarily proposed as designated open space for critical area and associated buffers.

#### **Rural Wooded (RW)**

The RW zone occupies 197.9 acres of the project site and is primarily a wooded natural area containing trails and second growth forest. The area includes a former historic farm with associated fields currently used for grazing and abandoned farm out-buildings. The a portion of the farm area will be retained for clustering through the PBD and the remaining area, which includes critical areas and associated buffers, will be designated as project open space in

perpetuity. KCC 17425.010 requires conformance to the density and allowed uses of the RW zone.

### **Shoreline Substantial Development Permit (SSDP)**

A separate application for a SSDP was submitted, concurrent with the PBD and Plat application. As shown in the plat application, development of the shoreline zone is presented in two alternatives.

### **Shoreline Designation**

The Shoreline Management Act (SMA) of 1971 (RCW 90.58) is intended to protect the public interest associated with shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest. The primary implementing tool of the SMA is the adoption by local jurisdictions of Shoreline Master Programs (SMP), which must also be approved by Ecology. The SMP applies to all shorelines of the state within unincorporated Kitsap County and those areas landward 200 ft. of such shorelines. Although the updated SMP for Kitsap County was adopted in December 2014, the Port Gamble application is vested under the SMP adopted in 1999, with a shoreline environment designation of "Urban Conservancy." Pursuant to the project proposal vesting, the Redevelopment Master Plan is required to be reviewed per KCC 22.08.010 through a SSDP. The shoreline permit is being reviewed through the consolidated review process as outlined in KCC 21.04.180

The SMA establishes two basic categories of shoreline: "Shoreline of State-wide Significance," which are identified in the SMA; and "shorelines," which includes all the water areas of the state and their associated wetlands, together with the lands underlying them. The Port Gamble Redevelopment site includes waterfront property and is bordered by Port Gamble Bay to the east and Hood Canal to the north; Hood Canal is considered a "Shoreline of State-wide Significance". See Section 3.9 Relationship to Plans, Policies and Regulations for additional information on shoreline regulations.

### **Separate Actions**

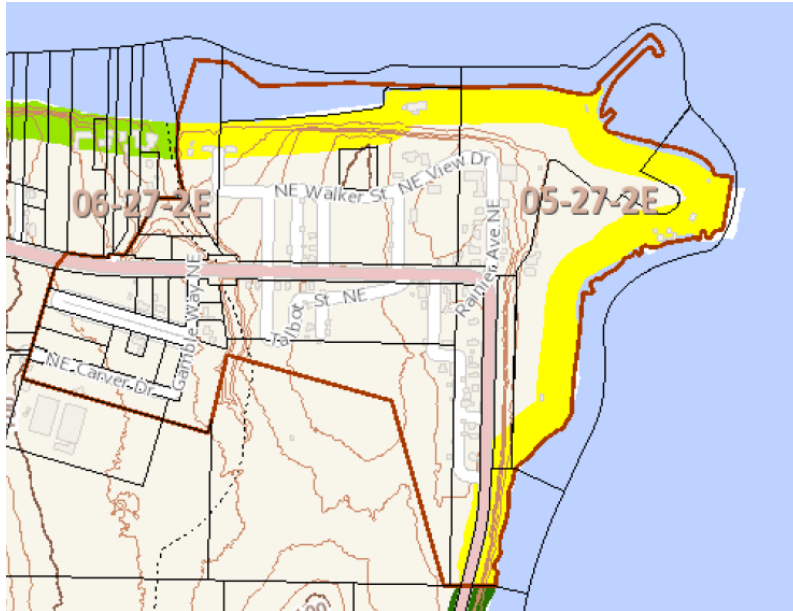
A separate application was made by the applicant in 2009 for new dock improvements to be built in Hood Canal. The proposed dock would be located near the previous dock/pier structure, which was removed during the environmental cleanup. The dock is approximately 365 feet in length, include a pier and truss about 135 feet in length, an 80-foot gangway, and with the remaining approximately 150 feet in length for a floating dock. The applicant is requesting that the dock be reviewed by the County and appropriate agencies in the future. The applicant states the upland development is not dependent on the dock and under the operative SEPA rules, the dock and the associated upland redevelopment is not required to be analyzed in the same FEIS.

### **Shoreline Existing Conditions**

The nearshore area immediately adjacent to the site has been significantly altered. The

shoreline around the mill site has been armored with a mix of concrete bulkheads, and large riprap, to accommodate construction, expansion, and maintenance of the Industrial facility throughout the Mill Site within the last 160 years. A jetty made of large riprap is located at the northeast corner of the site and extends into the Hood Canal. There are 13 sets of stairs which access the shoreline habitats. Paved surfaces directly abut Port Gamble Bay throughout the Mill site. Since the cleanup has been completed, the shoreline typically non-native conditions have improved. The vegetation along the shoreline is typically no-native invasive plants and occur sporadically between armoring and upper elevations of the shoreline.

**Shoreline Master Program Map -Urban Conservancy Designation**



Existing Shoreline

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

<b>Port Gamble Rural Historic Town</b>			
<b>Standard</b>	<b>RHTC</b>	<b>RHTR</b>	<b>RHTW</b>
Min. density (Du/acre)	NA	NA	NA
Max. density (Du/acre)	2.5	2.5(7)	2.5
Min. lot size	NA	3,500 s. f. (7)	NA
Max. lot size	NA	7,500 s. f. (7)	NA
Min. Lot width (feet)	NA	NA	NA
Min. Lot depth (feet)	NA	NA	NA
Max height feet (40)	35	30	35 (22)
Max impervious surface coverage	NA	NA	NA
Max lot coverage	50%	50% or 2,000 s.f. whichever is greater	50%
<b>Setbacks (34)(38)</b>			
Min. front	NA	20	NA
Max front	NA	NA	NA
Min. side	Per Title 14	5 (5)	Per Title 14
Min. rear	Per Title 14	5 (5)	Per Title 14

Applicable footnotes:

KCC 17.420.060 Footnote #7: Excess area from acreage used to support proposed densities but not devoted to residential lots and public improvements such as streets and alleys shall be permanently dedicated and reserved for community open space, park land, and similar uses. For developments proposing densities no greater than one dwelling unit per five acres, the minimum and maximum lot sizes shall not apply, except that existing dwelling units shall be allocated lot area between three thousand five hundred and seven thousand five hundred square feet. New proposals may then proceed using the five-acre lot requirements for the rural residential (RR) zone.

KCC17.420.060 Footnote #22: Maximum height shall be thirty feet when located within the two-hundred-foot shoreline area.

KCC17.420.060 Footnote #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.

*Staff Comment: The project will be reviewed for consistency with the above footnotes during development permit review through a subsequent at Site Development Activity Permit (SDAP) and building permit submittal.*

**Table 2 - Setback for Zoning District**

EXISTING SITE CONDITIONS – IMPERVIOUS AND PERVIOUS AREA

	LAMIRD			RR Area (Acres)	RW Area (Acres)	Total Site (Acres)
	RHTR Area (Acres)	RHTC Area (Acres)	RHTW Area (Acres)			
<b>Built Area (Impervious Area)</b>						
Building Footprint	1.07	1.12	0.10	1.32	0	3.64
Paved Parking/Roadway	7.20	1.77	24.3	0.06	1.29	34.62
<b>Open Space Area (Pervious Area)</b>						
Landscape/Lawn Area	39.94	10.35	0	2.03	1.11	53.43
Natural/Wooded Area	4.57	0.06	0	0	117.75	122.38
Critical Areas and Buffers <sup>1</sup>	14.30	0.44	7.00	3.58	77.80	103.12
<b>Other Pervious Areas</b>						
Cemetery	1.11	0	0	0	0	1.11
<b>Total</b>	<b>68.19</b>	<b>13.74</b>	<b>31.40</b>	<b>6.99</b>	<b>197.91</b>	<b>318.24</b>

Source: David Evans and Associates, 2018.

Note: Slight differences in sums due to rounding.

**6. Site Critical Areas:**

The project is vested and has been reviewed under the December 2005 (re-manded in February of 2007) Critical Areas Ordinance (CAO). Applicable provisions of the CAO follow.

**Wetlands**

Wetlands have been identified throughout the project area and are placed within separate Open Space protection tracts. The wetlands are fully buffered from impacts and are analyzed under the 2013 GeoEngineers wetland and stream study. A revised report was created as part of an inter-agency stream typing field visit in February of 2020. The visit identified and verified wetland buffers, as well as re-typing a tributary of Machias creek. The revised report details the

extent of stream typing modifications found in Appendix E of the FEIS document. All streams and wetlands have been identified and are buffered per the CAO requirements.

### **Fish and Wildlife Habitat Conservation Areas**

Machias Creek contains habitat for salmonid species, the presence of which have been confirmed by abutting landowners and visual observation during staff field reviews in the ravine area. A stream typing field visit occurred with an Interagency field visit in February of 2020. In attendance was Washington State Department of Fish and Wildlife (WDFW), State Department of Natural Resources (DNR), Kitsap County staff, tribal representatives, the applicant, and consultant representatives. The visit identified a modification to stream typing of upper tributaries of Machias creek, which have now been re-mapped and are adequately buffered from project impacts. The 2005 Critical Areas Ordinance requires a minimum 150-foot native vegetation buffer adjacent to fish-bearing streams, or 25-feet beyond top of ravine slope, whichever is greater (KCC 19.300.315). The proposal meets or exceeds this requirement.

As the shoreline functions and buffers are also managed under the Kitsap County Critical Area Ordinance (CAO) and the associated February 2007 CAO remand, shoreline buffers are also considered fish and wildlife habitat conservation areas and are therefore managed under 19.300.315 of the CAO. As such, the required buffers for the urban shoreline designation is 50-feet with an additional 15-foot building construction setback. As the buffers in the Mill site are currently devoid of native vegetation, and due to the narrow building area available from the associated bluff, the applicant has requested that the associated building setback line be reduced to 5 feet to accommodate the planned commercial uses. Although the height restriction is 35-feet, the Port Gamble zoning references a 30-foot building height limit for the Rural Historic Town Waterfront (RHTW) zone per KCC 17.420, footnote 22, which limits the height to 30-feet within 200 feet of the shoreline.

The upper Machias Creek ravine and wetland corridor contains heron nests which is currently regulated as a Class II Wildlife Conservation Area under the CAO. The applicant hired a consultant to monitor both heron and Bald eagle presence (Tetra Tech, 2017). As eagles and herons are not listed as endangered or threatened species, (Bald eagles are federally protected under the Bald and Golden Eagle protection act) the consultant did not find any Bald eagle nests within the project area, and a colony of heron nests (heronry) appears to be abandoned nests located in an Open Space and wetland protection area. Tetra Tech has created a heron management plan, which will be periodically reviewed. As the abandoned nests are in the open space tract, which is the project area closest to the heron habitat area, future heron uses will have the potential to be re-occupied, as the area will be retained in native vegetation and tree canopy.

### **Geologically Hazardous Areas**

The ravine areas and marine bluff are classified as Geologically Hazardous Areas due to their steep grade and potential for erosion. The geotechnical reports prepared for the project provide greater detail regarding specific soil conditions and slope characteristics and buffer



setback recommendations. The native vegetation buffer requirement for geologically hazardous area slopes is from the toe of slope to 25-feet beyond the top of slope. The project site plan includes the minimum buffer and exceeds the requirement within the Open Space Tract through retention of native vegetation beyond the top of slope buffer.

### Frequently Flooded Areas

While the primary project site does not contain flood hazard areas, the proposed hotel, restaurant and outfall expansion occurs in a mapped flood zone along the northerly edge of the Mill site. At the County’s request, the applicant has submitted a habitat assessment biological report to assess impacts to listed species and biological resources in the area for a proposed fill, along with the assessment of impacts from the outfall expansion. A summary of the report is found in Appendix F of the FEIS document (GeoEngineers, Floodplain Habitat Assessment Report, April 2020). Temporary impacts from the importation of 5 to 8 feet of fill over portions of the Mill site, with the presence of the existing armored shoreline does not anticipate having negative impacts on the environment. The current outfall has little to no water quality or quantity control. The planned outfall will be treating and attenuating stormwater flows and will be an improvement on water quality in the Hood canal environment. Considering existing conditions of the proposed outfall construction footprint regarding biological resources, and the anticipated effects that the outfall may have on the physical environment, impacts to fish and wildlife would likely be minimal and localized. A native vegetation planting plan has been submitted to attract wildlife, control erosion and serve as a seed bank for the surrounding area. In summary, the planned activities in the flood zone have been identified as “likely to affect, not likely to adversely affect” listed species in the area.

### Critical Aquifer Recharge Areas

The project site occurs in a Category I Critical Aquifer Recharge Area. The Critical Areas Ordinance regulates activities that pose a potential contaminant threat or could increase the vulnerability of the aquifer under KCC 19.600. The 2005 Critical Areas Ordinance lists prohibited development activities at *Table 5, Operations With Potential Threat to Groundwater* (KCC 19.600.620) Residential development is not listed as a prohibited activity in Critical Aquifer Recharge Areas. Commercial development may be limited in scope and will be reviewed at building permit submittal for compliance with the code. A hydrogeologic report may be required for any proposed uses within a Category I or II Aquifer Recharge Area, per 19.600.615 A and B.

**Table 4 - Public Utilities and Services**

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap PUD #1
Police	Kitsap County Sheriff
Fire	Fire District Protection District #18
School	North Kitsap School District #400

## **7. Access**

Primary access to the Port Gamble site would continue to be provided via SR-104 (Pope Street). Within Port Gamble the functional classification of SR-104 is classified as Class III principal rural arterial which intersects with Bond Road NE to the south and to the west crosses Hood Canal to Jefferson County.

## **8. Site Design**

KCC 17.321B.020 Town Development Objectives 17.321B.025

KCC 17.420.030 Design Standards:

The Port Gamble Redevelopment Plan was reviewed through the following requirements, pursuant to KCC 17.420.030 Design Standards for landscaping, lighting, signage, solid waste, off-street parking, etc. The following analysis below provides information on consistency with design standards for land use review.

## **9. 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 August 30, 2012 at the time of application submittal

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

### *3.2 Rural and Resource Goals and Policies*

#### *3.2.1 Rural Lands*

*Rural Residential. The designation is intended to allow low density residential development consistent with the rural character and primarily focus on single-family dwellings. This designation is allied to areas that relatively unconstrained by environmentally sensitive areas or other significant landscape features and recognizes areas already committed to smaller rural lots. The Rural Residential designation is implemented by the Rural Residential zone.*

*Rural Residential zone. This zone promotes low -density residential development consistent with the rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features (Maximum of 1 dwelling unit [du] per 5 acres [ac]).*

*Rural Wooded. The Rural Wooded designation is applied to larger parcels of land in contiguous blocks that are forested in character that have been actively managed for forestry and harvested, and that may be currently taxed as timber lands pursuant to State and county programs. It is applied to lands that were formerly zoned as Interim Rural Forest. The objective of this designation is to promote continued forestry practice, provide on going opportunities for large and small-scale timber management, and maintain large contiguous blocks of forested lands to protect significant environmental features, while allowing limited residential development in historic and natural features; wildlife corridors; steep slopes; wetlands; streams; and adjacent critical area. The Rural Wooded designation is implemented by the Rural Residential zone. Policies specific to the Rural Wooded designation are included in Section 3.7.*

#### *Urban Residential Policies*

##### *Policy LU-2*

*Where densities are expressed as a range on the Kitsap County Comprehensive Plan Land Use Map and/or in the Kitsap County zoning code, the lower end of the density range should be considered as a minimum density for new development within urban residential classifications. All new residential development within the Urban Growth Area should achieve these minimum densities except where lower densities are appropriate to:*

- 1) recognize the presence of critical areas including streams, wetlands, fish and wildlife habitat, geologically hazardous areas, flood-prone areas and aquifer recharge areas and*
- 2) recognize the existence of neighborhoods or subdivisions that have little vacant land, and little or no opportunity for infill or redevelopment.*

##### *Policy LU-5*

*Following the adoption and initial implementation of this comprehensive plan, Kitsap County should encourage innovative, high quality infill development and redevelopment in existing developed areas within the Urban Growth Area. Possible approaches may include a variety of regulatory, incentive and program strategies. Guidelines should address the following issues:*

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

##### *Rural Goal 1.*

*Retain the rural character of the County outside of designated urban areas, as described in this chapter.*

*Policy RL-2*

*Provide a variety of densities in the rural areas to make more efficient use of land, maximize the return on public infrastructure investment, and provide for affordable housing opportunities.*

*Policy RL-3 Permit residential uses in rural areas consistent with the existing and planned rural character of the surrounding area.*

*Rural Goal 7*

*Allow for the designation of LAMIRDs outside of the UGA based on existing rural residential communities or villages, area of mixed-use activity, isolated areas of small and moderate-scale commercial /industrial activity, historic towns.*

*Policy RL-28*

*Provide development regulation for LAMIRDs that may provide for the following:*

- Maximum protection of sensitive natural features.
  
- Building and landscape design that respect the aesthetic qualities and character of rural area and provides substantial buffering from the adjoining uses and scenic vistas.
  
- Building colors and materials that are muted, signs that are not internally illuminated and site and building lighting that is held to the minimum necessary for safety.
  
- Measures to reduce the impacts of noise, odor, traffic to surrounding rural areas.
  
- Use requiring substantial investments in infrastructure such as water, sewer or transportation facilities shall be scaled to avoid the need for public funding if infrastructure.

*Policy RL-34*

*Protect, restore and enhance the historic character of the Port Gamble Rural Historical LAMIRD. Allow for redevelopment of residential uses, limited new commercial, industrial, waterfront or mixed-use development; promote tourist and recreation activities; and provide for necessary public facilities and services.*

*Policy RL-35*

*Recognize the historic significance of Port Gamble and its unique "company town" character. To assist in preserving and enhancing the visual integrity of the town site,*

*allow the Board of Commissioners to appoint a committee of approximately five persons to advise the Department of Community Development on architectural, landscaping and site design related to proposed development. The committee shall represent a diverse range of interests, including architecture, landscape architecture and historic preservation. The Port Gamble /S'Klallam Tribal Council may appoint one member to this committee. In alternative, Kitsap County may hire a qualified professional consultant to advise the Department of development proposals when an applicant funds the cost of such a contract. Committee members or consultants shall show qualifications pursuant to the Secretary of the Interior's Professional Qualifications.*

#### *Natural Systems*

##### *Geologically Hazardous Areas*

###### *4.2.1. Geologically*

*Hazardous Areas Geologically hazardous areas are defined as critical areas due to their susceptibility to erosion, sliding, earthquake, or other geological events. They are not suited to siting high density or intensity commercial, residential or industrial development consistent with public health or safety concerns. Critical aquifer recharge areas are defined as areas that contain hydrogeologic conditions that facilitate aquifer recharge and/or transmit contaminants to an underlying aquifer.*

##### *Geologically Critical Area Policies*

###### *Policy NS-1*

*Ensure that development in geologically hazardous areas occurs in a manner that poses no hazard to health or property and that minimizes impacts to the natural environment, including stream and shoreline processes.*

###### *Policy NS-6*

*Building and land use applications in geologically critical areas will be reviewed to see that public health, safety and welfare are protected.*

###### *Policy NS-7*

*Prohibit development in geologically hazardous areas unless the site is demonstrated by a qualified geo-technician to be suitable for building.*

###### *Policy NS-8*

*Establish development standards in geologically critical areas that promote maintenance of existing vegetation, discourage clearing of ridgelines and slopes for scenic vistas and stormwater drainage impacts.*

###### *Policy NS-9*

*Kitsap County will encourage building sites to be located away from critical areas like steep slopes and breaks-in-slopes.*

#### *4.2.2. Critical Aquifer Recharge Areas*

*In Kitsap County, groundwater is the source of all drinking water outside of Bremerton's service area. Places where rainfall soaks into the ground are called recharge areas. Places where the geologic conditions are such that surface contaminants could pollute water supplies are considered critical aquifer recharge areas.*

*The CAO recognizes two categories of critical aquifer recharge areas: Category I and II, with Category I being areas with a higher risk of contamination of water supplies. Category I and II critical aquifer recharge areas are protected through a combination of regulatory restrictions on land uses that pose an elevated risk of contaminating groundwater and low-density zoning.*

#### *Critical Aquifer Recharge Areas Policies*

##### *Policy NS-14*

*Project design should address the extent and mitigate the recharge limiting effect of impermeable surfaces or other factors affecting groundwater recharge.*

##### *Policy NS-16*

*Kitsap County should evaluate proposed projects for their potential adverse impacts upon groundwater quality and quantity.*

#### *Surface Water Resources Policies*

*Kitsap County's surface water resources include all streams, wetlands, lakes and marine waters of Puget Sound. The quality and quantity of these waters is important for public health, fish and wildlife habitat, recreational and commercial pursuits such as shellfish harvesting, fishing and tourism. A network of streams carries water from the county's uplands to lakes, wetlands and the marine environment. A system of freshwater and saltwater wetlands, which stretches throughout the county, also plays a vital role in filtering and storing water.*

*The quantity and quality of the county's surface waters are greatly affected by land use activities. Due to the continuity between ground and surface waters, many of the actions necessary to protect surface water resources are similar to those necessary for preservation of groundwater quality and quantity. The county's surface water resources are mapped based upon information provided by the U.S. Fish and Wildlife Service's National Wetlands Inventory, the Natural Resources Conservation Service and the Washington State Department of Natural Resources; and are shown in Figure NS-8 of the Natural Resources appendix. As more information becomes available, this map will be revised.*

#### ▪ *Surface Water Resources Policies*

##### *Policy NS-26*

*Kitsap County shall safeguard surface water resources by only allowing development that is compatible in critical areas such as steep slopes, wetlands, shorelines and riparian corridors.*

*Policy NS-27*

*Kitsap County shall consider cumulative impacts of existing and future development on surface water quality and quantity.*

*Policy NS-28*

*Kitsap County should minimize and mitigate for impervious surface and loss of natural vegetative cover associated with development. Native vegetative cover provides many benefits, reduces stormwater runoff, provides wildlife habitat and maintains rural character.*

*Policy NS-32*

*Kitsap County shall require construction activities to use best management practices to minimize erosion and siltation problems.*

*Policy NS-33*

*The County shall require native vegetation buffers along streams and wetlands to protect the functions and values of those surface waters.*

*Policy NS-34*

*Kitsap County shall strive to achieve no net loss of wetland function and acreage in the short term, and a measurable gain of wetland function and acreage in the long term, in the following manner: Avoid direct impacts on wetlands and buffers; minimize direct impacts to wetlands and buffers; and mitigate impacts through creation, restoration, or enhancement of wetlands or buffers.*

*Policy NS-20*

*Evaluate, avoid, minimize, and mitigate unavoidable impacts to surface water quality and quantity during the planning and development review process. Consider the cumulative impacts of existing and future development on surface water quantity and quality.*

*Policy NS-21*

*Require native vegetation buffers along streams and wetlands to protect the functions and values of those surface waters.*

*Policy NS-22*

*Strive to achieve no net loss of wetland function in the short term, and a measurable gain of wetland function in the long term, in the following manner: Avoid direct impacts*

*on wetlands and buffers; minimize direct impacts to wetlands and buffers; and mitigate impacts through creation, restoration, or enhancement of wetlands or buffers.*

*Frequently Flooded Areas*

*4.2.4. Frequently Flooded Areas*

*Frequently flooded areas are defined as lands, shorelands, and waters that are within the 100-year floodplain as designated by the Federal Emergency Management Agency on Flood Insurance Rate and Boundary Maps.*

*Policy NS-28*

*Avoid development in frequently flooded areas except when no conditions will be created which will be injurious to life, property or natural systems in times of flooding.*

*Policy NS-32*

*Encourage maintenance of natural vegetation in floodplains to minimize runoff into streams and reduce the damage caused by increased stream flow, stream velocity and coastal flooding.*

*Plant, Fish and Wildlife Habitat Conservation Areas*

*Habitat conservation areas are places critical to the survival of Kitsap County's diverse plant, fish and wildlife communities. These areas include a variety of terrestrial, freshwater and marine habitat types and also encompass structural habitat elements such as forested shorelines or standing dead trees (snags)...*

*Plant, Fish and Wildlife Habitat Conservation Areas Policies*

*Policy NS-62*

*The County should work to minimize habitat fragmentation and protect open space and connective corridors.*

*Policy NS-65*

*Trail systems through habitat conservation areas should be carefully sited to minimize impact to fish and wildlife species.*

*Policy NS-66*

*To protect fish and wildlife habitat, Kitsap County requires vegetative buffers along streams, lakes, ponds, wetlands and marine shorelines. Larger or enhanced buffer areas may be required to adequately protect priority fish and wildlife species.*

*Policy NS-70*

*The County shall encourage developers to protect continuous corridors of native vegetation wherever possible, to disturb as little natural vegetation as feasible and to*



*enhance or restore wildlife habitat by transplanting or planting native vegetation in the developed landscape.*

*Policy NS-75*

*Minimize sedimentation and turbidity in fresh and marine waters through measures which control stormwater runoff and reduce stream and shoreline erosion.*

*Air Quality*

*A number of activities associated with urban and rural land uses generate air pollution, including traffic, industrial emissions or byproducts, construction activities (dust, off-road engines), open burning fires and wood stoves and fireplaces. When certain weather conditions prevail, pollutants emitted from human activities do not easily disburse, and poor air quality becomes worse...*

*Air Quality Policy NS-81*

*To reduce air pollution from traffic, Kitsap County shall promote higher residential densities and job bases within urban growth areas, thus providing greater access to efficient public transportation and other modes of transportation (e.g., walking and cycling).*

*Shorelines*

*9.3. Shoreline Environments*

*The SMMP establishes five shoreline environment designations: Natural, Conservancy, Rural, Semi-Rural and Urban. The shoreline environment designations are not a substitute for existing land use regulations, but rather must be considered in addition to those regulations. Specific designation criteria and management policies for each environment are described in the SMMP.*

*Urban Environment. The goal of the urban environment is to ensure optimum use of shorelines within urbanized areas. Such areas require management for intensive use and development to enhance and maintain a multiplicity of urban uses on the shorelines.*

*Policy SH-1*

*Shoreline characteristics such as scenic vistas, estuarine areas, biological wetlands, beaches, and other unique biological functions, valuable natural systems and aesthetic features should be preserved and restored.*

*Policy SH-3 Uses and activities along shorelines and in the waters of Kitsap County should not have a significant adverse affect on water quality.*

*Policy SH-4 Kitsap County shall safeguard shoreline resources by only allowing development that is compatible with sensitive shoreline areas.*

*Policy SH-5*

*Kitsap County shall encourage the use of Best Management Practices (BMPs) in the use of herbicides and pesticides near surface waters and drainage conveyances.*

*Policy SH-6 Minimize sedimentation and turbidity in fresh and marine waters of the state through measures that control stormwater runoff and reduce stream and shoreline erosion.*

*Policy SH-8 Land use activities shall be sited and designed to minimize conflicts with and impacts on the shoreline environment.*

*Policy SH-9*

*Promote and encourage safe, convenient and diversified access to public shorelines while respecting private property rights.*

*Policy SH-13*

*Historical, cultural, educational or scientific areas should be identified, preserved and/or restored and shoreline development within them should be minimized.*

*Economic Development*

*Economic Development Goal 1*

*Continue to maintain and enhance the quality of life in Kitsap County as growth occurs, including the encouragement of a wide variety of cultural, tourism, and active recreational programs with regional and neighborhood facilities.*

*Economic Development Goal 3*

*Identify a sufficient amount of land and variety of sites for residential, commercial and industrial land uses that are reasonably scaled to the needs of the County and communities within 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 16	Land Divisions and Development
Title 17	Zoning
Chapter 321B	Port Gamble Rural Historic Town
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

Chapter 22.08.010	Shoreline Substantial development permit
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**10. Documents Consulted in the Analysis**

A complete index of exhibits is located in the project file. To date, the index to the record consists of Exhibits 1 – 32.

Exhibit #	Document	Dated	Date Received
<b>APPLICANT SUBMITTAL DOCUMENTS / EXHIBITS</b>			
<b>1</b>	<b>Preliminary Plat/Shoreline JARPA Submittal Package</b>		<b>01/17/2013</b>
<b>1.a</b>	<b>Preliminary Plat Submittal Package</b>		
1.a.i	PBD Preliminary Plat Application (Dated – January 15, 2013)		
1.a.ii	Preliminary Lands Division Supplementary Application		
1.a.iii	Supplemental Application – Legal Descriptions		
1.a.iv	Supplemental Application – Lot and Tract Sizes		
1.a.v	Concurrency Test		
1.a.vi	Road Name Petition		
1.a.vii	Port Gamble Summary of Applications (Dated – January 14, 2013)		
1.a.viii	Exhibit attachments A-I		
<b>1.b</b>	<b>Shoreline JARPA Submittal Package</b>		
1.b.i	Shoreline JARPA Submittal Package		
1.b.ii	Substantial Shoreline JARPA Application (Dated – January 15, 2013)		
1.b.iii	SSDP JARPA (Dated – January 14, 2013)		
1.b.iv	Port Gamble Shoreline Description (Dated – January 14, 2013)		
1.b.v	Exhibits 1-4		
1.b.vi	App A Biological Assessment Preferred Plan Final Report (Dated – January 10, 2013)		
1.b.vii	App A Biological Assessment Alternate Plan Final Report (Dated – January 10, 2013)		
1.c	Preliminary Plat Plans (Dated – January 17, 2013)		
<b>2</b>	<b>Letter to County (Rose to Bolger)</b>		<b>10/27/2014</b>
<b>3</b>	<b>Port Gamble EIS and Master Plan Processing Letter (Rose to Bolger/Smith)</b>		<b>05/19/2016</b>
<b>4</b>	<b>PG MP and Preliminary EIS shared with Tribes</b>		<b>02/12/2018</b>

4.a	Letters to Suquamish and Port Gamble S’Klallam Tribes with list of 13 documents provided (Dated – February 9, 2018)		
<b>5</b>	<b>Submittal of Minor Revision to the Port Gamble Plat/PBD and Related Permits</b>		<b>09/05/2018</b>
5.a	Overall Cover Letter (Dated – September 5, 2018)		
5.b	Grading Permit Cover Letter (Dated – September 5, 2018)		
<b>5.c</b>	<b>PBD Resubmittal</b>		
5.c.i	PBD Resubmittal Change Matrix, TDO Analysis, Resubmittal Cover Letter, Project Description Tabulations (Dated – September 5, 2018)		
5.c.ii	Preliminary Plat – PBD Maps (Dated – August 31, 2018)		
5.c.iii	Drainage Report (Dated – August 21, 2018)		
5.c.iv	Water & Sewer Report (Dated – August 20, 2018)		
5.c.v	Sensitive Areas Report (Dated – August 14, 2018)		
5.c.vi	Geotechnical Overview (Dated – February 2, 2018)		
5.c.vii	Heron Management Plan (Dated – January 23, 2018)		
5.c.viii	Transportation Plan (Dated – May 17, 2018)		
<b>6</b>	<b>Minor Revisions to Port Gamble Plat/PBD Submittal (Dated – January 21, 2019)</b>		<b>01/24/2019</b>
<b>7</b>	<b>Massing Graphics (Dated – January 25, 2019)</b>		<b>01/25/2019</b>
<b>8</b>	<b>Revised Cover Letters from 2018-09-05 Submittal Package</b>		<b>03/01/2019</b>
8.a	PBD Cover Letter (Revised – February 28, 2019)		
8.b	Project Tabulation (Revised – February 28, 2019)		
8.c	Plan Change Matrix and Graphic (Revised – February 28, 2019)		
<b>9</b>	<b>Shade Analysis of Hotel (Dated – May 8, 2019)</b>		<b>05/08/2019</b>
<b>10</b>	<b>Historical Bald Eagle Nest Review (Dated – June 3, 2019)</b>		<b>06/05/2019</b>
<b>11</b>	<b>Graphics to County</b>		
11.a	Port Gamble Mill Site Cleanup Before/After Photos & DOE Description (Dated – April 18, 2019)		
11.b	Port Gamble Site Plans w/ Wetlands and Streams on Aerial (Sent – September 12, 2019)		

11.c	Port Gamble Color Site Plans (Sent – September 19, 2019)		
11.d	Port Gamble Poster Boards with Historic Photos (Qty 5) (Sent – September 19, 2019)		
11.e	Babcock Farm Photos (Dated – April 1, 2020)		
<b>12</b>	<b>Master Parking Plan Submittal (Dated – October 10, 2019)</b>		<b>10/10/2019</b>
<b>13</b>	<b>Shoreline Permit Clarification Letter (Dated – October 24, 2019)</b>		<b>10/24/2019</b>
<b>14</b>	<b>Suggested Cottage Development Guidelines</b>		<b>11/19/2019</b>
<b>15</b>	<b>Port Gamble Redevelopment Plans and Reports/Revisions Submittal Package</b>		<b>06/17/2020</b>
15.a	Resubmittal Cover Letter (June 16, 2020)		
15.b	Floodplain Habitat Assessment Report (GeoEngineers, March 12, 2020)		
15.c	Stream Review and Typing Report (letter report by GeoEngineers, May 6, 2020)		
15.d	Landslide Hazard Assessment Technical Memorandum (Golder, March 30, 2020)		
15.e	Port Gamble Redevelopment Plat/PBD plan set (revised, David Evans and Associates, June 16, 2020)		
<b>16</b>	<b>West Stormwater Outfall Permit Plan Submittal Package</b>		<b>11/05/2020</b>
16.a	Shoreline Permit Submittal Letter (Dated – November 5, 2020)		
16.b	Stormwater Outfall and Pocket Beach 60% Design Report (PDF Form and including appendices) (Dated – October 1, 2020)		
16.c	Stormwater Outfall 60% Design Preliminary Plans (Dated – October 1, 2020)		
16.d	Army Corp of Engineer Letter (Dated – November 18, 2018)		
16.e	2020-11-18 Supplemental Submittal – Land Use Consistency (Appendix C) (Dated – October 1, 2020)		
16.f	2020-11-18 Supplemental Submittal – Stormwater Outfall and Pocket Beach 60% Design Report (Word Document Form) (Dated – October 1, 2020)		
<b>17</b>	<b>East Stormwater Outfall Permit Plan Submittal Package</b>		

17.a	Shoreline Permit Submittal Narrative (Dated – November 23, 2020)		
17.b	Stormwater East Outfall 60% Design Preliminary Plans (Dated – November 23, 2020)		
17.c	Revised Port Gamble Preliminary Drainage Report (Dated – April 15, 2020)		
18	Color Site Plans		11/25/2020
<b>19</b>	<b>Additional Items Submitted</b>		
19.a	Vested 1999 Kitsap County Shoreline Master Program		
19.b	Vested 2005 Kitsap County Critical Area Ordinance		
19.c	Vested 2010 Kitsap County Stormwater Design Manual		
<b>COUNTY EXHIBITS</b>			
20	Notice of Complete Application	01/17/2013	
21	Notice of Application – EIS_EDS	02/26/2013	
22	Notice of Application	02/27/2013	
23	Kitsap County – Title 22 – Shoreline Master Program (1999)		
24	EMAIL – RE Community Mtg (Marais to Smith)	09/09/2019	
25	Draft Environmental Impact Statement (EIS)	09/17/2019	
26	Draft EIS Comments – Dept Archaeological and Historical Preservation (DAHP)	11/22/2019	
27	Draft EIS Comments – Port Gamble S’Klallam Tribe	11/22/2019	
28	Draft EIS Comments – Dep	11/22/2019	
29	Final EIS Availability and Cover Letter	10/08/2020	
30	FEIS – Issuance Version 10.8.20	10/08/2020	
31	Port Gamble – Applicant Submittal Reference Memo	11/25/2020	
32	Notice of Public Hearing	12/02/2020	

### 11. Public Outreach and Comments

Pursuant to KCC Title 21, Land Use, and Development Procedures, the Department gave proper public notice 800 feet around the project area for the Preliminary Plat, Performance Based Development and Shoreline Substantial Development Permit. The Department received 18 letters with comments through the Draft EIS process. The comments were submitted from State and local agencies, tribes, and the public. The topics range from historic preservation, protection of archeological resources, utilities, parks and transportation. Responses to the comments and published then in the Final EIS.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
	See Final EIS for Summary of Comments Chapter 4.	

Issue Ref. No.	Issue	Staff Response
		See response in Chapter 4, Final EIS

**12. Analysis**

**a. Planning/Zoning**

Performance Based Development:

The purpose statement of the Performance Based Development (PBD) (KCC 17.425.010) states that the PBD is intended to allow flexibility in design and creative site planning, while providing for the orderly development of the county. A PBD is to allow for clustering of lots in order to preserve open space; encourage the creation of suitable buffers between differing types of development; facilitate residential densities allowed by the zone; provide for increased efficiency in the layout of streets, utilities and other public improvements; and, encourage the use of creative techniques/designs for the development of land.

The Port Gamble Rural Historic Town (RHT) zoning requires developing a “town master plan” which “lays out the preferred development scenario and phasing for each of the three zones.” The RHT zoning provides that the town master plan may be approved using Kitsap County’s Performance Based Development Process (KCC 17.425) and that the RHT standards replace the Performance Based Development (PBD) standards. This Port Gamble Redevelopment Plan (“Plan”) addresses the Town Development Objectives and specific requirements of the Rural Historic Town ordinance regarding density, height, parking, and other development standards. A PBD is a Type III permit, reviewed and decided upon by the Hearing Examiner (KCC 21.04.100). The PBD, including this Plan as a component of the PBD, is submitted concurrently with a preliminary plat (“Plat”) and the Preliminary Plat/PBD sheets/drawings. The uses that are permitted in a PBD are those that are allowed in the underlying zone. The following table provides a summary of proposed development on the Port Gamble site under the PBD and a summary of proposed open space.

SUMMARY OF DEVELOPMENT

Land Use	Allowed Under Zoning	Alternative 1	Alternative 2
RESIDENTIAL USES – TOTAL	294 du.	293 du	254 du
RHTR	171 du	144 du	144 du
RHTC	34 du	33 du	33 du
RHTW	78 du	78 du	39 du
RR	1 du	0 du	0 du
RW	10 du	10 du	10 du
Existing Retained Residences		28 du	28 du
HOTEL		100 rooms	100 rooms
COMMERCIAL/RETAIL		156,000 sq. ft.	35,000 sq. ft.
RHTC		35,000 sq. ft.	35,000 sq. ft.
RHTW		121,000 sq. ft.	0 sq. ft.
RESTAURANT (RHTW)		15,000 sq. ft.	15,000 sq. ft.
EDUCATION/INDUSTRIAL (RHTW)		0 sq. ft.	0 sq. ft.
OTHER		30,480 sq. ft.	30,480 sq. ft.
RR (West Sound Wildlife Shelter)		14,300 sq. ft.	14,300 sq. ft.
RW		16,180 sq. ft.	16,180 sq. ft.

SUMMARY OF OPEN SPACE

Open Space and Recreational Use	Existing Conditions	Alternative 1	Alternative 2
Parks		1.67 acres	1.67 acres
Agricultural		11.50 acres	11.50 acres
Natural/Wooded Area		37.96 acres	37.96 acres
Critical Areas and Buffers	122.38 acres	100.62 acres	100.62 acres
Landscape/Lawn Area	103.12 acres	72.04 acres	66.28 acres
Other Open Space	53.43 acres	15.61 acres	27.44 acres
Areas		239.41 acres	245.47 acres
Total Open Space Area		~3 miles	~2.5 miles
Trails			

Standards and requirements within a PBD are outlined in KCC 17.425.040 and discussed below. Standard regulations that can be modified through the PBD request include lot size, lot width and depth, structure height (only within designated urban



growth areas), and setbacks. Consistent with the intent of the PBD, the applicant is proposing the following project modifications:

1. The Applicant is requesting modification to the required building setbacks In the Rural Historic Town Residential zone and Reduced setbacks in the RR and the RW zones.
2. Lots clustering in the Rural Wooded zone with a reduction of minimum lot area from 20 acres down to approximately 1-acre lot and the balance of lot area in required 50% rural open space.
3. Consistent TDO's the applicant is seeking flexibility in the off-street parking and off-street parking to continue to maintain and promote the defining characteristics of the town.

Pursuant to KCC 17.321B.030 Procedures, The TDO's and specific requirements of this chapter for density, height parking and development standards shall replace the PBD standards and requirements of Section KCC 17.425.040. This section requires detailed project-level environmental analysis, including site specific analysis of site-specific alternatives through the master plan. The alternative analysis requirement was completed through the project EIS. Also the preliminary plat was reviewed for consistency with KCC 16.04 080 General requirements, KCC 16.24.050 Rural standards, KCC .24.070 Land segregation within the shoreline jurisdiction, and 16.24.080 Land segregations containing or bordering critical areas.

<b>SETBACK/ZONE</b>	<b>RHTC</b>	<b>RHTR</b>	<b>RHTW</b>	<b>RR</b>	<b>RW</b>	<b>GARAGE SETBACKS</b>	
<i>FRONT</i>	<i>NONE</i>	<i>10'</i>	<i>NONE</i>	<i>10'</i>	<i>10'</i>	<i>FRONT</i>	<i>20'</i>
<i>SIDES</i>	<i>PER KCC TITLE 14</i>	<i>5'</i>	<i>PER KCC TITLE 14</i>	<i>10'</i>	<i>20'</i>	<i>ALLEY</i>	<i>5'</i>
<i>REAR</i>	<i>5'</i>	<i>5'</i>		<i>10'</i>	<i>20'</i>	<i>SIDES/REAR</i>	<i>PER KCC TITLE 14</i>

**17.425.040A: Access, Parking and Circulation**

1. General: The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.
2. Streets: Provide adequate road access, connected road network, safe pedestrian access, and emergency vehicle access.
3. Parking: The number of vehicular parking spaces shall be provided in accordance with KCC 17.490.030. Vehicular parking may be provided either on street or off street

within the PBD, provided the total number of available spaces is at least equal to the parking requirements specified in the parking and loading requirements.

4. Pedestrian Circulation: Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, convenient to the buildings, and separated by curb or other means from the vehicle traffic facilities.

*Staff Comments: Primary access to the Port Gamble site would continue to be provided via SR 104. In general, the existing street grid system would be retained and expanded to reflect the town's historic character, with some streets improved to newer standards. One potential major road improvement, if implemented by the applicant, would be the extension of Carver Drive, primarily to the south, to provide access to the proposed residences and open space in the RW zone. A number of new alleys are also proposed as part of the residential development in the RHTR zone.*

*A roundabout would be built at the intersection of SR 104 and Puget Way/Olympian Avenue in order to aid traffic turning onto SR 104 from the site, and to cross SR 104 in a north/south direction (refer to Figure 2-6). The roundabout would provide traffic control without requiring significant improvements to SR 104, which would help to preserve the town's historic character and improve pedestrian and non-motorized safety. Primary access to the Mill Site would be provided from NE View Drive, with secondary emergency access connecting back to Rainier Avenue NE.*

*The character of parking would reflect the type of proposed development in different parts of the site. For example, parking in the RHTR zone portion of the site would principally be associated with new residences and would be provided within individual detached or attached garages with alley access. Parking areas for the RHTR zone area would be provided on surface streets in the Town Site at the north end of Rainier Avenue and to the west, along Walker Street, areas which have long been used for parking. The surface lots in the RHTR zone area are proposed to be located behind existing and proposed buildings to minimize views to the lots from primary streets and would be screened and landscaped consistent with County code. Actual number of parking spaces provided would be determined with applications for specific uses.*

**17.425.040B: Common Open Space.**

No open area may be accepted as common open space within a PBD, unless it meets the following requirements.

1. The location, shape, size, and character of the common open space is suitable for the PBD, however in no case shall the common open space be less than 15% of the gross acreage of the subject property(s). No area shall be calculated as common open space if less than 500 sq. ft. in size except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD.

2. The common open space is suitable for use as an amenity or recreational purpose, provided the use authorized is appropriate to the scale and character of the planned density, topography, and the number and type of dwellings provided.
3. Common open space containing critical areas or other natural features worthy of preservation may be left unimproved.
4. Land shown in the final development as common open space and its landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following: a) an association of owner formed and contained for the purpose of maintaining common open space; b) a public agency, which agrees to maintain the common open space; and, c) a private non-profit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the County.

*Staff Comments: The proposed project would include approximately 75% to 77% of the site are open space (approximately 239.41 to 245.47 acres, respectively), which would exceed the minimum requirement of 15% urban standard of the total site. However, the rural standard for open space would apply. Open space would include a variety of forms, including parks, trails, agricultural uses, natural areas/wooded areas, landscaped areas, and critical areas/buffers. The applicant would be required to create an association to maintain the improved common open space areas.*

#### 17.425.040C: Recreational Open Space.

All residential PBDs within urban zones shall provide developed recreational area that meets the following requirements.

1. A contiguous area that is 5% of the lot area (excluding perimeter buffers and critical area buffers): a) developed as a grass field or natural area (not inside perimeter buffers, critical areas or their buffers; b) owned in common and/or available for use by residents of the PBD; and, c) a provision made by covenants for perpetual maintenance.
2. A developed active recreation facility or facilities commensurate with the number of units/lots contained within the PBD.
3. In rural zones, common open space shall be no less than 50% of the total site area. All open space, other than those areas needed for utilities or other infrastructure, shall be retained in native vegetation unless the PBD specifically provides for an alternative use. PBDs in rural zones shall be exempt from the requirements for contiguous developed recreation space as contained in subsection (C)(1) of this section but shall be subject to the active recreational area requirements of subsection (C)(2) of this section.

Rural Wooded Lot Clustering:

The applicant states that the intent behind lot clustering in the RW zone near the southwest of the site is to protect and maintain the historic rural character of the Babcock Farm and provide long-term protection of the adjacent wetlands. In the project, RW zone accounts for approximately 197.9 acres. With minimum density is 1 dwelling unit per 20 acres, a total of 10 homes could be constructed. The applicant proposed to cluster these 10 potential homes into 10 lots of approximately one acre each.

*Staff Comments: As noted above, a large portion of the Port Gamble site (approximately 75 to 77 percent of the total site area) would be retained as open space, including natural/wooded area, critical areas and their buffers (wetlands, streams and steep slopes), and area developed as parks and trails and agricultural area. In addition to the large contiguous areas of open space, proposed project would include small parks areas (pocket parks) distributed throughout the site. As part of site development, approximately three miles of trails, including a new segment to support the Sound to Olympic trail route, would supplement the existing trail network, including a beach access, shoreline trail connecting to the County shoreline park, and waterfront trail system. The beach access and waterfront trail system is intended to provide residents and visitors with safe approaches to the saltwater, views over the water and to the Town Site, and potential interpretive opportunities along the Mill Site, which would exceed the minimum requirement of 50% of the total site area within rural zones.*

*The form and function within the historic town will complement the National Historic District. The proposed clustering of the 10 housing units and proposed agricultural land uses in the Rural Wooded zone will require design elements to be consistent with the adjacent rural character. This would include additional landscaping or building design (e.g. pitched roof or other steps to reduce massing) which is consistent with neighboring rural character of the adjacent farms. The applicant has stated even with the clustering that the intent is to maintain the surrounding open space perpetuity which includes pastureland and second growth forest. Further, the small cluster of 10 lots is small enough that it will not invite the need for urban services, and it is proposed to be situated in a way that will not appear as urban development. Sufficient screening and landscaping are required to ensure compatibility with the rural character.*

**KCC 17.321B.025 Town Development Objectives**

Port Gamble was added to the National Register of Historic Places and designated a Historic Landmark in 1997. The County created a special a planning and zoning designation for the town. The Rural Historic Town (RHT) zoning establishes Town Development Objectives to guide future development on the Port Gamble site (KCC 17.321B.025). To ensure that development maintains and enhances the defining and essential characteristics of the town, development proposals shall be designed in a manner that highlights and enhances the historic nature of the town. Building design shall be based on characteristics of historic

structures but need not literally mimic historic styles. New structures are to be compatible with the old in mass, scale and character, but subtle differences in stylistic treatment that make buildings distinguishable as new construction are appropriate. New construction, including site design and layout, may reflect the evolution of the town, but must retain the existing visually significant sense of historic time and place. Development proposals should strive to create a dialogue between new and historic development in the town.

The TDOs for the RHT zoning as set forth in KCC 17.321B.025 are summarized below and a discussion of the proposed project as it relates to each TDO is provided.

### **1. TDO #1 Enhancement of historic Nature of Town**

New development shall reflect historic town `ting patterns, including small lot development, alleys, narrow streets, sidewalks, on-street parking, and historic styles of street design (Site Design - KCC 17.321B.025(C)(1)).

Discussion: All extant buildings listed as contributing to the National Historic Landmark district would be retained. The existing street pattern remains intact, and the historic district is buffered and differentiated from surrounding development. The PBD Preliminary Plat application describes the historic components of site design including lot layout, streetscapes, streets, alleys, parking, furnishings, lighting, and sidewalks, along with a listing of the “character-defining elements.” These components have been incorporated into the proposal as follows:

Mill Site - No historic buildings remain on the Mill Site. Proposed development includes many of the traditional uses; however, including housing, commercial and maritime-related activities.

Town Site - The traditional layout of the town site is retained, with residential development predominating and commercial development occurring within the RHTC zone. As indicated below, the traditional lot sizes, grid street system, use of alleys and orientation of new structures to the street system is implemented as feasible.

Transition/Buffers - The important buffer areas east of Rainier Avenue and along the north bluff that visually shield the town from the Mill Site are retained in form. Roadway/sidewalk/trail improvements are proposed to increase non-vehicular circulation and include a secondary emergency vehicle access point. Babcock Farm and the wetlands area to the southwest also buffer the historic town site from potential intrusions of new development. Limited development is proposed and clustered in the RW zone. Existing and new agricultural and other active open space uses are proposed in areas not preserved for natural and common open space.

Cemetery - The cemetery site is unchanged in the proposal.

Commercial - Existing commercial nodes would be retained. The primary commercial area at Rainier Avenue and Walker Street would be retained with only limited new construction proposed. New infill is proposed for the area along Walker Street between Rainier Avenue and Puget Way, near to the existing event pavilion. Historic structures, including the stables, are integrated into this commercial node as adaptive reuses. The automobile repair building along Highway 104/Pope Street would also be retained and has been re-purposed. Commercial activity is also proposed for the Mill Site, which is reflective of historic use.

Residential - The proposed development is intended to strengthen the residential nature of Port Gamble by retaining historic residences and infilling vacant lots primarily with single family structures that reflect the size, materials, and character of the existing residences. Lot sizes and layout would be maintained in blocks that are currently vacant. Housing at the Mill Site is considered a historically appropriate use, and new construction would reflect the historic industrial character of the area.

Lot Layout - Proposed lot sizes are consistent with existing lot sizes. On the Mill Site, which was never platted, lots would be larger to accommodate the proposed commercial, residential, and educational activities.

Streetscape/Streets and Alleys - Proposed site development would retain and extend the historic street grid, anchored by Rainier Avenue (the north/south axis) and SR 104 (the east/west axis). Access to the Mill Site would remain substantially unchanged but improved to reflect new standards and provide emergency access. Streets throughout the RHT would retain traditional widths and street trees are extended into areas of new construction. As feasible, alleys are proposed to retain their historic use and importance for vehicular access. Limited driveways are proposed where necessary, or where alley access is not practical due to site constraints.

Sidewalks/Furnishings/Lighting - The proposal includes sidewalks, street lighting, and street furnishings such as benches and waste bins. The specific design of those elements would be addressed in eventual design guidelines and would require approval by Kitsap County.

## **2. TDO #2 Maintain Historic Development Pattern**

Homes shall face the street, with access for garages and parking off alleys whenever possible. Detached garages are preferred, with alley access or shared driveway access from the street. A development pattern with repeating double-bay garage doors facing the street shall be prohibited.

Discussion: The PBD Preliminary Plat application describes the historic components of building design at Port Gamble, including cabins; employee-built housing; Port Ludlow housing; married employee housing; and multiple occupant buildings.

Residential building design also includes components of building orientation, including setbacks; lot layout and lot coverage; and rhythm and space. These components are implemented in the Plan as described below.

**Rehabilitation** - The majority of the existing historic buildings would be retained. However, up to a dozen outbuildings may need to be removed or relocated. For these structures, to the extent they are uninhabitable or thought to be a danger, they would undergo additional review by an historic consultant for photo and text documentation and removal. To the extent they are located in an area approved for new development, relocation to a pre-approved location may be considered by Kitsap County (potentially including a historic consultant retained by Kitsap County). Commercial activities located within historic residential buildings, particularly along Rainier Avenue and along Walker Street and Puget Way may remain, but those buildings would continue to “read” as residential structures. Cottage and multi-family residential are proposed for the Mill Site where cabins once stood. Multi-family structures would also be appropriately sited in the block bounded by Rainier Avenue, Puget Way, Pope and Walker Streets where hotels operated.

**New Construction** - It is intended that new single and multi-family housing be introduced into Port Gamble to reflect the historic nature of the area. New structures are proposed to be located on or as near as practicable to the sites of former structures within the RHTR zone. New residential structures are proposed to respect the size, massing, scale, and materials of neighboring buildings. New construction would, however, reflect its own period in time and not mimic historic structures (mimicking historic structures can be considered to demean the authenticity of the truly historic buildings). Many styles of housing were represented in Port Gamble from small cabins to ornate mansions. New construction is proposed to fill in the missing residential fabric and display a variety of different approaches that are at once complementary to the historic but distinct in its own right. On the Mill Site, where no historic structures remain, contemporary interpretations are appropriate and encouraged. Cottage and multi-family housing on the Mill Site would be considered to contribute to the overall size and massing desired to echo the site’s industrial past. New cottage development would reflect the cabins that once occupied the Mill Site at the onset of the mill’s existence.

**Building Orientation** - Existing buildings in Port Gamble interrelate through their proximity to each other and to public spaces. Setbacks, lot coverage, and building location and spacing all contribute to creating intimacy, a sense of importance and hierarchy that result in visual harmony. Retaining the historic character of Port Gamble is the highest priority. Upon build-out, the community is intended to be a mix of old and new, with traditional design elements providing the development theme. To that end, the development proposal addresses building orientation by maintaining historic setbacks from the street, and between buildings to achieve a streetscape that reflects the historic density patterns of the community. Through a PBD application,

building setbacks in the RHTR zoned area may be modified as allowed under KCC 17.383.090, footnote 9). The proposal would modify the front setback within the RHTR zone from 20 ft. to 10 ft. Lot coverage would be limited to what is allowed in KCC 17.382.090. Garages are proposed to be placed to the rear of lots and accessed through alleys, although there are limited instances with site and physical constraints resulting in garages proposed to be accessed from the street in front of the homes. These garages may be street facing or may be accessed via common driveway and grouped at the rear of the lot.

*Staff Comment: KCC 17.383.090, Footnote #9 allows for a reduction of the minimum front yard setback through the PBD.*

### **3. TDO #3 Open Space**

Large community open spaces are preferred, rather than large private yards.

Discussion: Historic development of Port Gamble changed over time and utilized available open space for recreational purposes, although these open spaces were utilized for residential and commercial development as needed. Although park areas are identified in early plans, these were generally rough logged-off areas that were not maintained to a level commonly thought of as parks. The exceptions being the north bluff area adjacent to the Puget Hotel and the designated recreation areas for a baseball field and tennis courts.

The proposal includes small park areas and a beach access and waterfront trail system. The areas to the rear of the Walker-Ames house and along the north bluff are designed to evoke the historic park-like areas that existed in these locations. An entry feature to Port Gamble and substantial buffering of the historic town site provide additional open space. The Buena Vista Cemetery would remain unchanged.

The proposed agrarian area development utilizes the historic Babcock farm and continues an historic use within a contemporary context. This agrarian use would complement the historic town site and provide a buffer from adjacent development.

*Staff Comment: As demonstrated on the Preliminary Landscape Master Plan, the applicant has included a children's play area and seating on Tract -908 and a park and overlook/walking trail with seating on Tract-913 near the northeast corner of the project above the shoreline.*

### **4. TDO #4 Compatibility**

Development in the RHTC zone shall be compatible in massing, size and scale with historic structures. As with residential development, existing styles should provide the basic framework, but new development shall be differentiated from the old.



Discussion: The PBD Preliminary Plat application describes historic structures and signage for commercial buildings at Port Gamble. The relationship between proposed site development and historic commercial structures is described below.

Both rehabilitation of existing structures and new construction are proposed for the commercial area (RHTC). The primary commercial area along north Rainier Avenue would remain intact. Commercial activity is also proposed in the block immediately west of Rainier, bounded by Puget Way and NE View Drive and Pope Streets. This area was once the site of commercial activity with the Puget Hotel and Annex. The proposal includes commercial uses fronting the streets of that block and provides a shared parking lot for the existing uses within the historic Rainier Avenue commercial district as well as the events pavilion. In the RHTC zone, buildings would front the street except in the instances where historic buildings are adaptively re-used, such as the historic service station along SR 104.

Rehabilitation - Existing historic commercial buildings in the town would be retained. Commercial activities located within historic residential buildings, particularly those along Rainier Avenue and Walker Street are assumed to remain, but those buildings would continue to appear as residential structures. All existing historic buildings on the site, except for the Walker-Ames House, have been rehabilitated. All existing historic commercial structures are also being adaptively re-used as current active businesses.

New Construction - New commercial structures would reflect the size, massing, scale, and materials of neighboring buildings. New construction would, however, reflect its own period in time and not mimic historic structures. New construction could display a variety of different approaches that are complementary to, but not a mimic of, the historic structures. Actual building designs would be reviewed by Kitsap County in regard to TDOs as part of the building plan approvals.

*Staff Comments: As stated in Code the Secretary of the Interior's Standards for Historic Preservation Projects shall be used as guidelines for evaluating ne development for design and massing. Consistent with the federal standards, the applicant has addressed future building massing and street layout in the Chapter 3.10 Aesthetics/Light and Glare Draft EIS.*

##### **5. TDO #5 Large Bulky Structures**

Waterfront development may reflect the significant industrial and commercial nature of early uses on the site. Larger, bulkier structures than would be allowed in the RHTR and RHTC zones may be permitted in this zone. Tilt-up concrete structures, reflective glass, or other treatments which commonly characterize modern industrial park developments are to be prohibited.

Discussion: The PBD Preliminary Plat application describes the historic Port Gamble waterfront uses including a variety of industrial buildings and a mix of support uses such as cabins, cook house and dining hall, Masonic Hall, stables and a similar range of mixed use; none of the buildings housing these previous uses remain on the Mill Site portion of the site. TDO #5 would be implemented as described below. Previous uses historically occurring at the Mill Site included community, lodging, commercial, residential, office, and industrial waterfront uses. The proposed uses at the Mill Site that reflect the previous uses. Although the mill and associated buildings no longer exists, new construction on the site would be intended to reflect the industrial legacy by incorporating elements of the character-defining features found in the historic buildings, emphasizing larger scale and massing than found in the town (RHTR and RHTC zoned areas of the site) to reflect the industrial nature of the site. Contemporary approaches to design in this area would be appropriate. Actual building designs would be reviewed by Kitsap County in regard to TDOs as part of building permit approvals.

Under proposal, many of the larger buildings would be concentrated in the central part of the Mill Site. The commercial buildings, which would allow restaurant, hotel, retail and/or office uses, would be larger and bulkier in scale and mass, and would be designed and sited to provide a connection with the water, and to allow public access to the waterfront.

Further south on the Mill Site the intensity of the land use transitions to residential under Alternative 1, and open space under Alternative 2. Townhomes are included closer to the commercial areas as part of a mixed-use development. Cottage development is further to the south under Alternative 1, clustering four or so units around a central common area, with access to a shared garage. The shared garage also includes a residential unit on top, commonly referred to as a "carriage unit." Buildings in the RHTW zone would be larger and denser than the other portions of the site, reflecting its industrial past. In the RHTR zone, homes would face the street, consistent with TDO guidelines.

#### **6. TDO #6 Vehicle Parking**

Parking for the RHTC and RHTW zones shall be provided in shared or common parking areas whenever feasible. The parking standards set forth in Section 17.321B.030 shall be considered an element of these TDOs and shall apply to all new commercial and waterfront development (Also see KCC 3,21B.065 -Parking).

Discussion: Historically, provisions for parking on the Port Gamble site has evolved to accommodate increased use of motor vehicles and Kitsap County parking requirements. Under the proposal, parking in the RHTR zoned area is provided principally through garages with alley access. Some street parking may be utilized, and areas with site constraints would have front loaded garages or garages that are

accessed via shared drive but tucked behind the homes. Garages would primarily be detached and oriented to the rear of residential lots. Parking areas for the RHTC zone would be provided at the north end of Rainier Avenue and to the east along Walker Street – areas that have historically been used for parking. An additional parking lot located behind existing historic buildings to the west of Rainier Avenue would serve the RHTC commercial core and is located behind the historic buildings to the west of Rainier Avenue. Parking under the proposal would also be provided on the Mill Site for residential, commercial, and industrial activities, primarily through a centrally located lot, with some parking provided for the use of individual buildings. On-street parking would also be provided in the RHTC and RHTW zoned areas. (See Port Gamble Master Parking Plan)

*Staff Comments: Consistent with this TDO, Staff requested that the applicant prepare a parking plan to address demand for off-street parking for residents and visitors. The applicant prepared a comprehensive Port Gamble Parking Mater Plan, dated October 11, 2019. The study documents that the nomination established that 1853 to 1895 was the period of significance with established street grid, houses faced the street frontage and predated vehicular transportation. Kitsap Code KCC 17.490.030 does not allow for garage off-street parking. The applicant believes that that would make vehicles more visible impacting the town historic character and the TDO's would support counting the garage parking. In addition, in certain areas the applicant believes a two-car garage may not be supported and requests to have designated on-street parking. The applicant believes that the Performance Based Development and the TDO's would support such a request. Staff supports the requests for reduction of parking standards. However, on-street parking shall not impact the vehicular or emergency vehicle access. Addition to setbacks, it should be notated on the face of the final plat for future buyers and reviewers with the requirements for allowing designated on-street parking is permitted (see parking letter for conditions). Area for visitors and overflow parking is provided in the commercial area. To prevent extensive parking rows a street tree shall be planted to breakup rows.*

#### 7. TDO #7 Historical Landscaping Standards

New development shall be landscaped in such a manner as to reflect the historical character of the town and preserve and enhance publicly accessible open spaces and retain mature trees to the extent possible.

Discussion: The principal remaining historic landscape feature in Port Gamble is mature trees, in particular, the street trees along Rainier Avenue. Under the proposal, the historic pattern of street trees would be maintained and expanded. Although formal landscaping was not a part of Port Gamble's past, parking areas would include landscaping to provide a visual buffer from surrounding areas. Individual landscaping around homes, community facilities, and commercial buildings

would be subject to design guidelines and would be reviewed by Kitsap County as part of building permits.

The majority of the existing, healthy mature trees would be preserved under the proposal. All trees along Rainier Avenue and SR 104 (Pope Street) would be retained unless they are determined to be a danger tree. A very limited number of existing trees would be removed either as part to accommodate new road construction or utility improvements. A large number of additional trees would be planted either as street trees, or as landscape improvements within open space tracts.

*Staff Comments: Consistent with TDO's the preliminary Landscape Master plan provides for planting street trees along roadways and retention of existing historical trees. To prevent large rows of parking street trees should be planted in landscape islands.*

#### **8. TDO #8 Enhancing and Preservation of Town Commons**

Creating, enhancing and preserving a town commons or a series of connected public open space linkages shall be required in conjunction with any master planned or other significant redevelopment of the town that reflects the same qualities of the historic town including visual assets and species of vegetation.

Discussion: The proposal includes small park areas and a beach access and waterfront trail system. The areas to the rear of the Walker-Ames house and along the north bluff are designed to evoke the historic park-like areas that existed in these locations. An entry feature to Port Gamble and substantial buffering of the historic town site provide additional open space.

The proposed beach access and waterfront trail system is designed to provide residents and visitors with safe approaches to the saltwater, views over the water and to the town site, and potential interpretive opportunities along the former Mill Site. Additional trails on the site are proposed to connect the Mill Site, commercial area, residential areas, and agrarian area via sidewalks and off-street trails. This pedestrian system is intended to provide a continuous network for people to walk to their respective destinations. Vistas and view corridors would be protected in the plan through building height restrictions in the town site and the Mill Site.

*Staff Comments: The applicant has included trails in open space, provide shoreline access and preserved existing open internal to the town.*

#### **KCC 17.321B.030 Procedures**

Any large-scale development or development shall require preparation of a town mater plan that lays out preferred development scenario and phasing for the three zones using the Performance Based Development process of Chapter 17.425

(The TDOs and specific requirements for density, height, parking shall replace the PBD standards in 17.425.040.)

17.321.040 Uses

The proposed uses are consistent with KCC 17.81.040 (D)

17.321B.045 INTRAFRASTRUCTURE Capacity required,

The applicant has prepared facility plans and demonstrated there is capacity to serve the project site based on the proposed rural land uses.

17.321B.050 Density,

The applicant has demonstrated the project is below the maximum density of 2.5 dwelling units per acre.

17.321.055 Lot Size,

The preliminary plat shows that proposed lot sizes fall within the range of 3,500 to 7,500 square feet in size.

17.321B.060 Height,

The project as preliminarily proposed is with maximum height requirement.

17.321B.065 Parking,

See Parking below.

17.321B.070 Setbacks

Applicant is proposing a reduction of setback as permitted by Code.

**b. Lighting**

See Town Development Objectives KCC 17.321B.020.C.1 for Street lighting and KCC 17.321.030.D Signs and Lighting

**c. Off-Street Parking**

As proposed per the TDO's, the character of off-street parking would reflect the type of proposed development in different parts of the site. Parking in the in the RHTR zone would primarily be associated with new single-family units and provided within attached or detached garages with alley access. Where alley access would not be feasible, garages may be accessed by shared driveways. Consistent with TDO's garages are rear facing and front-loaded garages would be the exception. Cottage parking is proposed to within detached garages or uncovered parking areas. Parking areas with the commercial zone will be provide on surface streets adjacent to Rainer Avenues and Walker Road. Surface lots are proposed to be located behind existing and future commercial buildings. Several new surface lots are proposed in the RHTW zone, RW zone for recreational uses. Recreational parking is proposing at the Airplane Club property and the east site of SR-104.

The applicant prepared a comprehensive Port Gamble Parking Mater Plan, dated October 11, 2019. The Parking Master Plan was to address the Town Development Objectives KCC 17.321B.020.1,2, and 3, 17.321B.065 Parking. The parking master plan is color coded by neighborhood which correspond to walking distance from parking. The applicant has prepared corresponding colored tables with parking tabulation (Attached Parking Exhibit).

**Port Gamble - Multi Family/Commercial Parking Tabulation Summary**

**RHTR Zone - Multi Family/Commercial**

NON SINGLE FAMILY LOTS ALTERNATIVES 1 & 2			
Description	Lot #	Parking Stalls Required	Stalls Provided On Street / In Parking Lot
CHURCH, PARKING	500, 501	32	32
COTTAGES (Rqd = 23 units X2)	503	46	46*
COTTAGES (Rqd = 17 units X2)	510	34	34*

**RHTW Zone - Multi Family/Commercial**

ALTERNATIVE 1			
Description	Lot #	Parking Stalls Required	Stalls Provided On Street / In Parking Lot
TOWNHOMES (29 units)	504	58	58*
LAB/COMMERCIAL	513	25	25*
COTTAGES (Rqd = 10 units X2)	514	20	20*
HOTEL	515	135	SP
COMMERCIAL	516	100	75* + SP
COMMERCIAL	517	130	75* + SP
COMMERCIAL	518	75	60* + SP
COMMERCIAL	519	75	60* + SP
COMMERCIAL/PARK	520	75	25* + SP
COMMERCIAL/PARK	521	75	25* + SP
COMMERCIAL/PARK	522	75	25* + SP
TOWNHOME/COTTAGE (Rqd = 68 units X2)	523, 525, 526, 527, 529	136	136*
SHARED PARKING (SP)	524, 528, 530, 531	N/A	361
STREET PARKING	ST	N/A	41
Parking Stalls Required	=	979	
Total Stalls Provided	=	986	
Parking Stalls Over	=	7	

**RHTC Zone - Multi Family/Commercial**

ALTERNATIVES 1 & 2			
Description	Lot #	Parking Stalls Required	Stalls Provided On Street / In Parking Lot
COMMERCIAL	502	13	20
COMMERCIAL & CONDOS (18 units)	505, 506, 507, 508	422	212
TOWNHOMES (15 units)	509	30	30*
ON STREET PARKING	ST	N/A	179
COMMON SPACE/PARKING	T920	N/A	54
Parking Stalls Required	=	465	
Total Stalls Provided	=	495	
Parking Stalls Over	=	30	

ALTERNATIVE 2			
Description	Lot #	Parking Stalls Required	Stalls Provided On Street / In Parking Lot
TOWNHOMES (29 units)	504	58	58*
LAB/COMMERCIAL	513	25	25*
COTTAGES (Rqd = 10 units X2)	514	20	20*
HOTEL	515	135	SP
COMMERCIAL	532	25	SP
COMMERCIAL	533	15	15*
SHARED PARKING (SP)	N/A	N/A	185
Parking Stalls Required	=	278	
Total Stalls Provided	=	303	
Parking Stalls Over	=	25	

**Assumptions:**

\* Parking (or portion of parking) to be provided within building or site plan  
**Note:** The parcels within the rural zones are assumed to meet parking requirements within each parcel.

*Staff Comments: Staff has reviewed the proposal for off-street parking for the Port Gamble Master Plan and finds the proposed parking for residential, commercial development are*

*consistent with the Town Development Objectives in KCC 17.321B.020. The amount of parking within the surface lots adjacent to the business district provides sufficient parking for visitors and overflow parking for residential uses. Through the Site Development Activity Permit review is recommended that the applicant propose Off-street loading areas for deliveries, add additional street trees to breakup large continuous rows and dedicated pedestrian access between the pedestrian walkway and parking areas. Where applicable the surface lots should be screened with vegetation where applicable.*

**d. Signage**

New signage will be reviewed for consistency with KCC 17.321B.030.C Special Provisions to review for compatibility with the National Historic District. The new signs will also be reviewed under applicable bulk standards under KCC 17.510 Signs.

**e. Landscaping**

Consistent with TDO's the preliminary Landscape Master plan provides for planting street trees along roadways and retention of existing historical trees. The landscaping plan includes oriental landscaping in planting beds, and a variety of street trees on both sides of the roadways throughout the development site ranging 25 to 30 feet O.C. (i.e. Maple, Ash, Elm trees). The landscape plan includes a general plant schedule which is consistent with the TDO's for the Port Gamble Redevelopment Plan.

See KCC 17.321B.030.D.5 Special Provisions -Landscaping

**f. Frontage Improvements**

The proposal will include a walkable community with pedestrian facilities throughout the town site. The site plan shows separated sidewalk with planter strips on both sides of roadways, to sidewalks on one side, and with no sidewalks on lower traveled dead-end roads.

**g. Design Districts/Requirements**

See above KCC 17.321B.025 the Town Development Objectives for Port Gamble for design district requirements.

**h. Development Engineering/Stormwater**

The proposal includes development of the site's stormwater infrastructure to support the development consistent with 17.321B.045 Infrastructure Capacity required to serve the development.

Development Services and Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans received January 17, 2013, and as revised by resubmitted materials

received September 6, 2018, January 24, 2019 and November 18, 2020 to Kitsap County Development Services and Engineering.

**i. Storm Water Outfall**

A new stormwater outfall on the Hood Canal shoreline is proposed as part of the Port Gamble re-development in Kitsap County, Washington. In November 2017, an alternatives analysis was completed that evaluated the feasibility of constructing a new marine stormwater outfall, pocket beach, and pedestrian trail on Port Gamble's Hood Canal shoreline (DEA 2017).

**SHORELINE ENVIRONMENTS 22.16**

The shoreline designation is Urban, reviewed under KCC 22.16.090.

Per KCC 22.16.090, a. *The purpose of the Urban environment is to insure optimum use of the shorelines within urbanized areas. Such areas require management for intensive use and development to enhance and maintain a multiplicity of urban uses on the shorelines.*

The proposed urban development comprised of a commercial hotel, restaurant, commercial area expansions, residential development and utility uses meets the stated purpose of the preferred alternative within the 200-foot shoreline jurisdiction of the Port Gamble Redevelopment project. The Urban shoreline environment designation reviews the shoreline portion of the preferred alternative 1 with proposed commercial development, residential uses, proposal stormwater outfalls and trail systems are reviewed under the Urban shoreline environment designation.

*b. Designation criteria. An urban environment is an area of high intensity land use, including residential, commercial and industrial development, and describes shoreline areas presently experiencing intensive use pressures. The urban environment is an area in which urban services and infrastructure already exist or are planned in the comprehensive land use plan.*

Urban shoreline environments typically have higher residential densities, commercial development components, access to utilities such as sewer and water, open space areas, and areas of active and passive recreation. The previous historic uses of the property are planned to meet this urban criterion, while still balancing the natural environment and meeting or exceeding the required 50-foot shoreline buffer, per CAO requirements.

*c. Management policies. The following policies should be applied to any permissible uses occurring in the urban environment:*

- (1) Development should occur within existing development sites, whenever possible.*
- (2) Public visual and physical access to the shoreline should be encouraged on urban shorelines due to their intensive use and proximity to population centers.*



*recreation facilities are encouraged, including water access, pedestrian trails and recreational viewing areas with minimal impact to the natural environment.*

- (3) *To the maximum extent possible, with respect to human utilization, development within shoreline areas should strive to maintain, preserve or enhance natural shoreline characteristics.*

The above policies are applicable to the proposed project and further discussed in the Use Activities section below. Residential development is proposed within the 200-foot shoreline jurisdiction and is an attempt to recreate historic uses on the properties. The stormwater outfall is proposed to be constructed to accommodate residential and commercial activities, while performing improved water quality and quantity controls. The shoreline meets the recreational purpose of the urban shoreline environment as a recreational trail connection is planned on the north and east of the project area to provide recreational uses and direct connection to the shoreline. The planned restaurant and hotel will provide shoreline public enjoyment by maximizing views and vistas on the water, while still meeting critical area buffers and setbacks. Staff finds the application follows the applicable SSDP requirements, subject to conditions of approval listed elsewhere.

## **NATURAL SYSTEMS KCC 22.20**

### **22.20.010 Definition and enumeration.**

Natural systems are physical features or phenomena of nature which are sensitive, in varying degrees, to man's disruptive activity. Specific types of shoreline natural systems include the following:

1. Biological wetlands including bogs, marshes, and swamps;
2. Critical species habitats;
3. Estuaries;
4. Lakes, streams, and creeks;
5. Spits, bars, and berms;
6. Longshore drift zones;
7. Kelp beds and eelgrass beds;
8. Smelt and candlefish spawning beds;
9. Shore processes; and
10. Hood Canal.

Natural systems must be protected from disruptions caused by humans. Whenever these natural systems are known to exist in or along the shorelines of the county, appropriate environment designations, as necessary to protect them, are assigned. Should an area along the shorelines not given a designation be found to be a natural system by the definition stated above, it shall be incumbent upon the shoreline administrator (DCD Director) to apply the natural systems policies as if the area had been given a designation. The remaining portions of the shoreline areas are assigned separate environment designations as otherwise appropriate, or as necessary to supplement the adjacent natural systems environment designations.

To implement the review of development proposals involving natural systems, the shoreline administrator shall coordinate review under the Kitsap County Critical Areas Ordinance (Title 19 of this code) and shall prepare findings and conclusions regarding the potential impacts the proposal may have on the natural system. The proposed use or activity will not unreasonably interfere with natural systems.

**22.20.020 General policies.**

The following policies should be applied whenever a natural system falls in or is adjacent to a proposed use:

- 1. The natural system must be protected from man-made disruption regardless of which shoreline environment designation the system may have been given.*
- 2. The policies contained in WAC 173-16-050 should apply to natural systems in Kitsap County, whether enumerated in this title.*

As described in the Critical Area review section, above, all critical area buffers and setbacks are met for the proposed residential, commercial, utility, open space and recreational uses.

**22.20.030 Specific policies.**

The following policies apply to all natural systems:

- 1. Wetlands including bogs, marshes, swamps, and estuaries should be left undisturbed. They may be modified only when it is beneficial to wildlife or aquatic life. Impacts to wetlands should be avoided, minimized, and mitigated.*
- 2. Existing canopy and ground cover vegetation should be retained to protect water quality and maintain the character of the ecosystem.*
- 3. Critical habitats, whether for flora or fauna, should not be disturbed.*
- 4. Significant habitats, whether for flora or fauna, should be protected.*
- 5. Buffer zones along shorelines, lakes and streams should be required to prevent erosion, protect water quality, and maintain the character of the environment.*
- 6. Longshore drift zones, spits, bars, berms, and feeder bluffs should be allowed to function with minimal interference.*
- 7. Critical shore processes should be allowed to continue undisturbed.*
- 8. In recognition of Hood Canal as a unique area with unusual marine, mountain, and forest scenic values, fragile water quality, and low flushing rates, as well as a place to live, work, and play, Kitsap County shall recognize and minimize use conflicts, exercise responsibility toward the Canal's resources, and require commitment to water quality preservation in order to preserve user privileges.*

Policies 1 through 7 are met with the proposed development. We will address the Hood Canal policies in the following Shoreline of Statewide Significance analysis, per KCC 22.28.

**SHORELINES OF STATEWIDE SIGNIFICANCE KCC 22.28 (Hood Canal)**

**HOOD CANAL SHORELINE OF STATEWIDE SIGNIFICANCE POLICIES**

#### Section H. Regional Overview.

1. The Hood Canal is a unique resource with unusual marine, mountain, and forest scenic values, fragile water quality, and low flushing rates. Kitsap County recognizes the Canal as a significant marine resource. As such, Kitsap County should work to minimize use conflicts, exercise responsibility toward the Canal's resources, and require commitment to water-quality preservation.

2. Hood Canal has been designated a Shoreline of Statewide Significance in WAC 173-16-030(13) and WAC 173-16-040(5). The Hood Canal Coordinating Council (HCCC) is a regional organization comprised of Jefferson, Kitsap, and Mason County governments, the Point No Point Treaty Council, and affected tribes. The HCCC has been recognized by the state and the counties as having an important role in protecting, enhancing, and restoring the resources of Hood Canal.

3. The public interest in Hood Canal concerns the natural character and the future development. The members of the HCCC should work together to interpret the meaning of the public interest in the Canal.

4. The scope of the public interest concerning the future development of the Canal includes all residents of the state, Indian tribes, the three county governments, and federal, and state-owned lands. In planning for the future development of Hood Canal, substantial weight should be given to public comments during decision-making processes.

I. Finding. The overriding concern is the enhancement and protection of water resources in the Hood Canal watershed. This includes all lands and activities that occur from the peak of the Olympics to the bottom of the Canal, as well as all other lands which drain into the Canal or its tributaries.

J. Resource Goal. In recognition of the resources of Hood Canal, development proposals should be reviewed with respect to preservation of natural resources of the Canal. In addition to development guidelines listed in the beginning of this section, the following policies should specifically apply to development in Hood Canal.

*1. Resource Policy 1. Proposals for development within the shoreline jurisdiction of Hood Canal should be required to assess potential for adverse impacts to the following resources: water quality sediment quality, shellfish, fin fish, wildlife, boating, recreational and commercial fishing, public access, scenic vistas, and wetlands. Proposals that significantly interfere with recreational opportunities or significantly degrade the resources of Hood Canal should be prohibited.*

Through the EIS and FEIS process, the proposed project has reviewed and analyzed the resources and policies. We find the proposal conforms to the policy.

*2. Resource Policy 2. Developments within the shorelines of Hood Canal which would significantly degrade water or sediment quality, shellfish, fin fish or wildlife habitat, critical habitat, native vegetation, or natural features of the shoreline should be prohibited.* The proposed project actions will improve water quality and enhance natural features and critical habitat in Hood Canal.

*3. Resource Policy 3. Development within shorelines of the Hood Canal which improve water quality, should be encouraged.* The proposal will improve water quality through implementation of stormwater treatment facilities.

K. Development Goal. Ownership of Canal waterfront comes with responsibility. Individuals should conduct development practices as well as maintenance of land with great care as they are an important component of a larger natural system. Development should be limited to those willing to meet or exceed the use policies and development standards of this chapter and the overall Kitsap County Shoreline Management Master Program.

*1. Development Standard 1. Subdivisions of property which consist of more than four lots shall be limited to coordinated master plans which provide for significant preservation of shoreline areas. New development which create individual ownership of separate waterfront lots should be discouraged.* The shoreline should be preserved as undivided common ownership. This planned re-development is part of a master plan and meets the development standard through the implementation of the FEIS and in conjunction with the land use PBD.

*2. Development Standard 2. Developments shall provide buffers of native vegetation, protect water quality, scenic resources, fish and wildlife habitat, and wetlands.* Buffers are in place or planned as restoration for all critical areas, shorelines, scenic resources, fish and wildlife habitat and wetlands. We find the proposal conforms to the standard.

*3. Development Standard 3. Developments along the shorelines of Hood Canal which would significantly degrade the scenic quality shall be prohibited unless the impacts can be mitigated by using concepts such as setbacks and buffers of native vegetation.* Scenic resources are protected and are a major component of the project. We find the proposal conforms to the standard.

*4. Development Standard 4. Marinas on the Hood Canal shall have facilities for marine sanitation pump-outs, and shall comply with any local or state regulations, whichever is more restrictive. Marinas shall post signs to inform the boaters of the pump-out facility, shall explicitly require the use of the pump-outs as a condition of moorage, and shall provide enforcement procedures.* Not applicable.

*5. Development Standard 5. Provisions for public access, both visual and pedestrian, shall be an integral part of all coordinated master plans for commercial and residential proposed in Hood Canal. Such access shall be designed to be aesthetically and functionally compatible with adjacent areas.* Scenic resources, trails and beach access points are a major component of the project. The plan enhances existing trails and access through the existing development. We find the proposal conforms to the standard.

*6. Development Standard 6. Residential development shall preserve shoreline vegetation to control erosion, provide slope stability and maintain water quality.* Shoreline vegetation is preserved and will be enhanced in degraded areas on site. Water quality and quality are enhanced by treated stormwater outfalls, which are a major component of the project. We find the proposal conforms to the standard.

*7. Development Standard 7. Adequate distance between the ordinary high-water mark and shoreline development should be maintained to protect water quality, natural systems, and to protect the integrity of the shoreline of Hood Canal.* Shoreline buffers meet the permitting requirement with implementation of 50-foot buffers. Shoreline slope buffers conform to the recommendations of the geotechnical engineering report, as allowed in KCC 19.400.415 B. We find the proposal conforms to the standard.

*8. Development Standard 8. Alternative methods of shore protection such as beach enhancement, retention of native vegetation, and increased construction setbacks shall be encouraged.* The seawall and bulkhead located beneath the bluff region of the proposed development area will be removed to allow shoreline processes to re-establish. Soft shore beach enrichment will occur in the area of the removed historic seawall to support slope integrity, while allowing natural shoreline drift cell functions to be restored. Native vegetation will be enhanced throughout the bluff area through plantings of native coniferous plants. We find the proposal conforms to the standard.

*9. Development Standard 9. Passive, nonstructural aquaculture activities such as traditional shellfish gathering shall be encouraged.* Improvements in water quality from installation and implementation of the stormwater treatment facilities will enhance shellfish resource opportunities. We find the proposal conforms to the standard.

*10. Development Standard 10. Habitat enhancement programs such as artificial clam beds and beach enhancement for smelt and herring habitat shall be encouraged.* Improvements in water quality from installation and implementation of the stormwater treatment facilities will enhance these resource opportunities. Removal of the bulkhead near the bluff will provide a natural sediment source for spawning serf smelt, sand lance, and other food forage fish in the Hood canal shoreline.

*11. Development Standard 11. Fishery enhancement programs which rely on delayed-release net pens shall be sited at existing marinas, waterward of existing commercial areas, waterward of state-owned upland properties or publicly owned upland facilities where view impact is not a predominant issue. Alternative locations for siting delayed-release net pens shall be considered subject to conditional use permit approval.* Not applicable.

*12. Development Standard 12. Commercial floating aquaculture shall be prohibited in Hood Canal, in all areas south of the Hood Canal Bridge.* Not applicable.

## **USE ACTIVITIES KCC 22.28**

**Introduction.** The Shoreline Management Act Final Guidelines have established sets of shoreline use activities which are to be included within local government shoreline master programs. These use-activity categories consist of specific uses or groups of similar uses which are characteristic of the shoreline corridor. They have been formulated as implementing tools to assist in carrying out the intent and policy of this master program and the Shoreline Management Act. The policies and regulations developed for each use activity category are intended to serve as the primary set of criteria for evaluating proposed developments and alterations to the shoreline environment.

While not all developments in the shoreline area require a shoreline permit, no development shall be undertaken on the shorelines of Kitsap County except those which are consistent with the policies of the act, applicable state guidelines, and the master program.

### **22.28.030 General policies.**

- a. Water Quality. Certain developments may degrade water quality. Specific uses should be located, designed, and operated to minimize actual or potential adverse effects on water quality.
- b. Estuary and Wetland Preservation. Because estuarine, eelgrass, kelp, and wetland systems are of high ecological value and are increasingly scarce, development should be located, designed and operated to prevent degradation of such systems.
- c. Shore Processes. Certain developments interfere with shore processes. Specific developments should be located, designed and operated to prevent interference with physical shore processes.
- d. Aquatic Plants and Animals. Certain developments may have beneficial or adverse effects on shoreline plants and animals including eelgrass and kelp. Uses and activities should be located, designed, and operated to ensure that plant or animal populations, their respective habitats, and the local and regional ecological balance are maintained in a healthy condition.
- e. Aesthetics. Kitsap County has extensive shorelines possessing high aesthetic value. The majority of the shorelines of Kitsap County, unlike shorelines of other adjacent counties, are generally characterized by residential development patterns. Conflicts between the aquatic uses and the views of upland residents or the general aesthetic quality of the shoreline should be minimized.
- f. Physical Site Considerations. There are a limited number of shoreline sites which are conducive to aquatic uses and activities. Development of these sites should include an upland support area or access as well as the potential physical characteristics necessary to support the particular use.
- g. Safety and Circulation. Certain developments may create traffic and circulation conflicts with other shoreline uses. Such uses and activities should be located, designed, and operated to minimize potential shoreline traffic conflicts with recreational uses of the shoreline and to minimize adverse navigational conflicts.
- h. Other Shorelines Uses. Certain developments may conflict with other shoreline uses. Such uses and activities should be located, designed and operated to minimize potential shoreline use conflicts.

All development which occurs within shoreline jurisdictions is required to be in compliance with the policies and regulations of the act and this shoreline master program. All substantial developments are required to obtain a substantial development permit (except those substantial developments categorically exempted pursuant to WAC 173-16-030). Additional permit requirements may include a conditional use permit or variance. As such this chapter outlines the policies, regulations and permit requirements of this program.

#### **22.28.080 Archaeological areas and historic sites.**

1. Definition. Having to do with scientific study of material remains of past human life and activities.
2. Introduction: Archaeological, historic, burial and cultural resource sites may be encountered in the shore area regardless of the environmental designation. The areas to which the Shoreline Management Act and local program typically apply are where village sites and camps used by native peoples are most likely to be encountered.

3. Policies.

a. Areas of special significance should be identified and protected for enjoyment by the public, and to protect archaeological, historic, and cultural resource sites in accordance with applicable federal, state and local laws.

b. Consideration should be given to the National Historic Preservation Act of 1966 and Chapter 43.21 RCW and Chapter 27.53 RCW which provide for protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures and objects significant in history, architecture, archaeology or culture.

4. Environments and Permit Requirements.

c. Development of archaeological areas and historic sites are permitted and subject to a SDP in the urban, semi-rural, rural, conservancy and conservancy-public lands environment.

d. Archaeological areas and historic sites may occur in the natural environment. Development of archaeological areas for scientific study or public observation in the natural environment shall be subject to obtaining a SDP and CUP.

5. General Regulations.

e. The following conditions shall be applied to any activity if it is discovered that archaeological artifacts or data are found:

*(1) The developer or owner shall notify the county, affected tribes, specifically the Suquamish Tribe, the Port Gamble S'Klallam Tribe and the Skokomish Tribe and Washington State Department of Community Development of any archaeological artifacts or data found;*

*(2) Development shall not commence for a period of ten working days after notifying the state, county, and affected tribes to provide the opportunity for a site inspection and evaluation; and*

*(3) Archaeological artifacts and data shall be left undisturbed and protected until authorized by the Washington State Department of Archeology and Historic Preservation (DAHP) in*

*accordance with the Archaeological Excavation and Removal Permit. As the Port Gamble Redevelopment project is a historic town on the National Historic Register since 1967, and the region has also been historically occupied by native tribes for millennia; the applicant has provided a comprehensive cultural resources report and a specific discovery procedure for any related activity which may inadvertently discover any culturally significant artifact. Reporting protocols are in place for any such discovery. The application conforms to this requirement.*

**22.28.110 Commercial development.**

1. Definition. Use which involves wholesale or retail trade, or the provision of services for compensation.

2. Policies.

*a. Priority should be given to commercial developments which are water-dependent or water-oriented. The proposed commercial developments (hotel, restaurant and education center) will provide water-oriented uses with outdoor areas for shoreline views and associated public viewing trails and vistas. Water dependent uses from shoreline access trails and trails to beach areas are also planned. Existing kayak and paddle board rentals are on-going activities.*

*b. Priority should be given to commercial developments which provide an opportunity for the public to enjoy the shoreline. Trails and connectivity to the shoreline are planned.*

- c. Commercial development should be encouraged to locate in existing commercial areas to minimize sprawl and the inefficient use of shoreline areas.* Commercial activity will be in areas previously developed for commercial uses and meets the zoning criteria.
- d. Commercial development should be compatible in design and scale with the site.* The project will be in-keeping with the historic town design, scale and zoning use criteria.
- e. Parking should be located upland of the associated use and screened.* Planned commercial parking will conform to the requirement.
- f. Multiple-use concepts which include open space and recreation should be encouraged.* Hiking, biking, equestrian and walking trails are planned throughout. Continued small craft rentals (kayak and paddle board rentals) and water-oriented uses for the restaurant and hotel are planned.
- g. Proposed commercial developments, expansions, alterations, or any phase thereof should be consistent with the adopted comprehensive development plan.* The proposal meets the requirement.

### 3. Environments and Permit Requirements.

- a. Commercial developments are permitted subject to a SDP in the urban, and semi-rural environments.* The proposal is in the urban environment designation.
- b. Commercial developments may be permitted subject to obtaining a SDP and CUP in the rural and conservancy environments.* N/A
- c. Commercial developments may be permitted subject to obtaining a SDP and CUP in the conservancy-public lands environment.* N/A
- d. Commercial developments are prohibited in the natural environment.* N/A

### 4. General Requirements.

- a. Commercial developments permitted on the shoreline in descending order of preference are:

- (1) Water-dependent uses;*
- (2) Water-related uses;*
- (3) Water-enjoyment uses; and*
- (4) Non-water-oriented uses which include substantial opportunities for public access.*

Water-dependent and water-related uses occur on site. Water oriented uses are planned, as well as significant trail connections on the shoreline. Scenic vistas along trail sections connect to existing trail features into and through the commercial areas and from off-site trail systems to the south and west.

- b. The design and scale of a commercial development shall be compatible with the shoreline environment. The following criteria will be used to assess compatibility:*

- (5) Building materials;*
- (6) Site coverage;*
- (7) Height;*
- (8) Density;*
- (9) Lighting, signage, and landscaping;*
- (10) Public access; and*
- (11) Visual assessment.*

The Land Use analysis section describes in detail the planned building elevations, site coverage, building height limitations, density, lighting, signage, landscaping and visual assessment



requirements. The plans are in keeping with the urban-related environment and the planned development conforms to the requirements in 5 through 11. Shoreline buffer enhancements will be implemented at time of site development activity permit (SDAP), as the commercial zone is currently devoid of native buffer plantings.

*c. Commercial development shall not significantly impact views from upland properties, public roadways, or from the water. Water views will be afforded to upland properties.*

*d. Construction of new commercial development shall not be permitted over the water. No over-water development is proposed.*

*e. Parking shall be located upland and inland of the commercial use and designed and screened to minimize adverse visual impacts to the shoreline. Over-water parking is prohibited. The proposal conforms to the requirement.*

*f. Non-water-oriented uses which provide an opportunity for the public to enjoy the shoreline shall be permitted on the following conditions:*

*(1) Special amenities are incorporated into the design of the development to encourage active and passive recreational use of the shoreline. These may include, but are not limited to, shoreline trails, accesses, and viewpoints. Such amenities shall be dedicated to the public through a recorded easement and improved prior to occupancy. Trails and access are planned and connect to outside trails in the region. Vehicular access is afforded to the site and scenic views will not be impacted.*

*(2) The non-water-oriented portions of the use do not interfere with or obstruct the active and/or passive uses of the shoreline. The project will not interfere with or obstruct active or passive uses of the shoreline.*

*(3) The county shall require and utilize the following information in its review of commercial development proposals:*

*(a) Specific nature of the commercial activity;*

*(b) Need for shoreline frontage;*

*(c) Special considerations for enhancing the relationship of the activity to the shoreline;*

*(d) Provisions for public visual and/or physical access to the shoreline; and*

*(e) Provisions to ensure that the development will not cause significant adverse environmental impacts. Commercial development will be further analyzed at the Site Development Activity Permit (SDAP) phase and the specific building permit application. The Performance Based Development (PBD) guides this analysis. All commercial development must conform to standards a through e.*

*(4) Drainage and surface runoff from commercial areas shall be controlled using biofiltration so that pollutants will not be carried into water bodies and be subject to the requirements of the state Department of Ecology Manual for Surface Runoff. Water quality treatment of stormwater will be performed, as required. Two shoreline outfalls will be installed and or upgraded and an additional outfall to the south of town will also be improved. The improvements will be guided using stormwater Best Management Practices (BMP'S) and are designed to the 2010 Kitsap County stormwater design manual.*

*(a) During construction, projects must provide temporary erosion control until permanent storm water runoff systems are operational. BMP's for erosion control will be reviewed with each development permit proposal.*

*g. Proposals for commercial uses located within property designated conservancy-public lands shall be subordinate to the public use. N/A*

**22.28.230 Residential development.**

1. Definition. The construction or exterior alteration of one or more buildings, structures or portions thereof which are designed for or used to provide a place of abode for human beings. Residential development includes one and two-family detached structures, multi-family structures, condominiums, townhouses, mobile-home parks, and other similar group housing, together with accessory dwelling units, accessory uses and structures common to residential uses. Residential development does not include hotels, motels, bed and breakfasts, or any other type of overnight or transient housing or camping facilities.

2. Policies.

*a. Residential development should be compatible with the character of the shoreline environment. The development meets the urban shoreline character.*

*b. Adequate distance between the ordinary high-water mark and residential development should be maintained to protect water quality, protect natural systems, and insure preservation of the integrity of the shoreline environment. Placement of structures should be located on property to avoid the necessity for shore protection structures. The proposal meets the required buffers of the urban shoreline environment and will protect water quality, natural systems and preserve the integrity of the urban environment designation. No shore structures are proposed.*

*c. Residential development shall be consistent with the purpose and intent of the applicable environment designation. The proposal meets all urban environment requirements.*

*d. Sewage disposal, storm drainage, and water supply facilities should follow local and state health regulations. A sewage system has been upgraded in previous actions and is approved by the Washington State Department of Health. The facility is maintained by the Public Utility District 1. A new stormwater drainage system is part of the proposal and will improve water quality through new stormwater treatment facilities.*

*e. Residential development should provide, preserve, or restore shoreline vegetation for control of erosion, slope stability, and habitat. Revegetation will occur on slopes and the shoreline using native plants and shrubs to improve slope stability and wildlife habitat.*

*f. Joint use of shoreline access and shoreline facilities should be encouraged. Trails and public access will not be exclusive and will provide public and community access to the shoreline.*

*g. Lot area should be calculated using only those lands landward of the ordinary high-water mark. Lot area calculations meet the requirement.*

*h. Proposed residential developments, should be consistent with the adopted comprehensive development plan. The proposal has been analyzed in the Performance Based Development under the land use analysis section of associated permit 13-00165.*

3. Environments and Permit Requirements.

*a. Single-family residential developments are permitted subject to a SDP in the urban, semi-rural and rural environments. The designation is urban.*

*b. Accessory dwelling units, subdivisions and multi-family residential developments are permitted subject to a SDP in the urban, semi-rural and rural environments. Accessory dwelling*

*units, multi-family residential developments and subdivisions may be permitted subject to a SDP and CUP in the conservancy environment. The designation is urban.*

*c. Single-family residential developments may be permitted subject to a SDP and CUP in the conservancy. N/A*

*d. Residential development, except for a caretaker's quarters, is prohibited in the conservancy-public lands environment and the natural environment. N/A*

*e. Multi-family residential development is prohibited in the conservancy-public lands and natural environments. N/A*

#### 4. General Regulations.

*a. Adequate distance between the ordinary high-water mark and residential development shall be maintained to protect water quality, protect natural systems, and ensure the integrity of the shoreline environment. A 50-foot buffer and 5-foot construction setback will be required for all development.*

*b. Residential development shall be consistent with the purpose and intent of the applicable environment designation. The regulation is met.*

*c. Setback and buffer requirements for residential development shall be based on the minimum criteria set forth within the Critical Areas Ordinance (Title 19 of this code) in addition to the site-specific critical area requirements. The CAO buffer of 50-feet is met.*

*d. The placement of residential development on property shall be designed to make the installation of shore protection structures unnecessary. No armoring is proposed.*

*e. Sewage disposal and water systems shall follow state and local health regulations. The regulation is met.*

*f. Septic systems shall not occur within one hundred feet of a biological wetland. N/A*

*g. Surface water drainage shall comply with the Kitsap County Storm Water Management Ordinance (Chapters 12.04 through 12.32 of this code). The regulation is met.*

*h. Where applicable, the following shall be submitted with permit applications.*

*(1) All applications shall provide for a silt and erosion control plan during construction;*

*(2) When applicable, all applications shall include a plan for permanent drainage and erosion control;*

*(3) When applicable, all applications shall include a geological or geotechnical report pursuant to the Critical Areas Ordinance (Section 19.700.010, Special Reports). These regulations have been met. Future individual permits will comply with the requirement.*

*i. In addition to the applicable general regulations depicted within this section, subdivisions and multi-family residential development shall provide for:*

*(1) Public access;*

*(2) Joint or community use and access to the shoreline and shoreline improvements. The proposal provides public access and joint uses.*

*j. Residential development shall not be permitted over the water, except as follows:*

*(1) Pre-existing structures (those enclosed over-the-water structures existing prior to June 1, 1971, which are located landward of extreme low tide on piers) may be considered for conversion into a single-family residence or accessory living quarters, provided that the applicant can demonstrate the following:*

- (a) The intended residential use of the structures will not adversely affect the shoreline environment or the adjacent properties, and will be compatible with the current upland and shoreline uses and the surrounding character of the area;*
- (b) The structure shall not be expanded beyond its existing size.*
- (c) A CUP is required for those enclosed over-the-water structures existing prior to June 1, 1971, which are located landward of extreme low tide. N/A*

**Utility 22.28.280, Stormwater Outfalls**

Per KCC 22.28.280 utilities are defined as *Services which carry electric power, gas, sewage, water, communications, oil, including drainage conveyances and swales.* The proposed storm drainage facility satisfies the definition of “utilities.”

The following utility policies are relevant to the stormwater outfalls:

- a. Utilities should be located to serve the present and future population in areas planned to accommodate growth. To the maximum extent feasible, utility trunk-lines and facilities should be located outside the shoreline area.*
- b. Whenever utilities must be placed on a shoreline, the choice of location and construction should provide for protection of the shoreline environment. Upon completion of installation and maintenance projects on shorelines, banks should be restored to pre-project configuration, replanted with native species and provided maintenance care until the newly planted vegetation is established.*
- c. Utilities on the shoreline should be placed underground or designed to have minimal visual impact.*

There are two proposed stormwater outfall locations for the Port Gamble Redevelopment Project within the shoreline zone. The primary, new proposed outfall is a two-stage, 36-inch diameter primary outfall with a 24-inch diameter overflow outfall comprised of High-Density Poly Ethelene (HDPE pipe). The outfall is to be constructed in the general location of the previous sewage treatment outfall at the road-end of Puget Avenue NE. The two-pipe system will incorporate two 24-inch diameter tee-diffusor systems which will be located on the shoreline, generally traversing a steeply sloped hillside, to a low-lying beach area comprised of deep deposits of well graded sand, gravel and cobble. The shoreline is currently armored in this outfall location.

The second outfall proposes the replacement of an existing 12-inch diameter corrugated metal pipe generally located on the armored beach just north of the road end of Rainier Avenue NE. The existing outfall is built within a historic rock-armored bulkhead and will be enlarged to a 30-inch outfall with a tee-diffusor outfall. The pipe will be comprised of High-Density Poly Ethelene (HDPE pipe).

The proposed stormwater outfalls are being located to serve the proposed growth. The majority of the planned stormwater collection facilities are located outside the shoreline

jurisdictional area. The planned outfalls within the shoreline area will provide stormwater quality and quantity controls to reduce pollution and provide stormwater quantity attenuation. The pocket beach restoration component will also provide a public access beach for community joint use and direct water access and enjoyment.

Per KCC 22.28.280.3.a, *Utilities are permitted subject to a SDP in the urban, semi-rural, rural, conservancy and conservancy-public lands environments only when they serve a permitted use.* The applicant's proposal meets the intent of this requirement.

*Kitsap County Code 22.28.280.4 outlines the following applicable general regulations for utilities:*

*a. Where utility systems cross shoreline areas, clearing of trees and vegetation for installation or maintenance shall be kept to the minimum width necessary.*

*b. Upon completion of installation or maintenance projects, the area affected shall be restored to pre-project configuration, replanted with native or pre-existing species and provided with maintenance care until the newly planted vegetation is established.*

*c. All new replacement utility lines shall be underground, except where it can be shown not to be feasible.* The proposal meets the regulations in a through e.

*5. Sewage Treatment Plant Outfalls. N/A*

*a. Definition. Facilities which discharge treated wastewater effluent into surface waters.*

*b. Policies.*

*(1) Sewage treatment plant outfalls that must be located in the shoreline environment should be properly installed so as to protect the shoreline and water from contamination and degradation.*  
N/A

*(2) Sewage treatment plant outfall facilities should be designed and located in a manner which preserves the natural landscape and shoreline ecology and minimizes conflicts with present and planned land uses.* N/A

*c. Environments and Permit Requirements.*

*(1) Sewage treatment plant outfalls are permitted subject to a SDP in the urban, semi-rural and rural environments only in those situations where upland locations are not feasible.*

*(2) Sewage treatment plant outfalls are prohibited in the natural, conservancy, and conservancy- public lands environments.*

*d. General Regulations.*

*(1) Where allowed, sewage treatment plant outfalls shall be below the extreme low water mark and are permitted only where adequate natural water circulation can be provided.*

*(2) Sewage facilities shall, when feasible, be located within existing rights-of-way.*

*(3) Sewage treatment plant outfalls shall, to the maximum extent possible, be located where their effluent will not negatively impact commercial and recreational shellfish and other critical habitat and marine resource areas. Mitigation may be required for any adverse impacts to fisheries and wildlife resources, natural systems and sensitive areas.*

*(4) All applications for sewage facilities shall include, at a minimum, the following:*

*(a) Reason why facility must be in a shoreline area;*

*(b) Alternative locations considered and reasons for their rejection;*

*(c) Location of other facilities near the proposed project and if the location is to include other types of facilities;*

*(d) Proposed method of construction and plans to control erosion and turbidity during construction;*

*(e) Plans for reclamation of areas disturbed during construction; and*

*(f) Possibility of locating proposed facility within existing utility right-of-way.*

*(5) Discharge of untreated effluent over or into the shorelines of the county is prohibited. Public sewer has been provided for the project in previous applications. Sewer is managed by the Public Utility District 1 system, as well as the potable water systems to the site.*

Environmental

*See Critical Areas and Shoreline analysis above.*

**j. Access, Traffic and Roads**

The project includes proposed transportation improvements to mitigate potential impacts at the intersection of Puget Way and SR-104 and SR-104 and SR-307 (Bond Road) for both alternatives. At the intersection of Puget Way and SR-104 a roundabout is proposed to provide traffic control at the intersection based on the projected Level-of-Service F at project buildout. The estimates that roundabout would improve the operations to LOS A, providing traffic calming, efficient vehicular, bicycle and pedestrian traffic flow. The roundabout would provide a new gateway.

A number of surface street provide vehicular access within the site, in addition to sidewalks and trails helping non-vehicular mobility. Many of the streets will be improved to new standards. One of the major road improvements will be includes the extension of Carver Drive to the south to provide access lots within the Rural Wooded zone and the LOSS system. The objective is to retain the existing road network based on the historic grid pattern of the town and balance the desire to retain mature historic trees and existing structures. Development Services and Engineering has issued preliminary conditions of approval.

**k. Fire Safety**

Port Gamble receives fire protection services from Fire District 18 which headquarters is in the City of Poulsbo. The nearest fire station serving Port Gamble is located approximately 3 miles away at 2882 Falkner Road NE. During review of the Site Development Activity Permit the project will be reviewed for fire access, fire flow and location of existing and future fire hydrants. The Fire Marshal's Office has reviewed the project and recommends approval with conditions.

**l. Solid Waste**

The master plan was reviewed for consistency with solid waste requirements. It is expected that many of the single-family home with will have curbside pickup of solid waste. If inaccessible by Waste Management trucks, there may be an off-site

collection point. Through the SDAP review process commercial and multi-family development will be reviewed for the dumpster and recycling enclosure location. Waste Management will be required to review and approve the location of enclosures for access.

**m. Water/Sewer**

Water and sewer utilities currently serve the project site. Applicant is proposing improvements to provide additional and upgraded service. A regional water line has been extended north to Port Gamble allowing Kitsap Public Utility District (KPUD) to provide sufficient water service for the full development site. Additional storage and conveyance lines will be provided and phased in over time to serve existing and new development.

Sewer service is provided through an on-site and collection pipes that drain to a treatment facility in the northwest portion of the site. A large onsite septic system (LOSS) was completed in 2017 as a joint project between OPG and Washington Department of Ecology. The facility is an MBR sewage treatment plant followed by infiltration in a sand unit located southwesterly of the treatment plant. The parcels within the rural portion of the plan are shown to be connected to the system which includes a primary and reserve drainfield. The system capacity was designed to serve the total project site so the old antiquated treatment plant and outfall to Hood Canal be abandoned and opening of shellfish beds. Along with the water system KPUD will continue to manage the MBR treatment plant.

**n. Kitsap Public Health District**

Kitsap Public Health has reviewed the project and noted the project will be served by public water and a large on-site sewage disposal system. No additional conditions are required but the District will require binding water and sewer letters at the time of Final Plat.

**13. Review Authority**

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.

**14. Findings**

The Hearing Examiner has review authority for this Port Gamble Redevelopment Plan Preliminary Plat Performance Based Development application under KCC 17.321B and KCC 21.04.100 and this Shoreline Substantial Development Permit application per KCC 21.04.030 and KCC 22.08.070. The Hearing Examiner as the review authority for this Preliminary Plat application per KCC 16.04.060 Conformity with Codes.

**KCC 17.425.050 Decision Finding**

In recommending approval of the preliminary development plans for a performance-based development, conditionally or otherwise, the hearing examiner shall first make a finding that all of the following conditions exist:

1. The design of the PBD meets the requirements of this section, other sections of the county code and the goals and policies of the Comprehensive Plan and the site is adequate in size and character to accommodate the proposed development.

*Staff Comment: The Department finds that the site for the Plat/PBD is adequate to accommodate the residential development while being consistent with required development standards.*

2. The design of the PBD is compatible with neighboring conforming land uses. An assessment of compatibility shall include, but not be limited to, the consideration of association with adjacent land uses and the proposed project's effects on existing views, traffic, blockage of sunlight, and noise production.

*Staff Comment: The residential development is compatible with neighboring residential land uses adjacent to the development site. The project has been conditioned to address critical areas, shoreline impacts, landscaping, frontage improvements, which include pedestrian facilities to promote safe walking conditions inside and outside the project.*

3. If the development is phased, each phase of the proposed development shall meet the requirements of this chapter.

*Staff Comments: Consistent KCC 16.04.120 the applicant has submitted a phasing plan. Future phasing will be reviewed pursuant to a Development Agreement.*

4. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

*Staff Comment: The road and site design are consistent with the historic character and adequate to meet projected vehicle trips on the local road network.*

5. The proposed and/or existing public facilities and utilities are adequate to serve the project; and

*Staff Comment: The project will be properly served public facilities and utilities such as storm drainage, water and sewer service.*



6. The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety or welfare of persons residing or working in a neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood, or contrary to orderly development.

*Staff comment: Staff has reviewed the Preliminary Plat/PBD application to ensure that the development will not be detrimental to the health, safety, and welfare of persons residing in this subdivision and/or to persons residing or adjacent to the project. The Kitsap County Fire Marshal, Kitsap Public Health District, Public Works Department, and DCD Development Services and Engineering have reviewed the project. The project has been conditioned to address public roadway improvements, storm drainage, fire safety, pedestrian circulation and private road improvement.*

7. Innovations and/or public benefits shall be commensurate with the code modifications proposed.

#### **15. Recommendation**

Based upon the analysis above and the decision criteria found in KCC 17.321B and 17.425.050, the Department of Community Development recommends that the Preliminary Plat/Performance Based Development request for Port Gamble Redevelopment Plan, Preliminary Plat and Shoreline Substantial Development Permit be approved, subject to the following 81 conditions:

##### **a. Planning/Zoning**

1. All required permits shall be obtained prior to commencement of land clearing and/or construction.
2. All building permits are subject to impact fees pursuant to Kitsap County Code.
3. A Final Landscape Plan will be required to be submitted consistent with KCC 17-385 Landscaping (per 2013 vesting), during civil site plan review, which depicts natural vegetation, and the planting and irrigation plan. The tree retention plan shall be included with the SDAP.
4. Street trees shall be planted along the access driveway and on individual lots at approximately 25-foot spacing. A final landscape plan will be subject to approval by the Department prior to SDAP approval. Trees on individual lots

are required to be installed prior to Certificate of Occupancy for associated individual residential units.

5. Include a note on the face of the plat showing building setbacks for new development as conditioned per the plat approval.
6. Consistent with the PBD and the Town Development Objectives include the parking reduction criteria for the Master Plan on the final plat.
7. Pursuant to KCC Section 21.04.110 Timeline and Duration of Approval, Kitsap County's land use approval for the preliminary plat is valid for a period of up to five (5) years from the decision date of the preliminary plat consistent with RCW 58.17.140 and .170.
8. The decision set forth herein is based upon representations made and exhibits contained in the project application (File# 13-0065 and 13-00164). 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.
9. 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.
10. Any violation of the conditions of approval shall be grounds to initiate revocation of this PBD/ Preliminary of Final Plat approval.

**b. Environmental**

11. The uses of the stormwater outfall facility are limited to non-commercial uses.
12. Design, construction and installation of the stormwater outfall shall be consistent with the site plan and application as submitted. Any alterations or modifications to any approval shall require additional review and approval from Kitsap County and applicable State and Federal agencies.

13. A final stormwater outfall planting plan shall be required with the SDAP application submittal. Plant substitutions may be required.
14. Hydraulic Project Approval (HPA) will be required for outfall construction at the shoreline. The HPA will be conditioned to minimize scouring effects on the beach, thus mitigating impacts to intertidal habitat.
15. A National Pollution Discharge Elimination System (NPDES) permit will be required for general construction activity at the shoreline.
16. Upon final Shoreline Substantial Development Permit issuance, all construction must commence within two years and be complete within five years. A onetime one-year extension is available but only if requested on or before ninety days of original permit expiration. No exceptions are allowed unless provided for by law.
17. A Conversion Forest Practice Application (FPA) will be required with submittal of the SDAP if more than 5,000 board feet or merchantable timber is planned for removal.
18. All clearing limits shall be located outside of all buffer areas. Clearing limits shall be accurately reflected on the SDAP.
19. Slope buffers shall conform to the recommended setback
20. Non-clearing native vegetation buffers shall be established along the perimeter of all on-site wetlands. The buffer shall be marked with wetland buffer signs on a split rail fence, or alternatively may be installed on live trees or posts. Sign spacing will be determined at time of site development activity permit. Buffer signs will be made available at that time.
21. A formal trail plan shall be required and approved by DCD environmental staff prior to any development, installation and/or construction. Trail width shall not exceed five feet unless there is a demonstrated need, subject to review and approval by the department. Trails shall be constructed with pervious materials unless otherwise approved by DCD environmental staff. The planned pocket beach shoreline trail width of 6-feet has been determined to be acceptable.

22. The trail and bench locations shall be staked out and evaluated and approved by DCD environmental staff prior to final design and location. Trails shall be depicted on the SDAP and Final Plat/PBD document.
23. Open space tracts shall be labeled as “non-clearing native vegetation buffer” on the SDAP and Final Plat/PBD. If a trail is proposed within open space tracts, tree removal shall be prohibited for the location of the trail.
24. Trees and/or vegetation within all open space and future development tracts considered hazardous shall be evaluated by DCD staff and/or a certified arborist and DCD shall grant approval prior to removal of any vegetation. Replanting of removed vegetation may be required. This requirement shall be included in the CC&Rs filed with the plat/PBD.
25. The open space tracts shall remain in native vegetation with the exception of vegetation removal approved by Kitsap County DCD for hazard tree management, trail installation or stormwater management. Clearing limits shall not extend any more than necessary and shall be limited to 10 feet from lot lines except where approved for hazard tree removal.
26. A split rail fence shall be installed along the outer wetland buffer edge prior to SDAP final inspection approval and sign off. The split rail fence shall be depicted on the SDAP and Final Plat/PBD
27. Should any archeological artifacts be encountered during development activity, work shall stop until an archeological investigation report is submitted for Kitsap County DCD review and coordination with the Port Gamble S’Klallam Tribe and/or the Suquamish Tribe.

**c. Fire Safety**

28. Fire apparatus access roads are required and must be maintained. Any proposed revision to these roads must be submitted to, reviewed and approved by the Kitsap County Fire Marshal's Office. IFC 503 Amended by Kitsap County. Access roads shall comply with the following:
  - a.-Unobstructed width of 20 feet and height of 13 feet 6 inches.
  - b.-Shall be designed and maintained to support a 60,000-pound fire apparatus and be provided with an all-weather driving surface.
  - c.-Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.
  - d.-Inside turning radius shall be a minimum of 25 feet.

e.-Access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the structure as measured by an approved route around the exterior of the structure or facility.

f. Road shall not be more than 12% grade.

29. Fire flow at this time has not been determined. Calculation of fire flow shall be determined at time of SDAP.

30. Water line size and location and the location of fire hydrants must be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits.

31. Hydrant locations are not approved on this application. Further review shall be completed at time of SDAP. Hydrants shall be placed no more than 400 feet from each other, up to 600 feet if protected by a fire sprinkler system for commercial buildings. One hydrant shall be within 50 feet of the fire department connection (FDC). For Group R-3 and U occupancies, the distance requirement shall be 600 feet. Where hydrants supply commercial or multifamily fire flows, a hydrant shall be placed not more than one hundred fifty feet (150') nor less than fifty feet (50') from the protected building. IFC 508.5.1 as amended by Kitsap County.

32. Requirements for automatic fire sprinkler systems and fire alarm systems are not included in this review. Systems shall be determined at SDAP and building permit applications.

**d. Development Engineering**

**GENERAL**

33. 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.

34. 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.

**STORMWATER**

35. The information provided demonstrates this proposal is a Major Development as defined in Kitsap County Code Title 12, and as such will require a Site Development Activity Permit (SDAP) from Development Services and Engineering, designed to the 2010 version of the Kitsap County Stormwater Design Manual.
36. 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 Plat/Performance Based Development application was deemed complete January 17, 2013. 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.
37. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Services and Engineering for review and approval. The phasing plan shall, as a minimum, address the following items:
38. Timetables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase.
39. The extent of drainage improvements to be installed during the various phases.
40. Any project that includes offsite 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 Plat/Performance Based Development application was deemed complete, January 17, 2013.
41. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall.
42. 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.

43. Per WAC 173-175, the construction of pond berms that will impound a volume of ten acre-feet or more of water requires review and approval by the Department of Ecology. This approval must be completed prior to issuance of the SDAP.
44. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as an Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.
45. 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.
46. Any fill site receiving 150 cubic yards or more of material must obtain an SDAP.
47. Fill sites receiving 5,000 cubic yards or more, or located within a critical area, must have an engineered SDAP.
48. 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.
49. The application indicates that a significant quantity of grading material will be exported from the site. Typically, this means five or more trucks leaving the site per hour. Because of this a vehicle wheel wash must be included as an element of the siltation erosion control plan.
50. The design of the infiltration facilities will be accordance with Section 7.3.4 of the Kitsap County Stormwater Design Manual.
51. The infiltration facilities shall remain offline until the drainage areas are stabilized, and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over

infiltration facilities. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.

52. 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.
53. 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.
54. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final plat. 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 Stormwater Design.
55. If the project proposal is modified from that shown on the submitted site plan dated November 18, 2020, Development Services and Engineering will require additional review and potentially new conditions.

**e. TRAFFIC AND ROADS**

56. 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.
57. Public roads, if any, shall not exceed 12% grade or less depending on the road classification per Kitsap County Road Standards.



58. The interior roads of the proposed plat that are proposed as public roads, if any, shall be designed and constructed in accordance with Kitsap County Code 11.22 and the Kitsap County Road Standards for a local access road or an approved higher standard. Such roads shall be publicly maintained, and the right-of-way dedicated to Kitsap County.
59. The following note shall appear on the face of the final plat map. "Interior roads [specify in the note names or other designations of all private roads] shall remain private."
60. 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.
61. The hammerhead(s), if any, shall be designed to accommodate a SU design vehicle. The dumpster enclosure shall not be considered as part of the hammerhead. The wheel path of the design vehicle shall remain within the paved area for all required movements.
62. All rights of access for adjoining properties currently in existence shall be preserved and documented on the face of the final plat. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP or final plat acceptance.
63. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
64. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
65. 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. Any

roads proposed as public roads shall be constructed to current County standards and deeded as public right-of-way.

66. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on State Route 104. 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.
67. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
68. The developer's engineer shall certify that there is adequate entering sight distance at the intersections of State Route 104 and the interior plat roads. 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 Washington State Department of Transportation. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.
69. 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).
70. Before SDAP acceptance, the applicant shall submit a set of drawings to the Washington State Department of Transportation (WSDOT) 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.

71. Final plan approval will require documentation of WSDOT approval for impacts to and any required mitigation on State Route 104. WSDOT point of contact is Dale Severson at (360) 357-2736:

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

72. 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.

#### **NON-MOTORIZED TRANSPORTATION**

73. The required Site Development Activity Permit shall depict the trail section south of NE Carver Drive as a "Proposed multi-use path".

#### **SURVEY**

74. The Final Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
75. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easement shall be provided on each side of private road tracts.
76. All potential park areas, common open space, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance responsibility shall be addressed on the face of the final plat, as well as in the CC&Rs.
77. Access to all lots shall be from roads within the proposed plat boundaries. A note to this effect shall be placed on the Final Plat.

#### **f. SOLID WASTE**

78. Prior to SDAP approval, Waste Management (360) 674-3166 shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider (e.g. dumpster size and location) for the project. Attention to access requirements for collection trucks is important. Documentation shall be provided from the solid

waste/recycling service provider that their requirements for this project have been met.

**OTHER**

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

80. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 4.7.5.

**g. Kitsap Public Health District**

81. Kitsap Public Health District will require binding water and sewer letters at the time of Final Plat.

**Report prepared by:**



Jeff Smith, Staff Planner / Project Lead

12/10/2020

Date

**Report approved by:**



Scott Diener, Department Manager / Supervisor

12/10/2020

Date

**Attachments:**

- Attachment A – Alternative-1 Site Plan
- Attachment B – Alternative-2 Site Plan
- Attachment C – Port Gamble Plat Map
- Attachment D – Existing Assessor’s Parcel List
- Attachment E – Port Gamble Neighborhood Parking Plan Map
- Attachment F –Project Phasing Plan

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Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD

DSE

DCD Staff Planners: Jeff N. Smith, Steve Heacock

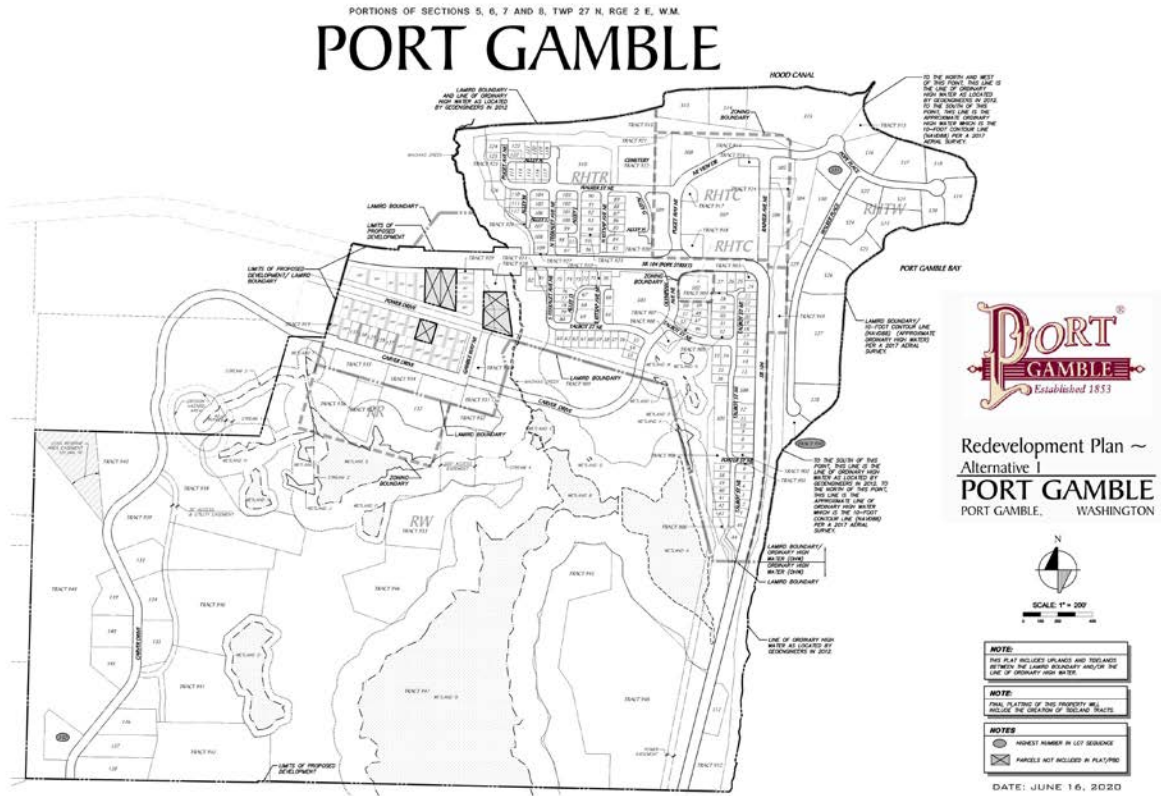
**Alternative -1  
Site Plan**



### Alternative-2 Site Plan



Port Gamble Plat Map



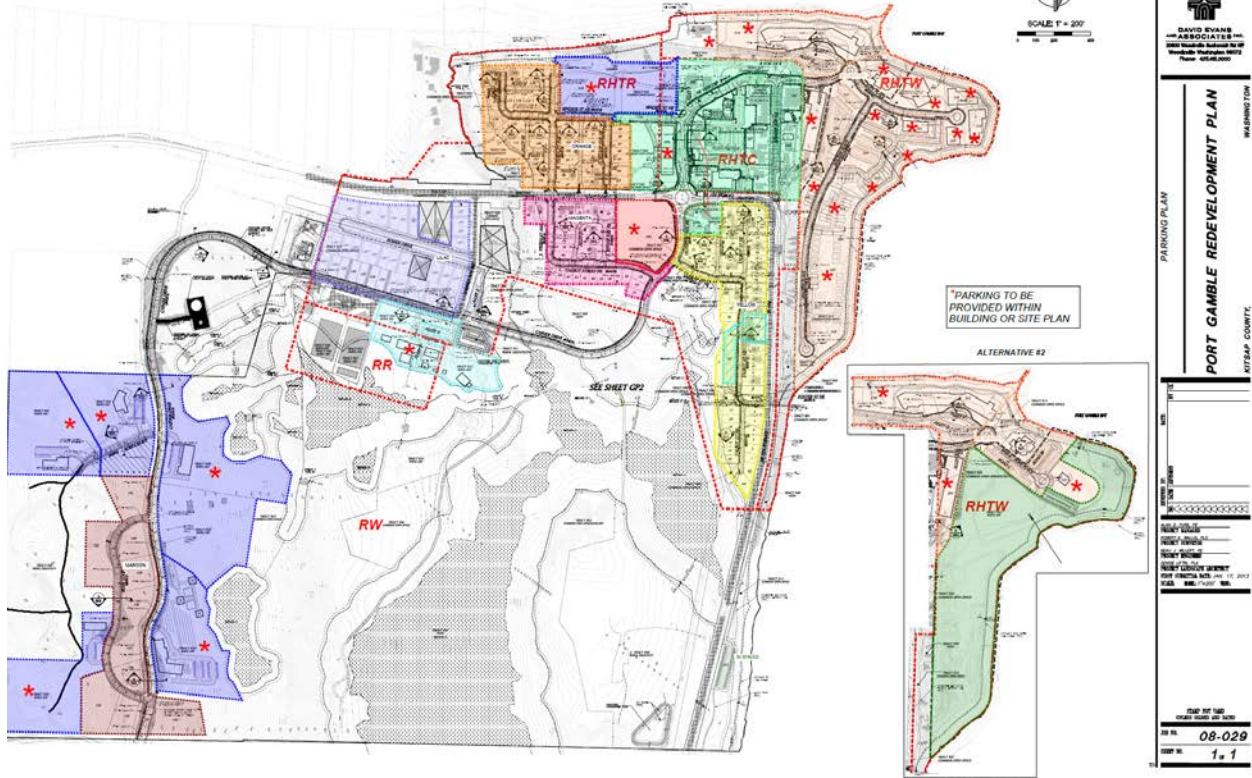


**Existing Assessor's Parcel List**

Map ID No.	Assessor's No.	Size Acres
A.	052702-3-003-2009	23.78
	052702-3-001-2001	33.03
G.	052702-3-001-2308	0.00
B.	062702-4-002-2007	17.95
C.	062702-4-003-2006	1.08
	062702-4-004-2005	0.00
F.	062702-4-005-2004	3.58
D.	062702-4-006-2003	2.62
K.	072702-1-003-2001	6.98
J.	072702-1-005-2009	2.19
H1.	072702-1-006-2008	41.72
I.	072702-1-007-2007	1.38
L.	072702-1-014-2008	20.63
	072702-1-015-2007	19.75
	072702-1-016-2006	19.69
	072702-1-017-2005	19.51
Q.	072702-1-019-2003	19.17
P	072702-1-020-2000	21.61
O	072702-1-021-2009	43.30
	072702-1-001-2001	20.72
	072702-2-006-2006	20.47
M	072702-2-029-2009	22.94
E	082702-2-030-2006	40.99
	082702-2-001-2000	9.15
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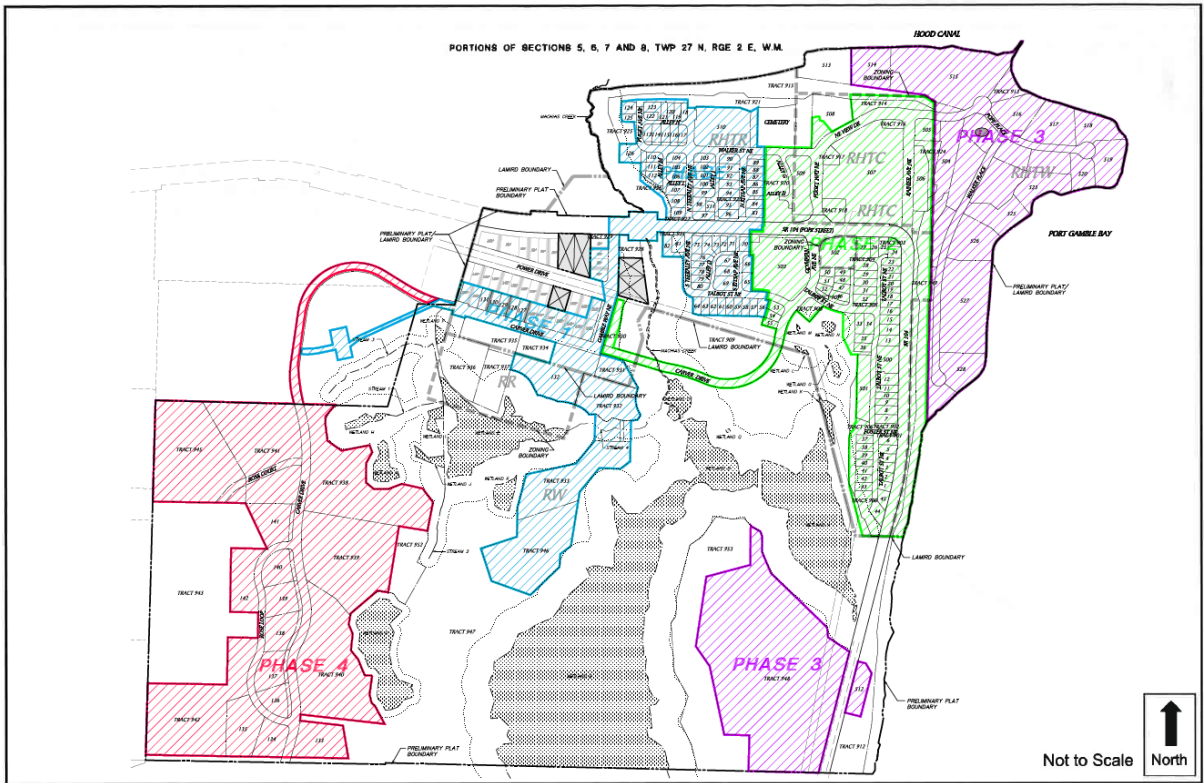
### Port Gamble Neighborhood Parking Plan Map

PORTIONS OF SECTIONS 5, 6, 7 AND 8, TWP 27 N, RGE 2 E, W.M.  
**PORT GAMBLE**



### Project Phasing Plan

#### Port Gamble Redevelopment Plan Final EIS



Source: David Evans and Associates, 2018.



**Figure 2-9**  
Alternative 1 - Phasing