



Hearing Examiner Staff Report and Recommendation

Report Date: 08/15/2019
Hearing Date: 08/22/2019

Application Submittal Date: 03/28/2019
Application Complete Date: 04/18/2019

Project Name: Minder Meadows Preliminary Plat
Type of Application: Preliminary Plat
Permit Number: 19-01333

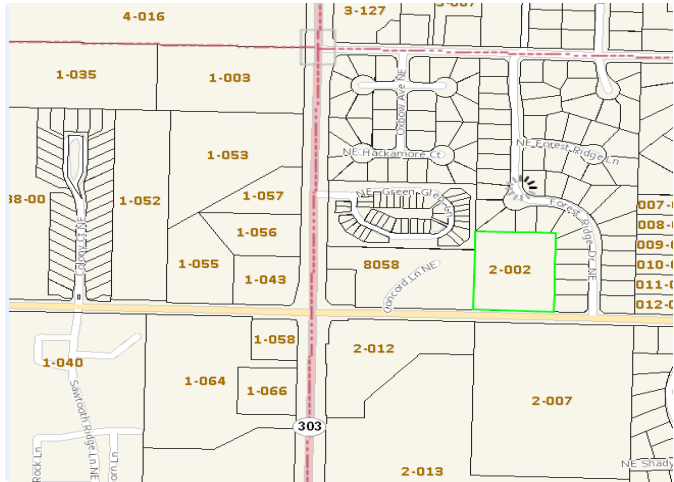
Project Location
1898 NE John Carlson Rd
Bremerton, WA 98311
Commissioner District #3 (Central)

Assessor's Account #
252501-2-002-2001

Applicant/Owner of Record
Creative Commercial Investments LLC
4338 Murphy Drive NW
Gig Harbor, WA 98335

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

VICINITY MAP



1. Background

The project site is a 2.99-acre parcel, located within the Central Kitsap Urban Growth Area and zoned Urban-Low Residential (5-9 dwelling units/acre). The parcel is situated north of NE John Carlson Rd, approximately 600 feet from SR 303. Surrounding land use is a mix of single-family, multi-family, and recreational. The property currently has a single-family residence and detached garage, both to be demolished.

2. Project Request

The project proposes to subdivide the 2.99-acre parcel into 20 single-family residential lots. A single access will be via NE John Carlson Rd. and plat roads also dedicated as county-maintained right-of-way. Frontage improvements will include bike lane, curb, gutter and sidewalk, with sidewalks to be constructed on both sides of the plat road. Stormwater is proposed for on-site treatment and infiltration. A 13,214 square foot recreation lot is proposed at the center of the subdivision and will consist of park benches, play equipment, picnic tables, and open recreational space. The project will also include 10 on-street parking spaces on the east and west sides of the recreational lot.

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3. SEPA (State Environmental Policy Act)

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

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application 04/26/2019 (Exhibit 17). Due to clerical errors, the postcard notices to the 800-foot radius were not sent out on time. This was completed on 05/14/2019 and the SEPA comment period extended through 05/28/2019 (Exhibit 18). A Determination of Non-significance (DNS) was issued on 07/15/2019 (Exhibit 28).

SEPA noted the following comments:

The SEPA comment period previously occurred concurrent with the Notice of Application dated April 26, 2019. Comments were received regarding setback/buffer requirements, vegetation and traffic. The proposal will be conditioned for Stormwater Control per Kitsap County Code Title 19, and Zoning per Kitsap County Code Title 17. This includes, but is not limited to, the Development Services and Engineering Preliminary Conditions Memorandum, dated July 3, 2019. A Traffic Impact Analysis was provided and reviewed by Kitsap County Public Works. SEPA comments regarding setbacks and traffic will also be addressed in the Staff Report.

The SEPA appeal period expired 07/29/2019. No appeals were filed; therefore, the SEPA determination is final.

4. Physical Characteristics

The property has an average grade of 15% with a southwesterly decline. Soils consist of Indianola loamy sand and Kitsap silty loam. Other than the moderate slopes, there are no other critical areas on the property. Steep slopes and mapped wetland/hydric soils are present off-site and across NE John Carlson Rd, but stormwater is proposed for infiltration and any runoff leaving the site will be treated and drained to an existing system of storm

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sewers crossing NE John Carlson Rd, draining south into a ditch along Hwy 303, which drains into Steele Creek approximately 1,100 feet downstream of the project parcel. The site has approximately 2-acres of existing tree cover, predominately at the north end of the parcel. An existing house and garage will be demolished.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban Low Density Residential Zone: Urban Low	Standard	Proposed
Minimum Density	5 (1.73 acres of net developable acreage x 5 = 8.65 or 9 required units)	20
Maximum Density	9 (2.99 acres x9= 26.91 or 27 max. units)	
Minimum Lot Size	2,400 square feet	3,219 square feet
Maximum Lot Size	9,000 square feet	5,343 square feet
Minimum Lot Width	40 feet	45.92 feet
Minimum Lot Depth	60 feet	58.91 feet
Maximum Height	35 feet	35 feet max.
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes:

None.

Staff Comment: Net developable area was calculated to be 75,527sq. feet (1.73 acres) after deducting Right of Way, stormwater facilities and recreational area from the 2.99-acre gross lot area. Minimum density is calculated using net developable area, whereas maximum density is calculated using gross area.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (South)	10-feet for habitable area (20-feet for garage or carport)	10-feet for habitable area, garages attached
Side (East)	5-feet (no applicable footnotes)	10-feet
Side (West)	5-feet (no applicable footnotes)	15-feet (setback is utility easement)

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Rear (North)	10-feet (no applicable footnotes)	10-feet
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Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residential	Urban-Low Residential (UL)
South	Recreational (Bremerton Tennis and Athletic Club)	Urban-High Residential (UH)
East	Single-family residential	Urban-Low Residential (UL)
West	Multi-family (condominiums) and Single-family residential	Urban-Medium Residential (UM)

Table 4 - Public Utilities and Services

	Provider
Water	North Perry Avenue Water District
Power	Puget Sound Energy
Sewer	Kitsap County Public Works
Police	Kitsap County Sherriff
Fire	Central Kitsap Fire and Rescue
School	Central Kitsap School District #401

5. Access

A single access is proposed at NE John Carlson Rd., a county-maintained right-of-way. Internal road will also be a county-maintained road.

6. Site Design

The proposed Minder Meadows Preliminary Plat was reviewed for consistency with requirements pursuant to KCC 17.420.037 Single-family Subdivision/Design Standards, Chapter 16.24 Land Segregation Standards, and Chapter 16.40 Subdivisions. The preliminary plat is required to comply with urban development standards for utilities, roads, sidewalks, landscaping, and recreation facilities. The project will be required to incorporate frontage improvements along the approximately 330 feet of property frontage on NE John Carlson Rd, as well as along internal plat roads.

7. Policies and Regulations Applicable to the Subject Proposal

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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 June 30, 2016.

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

Land Use Goal 1

Focus current and future and planning on infill development of existing Urban Growth Areas.

Land use Policy 2

Support innovative, high quality infill development and redevelopment in existing developed areas with Urban Growth Areas.

Land Use Policy 14

Through development standards, encourage urban amenities such as open space, plazas, and pedestrian features in areas of more intensive development within Urban Growth Areas.

Land Use Policy 15

Link non-motorized planning requirements to land use planning decisions.

Housing and Human Services Goal 6.

Integrate affordable housing and human services planning with transportation, workforce development, and economic development efforts.

Housing, Human Svcs Policy 23

Promote housing preservation and development in areas that are already well-served by schools, public transportation, commercial facilities, and have adequate infrastructure to support alternative modes of transportation.

Transportation Goal 1

Provide a safe and reliable multi-modal transportation system for people of all ages and abilities.

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*Transportation Policy 2.**Approve site design that is supportive of transit Service and its patrons.*

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

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Title 19	Critical Areas Ordinance
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

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

EXHIBIT NO.	DOC. TYPE/SUBJECT	DATED	DATE REC'D.
1	Application		4/17/2019
2	Authorization		4/17/2019
3	Waiver		4/17/2019
4	Narrative		4/17/2019
5	Sewer Availability Agreement	1/24/2019	4/17/2019
6	Site Plan- Preliminary Plat	12/11/2018	4/17/2019
7	Concurrency		4/17/2019
8	Preliminary Drainage Plans	1/15/2019	4/17/2019
9	Preliminary Drainage Report	12/05/2018	4/17/2019
10	Preliminary Landscape Plan	1/15/2019	4/17/2019
11	Non-Binding Water Service Agreement	2/13/2019	4/17/2019
12	SEPA Checklist	1/17/2019	4/17/2019
13	Site Assessment Packet		4/17/2019
14	Soils Report	12/5/2018	4/17/2019
15	Stormwater Worksheet		4/17/2019

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16	Traffic Impact Assessment	1/09/2019	4/17/2019
17	Notice of Application (no postcard)	4/26/2019	
18	Notice of Application (postcards distributed)	5/14/2019	
19	Technical Review Sign-In Sheet	5/22/2019	
20	Information Request	6/6/2019	
21	Response	6/11/2019	6/20/2019
22	Preliminary Drainage Plans-REVISED	6/10/2019	6/20/2019
23	Preliminary Landscape Plans-REVISED	6/10/2019	6/20/2019
24	Site Plan-Preliminary Plat- REVISED	6/12/2019	6/20/2019
25	Narrative- REVISED		6/20/2019
26	Geotechnical Report	1/22/2019	6/20/2019
27	DSE Preliminary Conditions Memo	7/3/2019	
28	SEPA Determination of Non-Significance (DNS)	7/15/2019	
29	Notice of Public Hearing	8/07/2019	
30	Staff Report	8/15/2019	
31	Staff Memo: Email Record Summary	8/15/2019	
32	Staff Presentation		
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9. Public Outreach and Comments

Pursuant to KCC Title 21 Land Use, and Development Procedures, the Department gave proper public notice for the Preliminary Plat 800 feet around the property and to other agencies. Staff had inquiries prior to the Notice of Application from neighbors, as well as multiple comments and requests to be an interested party during the SEPA comment period, as summarized below.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1	Requesting larger buffers, especially for northern property line; Opposition to 'zero lot line development' planned	31
2	General opposition to the development and location in regard to trees, pollution, traffic and noise	31
3	Notice of Application and Comment Process	31

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Issue Ref. No.	Issue	Staff Response
1	Buffers and setbacks	<p>The proposed Minder Meadows Preliminary Plat was reviewed for consistency with requirements pursuant to KCC 17.420.037, Single-family Subdivision/Design Standards, Chapter 16.24 Land Segregation Standards, and Chapter 16.40 Subdivisions.</p> <p>The proposal is meeting the intent of the Urban-Low Residential zone, as well as the required setbacks per KCC 17.420.052.</p> <p>Pursuant to KCC 17.500.027, Partial screening buffers are required in order to provide partial visual separation between compatible uses. The subject parcel is zoned Urban-Low, as are the parcels to the north and east. Retention of existing vegetation or planting of new buffers along the perimeter is not feasible. Such trees would be considered 'danger trees' per Kitsap County Code 18.16 and 19.150 and root systems could undermine structural foundations and possibly utilities. However, a separation buffer of a six-foot fence around the north, east and west perimeters has been applied to reduce site-specific adverse impacts to adjacent land uses.</p> <p>The neighboring development to the west is currently zoned Urban Medium and consists of multi-family condominium units. Previous zoning, or the compatibility of this use with adjacent land uses at the time of development likely resulted in the larger vegetated screening buffer requirement. Those standards are not required for this proposal.</p>
2	General opposition	<p>This proposal has been reviewed under applicable Kitsap County Code as cited throughout this report and Kitsap County road standards for public roads and been found consistent with these requirements.</p>
3	Notice of Application	<p>There were clerical errors made in sending out the Notice of Application postcards. Postcards were intended to go out on 4/26/19, but were not sent until 5/14/19. SEPA</p>

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		comment period was extended to 14-days from this date, 5/28/19.
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10. Analysis

a. Planning/Zoning

Preliminary Plat Analysis

The proposed Minder Meadows Preliminary Plat was reviewed for consistency with requirements pursuant to KCC 17.420.037 Single-family Subdivision/Design Standards, Chapter 16.24 Land Segregation Standards, and Chapter 16.40 Subdivisions.

The intent of Urban-Low Residential zone is to recognize, maintain, and encourage urban low-density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner.

Detached single-family dwellings are a permitted use the Urban-Low Residential Zone.

b. Lighting

Project will be conditioned to meet the lighting requirements for exterior lighting in KCC 17.420.030(C).

c. Off-Street Parking

Consistent with KCC 17.490 the proposal includes on street and off-street parking. The applicant is proposing 40 off-street parking spaces in driveways and 10 on-street parking space. Per 17.490.020, the County calculates the required number of spaces in the driveway and not within individual residential garages. During review of individual building permits for the homes, the location and number of off-street parking spaces will be verified.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Subdivision, Single-Family Residence	2 per unit + 0.5 per unit on street or set aside;	20 proposed lots (Off-street: 20 * 2= 40; On-street 20*0.5=10)	20 off-street proposed 10 On-street proposed

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Total		20 off-street 10 on-street	20 10
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d. Signage

Pursuant to KCC 17.510. Sign Code the applicant can apply for signage near the entrance of the subdivision during or after construction. Signage is not proposed at this time. When the final plat is recorded to establish the subdivision and lots are for sale, all signage will be required to be consistent with 17.510.060.M Conditionally Exempt signs - Real Estate Signage Program.

e. Landscaping

Pursuant to KCC 16.24 Urban Standards Landscaping Requirements, landscaping is required at entrances and street trees planted by the developer along streets or on individual lots at construction or units prior to certificate of occupancy. The applicant will be required to submit a landscape plan with the Site Development Activity showing landscaping around storm drainage facility, street trees, and the recreation facility.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft.) 15% of Site	NA	NA
Required Buffer(s) 17.500.025		
North	Partial Screening Buffer	Partial Screening Buffer*
South	Partial Screening Buffer	Partial Screening Buffer
East	Partial Screening Buffer	Partial Screening Buffer
West	Partial Screening Buffer	Partial Screening Buffer
Street Trees	NE John Carlson Rd (south) and internal roadway	NE John Carlson Rd (south) and internal roadway

* Staff Comment: A Separation Buffer of 6-foot fencing is proposed along the north, east and west property boundaries. While the adjacent zones are compatible (urban), the fencing will better reduce conflicts and create a visual separation. Existing vegetation or planted trees would be considered danger-trees and roots may also interfere with proposed foundations.

f. Frontage Improvements

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Consistent with Kitsap County Road Standard and Comprehensive Plan policies, the preliminary plat is required to include frontage improvements along NE John Carlson Way. These improvements consist of 12-foot travel lane, 5-foot bike lane, and vertical curb, gutter and 6-foot sidewalk. As the internal roadway will be public roads, frontage improvements also apply there, consisting of vertical curb, gutter and 5-foot sidewalk.

g. Design Districts/Requirements

NA

h. Development Engineering/Stormwater

Stormwater runoff from roads and driveways will be collected and directed to Filterra units for treatment, then directed to one of two infiltration trench facilities for on-site stormwater management. Rooftop runoff will be collected and directed to these infiltration trench facilities. Construction includes a stormwater tract as well as an infiltration trench facility for stormwater management within the recreational tract. Development Services and Engineering has reviewed and approved the concept in the Preliminary Drainage Report and Preliminary Engineering Plans on July 3, 2019 (Exhibit 27).

i. Environmental

The site is mapped for moderate seismic hazard, which slopes exceeding the 15% threshold for a Moderate Geologic Hazard Area. A Limited Geotechnical Report (Exhibit 26) is provided to support the proposal. The site is also mapped as a Category II Critical Aquifer Recharge Area, but the proposed land use is not a use of concern in KCC 19.600 and does not require further analysis. A Kitsap County Timber Harvest Permit will be required to be submitted at the time of the Site Development Activity Permit application.

j. Access, Traffic and Roads

The applicant has prepared a traffic impact analysis report for the subdivision. The proposal includes 20 dwelling units (1 existing, 19 new) and the traffic engineer estimates 189 average weekday daily trips. The project is anticipated to generate 15 new AM peak hour trips and 20 new PM peak hour trips. Based on the findings in the report, there should not be impacts to the local road network requiring mitigation. Development Services and Engineering has reviewed and approved the traffic analysis report on July 3, 2019 (Exhibit 27).

k. Fire Safety

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The Fire Marshal has reviewed the proposal and conditioned. Fire flow verification and adequate fire apparatus access for emergency responders are required and will be reviewed through the Site Development Activity Permit.

i. Solid Waste

The proposal has been reviewed and conditioned for solid waste disposal. Documentation from Waste Management that their requirements are met is required for SDAP approval.

m. Water/Sewer

The project requires an urban level of service for water and sewer service. The application has provided documentation that the water service is available from North Perry Avenue Water District and sanitary sewer is available from Kitsap County Public Works (Exhibits 5 and 11).

n. Kitsap Public Health District

Kitsap Public Health District has reviewed the proposal and does not have concerns with the request.

Title 16 Land Division and Development

The proposal was reviewed for consistency with zoning requirements in KCC, Chapter 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 access comments above.

b. Public Transit Provisions

Kitsap Transit service is provided near the proposal new the site, including Routes 15 and 23 in front of the site along John Carlson road and Routes 2, 17 and 19 at the SR-303 corridor.

c. Non-motorized Facilities

Per non-motorized facilities, pedestrian sidewalk requirements in the above section, sidewalks are required and proposed on both sides of public and private roadways.

d. Off-Street and On-Street Parking

See off-street parking comments above.

e. Fire Protection

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See fire safety comments above.

f. Landscaping Requirements

See landscaping comments above.

g. Utilities

In addition to the project being served by an urban level of service for water and sewer as discussed above, the project should be served by Cascade Natural Gas, Puget Sound Energy, and by the local cable provider.

h. Recreation Requirements

The preliminary plat will include recreational open space amenities consistent with subdivision standards. The applicant is required to include 7,800 square feet of recreation facilities (20 units x 390 square feet). The applicant is proposing a total of 13,214 square feet of recreation area, centrally located in the plat. This space will include a tot lot/playground, community garden, and open space.

16.24.060 Low Impact Development:

Low impact development practices may be further reviewed during SDAP to reduce storm drainage runoff. The applicant's storm drainage concept is for water quality treatment and on-site infiltration.

11. Review Authority

The Hearing Examiner has review authority for this Preliminary Plat application under KCC, Sections 17.550.020 and 21.04.100. 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.

12. Findings

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:

1. Documentation that the proposed subdivision complies with applicable provisions of

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the Kitsap County Comprehensive Plan, and Kitsap County Code, and that 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 zoning and is consistent with the Comprehensive Plan policies. The project falls within the required density of 5 to 9 dwelling units. The proposed density is based upon the net developable acreage, which is 9 dwelling units per acre when rounding.

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

The development receives access from NE John Carlson Road, which has an urban road functional classification as a principal arterial. The applicant is proposing to construct public 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 July 3, 2019.

Staff Comments: The applicant has addressed public safety by providing adequate access for ingress and egress for the plat. Easements will be required for lots with shared driveways.

3. 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. Consistent with this requirement, the applicant is providing frontage improvements and internal sidewalk on both sides of the public road tracts. Crosswalks area also provided to provide access to on-street parking and the recreational lot.

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

Staff Comments: The proposed 20 lots within the project comply with the above standard for lot configuration. Three corner lots will have shared driveways with adjacent lots. In those cases, lot fronts have been identified as the side in which the house would front.

13. Recommendation

Based upon the analysis above and the decision criteria found in KCC 16.04.080, the Department of Community Development recommends that the Preliminary Subdivision

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request for the Minder Meadows Preliminary Plat be APPROVED, subject to the following 59 conditions:

a. Planning/Zoning

1. A Final Plat shall be prepared by a licensed Land Surveyor in compliance with Kitsap County Code Title 16.
2. 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.
3. 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.
4. All lots with shared driveways shall record access easements for SDAP approval to meet the requirements of KCC 16.24.040(A)(4).
5. Corner lots with shared driveways have established front lot lines as follows: Lot 4 front is the north lot line; Lot 10 is the west lot line; and Lot 14 is the east lot line.
6. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.
7. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
8. A Final Landscape Plan will be required to be submitted with the Site Development Activity Permit, consistent with KCC 17.500 Landscaping, during civil site plan review, which depicts natural vegetation, and the planting and irrigation plan.
9. Street trees shall be planted along the front (John Carlson Rd.) and fronts of 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.
10. 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 shall maintain all landscaping consistent with the Tree Care Industry Association standard practices.
11. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.510 and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.

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12. 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.
 13. The decision set forth herein is based upon representations made and exhibits contained in the project application (19-01333). 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.
 14. 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.
 15. Any violation of the conditions of approval shall be grounds to initiate revocation of this Plat.
- b. Development Engineering**
16. Construction plans and profiles for all roads, storm drainage facilities and appurtenances prepared by the developer's engineer shall be submitted to Kitsap County for review and acceptance. No construction shall be started prior to said plan acceptance.
 17. 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.
 18. The information provided demonstrates this proposal is a Large Project 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 meet Minimum Requirements 1-9.
 19. Stormwater quantity control, quantity 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, April 17, 2019. The submittal documents shall be prepared by a civil

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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. 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, April 17, 2019.
21. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.
22. 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.
23. If a significant quantity of grading material will be imported/exported to/from the site, a vehicle wheel wash must be included as an element of the siltation erosion control plan. Typically, significant quantity of grading material means five or more trucks leaving the site per hour.
24. The design of the infiltration facilities will be accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual.
25. 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.
26. 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.

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27. Upon completion of the storm drainage facilities and road construction, the developer will be required to post a two-year maintenance bond for the facilities and roads. 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, 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.
 28. The impervious area per lot for rooftop area and driveway area, as 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 require a Site Development Activity Permit for that lot and be mitigated in accordance with Kitsap County Code Title 12.
 29. Prior to recording the Final Plat, soil amendment is required over all disturbed areas within Tracts that are not covered by hard surface; provided, that in the event completion of a Recreational Tract has been bonded, soil amendment shall be completed prior to expiration of the bond covering that work.
 30. 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.
 31. If the project proposal is modified from that shown on the submitted site plan received April 11, 2019, Development Services and Engineering will require additional review and potentially new conditions.
 32. 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.
 33. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9 of the Kitsap County Stormwater Design Manual.
- c. Environmental**
34. All work shall follow the recommendations of the Limited Geotechnical Report (EnviroSound Consulting, Inc.; dated 1/22/19). This report shall be provided with the application for the Site Development Activity Permit and each subsequent

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building permit. Building permit applications shall also include an addendum letter to verify the recommendations are met for foundations, etc.

35. A Timber Harvest Permit application shall be provided with the application for the Site Development Activity Permit.

d. 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. Public roads shall not exceed 12% grade or less depending on the road classification per Kitsap County Road Standards.
38. The interior roads of the proposed plat 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. Roads shall be publicly maintained, and the right-of-way dedicated to Kitsap County as proposed.
39. 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.
40. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
41. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
42. 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.
43. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on NE John Carlson Road. 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.
44. 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.

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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.


45. Sawcut of existing asphalt shall provide minimum 3-foot compaction room. Pavement restoration shall be a minimum ½ lane with no paving joint in wheel tracks.
46. Frontage improvements, consisting of 12-foot travel lane; 5-foot bike lane; and vertical curb, gutter and 6-foot sidewalk shall be constructed along the property frontage along John Carlson Road.
47. Frontage improvements, consisting of vertical curb, gutter and 5-foot sidewalk shall be constructed on the interior plat road(s).
48. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
49. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the plat access road and NE John Carlson 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.
50. All work, equipment and materials for traffic signal and street lighting installations shall meet and be in compliance with all requirements of the Kitsap County Road Standards, Project Contract Provisions of Plans and Specifications accepted for construction by Kitsap County, Manual on Uniform Traffic Control Devices (MUTCD), National Electrical Manufacturer's Association (NEMA), National Electrical Code (NEC), Washington State Department of Transportation (WSDOT) Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).
51. A Right of Way Permit is needed for any utility connections and road frontage improvements. Prior to scheduling the preconstruction meeting, the applicant shall apply for and obtain an approved ROW permit for all work within the county right of way. Additional permit conditions, bonding, traffic control, inspections, and other requirements may apply to the right of way permit and will be determined by Kitsap County Public Works. You may apply online at <https://co-kitsap-wa.smartgovcommunity.com> or contact Kitsap County Public Works, Right of Way Division at rowpermits@co.kitsap.wa.us with any questions.

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52. Prior to requesting a final inspection on the required Site Development Activity Permit with the Department of Community Development, the Applicant shall satisfy all conditions of a Right-of-Way Permit through the Department of Public Works for any and all work performed in the county Right-of-Way associated with this project. Apart from the Site Development Activity Permit (SDAP), the Right of Way permit may require extra work to comply with current Washington State Department of Transportation or Kitsap County Road Standards. You may contact Kitsap County Public Works, Right-of-Way Division at (360) 337-5777 to obtain a Right-of-Way permit.
- e. Fire Safety**
53. 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.
54. Hydrants are required and shall be placed no further than 600ft from each other.
55. The minimum fire flow requirements for one and two-family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.
- f. Solid Waste and Wastewater**
56. 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 Kitsap County Public Works - Sewer Utility Division Standards and Regulations.
57. Sewer Availability Agreement account must be kept current and in good standing through permit approval date.
58. 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 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.
- g. Kitsap Public Health District**
59. If septic tanks/wells are encountered during construction decommissioning will be required. Sewered building clearance will be required for each lot prior to building permit issuance.

08/15/2019

Report prepared by:



Kathlene Barnhart, Staff Planner / Project Lead

8/15/2019

Date

Report approved by:



Shawn Alire, Department Supervisor

8/15/2019

Date

Attachments:

Attachment A – Zoning Map

Attachment B – Critical Areas Map

Attachment C – Preliminary Engineered Drainage Plans (Site Plan)

Attachment D- Preliminary Landscape Plan

CC: Creative Commercial Investments, LLC; jminder1@gmail.com
Wnek Engineering; mike@wnekeng.com
AES Consultants; aes@bainbridge.net
Interested Parties:
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
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Jean Charbonneaux
Timothy Palmer
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Diane Yetter; dianeyetter@comcast.net

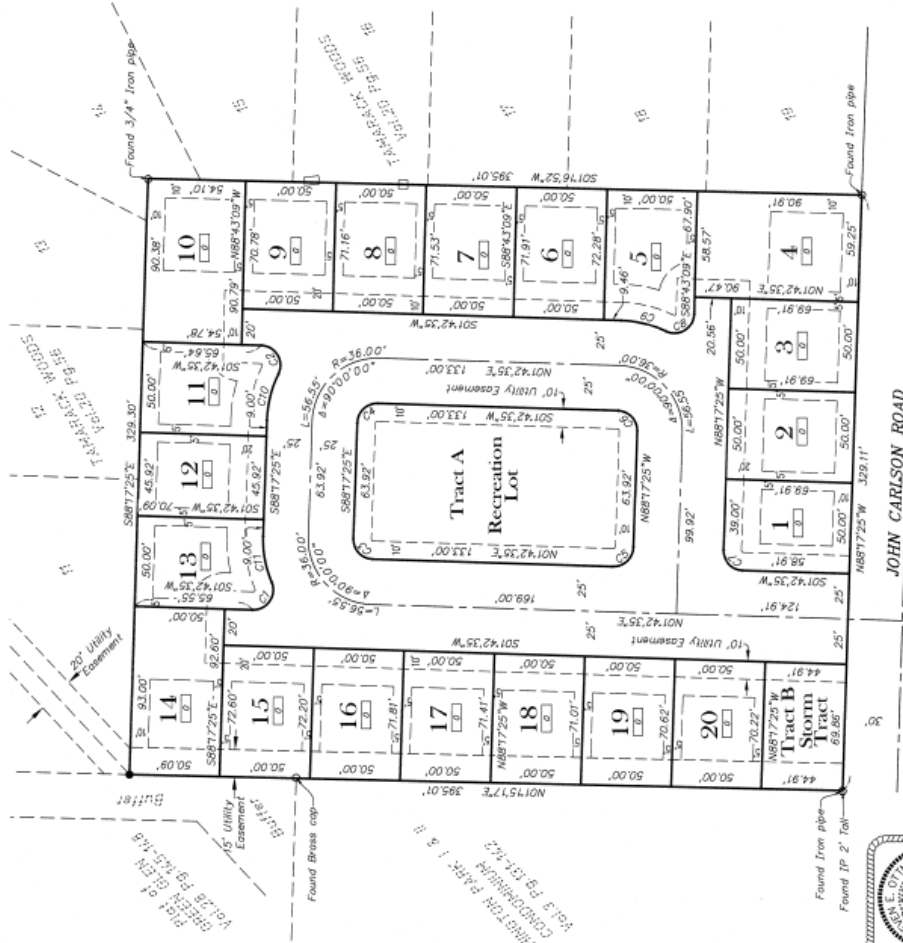
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Site Plan

MINDER MEADOWS

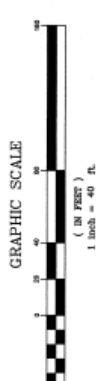
(Preliminary Plat)

NW.1/4, NW.1/4, Sec. 25, Twp. 25N., Rg. 1E., W.M.
Kitsap County, Washington



CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	22.01	11.00
C2	22.01	11.00
C3	17.28	11.00
C4	17.28	11.00
C5	17.28	11.00
C6	17.28	11.00
C7	17.28	11.00
C8	22.01	11.00
C9	25.76	61.00
C10	26.22	61.00
C11	26.22	61.00

- LEGEND**
- Set 1/2" rebar flush with ground with yellow cap imprinted "AES 20795" with 2"x2" white guard stake at all lot corners.
 - Set 3" Dia. Concrete Monument w/ 2" dia. Brass Cap imprinted "AES 20795"
 - Set 1" dia. brass disk surface monument imprinted "AES 20795" with magnetic locator.
 - [7820] = Lot Address
 - = Building Setback Line



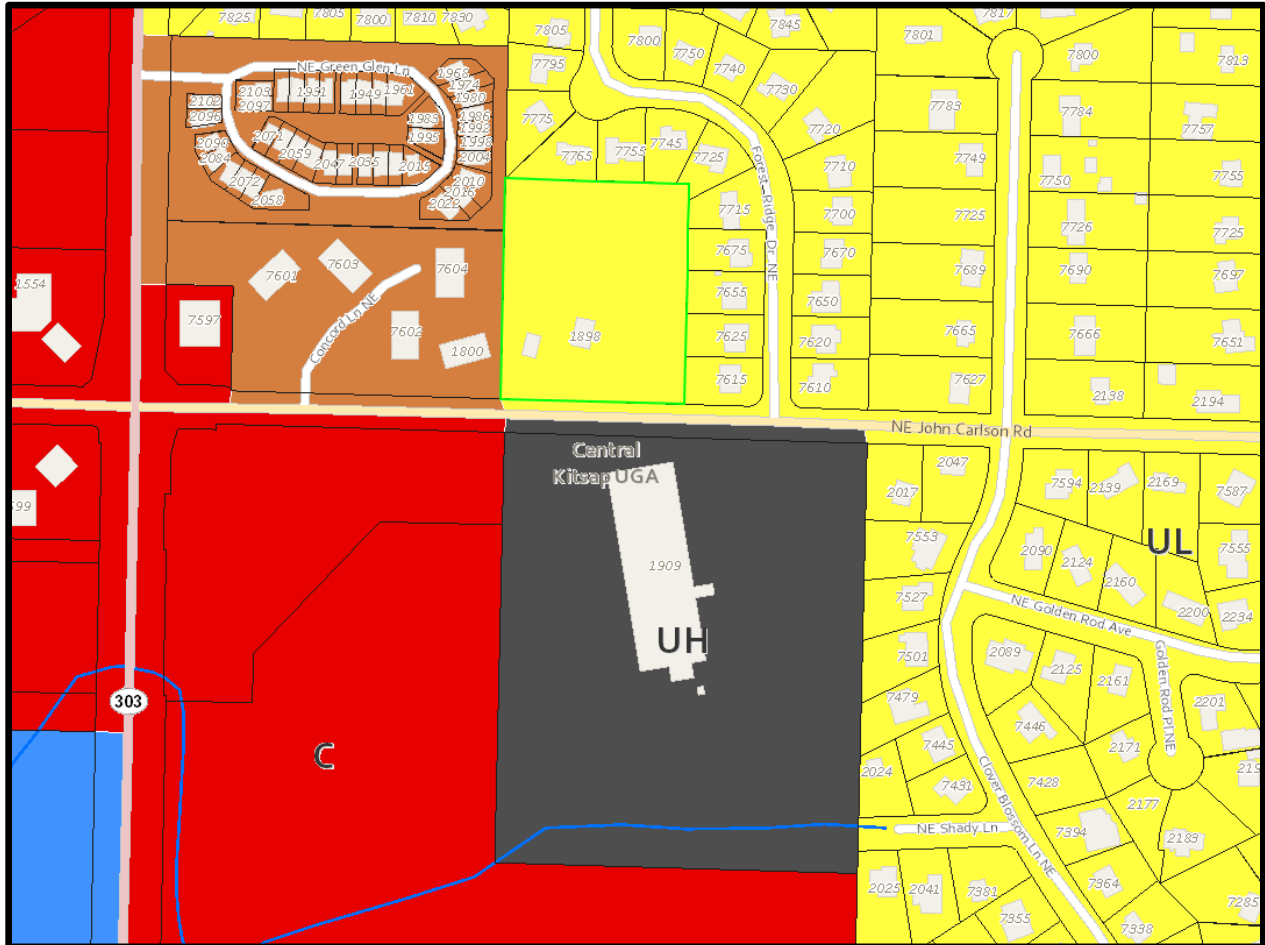
Drawn By: B.J.M.
Date: 6/12/19
Checked By: S.E.G.
Plot No.: 6-12-2019

AES
CONSULTANTS, INC.
P.O. BOX 800 - SILVERDALE, WA 98581 - (206) 866-1440

E501

08/15/2019

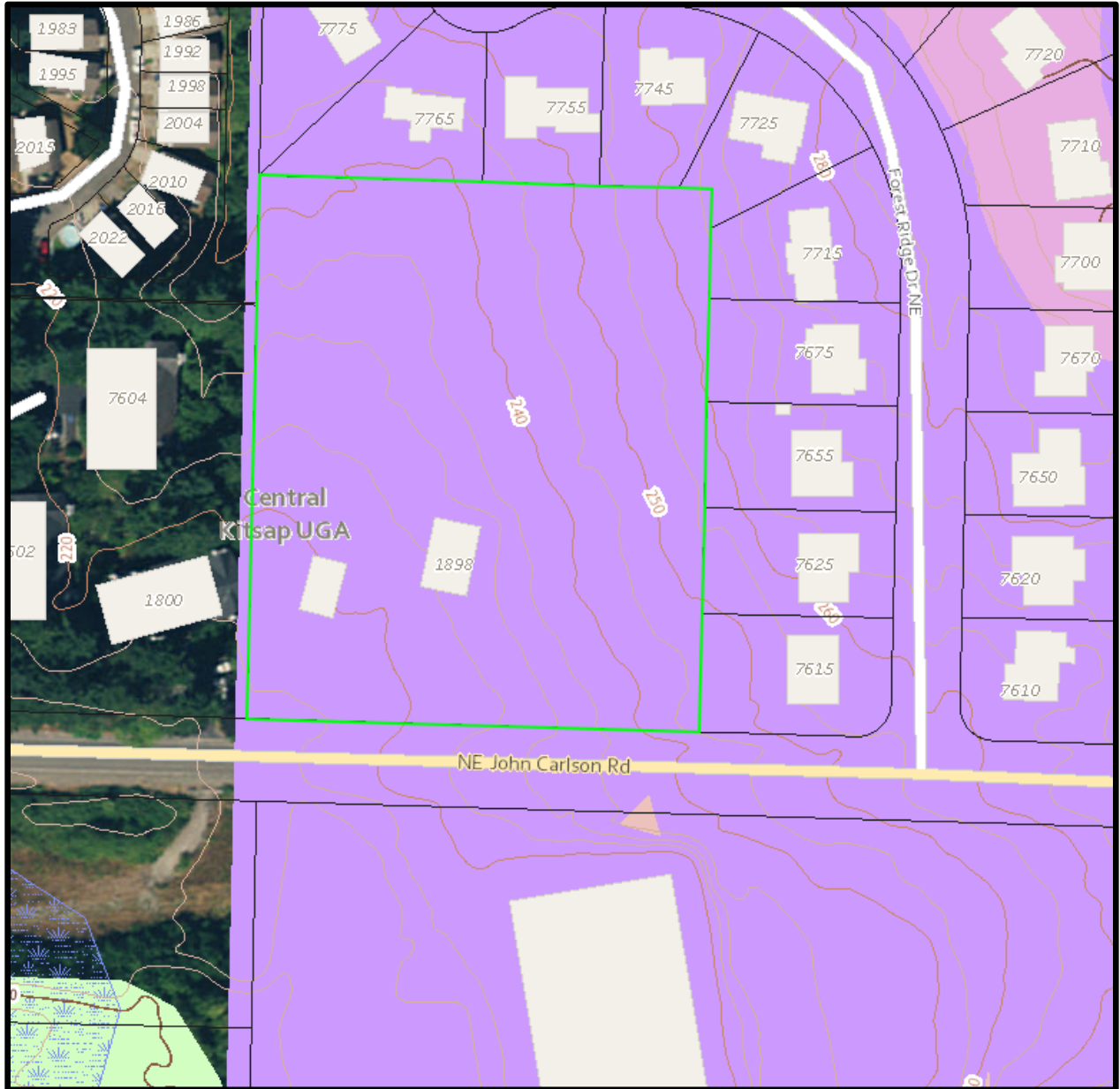
ATTACHMENT A- ZONING MAP



- UL - Urban Low Residential (5-9 DU/Ac)
- UM - Urban Medium Residential (10-18 DU/Ac)
- UH - Urban High Residential (19-30 DU/Ac)
- Commercial (10-30 DU/Ac)

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ATTACHMENT B- CRITICAL AREAS MAP



Seismic Moderate Hazard Area

■ Moderate

Hydric Soils

■ Potential Wetlands

■ Includes DNR NWI and Surveyed Wetlands

