



## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682  
(360) 337-7181 FAX (360) 337-4925 HOME PAGE - [www.kitsapgov.com/dcd/](http://www.kitsapgov.com/dcd/)

Larry Keeton, Director

### NOTICE OF ADMINISTRATIVE DECISION

November 18, 2008

To: Interested Parties and Parties of Record

RE: Project Name: Kingston North Industrial Park Lot D  
Application: Administrative Conditional Use Permit  
File Number: 07 47619 (092702-1-026-2002)

Enclosed is the Administrative Decision issued by the Kitsap County Department of Community Development (DCD) for the above referenced application.

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS APPEALED TO THE KITSAP COUNTY HEARING EXAMINER BEFORE THE CLOSE OF BUSINESS ON DECEMBER 4, 2008. PLEASE NOTE: THE COURTHOUSE WILL BE CLOSED ON NOVEMBER 27 & 28, 2008.**

Pursuant to the Kitsap County Land Use and Development Procedures, an appeal may be filed objecting to the Department's Decision. An appeal must be made in writing, and received by the Department of Community Development (DCD). At the time of filing the appeal, the appellant shall pay the sum of **five hundred dollars (\$500.00)**. This fee is non-refundable and subject to change. Make check payable to Kitsap County Department of Community Development (DCD).

The written appeal shall be made on, or attached to, an appeal form provided by DCD, and shall contain the following information.

1. The project name, project applicant, application type, and file number designated by the County;
2. The name, address, and signature of each appellant. If multiple parties file a single appeal, the appeal document shall designate, in writing, one party as the contact representative for all contact with the DCD Director and the Office of the Hearing Examiner. All contact between the County and the appellants regarding the appeal, including notices, shall be through this contact representative; and
3. A written statement of the specific aspect(s) of the Decision and/or SEPA determination being appealed, the reasons why each is in error as a matter of fact or law, and the evidence relied upon to prove the error

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The complete application file will be available for review at the Department of  
Community Development, Monday through Friday, except holidays, from 8:15  
a.m. to 4:15 p.m.

If you have questions, please contact me at (360) 337-4487 or Jeff Smith at (360)  
337-7181.

Sincerely,



Karen Ashcraft  
Clerk of the Hearing Examiner

C: Scott Fladgard, Akamai Properties, LLC, PO Box 1184, Kingston, WA  
98346  
Miles Yanick & CO, 600 Winslow WY East #247, Bainbridge Island, WA  
98110  
Mark Kuhlman, PE, Team4 Engineering, 5819 Minder RD, Poulsbo, WA  
98370

Interested Parties:  
(None)



## **KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT**

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Larry Keeton, Director

### **STAFF REPORT**

### **ADMINISTRATIVE DECISION**

## **Project: Kingston North Industrial Park Lot D**

**Date:** November 14, 2008

**Application Date:** December 6, 2007

**Type of Application:** Administrative Conditional Use Permit

**Permit #:**07 47619

**Project Description:** The request is for the construction of a 6,000 square foot industrial building on Lot-D, created by Short Plat 7245, to be used by contractors and provide storage space for heavy equipment within the Kingston North Industrial Park (KNIP). The site improvement will include approximately 13 off-street parking spaces, landscaping, Kitsap Public Utility District will provide water service and served by an on-site sewage disposal system. The Review Authority will be Kitsap County consistent with Title 21 of the Kitsap County Code (KCC).

**Project Location:** The subject property is approximately one-acre of a previous short subdivision, Lot-A, zoned Industrial within the Kingston North Industrial Park. The parcel is located south of NE Ecology Road and 600-feet west of the intersection at Hansville Road and Ecology Road.

**Assessor's Account #:** 092702-1-026-2002

**Applicant and Owner:**

Scott Fladgard  
Akamai Properties, LLC  
PO Box 1184  
Kingston, WA 98346

**Representative:**

Miles Yanick & Company  
600 Winslow Way East#247  
Bainbridge Island, WA 98110

**Engineer:**

Mark Kuhlman P.E.  
Team 4 Engineering  
5819 NE Minder Road  
Poulsbo, WA 98370

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

Pursuant to WAC 197-11-800(3), subject proposal is SEPA exempt. (This exemption applies to commercial and service buildings less than 8000 square feet with associated parking for less than 40 vehicles.)

**Physical Characteristics:**

The subject property is vacant, 1.00 acre in size, east of the Port Gamble S'Klallam Tribal Reservation and the Hansville Solidwaste Transfer facility operated by Kitsap County. The properties will receive access by a driveway off of NE Ecology Road. An existing retention pond is located in the northwest corner of the site, constructed under Site Development Activity Permit 03 10790. Under Forest Practice Application Number 2409478, the property was logged within the last six years. The site has since been populated by non-native vegetation, primarily Scotch Broom.

Kitsap County resource maps identify the area as having highly permeable soils. The soils on site are listed in the *Soil Survey of Kitsap County Area, Washington*, prepared by the United States Department of Agriculture, Soil Conservation Service as Sinclair very gravelly sandy loam, 8%-5% slopes and Poulsbo gravelly sandy loam 0%-6%. The site falls within a Category II Critical Aquifer Recharge Area, which certain uses are prohibited as listed in KCC Chapter 19.600 Aquifer Recharge Areas. The site slopes 4 percent from east to the west.

**Comprehensive Plan Designation and Existing Zoning:**

The 1.00 acre site is zoned Industrial. This phased development is not an industrial park as described in KCC Section 17.370.090 but the applicant has proposed a development similar to an industrial park setting. The industrial zone is *intended to provide sites for activities which require processing, fabrication, storage, and wholesale trade. Generally, these activities require reasonable accessibility to major transportation corridors including highways, rail, airports, or shipping (KCC 17.370.010).*

Industrial zone lot requirements:

- Minimum Setbacks = 20-foot front yard
- = None - side yard
- = None - rear yard

(Side and rear setbacks abutting a residential zone is 25 to 50 feet)

Maximum Height                   35-feet

Maximum Building Coverage       60%

**Surrounding Land Use and Zoning:**

The properties abutting the project site to the north are zoned Rural Protection (1 dwelling unit per 10 acres) which includes a single-family residence, a topsoil process business and a solidwaste transfer station. Properties to the east, south and west of the parcel are also zoned Industrial and are undeveloped except for the Flying Wrench truck repair property (Lot-C) that is currently being developed.

**Public Utilities and Public Services:**

Water: Kitsap Public Utility District  
Power: Puget Sound Energy  
Sewer: On-site Sewage Disposal System  
Police: Kitsap County Sheriff  
Fire: North Kitsap Fire and Rescue No. 10  
Schools: North Kitsap School District No. 400

**Transportation Review:**

The access to the industrial park will be by a driveway off Commercial Avenue NE, which intersects with NE Ecology Road, a local access road. The applicant has agreed with the County to participate in the construction of a left turn pocket on Hansville Road NE. The driveway access onto Hansville Road NE is in exchange for the intersection improvements and a hammerhead turn-around proposed in front of Lot G. The applicant will submit a short plat amendment to remove the access. Development Engineering has reviewed the transportation element for the project and has issued conditions of preliminary approval dated April 25, 2008.

**Stormwater Facilities:**

The stormwater management facilities planned for the lots will consist of bioswales and on-site underground infiltration facilities for stormwater quality and quantity control. The stormwater will be conveyed to the bioswales and infiltration facilities via catch basins and underground pipes. The storm drainage concept proposes 100 percent infiltration is proposed for Stormwater through a bio-filtration swale and infiltration trench. Development Engineering has reviewed the stormwater proposal for the project and has issued conditions of preliminary approval dated April 25, 2008.

**Off-Street Parking and Loading:**

The requirements in KCC Section 17.435 Off-Street Parking and Loading – General Provisions apply to the industrial development. The parking ratio for Manufacturing, research, testing, processing and assembly facilities require one parking space per 500 square feet of building space. The applicant is required to provide a minimum of 12 off-street parking spaces for 6,000 square feet of gross floor area. The project is providing 13 off-street parking spaces. There should be adequate parking for future industrial uses if demand is greater than the required number of spaces throughout the industrial complex. The project is therefore, consistent with KCC Chapter 17.435 Off-Street Parking and Loading Standards.

**Policies and Regulations Applicable to the Subject Proposal:**

*Road Standards, Title 11*

*Stormwater Drainage, Title 12*

*Zoning, Title 17, (February 15, 1999/ as amended)*

- Chapter 110 Definitions
- Chapter 370 Industrial Zone
- Chapter 382 Density, Dimensions and Design
- Chapter 385 Landscaping
- Chapter 400 Land Use Review
- Chapter 420 Administrative Conditional Use Permit
- Chapter 435 Off-Street Parking and Loading
- Chapter 445 Signs
- Chapter 520 Appeals
- Chapter 525 Revocations of Permits or Variances

KCC, State Environmental Policy Act, Chapter 18.04

*Kitsap County Critical Areas Ordinance, Title 19, (Adopted May 7, 1998 and as amended December 2005)*

*Kitsap County Land Use and Development Procedures Title 21, (May 18, 1998 and as amended)*

*Kitsap County Comprehensive Plan (May 7, 1998 and as amended)*

The following provisions are Goals of the Comprehensive Plan addressing the land use element:

Goal 22 Ensure compatibility of industrial uses with neighboring areas:

Policy LU-107 Encourage any future industrial uses located near residential uses to develop industrial park like setting.

Policy LU-108 Allow the outside storage of equipment or materials within industrial parks only when screen from adjacent properties public roadways.

Policy LU-110 Require industrial park development to include a landscaped setback, berms, walls or other structures to adequately buffer the industrial activities from adjacent uses.

**Project Analysis:**

The Administrative Site Plan Review application was submitted on December 06, 2007, for the construction of a 6,000 square foot industrial building. The application was determined to be complete on February 20, 2008. The proposed uses are for contractors and providing storage space for heavy equipment. There is a 25-foot native vegetation buffer along NE Ecology Road to help segregate the Industrial Park from the surrounding area. The lot coverage by building is approximately 14 percent of the 1-

acre site, and the project is limited to no more than 85 percent lot coverage by the building and storage yard.

The contractor's office and storage yard is required to be reviewed through an Administrative Conditional Use Permit and Kitsap County is the review authority pursuant to KCC 17.381.010B. The applicant submitted the Administrative Conditional Use Permit for the storage yard on December 6, 2007; the County issued a Notice of Complete Application on March 17, 2008 and a revised site plan dated February 8, 2008.

### **Administrative Conditional Use Permit Review**

The KNIP Building Lot D Light Industrial Office Building must meet the following requirements of Section 17.382.030 Design Standards:

#### *Building Height, Buffering and Screening Modification*

The director may increase or decrease landscaping, screening and setbacks to minimize conflicts. *The maximum height allowed in this zone is 35 feet. The maximum proposed building height is 35 feet. The existing 25-foot native vegetation buffer along Ecology Road will provide effective screening of the industrial facility from the traveling public and adjacent residential property owners.*

#### *Exterior Lighting*

If artificial outdoor lighting is necessary, the lighting should be arranged so that light is fully shielded from the side view and directed downward and away from adjacent residential properties. *Due to the project location and 25 foot natural vegetation buffer, any artificial lighting should not impact adjacent residential development or create glare for the traveling public.*

#### *Screening of equipment, storage, and refuse areas*

1. The roof-mounted HVAC equipment shall not be visible from abutting lots or roadways. *Roof mounted HVAC equipment is not proposed with this project and is not generally applicable within industrial parks.*
2. Locate service areas, outdoor storage areas and intrusive features away from neighboring properties. Outdoor storage yards are permitted within industrial parks. *However, the existing 25-foot native vegetative buffer and proposed landscaping should effectively screen the project from the public's view.*
3. The proposed project will be required to comply with all county solid waste standards and provide concurrence from Waste Management as part of the Site Development Activity Permit process. *The proposed project will be required to comply with all County solid waste standards and is proposing a recycle/waste collection area towards the northwest corner. This proposal is consistent with the county's solid waste standards.*

Access and Circulation

1. Safe pedestrian access and handicap access shall be required on-site from public rights-of-way to minimize pedestrian and vehicular conflicts. *The nature of contractor storage yards is that they generate minimal traffic. There may be very little pedestrian traffic. The incidence of pedestrian and vehicular conflicts is expected to be negligible.*
2. Development is limited to one ingress /egress per 300-lineal feet along a public arterial. Small parcels that provide less than 200 feet of road frontage shall be limited to one parking lane and exit. *The access to the KNIP Building Lot D Light Industrial Office Building will be from Commercial Avenue NE on the eastern property line and there should not be any conflicts with spacing with other driveways.*

Signs permitted according to KCC Section 17.445.

The applicant is required to apply for sign permits in accordance KCC Section 17.445 Signs. *Pursuant to this Section, the project will be allowed up to 90 square feet of signage area per building face, single design and not to exceed 200 square feet per site. Property owners are encouraged to work together to prepare a signage plan that is consistent with KCC 17.445 Signs.*

Off-street parking and loading per KCC Section 17.435.

See parking above.

Landscaping provided per KCC Section 17.385.

The KCC requires that a minimum of 15% of the total site area be landscaped to the standards in the titled section. A final landscape plan and irrigation plan will be required to be submitted with the Site Development Activity Permit.

*The final landscape plan should follow standards from KCC Section 17.385.030 Installation and Maintenance for trees, shrubs, groundcover, and soil amendments. The landscaping should be installed prior to occupancy of the first phase of construction and plants should be maintained up to two years until they are established. The vegetation for the screening buffer is required to remain undisturbed.*

Footnotes for Zoning Use Tables 17.381.050.42 *All business, service repair, processing, storage, or merchandise display on property abutting or across the street from a lot in any residential zone, shall be conducted wholly within an enclosed building unless screened from the residential zone by a site-obscuring buffer, fence or wall.*

**Agency and Public Comments:**

County Health District:

A memorandum dated March 28; 2008 and letter dated November 13, 2008 recommends approval with conditions.

County Development Engineering      A memorandum dated April 25, 2008 recommends approval, subject to conditions.

County Fire Prevention Bureau:      Conditions note on February 27, 2008 recommends approval, subject to conditions.

Public Input:      No comments received to date.

**Public Comment:**

The County, pursuant to KCC Title 21, Land Use, and Development Procedures gave proper public notice with a comment period through the Notice of Application. The Department did not receive comments on the project proposal.

**Site Plan Review Findings:**

Staff has reviewed the Site Plan Review application for consistency with the requirements of the Kitsap County Code and found the project consistent. The following are findings for the KNIP Lot D:

1. The proposed development/use is one permitted within the subject zoning designations and complies with all of the applicable provisions of this title and all other applicable regulations, including prescribed development/performance standards and design guidelines.
2. The proposed development would be harmonious and compatible with existing and future developments within the land use designation and general area.
3. The subject site is physically suitable for the type, density and intensity of the use being proposed.
4. Appropriate provisions have been made for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys and other public right-of-ways, transit stops, potable water supply, sanitary waste, parks and recreation, playgrounds, schools and all other relevant facts, including: sidewalks or other planning features that ensure safe walking conditions for students who walk to and from school.
5. The location, size, design and operating characteristics of the proposed development/use would not be detrimental to the public interest, health, safety, or welfare of the County.

**Decision:**

Based upon the above findings, the Administrative Conditional Use Permit Application for KNIP Lot D of the phased industrial project is **approved**, subject to the following conditions: