



Notice of Administrative Decision

Date: 3/23/2021

To: M&P BUILDERS INC, mpbergs@comcast.net
KEGEL ENGINEERING*(Fred Kegel), kegelengineering@gmail.com

RE: Permit Number: 19-00365
Project Name: M & P Builders Inc. – Preliminary Short Subdivision Approval
Type of Application: Short Subdivision, Type II

The Kitsap County Department of Community Development has **APPROVED** the land use application for 19-00365 M & P Builders Inc. – Preliminary Short Subdivision Approval, Type II, **subject to the conditions outlined in this Notice and included Staff Report.**

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

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

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

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

CC: Interested Parties:
None
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Peggy Bakalarski



Kitsap County Department of Community Development

March 17, 2021

M & P Builders Inc.
10813 32nd Street CT
Gig Harbor, WA 98335

RE: Short Subdivision #7444 – M & P Builders Inc.
Permit No. 19-00365
Tax Account No. 362401-3-029-2006

Dear Applicant:

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

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

The Department has further determined that the land segregation as it is presented in the preliminary short subdivision, received 01/30/19 by the Department of Community Development, conforms or will conform subject to conditions set forth in this letter, to the following:

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

Approval is subject to the following conditions:

LAND USE

1. Adhere to all elements and requirements set forth in Kitsap County Code 16.48.
2. The following condition shall be added to the face of the final short subdivision: Building permits issued on a lot in this short subdivision may be subject to impact fees pursuant to Kitsap County Code.
3. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.
4. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.

5. The decision set forth herein is based upon representations made and exhibits contained in the project application (revised PP drawing). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
6. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

SURVEY

1. At the time of submittal of the final short subdivision a title certificate, current to within 30 days, is required. Please note or delineate on the face of the final short subdivision all pertinent special exception items in Schedule “B” of the title certificate.
2. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.

STORMWATER

1. Construction plans and profiles for all roads, storm drainage facilities and appurtenances prepared by the developer’s engineer shall be submitted to Kitsap County for review and acceptance. No construction shall be started prior to said plan acceptance.
2. Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.
3. The information provided demonstrates this proposal is a Large Project as defined in **Kitsap County Code Title 12**, and as such will require a Full Drainage Review Site Development Activity Permit (**SDAP**) from Development Services and Engineering.
4. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with **Kitsap County Code Title 12** effective at the time the Preliminary Short Subdivision application was deemed complete, January 30, 2019. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.

5. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.
6. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as a Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.
7. The design of the infiltration facilities will be in accordance with Volume II, Chapter 5 of the Kitsap County Stormwater Design Manual.
8. The infiltration facilities shall remain off line 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.
9. 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.
10. Lots B and C shall incorporate individual lot infiltration systems per the Final Accepted Drainage Plans on file under SDAP 19-00377, on file with Kitsap County Department of Community Development (under review with the Department of Community Development as of the date of this Memo). At the time of Building Permit Application, the property owners must submit a plan for approval by the Development Engineering, showing the design of the roof conveyance system and location of the proposed stormwater infiltration systems. The infiltration system and conveyance piping shall be installed and accepted prior to occupancy.
11. Prior to recording the Final Plat, soil amendment is required over all disturbed areas within Tracts that are not covered by hard surface.
12. The following condition shall be added to the face of the Final Plat: At the time of submittal of a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.
13. 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.

14. Before SDAP acceptance, the applicant shall submit a set of drawings to the City of Port Orchard for review. The applicant shall notify Development Services and Engineering in writing when the plans have been submitted to the City. Development Services and Engineering shall coordinate with the City to determine if the City has any comments to the submittal.
15. 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.
16. If the project proposal is modified from that shown on the submitted site plan accepted for review February 2, 2021, Development Services and Engineering will require additional review and potentially new conditions.

TRAFFIC

1. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.
2. The following note shall appear on the face of the final plat map. “All interior roads shall remain private.”
3. All traffic control devices on public and private roads shall comply with the Manual on Uniform Traffic Control Devices as amended by the Washington Administrative Code. This is in accordance with 23 Code of Federal Regulations (CFR), Part 655.
4. The hammerhead shall be designed to accommodate a SU design vehicle. The wheel path of the design vehicle shall remain within the paved area for all required movements.
5. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
6. 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.
7. Submit plans for construction of the road approach between the edge of

- existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Existing approaches may need to be improved to meet current standards.
8. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Harris Road SE and the plat access road. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.
 9. 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).
 10. Prior to completion of the associated Site Development Activity Permit with the Department of Community Development, the Applicant shall apply for and satisfy all conditions of a Right-of-Way Permit through the Department of Public Works for any and all work performed in the county Right-of-Way associated with this project. Apart from the Site Development Activity Permit (SDAP), the Right of Way permit may require extra work to comply with current Washington State Department of Transportation or Kitsap County Road Standards. You may contact Kitsap County Public Works, Right-of-Way Division at (360) 337-5777 to obtain a Right-of-Way permit.
 11. The method of Solid Waste service shall be stated on the Site Development Activity Permit plans.
 12. 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. Pay particular attention to the access requirements of collection trucks. Documentation shall be provided from the solid waste/recycling service provider that their requirements for this project have been met.
 13. 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 for such walls. This note shall be placed on the face of the final construction drawings.

14. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9, Kitsap County Stormwater Design Manual.

FIRE MARSHAL

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:

1. Unobstructed width of 20 feet and height of 13 feet 6 inches.
2. Shall be designed and maintained to support a 60,000-pound fire apparatus and be provided with an all-weather driving surface.
3. Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.
4. Inside turning radius shall be a minimum of 25 feet (residential).
5. 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.
6. Road shall not be more than 12% grade.
7. 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.
8. Exception: Access may be increased to 15% if all homes are sprinklered. If grade is not brought to 12% Please add the following note to the face of the plat: "Automatic fire sprinklers, as approved by the Kitsap County Fire Marshal, shall be installed throughout homes here and after constructed on lots created by this land division".

HEALTH DISTRICT

1. Sewered building clearances will be required prior to building permit issuance. The existing septic tank will need to be abandoned per code and a tank abandonment form completed.

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

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

19-00365 M & P Builders Inc. – Preliminary Short Subdivision Approval
March 16, 2021

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

Sincerely,



Peggy Bakalarski, Project Lead

Cc: Surveyor: Kegelengineering@gmail.com