



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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Larry Keeton, DIRECTOR

ZACHARY HILL PRELIMINARY PLAT – RESPONSE TO SEPA APPEAL

RECOMMENDATION TO THE HEARING EXAMINER

Hearing Date: February 12, 2008 **Staff SEPA Planner:** David Greetham

Project Name: Zachary Hills Preliminary Plat

Type of Action: Appeal of SEPA Determination of Nonsignificance (DNS)

Land Use File No.: 07 45737

Appellant:

Kenneth and Vernice Koemmpel
1096 NW Selbo Road
Bremerton, WA 98311

Project Applicant:

Bushnell Homes
P.O. Box 1087
Tracyton, WA 98393

Background Summary:

A SEPA DNS was issued for the preliminary plat of Zachary Hills on January 17, 2008 (exhibit 54). A timely appeal of the SEPA determination was submitted by appellants Kenneth and Vernice Koemmpel on January 31, 2008 (exhibit 58).

Primary appeal issues relate to deficiencies in the Environmental (SEPA) Checklist, and are summarized below.

Summary of issues raised by appellants, relevant County or State code, and the department's response are summarized in the following table:

Issues raised by appellants:	Relevant Code:	Department Response:
<p>1. <i>The project plans do not address the required 100 foot protective radius for adjacent private wells.</i></p>	<p>WAC 197-11-330(1) (c) <i>(Consideration of mitigation measures which an agency or applicant will implement)</i></p> <p><i>Kitsap Board of Health Ordinance 1196-6, Drinking Water Rules, Table 1</i></p>	<p>The Kitsap County Health District (KCHD) has oversight responsibility for well protection and drinking water standards. The KCHD has reviewed and approved the preliminary plat, with the provision that "Individual parcels as building sites, are dependent upon building permit approval conforming to Health District standards. Approval of this subdivision does not constitute approval of building sites on individual lots." (exhibit 23).</p> <p>KCHD drinking water rules permit a sewered residence (as opposed to a polluting source, such as a septic drainfield) to be located within 5 feet of a private water supply well.</p>
<p>2. <i>The site is frequented by Bald Eagles and deer, which were not identified in the checklist.</i></p>	<p>KCC 19.300.315(B) and (C) <i>Class I and II Wildlife Habitat Conservation Areas Development Standards</i></p> <p>WAC 232-12-292 <i>Bald Eagle Management Rules</i></p>	<p>Bald Eagle habitat is currently regulated under KCC Title 19 (Critical Areas), but deer habitat is not.</p> <p>The GIS Building Limitations map (exhibit 4) indicates the presence of a Bald Eagle nest approximately 2600 feet to the west, along the shoreline of Dyes Inlet. The Bald Eagle Management Rules trigger a Bald Eagle Management Plan only for those lots within 800 feet of the actual nest site. As such, a habitat plan is not required for the subject proposal.</p>
<p>3. <i>The site has extensive evergreen trees not noted in the checklist</i></p>	<p>NA</p>	<p>Comment noted in staff review of the SEPA checklist.</p>
<p>4. <i>Items 7.a and 8.d of the checklist should have noted that an existing septic tank and</i></p>	<p>NA</p>	<p>Comment noted.</p>

<p><i>drainfield are planned for removal from the project site.</i></p>		
<p><i>5. Item 9.b (Housing) identifies one home to be demolished as low-income. The value of over \$200K is not low income.</i></p>	<p>NA</p>	<p>Comment noted.</p>
<p><i>6. Light and glare from the project will impact surrounding property (item 11.b. Light and Glare).</i></p>	<p><i>KCC Title 17, Zoning</i></p>	<p>The subject parcel will transition from a partially forested parcel to an urban residential plat, resulting in moderate increased light impacts to the surrounding community. The prior Kitsap County Comprehensive Plan and associated Environmental Impact Statement contemplated the transition to an urban environment when the parcel and surrounding vicinity were designated “Urban Low” during the comprehensive plan process.</p> <p>Kitsap County does not have a regulatory basis in the zoning code (KCC Title 17) to prevent increased light from residential development when it abuts a like residential zone.</p>
<p><i>7. Transportation impacts to NW Selbo Road have not been adequately addressed.</i></p>	<p><i>KCC Chapter 11.22, Road Standards</i></p>	<p>The project is located near the eastern end of NW Selbo Road, which ends just east of the proposed site approach. The applicant has proposed to construct half-street improvements (curb, gutter, sidewalk, and widening) along the property frontage on NW Selbo Road. The Kitsap County Road Standards dictate the frontage improvements.</p> <p>Development Engineering, in consultation with the Department of Public Works, has determined that the increase in traffic volume associated with the project does not warrant specific traffic mitigation. In particular, improvements at the T intersection of NW Selbo Road with Tracyton Boulevard, such as a left turn lane or a signal, are not warranted by volume. In addition to traffic impact fees, the property will be conditioned to</p>

		participate in CRIDs that form to include this property.
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Conclusion:

The appellants have identified several deficiencies in the applicant’s SEPA checklist; such comments are appreciated and have been noted in staff’s on-going review of the project. Plat development will result in moderate adverse impacts, including those identified above, due to the transition from a partially forested parcel to a fully developed urban plat. For the reasons specified above, including consideration of the urban comprehensive plan and zoning designation applicable to the subject parcel and surrounding vicinity, it is staff’s opinion that such impacts will not result in probable *significant* adverse environmental impacts as defined at WAC 197-11-794.

Recommendation:

Based on the above analysis, the Department recommends that the SEPA appeal be **DENIED**.

- cc: Appellants
- DCD File
- Hearing Examiner
- Clerk of Hearing Examiner
- DCD Staff Planner: Dennis Oost