



Staff Report and Administrative Decision

Report Date: September 27, 2017

Application Complete Date: August 31, 2017 Application Submittal Date: August 24, 2017

**To: Envirohomes NW, Inc/Dian McCone
 Ron Cleaver, Team 4 Engineering
 Interested Parties and Parties of Record**

**RE: Permit Number: 17 03461
 Project Name: Silverthorne Preliminary Plat
 Type of Application: Preliminary Plat Minor Amendment**

Decision Summary:

The applicant is requesting approval for a minor amendment to revise the preliminary site plan approved by the Hearing Examiner on August 29, 2007. The proposal includes reducing the plat by two lots and reducing four lots below the standard width size. This application is vested to the 2006 zoning code.

An application for Silverthorne Preliminary Plat was submitted in 2006 requesting approval to subdivide 9.52 acres into 48 single family residential lots. The site is zoned Urban Low and will be served by public sewer and water. Minor amendments to approved Preliminary Plats are allowed, pursuant to Kitsap County Code (KCC) 16.04.040 Amendments to Preliminary Plats. The review authority for the minor amendment is the Department of Community Development per KCC Title 21.

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

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

Project Location:

9620 Dickey RD NW
Silverdale, WA 98383

Assessor's Account #:

192501-1-012-2009 and 192501-1-020-2009

Applicant/Owner of Record:

Dian McCone
PO BOX 1954
Silverdale, WA 98383

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SEPA (State Environmental Policy Act):

A SEPA decision was issued during the preliminary plat review, Permit #06 35837. The Responsible Official at the time signed a Determination of Non-Significance on July 24, 2007. No appeals were filed. Because this minor amendment is reducing the number of lots, no new environmental impacts will occur. The revision to the Preliminary Plat is within the threshold of the environmental determination.

Physical Characteristics:

The application includes two 4.76 acre, square shaped parcels.

Comprehensive Plan Designation and Zoning – Vested to 2006 Zoning Code:

Urban Low

Base/Maximum Density: 5-9 dwelling unit per acre

Minimum Lot Area - None

Minimum Lot Width - 60'

Minimum Lot Depth - 60'

Standard Urban Low Zoning Code Zoning Setbacks

Front - 20'

Side - 5'

Rear - 5'

Surrounding Land Use and Zoning:

The surrounding areas are also zoned Urban Low. The zoning changes to Industrial across Dickey Road to the west, approximately 510 feet away.

Public Utilities and Services:

Water: PUD

Power: Puget Sound Energy

Sewer: Sewer

Police: Kitsap County Sheriff

Fire: Central Kitsap Fire District

Schools: Central Kitsap School District

Access:

Access of the property is off of Dickey Road, via an existing driveway.

Policies and Regulations Applicable to the Subject Proposal:

The Growth Management Act (GMA) of the State of Washington, Revised Code 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

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Adopted June 30, 2016

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

Kitsap County Code (KCC)

Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning

Chapter 18.04 State Environmental Policy Act (SEPA)

Chapter 20.04 Transportation Facilities Concurrency Ordinance

Chapter 21.04 Land Use and Development Procedures

Public comments:

No public comments were received.

Analysis:

Project Analysis:

The request is only for revising the configuration of the preliminary plat site plan, dated, 2007 approved by the Hearing Examiner. The minor amendment does not change the density or the Examiner's conditions of approval. The applicant is proposing a revision to the approved Preliminary Plat that includes the following:

1. The original approval was for 48 lots and this application proposes to reduce the amount of lots down to 46 total.
2. This application proposes to narrow four lots from 60' wide to 54' wide.

The applicant provided a response to the criteria specified in KCC 17.455.010 Director Authority:

A. Minor Amendment:

1. General Requirements: Minor amendments shall address those changes to an approved preliminary plat that fall within the scope of the original approval and/or do not significantly increase impacts to surrounding properties. For these purposes, when quantifiable, 'significant' shall mean a greater than 10% increase when the impact quantifiable.

Staff Comments: *The Department determined that the proposed amendment falls within the definition of minor amendment to the Silverthorne Preliminary Plat, which includes reducing the amount of lots from 48 to 46 and narrowing of 4 lots from 60' wide to 54' wide. Both these alterations fall under the 10% quantifiable threshold.*

Findings:

A proposed minor subdivision amendment may be approved if the Director makes written findings that all of the following are satisfied. If one or more are not satisfied, the application must proceed as a major amendment.

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A: There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings that were not created by the applicant and do not apply to other property in the same vicinity or zone;

Staff Comments: *It was discovered that there was an adjacent landfill to the western portion of the subject properties. There are contaminated and buried waste associated with the landfill. This application seeks to alter the original preliminary plat layout in response to debris found in the test holes. In consequence, it was deemed inappropriate to locate home sites over these areas. The new plat map includes "open space tracts" over the areas impacted by the landfill in the northwestern and southwestern portions of the site. The applicant was not aware of the landfill until the review process of the SDAP. This was not created by the applicant. The surrounding properties were not impacted by the landfill nor were other properties in the zone.*

B: Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;

Staff Comments: *The proposed amendment is necessary to preserve the ability to develop the property in a substantially similar way as was originally approved. The property is zoned Urban Low which supports the type of proposal.*

C: The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity of zone in which the property is located; and

Staff Comments: *Because this amendment seeks to reduce the amount of lots originally approved, public welfare and the surrounding property will have less impacts. The surrounding areas to the north and south have similar character and development of this preliminary plat will not harm public welfare or property.*

D: The variance is the minimum necessary to grant relief to the applicant.

Staff Comments: *This amendment solves the challenges of the landfill without altering the character or nature of the original proposal. The relief sought in the application is less than the 10% quantifiable threshold.*

Decision:

The Department has reviewed the request in accordance with the conditions of approval for the minor amendment per Kitsap County Code 17.455.010, Director Authority to Approved Preliminary Plats and here-by approves the request for the revised site plan, submitted on August 24, 2017.

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

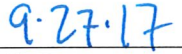
The complete case file is available for review at the Department of Community Development(DCD); if you wish to view the case file or have other questions, please contact

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help@kitsap1.com or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.



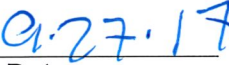
Katharine Shaffer, Project Lead



Date



Scott Diener, Development Services and
Engineering Manager



Date

CC: Interested Parties: None
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Katharine Shaffer
DCD File Permit #: 17 03461 and 17 01040