



## Staff Report for the Hearing Examiner

Report Date: May 4, 2017

Application Submittal Date: June 29, 2016

Hearing Date: May 11, 2017

Application Complete Date: June 29, 2016

**Permit Number:** 16 02933

**Project Name:** Shadowhawk Preliminary Plat

**Type of Application:** Preliminary Subdivision

*Jeff Smith Senior Planner, Candy Vickery, Engineer 1, and Steve Heacock, Environmental Planner, prepared this staff report based on information available up until the time the report was prepared. New information relevant to review of this application may become available prior to the hearing or at the hearing. Staff may wish to change their analysis based upon that new information, and reserves the right to do so.*

### **Proposal Summary:**

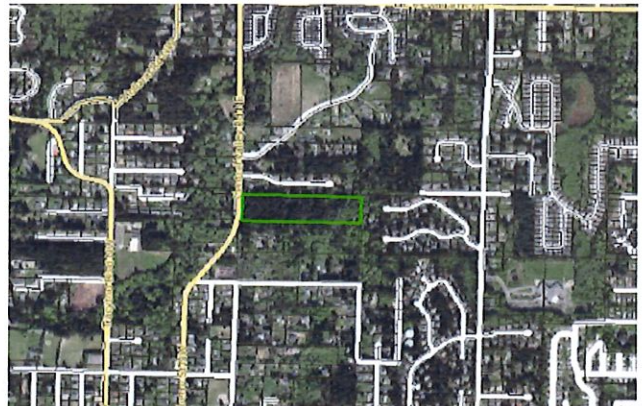
The request is for approval of an application for a three-phased Preliminary Subdivision to subdivide a 7.96-acre parcel into 52 lots with single-family detached residential units. The roads will be private, with on-street parking spaces and sidewalks. The plat will include a recreation facility. The plat will be served by Kitsap County sewer facilities, and water will be supplied by City of Bremerton Water Utility. The request will be processed pursuant to Kitsap County Code Titles 16 Land Segregations, 17 Zoning Code and other applicable titles. The project was also reviewed per KCC Title 12 and KCC Title 19 Critical Areas.

### **Project Request:**

Sheri Harader is requesting a Preliminary Plat to create 52 single-family urban lots in Central Kitsap County.

### **Project Location:**

The project is located at the 5800 block of Central Valley Road, and the nearest road intersection is north at NE Teri Court and located within Central Kitsap County



### **Assessor's Account #:**

352501-2-040-2003

**Applicant/Owner of Record:**

Sheri Harder  
PO Box 65266  
Port Ludlow, WA 98365-0266

**SEPA (State Environmental Policy Act):**

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of "major" environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application dated July 21, 2016 (Exhibit 15). A Mitigated Determination of Nonsignificance (DNS) was issued on April 21, 2017 (Exhibit 28). The SEPA appeal period expired May 5, 2017. No appeals were filed; therefore the SEPA determination is final.

SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under condition 22 at the end of this report:

**COMMENTS:**

The SEPA comment period previously occurred concurrent with the Notice of Application dated July 21, 2016. There were several public comments received by neighbors concerned with potential traffic impacts, stormwater control and tree safety concerns. Comments will be addressed in the Staff Report, and through the SEPA conditions and mitigation below.

**CONDITIONS:**

1. The proposal will be conditioned for stormwater control pursuant to KCC Title 12 (Stormwater Management). On-site infiltration is proposed. Impacts to Mosher Creek for system overflow will be reviewed in future phases, should infiltration prove infeasible.
2. Due to the presence of steep slopes on the property and unclassified drainage conveyance systems, the proposal will be conditioned to follow all recommendations of the geotechnical report per KCC Title 19.400 and 19.700.

**MITIGATION MEASURES:**

1. The stormwater design plans to detain and infiltrate stormwater through innovative Stormwater techniques. Should the designs change upon future permitting or phasing of the Site Development Activity Permit (Final Plat designs), a revised SEPA Decision may be issued by the SEPA Responsible Official.
2. A tree safety analysis has been performed by the applicant through a certified risk assessment report prepared by Katy Bigelow. Design efforts will implement recommendations

of this report to assess on-site tree safety and the safety of the residents of Madrona Heights, located to the west of the plat. The 20-foot Madrona Heights-required buffer may have potential wind throw impacts by this development. Further tree safety analyses will be provided by additional risk assessment.

**Physical Characteristics:**

The subject property is located on the east side of Central Valley Road within the Tracyton area in Central Kitsap County. The parcel is rectangle shaped, undeveloped and is approximately 8 acres in size. A wetland consultant performed a wetland inventory and did not identify wetlands on the site. The property is located within the Mosher Creek drainage basin and is near the headwaters to a tributary to Mosher Creek.

Slopes – The site slopes generally from east to west with slopes between 5 - 20% on a majority of the property. The property slopes up gradually from Central Valley Road NW and about a quarter of the way up the property the slopes become increasingly steep to a top of a ridge. The Soil Survey of Kitsap County classifies the soils on the subject as within the Alderwood series, ranging 0 to 30% slopes. The soils are moderately deep, moderately well-drained soils formed in glacial till and located on broad uplands. The property is located within a Category I Aquifer Recharge Area (1 - 5 year travel zone). Pursuant to Chapter 19.600 Aquifer Recharge Areas, the proposed plats are an allowed use and not require analysis for potential threat to groundwater contamination.

Vegetation – The property is composed entirely of upland forest dominated by a relatively even-aged stand of conifer trees and a sparse herbaceous layer. Per a request by staff, the applicant's arborist performed a Level-1 assessment of the development site to evaluate the existing tree stands and performed a risk assessment for wind throw of trees within the buffer in the abutting plat of Madrona Heights to the north. The arborist found that the property contains a mixture of mainly first- and second-growth native tree species with dense underbrush. Douglas fir and Western Red Cedar mostly dominate the development site. The arborist identified multiple areas for trees to remain and two areas along the north property line near the center where there are trees affected by root rot.

**Comprehensive Plan Designation and Zoning:**

The preliminary subdivision application was determined to be complete on June 29, 2016 prior to the Comprehensive Plan Amendment adoption on June 30, 2016 (Ordinance No. 534 -2016 Comprehensive Plan Update). The property has Zoning and Comprehensive Plan Land Use designation of Urban Low Residential and Urban Low-Density Residential, respectively, which did not change with the update. The intent of the zone is to recognize, maintain, and encourage urban low-density residential areas by including a full range of services and facilities that are adequate at the time of development.

The following are the development standards per the Urban Low Residential zone:

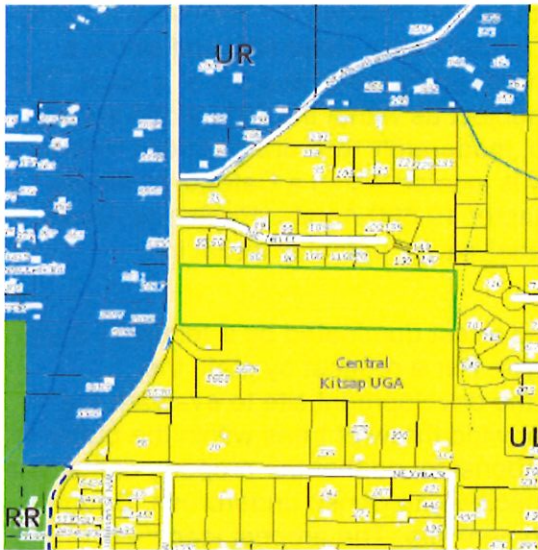
Minimum Density = 5 dwelling units/acre  
Maximum Density = 9 dwelling units/acre

Minimum Lot Area = 2,400 square feet  
Minimum Lot Width = 40 feet  
Minimum Lot Depth = 60 feet

Maximum Height = 35 feet  
Minimum Setbacks = 20 feet front yard for garages, and  
10 feet habitable area  
= 5 feet side yard  
= 5 feet rear yard

Proposed Gross Density: 6.52 dwelling units per acre

The applicant calculated net developable area by subtracting the road tract, per 17.382.060 Urban Density, Dimensions, and Design Table and definition KCC 17.110.506 Net Developable Area.



**Surrounding Land Use and Zoning:**

Except for properties across Central Valley Road NE zoned Urban Restricted, the majority of the surrounding properties are zoned Urban Low Residential. Single-family homes located within subdivisions along the north and east property line are known as Madrona Heights and The Woods respectively. Single-family homes west and south of the proposed subdivision are located on unplatted land.

**Public Utilities and Services:**

Water: City of Bremerton  
Power: Puget Sound Energy  
Sewer: Kitsap County  
Police: Sheriff  
Fire: Central Kitsap Fire and Rescue  
Schools: Central Kitsap School District #401

**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 2012)

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

**Goal 6**

Encourage and reinforce development patterns within UGAs that are distinct from those in rural areas

**Policy LU-21**

Encourage infill development on vacant and underutilized lands within UGAs.

**Policy LU-22**

Encourage development patterns in UGAs that support pedestrian connectivity between neighborhoods and community destinations where possible.

**Goal 14**

Provide residential areas with convenient access to transportation, urban amenities, and goods and services

**Policy LU-61**

Encourage development in residential zones to occur in a manner that result in the design and construction of interconnected system of open spaces, critical areas and recreational areas with wildlife corridors.

The County's development regulations are contained within the Kitsap County Code. 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 16	Land Division and Development
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

### **Hearing Examiner Review**

The Kitsap County Board of Commissioners approved code that requires Type III applications must have review and approval of the Kitsap County Hearing Examiner. The Hearing Examiner may approve, deny, or approve the application with conditions. 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 enumerated in KCC Chapter 2.10 Hearing Examiner.

**Documents Consulted in the Analysis:**

ITEM NO.	DOC. TYPE/SUBJECT	DATED	DATE REC'D.
1	Project Application – Land Use		06/29/16
2	Supplemental Application – Preliminary Land Divisions		06/29/16
3	Supplemental Application – Concurrency Test		06/29/16
4	State Environmental Policy Act (SEPA) Checklist		06/29/16
5	Project Narrative		06/29/16
6	Lot Table		06/29/16
7	Water Availability		06/29/16
8	Sewer Availability		06/29/16
9	Memo: N.L. Olson & Associates – Stormwater Infiltration		06/29/16
10	Traffic Impact Analysis		06/29/16
11	Non-Wetland Determination Report		06/29/16
12	Drainage Report		06/29/16
13	Plans		06/29/16
14	Notice of Complete Application		06/29/16
15	Notice of Application		07/14/16
16	Public Comment: Julie Uffens – Letter	09/14/16	09/16/16
17	Public Comment: Bruce Oyloe – Letter	09/30/16	
18	Technical Review Comments: Kitsap County DCD	10/19/16	
19	Revised Plans		01/09/17
20	Public Comment: Jason Branner – Email		02/10/17
21	Email: Craig Pierce		03/06/17
22	Information Request		03/14/17
23	Arborist letter, Katy Bigelow,		03/31/17
24	Engineer Letter: Norm Olson Response to Information Request	04/11/17	04/12/17
25	Technical Memorandum: Level 2 Downstream Analysis	04/10/17	04/12/17
26	Memorandum: Information Request Responses with Test Pit Locations and Cross Sections		04/12/17
27	Revised Plan		04/12/17
28	Mitigated Determination of Non-Significance	04/21/17	
29	Public Comment Jason Branner – Email		04/22/17
30	Email: Public Works – Traffic		04/24/17
31	Memorandum: DCD Stormwater	05/02/17	
32	Reference: “Wind Stability: Forest Layout and Silviculture” Alan Sommerville		
33	Certification of Public Notice	05/03/17	
34	Zoning Map	05/03/17	
35	Critical Area Map		
36	Comprehensive Plan Map		

37	Aquifer Recharge Map		
38	2015 Aerial Map with Contours		
39	Assessor Parcel Map		
40	Staff Report	05/04/17	

A complete index of exhibits is located in the project file. To date, the index to the record consists of Exhibits 40.

**Public Comment:**

Pursuant to KCC Title 21, Land Use and Development Procedures, the Department gave proper public notice for the Preliminary Plat. To date the Department has received public comments from three adjacent property owners who have concerns regarding the project proposal. The following is a summary of the comments:

Julie Uffens has concerns with how the multi-phased project for 52 homes will change the residential character in the neighborhood by creating noise impacts with construction, additional people living in the vicinity, and the loss of wildlife. She would prefer the neighborhood remain rural contrary to County zoning.

Bruce and Doreen Oyloe have concerns with the quantity of the cut and fill of 35,000 cubic yards of material on the property with impact to native topography. The Oyloe's have concerns with how the development will impact the required 15-foot native vegetation buffer require by the plat of Madrona Heights along the southern boundary of the subdivision and would like to see something similar along the property line incorporated into the development. They have concerns how the clearing of the property will increase the risk of wind throw, which would affect the 17 trees on their property. Additional concerns include impact to wildlife, not enough overflow parking, traffic safety, lack of storm drainage bypass analysis, and impacts associated with project intensity on the neighborhood.

Jason Branner has concerns with the conditions associated with the Mitigated Determination of Nonsignificance made by the County. Mr. Branner has concerns with how adjacent property owners will participate in the tree safety analysis, the additional vehicle trips associated with the plat will affect traffic safety, and concerns with impacts to Mosher Creek and abutting property owners with the proposed infiltration of storm drainage.

**Preliminary Plat Analysis and Recommendation:**

*The proposal was reviewed for consistency with zoning requirements in KCC, Chapter 16.04.080 General Provisions, 16.24.040 Urban Standards, 16.40 Subdivisions, Title 17 Zoning (Chapter 17.382.037 Single-Family Subdivision Development Standards, Table 17.382 Density, Development Density, Dimensions, and Design). Staff reviewed the land use application and revised preliminary site plan dated April 22, 2017, pursuant to the above requirements.*

**Project Characteristics**

The applicant is proposing develop the lots and open space tracts within the subdivision in three phases. The smallest lot within the development is 3,102 square feet. It is anticipated the homes will be two-car garage, detached 2-story wood frame construction (30' x 50' footprint with deck), wood siding, composition roof, with a height up to 35 feet.

**Access and Transportation:**

The development site will receive access from Central Valley Road NE, which has a federal functional classification as a minor arterial. The private access road serving the development will function as a local-access road and will be approximately 1,100 feet long. The Homeowners Association will be responsible for maintenance of the internal roadway. The private road tract is 37 feet wide with approximately two 10-foot wide travel lanes that provide access to three 8-space diagonal on-street parking islands for each phase; hammerhead turnaround will be provided for fire trucks. The roadway includes a 5-foot sidewalk and curbs on both sides of the roadway. The proposal also includes frontage improvements along Central Valley Road, consisting of curb, gutter and sidewalk and a bike lane. The applicant has prepared a traffic impact analysis report. Engineering staff and Public Works have reviewed the transportation component of the project and issued preliminary approval on May 2, 2017 (Exhibit 31).

**Stormwater:**

The project is considered a major new development. Proposed stormwater improvements include bioretention cells with underdrains that will collect stormwater runoff from roads and driveways. Rooftop runoff will either be infiltrated or conveyed directly to the conveyance system, and will not discharge into the bioretention cells. A system of pipes and catch basins will convey runoff from the biocell underdrains, overflows, and rooftops to a water quantity pond. The applicant proposes that the storm system be a public system, with maintenance responsibilities to be assumed by Kitsap County Public Works. Engineering has reviewed the stormwater element of the project and issued preliminary approval on May 2, 2017 (Exhibit 31).

**Sewer and Water Service**

The Public Works Waste Water Division confirms that sewer service will be available to serve the preliminary plat (Exhibit 8). Based on the previous designation, the project proposal is consistent with zoning table KCC 17.381.050 Footnote #48 for providing an urban level-of service of sanitary sewer service.

**Schools:**

Central Kitsap School District will be serving the Shadowhawk Subdivision. During review of the Site Development Activity Permit to construct the plat, Kitsap County will coordinate with the school district to determine if special provisions are required for a bus stop on Central Valley Road.

**Lighting and Central Mail Boxes in Urban Plats:**

Urban residential plats generally include illumination of internal roadways and street lighting at the intersection where private roads intersect with County right-of-way, pursuant to KCC 11.40 Street Lighting. The developer is usually responsible for installing lighting at the County's intersection which is then conveyed to the County. If desired, the developer and/or Home Owners Association (HOA) install the internal street lighting. The individual property owners are billed through the PUD water purveyor for lighting with the HOA responsible for maintenance.

The trend is to move away from traditional rural boxes and install clustered mailbox design for efficiency, security, and aesthetics. Consistent with KCC 16.24.040 Urban Standards 1.C (d.), where clustered mailboxes are proposed, clear zone requirements must be met.

<b>Preliminary Plat Data Table</b>		
<b>Project Site Data Table</b>	<b>Acres</b>	<b>% of Area</b>
Total Lot Area	7.97	100%
Road Tract	1.70	10%



Gross Developable Area	7.97	6.52 dwelling units per acre
Required Density		5 to 9 dwelling units per acre

**Preliminary Plat Analysis and Recommendation:**

The proposed Shadowhawk Preliminary Plat was reviewed through the following requirements, pursuant to KCC Section 17.382.030 Design Standards, Chapter 16.24 Land Segregation Standards, and Chapter 16.40 Subdivisions. Staff comments are in italics.

**KCC 17.382.037 Single-Family Subdivision /Development Standards**

The following development standards apply to the proposed preliminary subdivision pursuant to KCC 17.382.037 (Single-Family Subdivision/Development Standards):

**A. Sidewalk Requirements:**

1. Sidewalks are required on both sides for all public or private streets meeting the classification of principal, minor arterial, collector, local sub-collector, or local minor roads described by the Road Standards.

*Staff Comment: The road in the plat will remain private and will have a functional classification as a local access road.*

2. Sidewalks are required at a minimum one side of all public private meet the criteria as local roads per the Road Standards.

*Staff Comment: The revised site plan dated April 12, 2017 shows sidewalks on both sides of the private roadway internal to the plat. To increase safety, reduce pedestrian and vehicle conflicts, staff recommends sidewalks on both sides of the roadway due to project traffic volumes based on 52 dwelling units (over 400 ADT). The site plan shows five-foot wide sidewalks on both sides of the private road in the plat. Frontage improvements are required along Central Valley road for pedestrian access.*

3. Rolled curbing is prohibited, except where the road is separated by a bio-swale or other water quality treatment facility.

*Staff Comment: Rolled curbing is not proposed.*

**B. Public Streets and Connectivity Requirements:** The dedication of or deeding property for right-of-way within or along the boundaries of single-family subdivisions or developments may be required.

*Staff Comment: The preliminary subdivision will include private streets, which will not involve the dedication of the roads to the County. At this time, it appears there is not an opportunity for connectivity due to the limitations with topography.*

**C. Utility Connectivity Requirements for public utility extensions to abutting or contiguous properties.**

*Staff Comment: At this time, there is not an opportunity for connectivity, similar to road connectivity discussed above.*

**D. Landscaping Requirements:** Landscaping is required at entrances and street trees along streets or on individual lots or units prior to occupancy.

*Staff Comment: Landscaping is required along Central Valley Road and the storm drainage facility. The applicant is proposing street trees along the private roadway and around the recreation facility. Notes on the revised site plan state that all significant trees will be removed from the site. The applicant has supported some landscaping and fencing along the north property line to act only as a separation buffer. Based on the outcome of the arborist report to address wind throw, the north property line may require less landscaping. The final landscape plan will need to be consistent with the requirements in this section and KCC Chapter 17.385.*

E. Off-street Parking: Project shall provide off-street parking.

*Staff Comment: On-street and off-street parking is included with this proposal is consistent with KCC Chapter 17.435. Per the narrative, the applicant is proposing 208 off-street parking spaces and 28 guest on street parking spaces (9'x 20' each). The County calculates the required number of space in the driveway.*

### **Title 16 Land Division and Development**

The proposal was reviewed for consistency with zoning requirements in KCC 16.04.080 General Provisions, 16.24.040 Urban Standards and 16.40 Subdivisions.

#### **16.24.040 Urban Standards**

The following are land segregation standards for preliminary subdivisions:

A. Access - See above.

B. Public Transit Provisions

The neighborhood is served by a Kitsap Transit route.

C. Non-motorized Facilities

There are no trails proposed. Public Works has identified a required bicycle lane required to be constructed to address the non-motorized plan requirements.

D. Off-Street and On-Street Parking

The preliminary plat is required to be consistent with 17.435 Off-Street Parking and Loading. Two off-street parking spaces are required per residential lot and 0.5 per lot for overflow on-street parking. Based on the number of lots the project will need to include a minimum of 104 off-street spaces, and 28 on-streets spaces are required.

*Staff Comments: Off-street parking will be verified at the time of building permit application. The applicant has documented that the project is consistent with the minimum overflow parking requirements that will be shown on the SDAP site plan. It will need to be demonstrated there is adequate room for driveway back-out movement.*

E. Fire Protection

The Fire Marshal's Office has reviewed the project, included conditions of preliminary approval, and forwarded a copy of the plans to Central Kitsap Fire and Rescue #1. The Fire Marshal's Office conditioned the project to provide fire flow with fire hydrants not more than 600 feet within the plat.

F. Landscaping Requirements

Street trees are required to be spaced at a minimum of 25 feet on-center. The applicant is proposing that the road frontage along Central Valley road be landscaped with Paper Maple, Tschonoskii Crabapple within the entrance, and Leyland Cypress around the perimeter.

*Staff Comments: The development is generally consistent with preliminary landscaping standards for landscaping. A final landscape plan will be required to be submitted with the Site Development Activity Permit that includes additional landscaping on and around parking islands.*

G. Utilities

Water Supply: The single-family homes within the plat will be served by the City of Bremerton. The City of Bremerton serves the incorporated and the unincorporated urban growth area for drinking water. The applicant has received a non-binding letter of water availability form from the water utility (Exhibit 7).

H. Recreation Requirements

The preliminary plat will include recreational open space amenities consistent with subdivision standards. The applicant calculated the area based on standards (11.07%). The applicant's proposal includes a total of 0.88 acres of open space that includes the recreation area and area along the perimeter boundary of the plat.

*Staff Comments: As required the recreation facility will be located near the front vs. centrally located within the plat. Provisions must be made to centrally locate and provide a level area to provide a safe location (Tract 996). The proposal includes play equipment to be installed near Central Valley Road.*

16.24.060 Low Impact Development: Low impact development practices may be reviewed during SDAP to reduce storm drainage runoff. The applicant is proposing infiltration.

**Staff Evaluation of Decision Criteria**

KCC Section 16.04.080 General Provisions-Appropriate facilities and Improvements determinations.

The County must determine whether the proposal includes appropriate provisions for drainage, roads, alleys and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire protection facilities, school sites and grounds and other public and private facilities and improvements. The Hearing Examiner is required to make findings for the following requirements:

- A. Must be documented that the proposed subdivision complies with applicable provisions of the Kitsap County Comprehensive Plan, and Kitsap County Code if the public use and interest will apparently be served by the proposal.

*Staff Comments: The Department determined that the plat proposal is consistent with the Urban Low Residential zoning and is consistent with the Comprehensive Plan policies. The project falls within the required density of 5 to 9 dwelling units based on the zone. The proposed density is based upon the gross developable acreage, which are 8 dwelling units per acre when rounding.*

- B. Adequacy of Access: Each lot within land segregation shall have approved access.

The development receives access from Central Valley Road, which has an urban road functional classification as a minor arterial. The applicant is proposing to construct private

roads that meet minimum fire access requirements. Vertical curbs are required for designated on-street parking areas. The Engineering staff has reviewed the transportation element of the project and issued a preliminary approval on May 2, 2017 (Exhibit 31).

*Staff Comments: The applicant has addressed public safety by providing adequate access for ingress and egress from the plat.*

- C. Safe Walking Conditions: The applicant is required to provide information on pedestrian needs generated by the proposed land segregation.

*Staff Comments: Pursuant to KCC Title 16, sidewalks are required. The applicant is providing internal sidewalk on both sides of the private road tract.*

- D. Lot Configuration: Lots should run at right angles to the street upon which the lots face.

*Staff Comments: The proposed 52 lots within the project comply with the above standard for lot configuration. The applicant is proposing 10 and 20-foot front yard setbacks from the driveway access off the private road.*

## **Recommendation to Hearing Examiner**

### **Agency Recommendation**

Based upon the information above, the Department of Community Development recommends that the Preliminary Subdivision request for the Shadowhawk residential development be **approved**, subject to the following 60 conditions:

### **Planning/Zoning**

All required permits shall be obtained prior to commencement of future land clearing and/or construction.

1. All Building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.
2. A Final Landscape Plan will be required to be submitted consistent with KCC 17.385 Landscaping, during civil site plan review, which depicts natural vegetation, and the planting and irrigation plan. The tree retention plan recommended should be included with the SDAP.
3. Street Trees (2 to 2.5') shall be planted along the access driveway and on individual lots at approximately 25' 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 of individual residential units.
4. The recreational facility shall be moved from the current location adjacent to Central Valley Road to a more central location within the subdivision, consistent with KCC 16.24.040.H
5. Include a note on the face of the plat showing building setbacks for the lots as conditioned per the plat approval.
6. Prior to the plat transferring to the Home Owner's Association (HOA), the developer will be responsible for irrigation, and maintenance of all landscaping to ensure survival up to two years. The developer or the HOA should maintain all landscaping consistent with Tree Care

Industry Association standard practices.

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. Land use approval is limited to the uses proposed by the applicant on the recommended site plan and the SEPA Environmental Determination dated May 5, 2017. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the Kitsap County Code.
9. The decision set forth herein is based upon representations made and exhibits contained in the project application (Exhibits 1 and 2). Any change or deviation in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County.
10. 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.
11. Any violation of the conditions of approval shall be grounds to initiate revocation of this Plat.

#### **Kitsap Public Health**

12. The applicant shall comply with all applicable Kitsap Public Health District requirements.

#### **Fire**

13. The minimum fire flow requirements for one and two family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.
14. Water line size, 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.
15. When required by the Fire Code Official, fire department access roads shall be posted with approved signs or marked as follows: All curbs shall be painted red on the sides and top, and shall be labeled with 4-inch high white lettering at 25-foot intervals with the words "NO PARKING TOW AWAY ZONE IFC 503.3", Hammerhead Road B shall be painted per the above condition.

#### **Development Engineering**

16. Construction plans and profiles for all roads, storm drainage facilities, and appurtenances prepared by the developer's engineer shall be submitted to Kitsap County for review and

acceptance. No construction shall be started prior to said plan acceptance.

17. 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

18. 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.
19. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Plat application was deemed complete, June 29, 2016. 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.
20. 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:
  - Timetables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase.
  - The extent of drainage improvements to be installed during the various phases.
21. Any project that includes off-site improvements that create additional impervious surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Plat application was deemed complete, June 29, 2016.
22. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall.
23. The project proponent shall be responsible for installing any necessary off-site downstream drainage improvements. Procurement of any permits or easements necessary to install off-site improvements shall be the responsibility of the project proponent.
24. 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.
25. 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.
26. The design of the infiltration facilities will be accordance with Section 7.3.4 of the Kitsap County Stormwater Design Manual.
27. 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. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.

28. 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.
29. Upon completion of the storm drainage facilities, the developer will be required to post a two-year maintenance bond for the facility. The developer will be responsible for providing regular and adequate maintenance during this two-year period and supportive maintenance records. At the end of this time, the County will inspect the system and, when the facility is acceptable and 80% of the homes have been completed, the County will take over maintenance and operation of the system. Wording to this effect must appear on the plat and in the covenants before final recording. Areas proposed to be maintained by the County that are not in the right-of-way must be shown as a separate tract/s or drainage easement/s with Kitsap County being designated as the grantee.
30. Kitsap County will not be responsible for any damage to any private roads, tracts, and/or easement areas that may occur during routine maintenance activities and that in Kitsap County's judgment occur, in whole or in part, because of any construction materials or techniques, or any maintenance materials or techniques. This includes, but is not limited to, damage to pavement or vegetated areas caused by maintenance trucks.
31. 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.
32. The Site Development Activity Permit submittal materials shall include information to clarify the release point for the 10-acre upstream stormwater flow, along with a complete analysis of the off-site flow-path.
33. The Site Development Activity Permit submittal materials shall include a complete Level 2 downstream analysis, including a basin map of the entire contributory acreage to the downstream drainage, to support the engineer's conclusions as stated in the supplementary Memorandum, submitted by the project engineer on April 11, 2017.
34. The Site Development Activity Permit submittal materials shall include information addressing water quality mitigation for the bike lane, as it is part of the roadway section, and as such is considered pollution-generating impervious surface, per KCC 12.08.010(52).
35. In accordance with recommendations of the geotechnical memorandum prepared by Wesley R. Johnson and dated June 16, 2016, groundwater monitoring is required in the area of the pond location. Groundwater shall be monitored through an entire winter season and a report of the monitoring results shall be submitted with the required Site Development Activity Permit.

### **Traffic and Roads**

36. 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.
37. The following note shall appear on the face of the final plat map. "All interior roads shall

remain private.”

38. 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.
39. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
40. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
41. 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.
42. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on Central Valley Road NE. 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.
43. 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.
44. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
45. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Central Valley Road NE and Road A. 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.
46. 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).
47. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. Applicant shall construct frontage improvements, consisting of a 12-foot travel lane, 5-foot bike lane, and 5-foot sidewalk along Central Valley Road NE across the entire property frontage. Any required road widening shall be from the centerline.



### **Survey**

48. A Final Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
49. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easements shall be provided on each side of private road tracts.
50. 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 CCRs.

### **Wastewater**

51. Kitsap County sanitary sewer is available for the project. Applicant needs to submit an "Application to Construct Sanitary Sewer" to KCPW Sewer Utility Division.
52. Kitsap County sanitary sewer is available for the project. Applicant needs to submit a complete set of sewer plans, profiles, and specifications designed in accordance with KCPW - Wastewater Division Standards and Regulations.

### **Solid Waste**

53. 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. The applicant shall note 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.

### **Other**

54. Construction of rock walls or other retaining facilities that either exceed four feet in height or sustain a surcharge shall require a building permit with an engineered design. This note shall appear on the face of the final construction drawings.
55. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 11.4.4.

### **Environmental**

56. The proposal will be conditioned for stormwater control pursuant to KCC Title 12 Stormwater Management. On-site infiltration is proposed. Impacts to Mosher Creek for system overflow will be reviewed in future phases, should infiltration prove infeasible.
57. Due to the presence of steep slopes on the property and unclassified drainage conveyance systems, the proposal will be conditioned to follow all recommendations of the geotechnical report per KCC Title 19.400 and KCC 19.700.
58. The Stormwater design plans to detain and infiltrate Stormwater through innovative stormwater techniques. Should the designs change upon future permitting or phasing of the Site Development Activity Permit (Final Plat designs), a revised SEPA Decision may be required by the SEPA responsible Official.
59. A tree safety analysis has been performed by the applicant through a certified risk assessment report prepared by Katy Bigelow. Design efforts will implement recommendations of this report to assess on-site tree safety and the safety of the residents of Madrona Heights, located to the west of the plat. The 20-foot Madrona Heights required buffer may have potential wind throw impacts by this development. Further tree safety analyses will be provided by additional

risk assessment.

**Attachments:**

Appendix A – Revised Site Plan

Appendix B – Arborist Risk Assessment

  
\_\_\_\_\_  
Jeff Smith, Staff Planner

5/4/2017  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Scott Diener, Development Services, and Engineering Manager

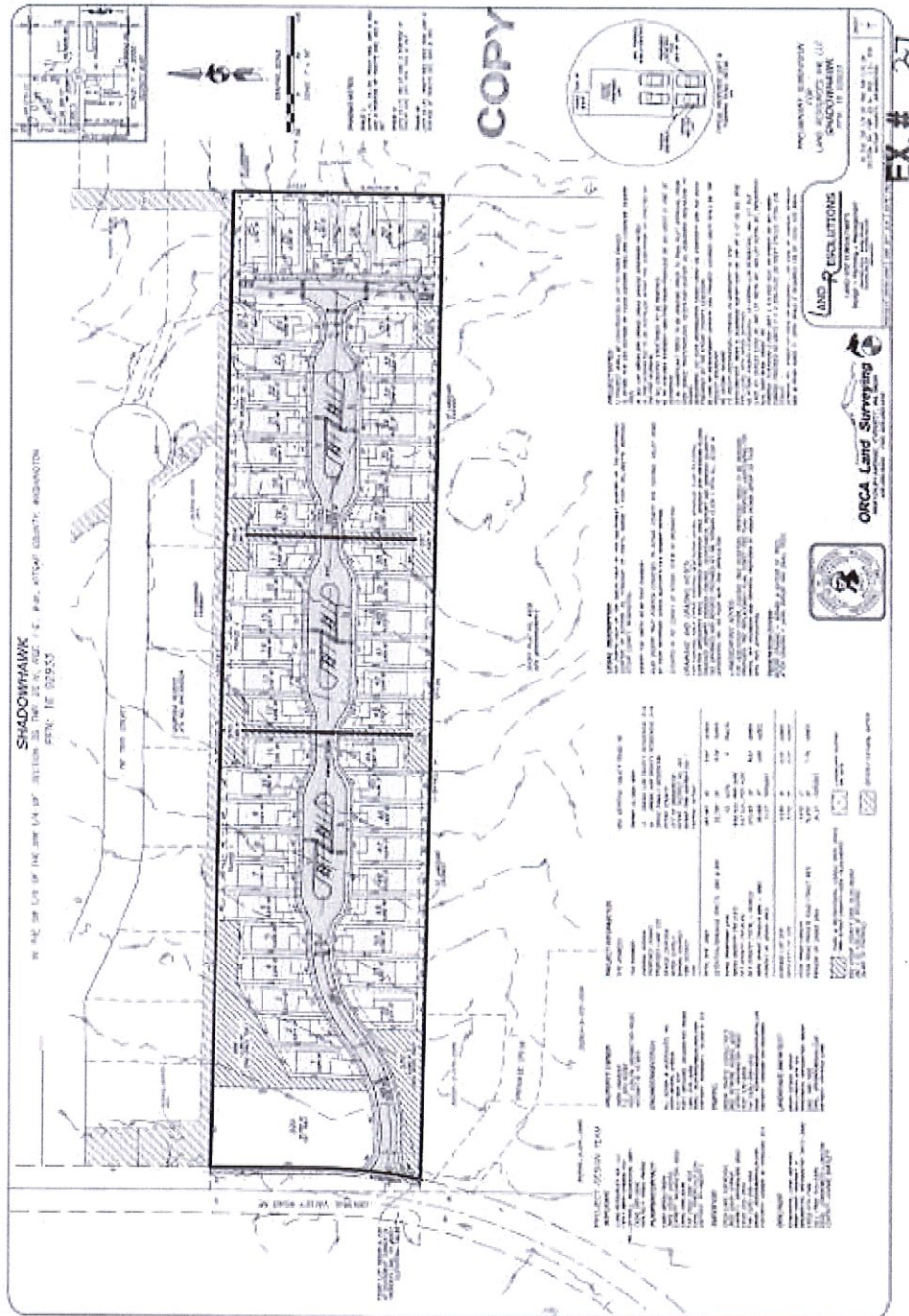
5.4.17  
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Date

CC: Sheri Harader, 53 E Silver Sage Road, Townsend, MT 59644-9687r  
Craig Pierce, [cbpierce@comcast.net](mailto:cbpierce@comcast.net)  
Norm Olson, [wjohnson@nlolson.com](mailto:wjohnson@nlolson.com)

Interested Parties:

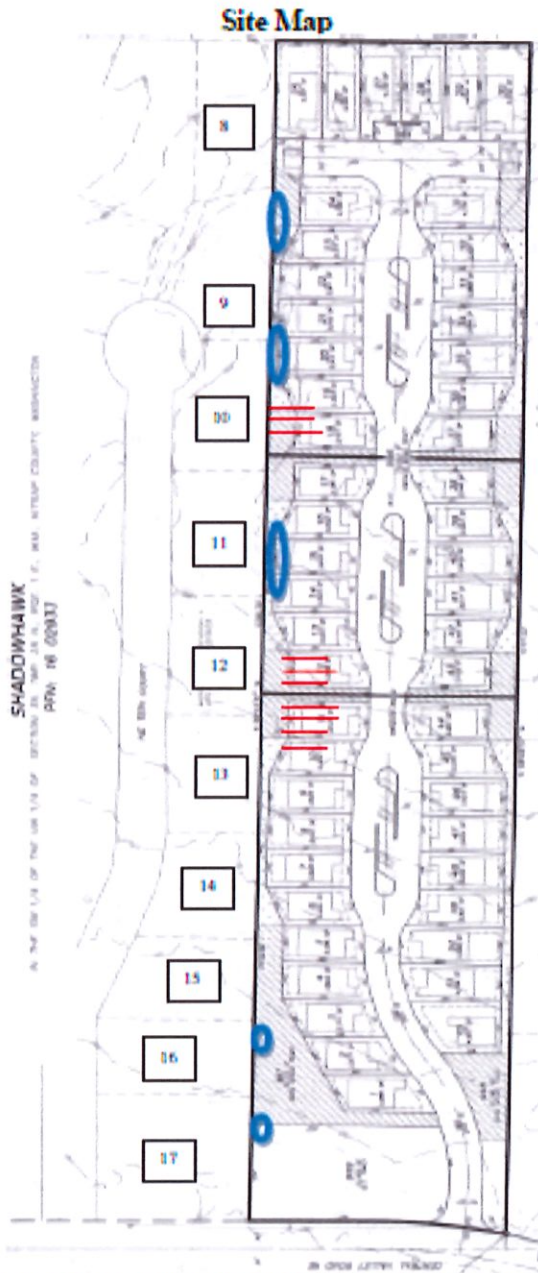
Bruce Oylo, [bruceoylo@hotmail.com](mailto:bruceoylo@hotmail.com)  
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Summer Crest HOA, [Summercresthoassoc@gmail.com](mailto:Summercresthoassoc@gmail.com)  
Jason Branner, [jbranner@yahoo.com](mailto:jbranner@yahoo.com)  
Southwind Custom Homes, Inc., [southwindch@comcast.net](mailto:southwindch@comcast.net)

Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Jeff N. Smith  
DCD File16 02933



Revised Site Plan

Tree risk assessment  
Shadowhawk Development, Kitsap County  
March 31, 2017



Red circles indicate areas of root rot; blue circles are trees or groups of trees suggested to retain.

Prepared by Katy Higelow

Page 3 of 8

### Arborist Risk Assessment