



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682
(360) 337-5777 FAX (360) 337-4925 HOME PAGE - www.kitsapgov.com/dcd/

Larry Keeton, Director

NOTICE OF ADMINISTRATIVE DECISION

May 12, 2011

To: Interested Parties and Parties of Record

RE: Project Name: Berg – Short Subdivision #7330
Application: Short Subdivision
File Number: LIS#10 94610

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 MAY 31, 2011. PLEASE NOTE: THE COURTHOUSE WILL BE CLOSED ON MAY 30, 2011.

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.

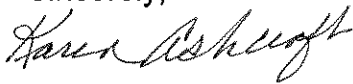
1. The project name, project applicant, application type, and file number designated by the County;
2. The name, address, and signature of each appellant. If multiple parties file a single appeal, the appeal document shall designate, in writing, one party as the contact representative for all contact 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 Thursday, except holidays, from 10:00 a.m. to 3:45 p.m. by appointment only. You may make an appointment by calling me at (360) 337-4487.

If you have questions, please contact me at (360) 337-4487 or James Barnard at (360) 337-5777.

Sincerely,



Karen Ashcraft
Clerk of the Examiner

C: Paul & Marcia Berg, 10813 32nd ST CT NW, Gig Harbor, WA 98335
Gregory A Boeh, PLS, NL Olson & Associates, Inc., PO Box 637, Port
Orchard, WA 98366

Interested Parties:
(None)



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/

Larry Keeton, Director

May 11, 2011

Paul & Marcia Berg
10813 32nd Street Court NW
Gig Harbor, WA 98335

Short Subdivision No. 7330

LIS No. 10 94610

Tax Account No. 012301-2-015-2006 & 012301-2-017-2004

Dear Mr. & Mrs. Berg:

This is to inform you that the subject Short Subdivision has been granted **preliminary approval**.

This decision is in compliance with the Kitsap County Code Title 21.04.070 Land Use and Development Procedures. All applicable criteria have been met for Preliminary Short Subdivision in accordance with Kitsap County Code Title 16.48 Short Subdivisions.

The Department has further determined that the subdivision as it is presented in the Preliminary Short Plat, received December 22, 2010 by the Department of Community Development, conforms (or will conform, subject to the conditions outlined in this letter) to the following:

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

Approval is subject to the following conditions:

LAND USE

1. Adhere to all elements and requirements set forth in Kitsap County Code 16.48.
2. The following condition shall be added to the face of the Final Short Plat: Building permits issued on a lot in this Short Subdivision may be subject to impact fees pursuant to Kitsap County Code.
3. Prior to recording the Final Short Plat, the following Land Use requirements of the associated Site Development Activity Permit (SDAP 10 94390) shall be met:
 - a. Sidewalks shall be designed consistent with 16.48.095(E) Sidewalks or other Pedestrian pathways.
 - b. Street trees are encouraged.
 - c. Pursuant to KCC 17.385.027(B)(3), provide sight obscuring screening around the

perimeter of any storm drainage facilities.

d. Demonstrate sufficient overflow parking per KCC 17.435.030 Number of Required Spaces, at 0.5 per single-family dwelling.

SURVEY

4. At the time of submittal of the Final Short Subdivision, a title certificate, current to within 30 days, is required. Please note or delineate all pertinent special exception items in schedule "B" of the title certificate.
5. Proof of registration of a Homeowners' Association with the Secretary of State's Office shall be submitted with the Final Short Subdivision application materials.
6. A Covenants, Conditions & Restrictions (CC&R) document shall be submitted with the Final Short Subdivision application materials. The CC&R document shall address at a minimum ownership of and maintenance responsibility for the access tract and associated stormwater facilities.
7. The names of the roads in this short subdivision shall be approved by the County prior to final short plat approval. A Petition for Road Name shall be submitted for this purpose with the Final Short Plat application materials.

STORMWATER

8. 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.
9. Approval of the preliminary short 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.
10. 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 Engineering.
11. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with **Kitsap County Code Title 12** effective at the time the Preliminary Short Subdivision application was deemed complete (January 4, 2011). 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.
12. 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 Short Subdivision application was deemed complete (January 4, 2011).
13. 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 jokl461@ecy.wa.gov. This permit is required prior to issuance of the SDAP.

14. The Washington State Department of Ecology (Ecology) may require registration of the infiltration system as an 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.
15. The design of the infiltration facilities will be accordance with to Section 7.3.4 of the Kitsap County Stormwater Design Manual.
16. 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.
17. 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 Engineering.
18. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.
19. 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.
20. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final short plat and final construction drawings. 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.

TRAFFIC AND ROADS

21. At Building Permit application, submit (KCPW Form 1601) for issuance of a Concurrency Certificate, as required by KCC Section 20.04.030 Transportation Concurrency.
22. The following note shall appear on the face of the final plat map. "All interior roads shall remain private."
23. 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 Requirements (CFR), Part 655.
24. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
25. All lots shall access from interior roads only. This note shall appear on the face of the

- final plat map.
26. The property owners (within the short 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 short plat map and the accepted construction plans. In addition, Development Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
 27. Provide surveyed cross-sections at 25-foot intervals along the parcel frontage on Harris Rd SE. 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.
 28. 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.
 29. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
 30. Construct road frontage improvements consisting of curb, gutter, and sidewalk while ensuring that there is 12 feet of travel lane from centerline to face of curb. This is to be constructed along the west property line of the project parcel fronting Harris Rd SE. Frontage improvements shall meet KCRS and address associated stormwater mitigation improvements.
 31. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the site access and Harris Road SE. 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.
 32. All work, equipment & 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 & Standard Plans, and the Occupational Safety & Health Administration (OSHA).
 33. Any work within the County right-of-way shall require a Public Works permit to perform work on County right-of-way and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process. The need for and scope of bonding will be determined at that time.

FIRE MARSHAL

34. The minimum fire flow requirements for one and two family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes. One and two family dwellings 5000 square feet or greater are also required to provide water for fire protection in the amount of 500 gallons per minute. However, they may use fire protection credits as listed in Table B103.3 to meet fire flow requirements, provided the total fire protection

credits equal or exceed 500 gallons per minute. EXCEPTIONS: 1) In areas where full fire flow is impractical, a residential sprinkler system may be substituted. 2) Permits for single family dwellings, manufactured, mobile, and modular dwellings on an existing lot less than 5000 square feet.

35. Fire apparatus access roads are required and must be maintained. Any proposed revision to these roads must be submitted to, reviewed and approved by the Kitsap County Fire Marshal's Office. Access roads shall comply with the following:
 1. Unobstructed width of 20 feet and height of 13 feet 6 inches.
 2. Shall be designed and maintained to support a 60,000 pound fire apparatus and be provided with an all weather driving surface.
 3. Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.
 4. Inside turning radius shall be a minimum of 25 feet.
 5. Access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the structure as measured by an approved route around the exterior of the structure or facility.
 6. Road shall not be more than 12% grade.
36. 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.

HEALTH DISTRICT

37. Prior to recording the Final Short Plat, the septic tanks at 3399 and 3459 Harris Road SE shall be decommissioned. Proof of such decommissioning shall be submitted with the Final Short Plat application materials.

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

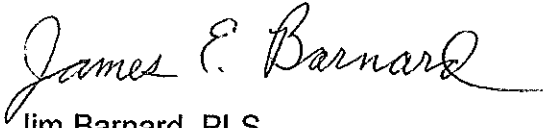
Preparation of the final Short Subdivision shall be done in accordance with Kitsap County Code 16.48. All applicable conditions of preliminary approval must be addressed prior to submitting the Final Short Subdivision application. Submittals that do not address all comments will be considered incomplete and returned without review. All of the above relevant conditions must appear on the final short plat. Any/all building setbacks and buffers established as conditions of approval must also be delineated on the final short plat. When you are ready to submit your Final Short Subdivision materials, please call Ellen Tietz at (360) 337-5777 for a submittal appointment.

Please refer to our website at www.kitsapgov.com/dcd/ for status information. This information is no longer available by e-mail and telephone. The current fee schedule and counter-complete submittal checklists can also be found at our website to assist with submittal of your Final Short Subdivision.

If you have any questions on this matter, please do not hesitate to contact Jeff Smith for Land Use matters; Candy Mursell for Survey matters; Shawn Alire for Stormwater matters; or Jackie

Blackwood for Fire Marshal matters, all of whom can be reached at (360) 337-5777. Please contact Nathan Holburn at (360) 337-5285 for Health District matters.

Sincerely,

A handwritten signature in cursive script that reads "James E. Barnard". The signature is written in black ink and is positioned above the typed name.

Jim Barnard, PLS
Development Engineering
Department of Community Development

cc: Gregory A. Boeh, PLS – N.L. Olson & Associates, Inc.
File