



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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Director: Larry Keeton

STAFF REPORT

RECOMMENDATION TO THE HEARING EXAMINER

Date: May 27, 2009

Application Date: March 30, 2009

Project: Stampede Preliminary Plat

Type of Application: Preliminary Plat

Request Summary:

The applicant, Madeline Woods, LLC is requesting approval of a Preliminary Plat subdivision application. The Plat would subdivide a approximately 4.79 acre parcel into 40 single family lots. The site is zoned Urban Low (UL) and will be served by public sewer and water. Proposed housing types include permitted single family detached. The proposal includes construction of associated streets, sidewalks, street trees, and utilities to serve the lots in the plat.

Decision Summary: Recommend Approval, subject to conditions.

Project Location:

The subject property is located in Silverdale Washington at 6619 Stampede Blvd.
Commissioner District #3.

Assessor's Account #: 272501-3-058-2000

Applicant and Owner of Record:

Madeline Woods LLC
PO Box 1599
TSilverdale, WA 98383

Project Representative and Engineer:

N.L. Olson & Assoc., Inc
2453 Bethel Avenue
Port Orchard, WA 98366

State Environmental Policy Act (SEPA) Status:

Per the Responsible SEPA Official a DNS was issued under 197-11-340(2) on April 20, 2009. The appeal period ended May 8th 2009. No appeals were received.

SEPA COMMENTS:

Site clearing and construction will result in removal of forested cover, with associated impacts to wildlife and stormwater runoff. No Class I or II wildlife habitat areas are known to occur on site. Stormwater controls will be required pursuant to Kitsap County Code (KCC) Title 12. Increased traffic impacts will occur in the project vicinity, including Stampede Blvd. NW. Pursuant to KCC 11.22, (Road Standards), road frontage improvements will be required along that portion of the subdivision fronting Stampede Blvd. NW.

Site Physical Characteristics:

The subject property parcel is approximately 4.79-acres in size, currently un-developed except for one single-family residence and detached carport. The parcel is characterized by open clearings and forested uplands with vegetation comprised of large second growth Douglas Fir, Cedar, Alder, Bigleaf Maple and associated shrub vegetation.

The slope is generally from east to west across most of the property. The eastern third of the parcel has a grade generally sloping to the south. The steepest slope is approximately 25%. The soils are composed of very gravelly sandy loam.

Existing Zoning and Comprehensive Plan Designation:

The subject property is designated Urban Low (densities of 4 to 9 dwelling units per acre). The Urban Low (UL) is intended to recognize, maintain, and protect urban low density residential areas and establish urban densities where a full range of community services and facilities are present. The following are other site requirements for the UL Zone.

Minimum Lot Area = 2400-square feet
Minimum Lot Width = 40-feet
Minimum Lot Depth = 60-feet

Minimum Density = 4-dwelling unit/acre
Maximum Density = 9-dwelling units/acre

Minimum Setbacks = 20-feet front yard for garages
= 10 feet front yard for habitable space
= 5-feet side yard
= 10 feet side for a garage or carport opening on an alley
= 5-feet rear yard
= 10 feet rear yard for a garage or carport opening on an alley

Maximum Building Height = 35 Feet

Surrounding Land Use and Zoning:

The surrounding properties on all sides are zoned Urban Low (UL) at 4-9 dwelling units per acre. To the north is an established neighborhood developed at approximately 4 units per acre. To the west the lots are larger parcels (approximately 2-3 acres) zoned UL and developed with single family residences. To the south it is also zoned UL with larger lots that

have single family houses. To the east across Stampede Blvd, it is zoned Urban Restricted (UR).

Public Utilities and Services:

Water: Silverdale Water
Power: Puget Power
Sewer: Kitsap County Wastewater Division
Police: Kitsap County Sheriff
Fire: Fire Protection District No. 1
Schools: Central Kitsap School District

Transportation and Stormwater:

The proposal is to develop a 40 lot residential plat on 4.79 acres. The developments interior roads will remain private but will be constructed to Kitsap County Road Standards. A new approach to Stampede Boulevard NW will also be constructed. The proposed stormwater quantity improvements will consist of a system of pipes and catch basins that will intercept and convey on-site developed runoff from the developed site basin area and direct it to a combination retention/detention system. Lot roof runoff for 33 lots will be directed to individual downspout infiltration systems located on each individual lot. Lot roof runoff for the remaining 7 lots will be directed to the site stormwater quantity (retention/detention) system. Stormwater will be treated for quality prior to entering the infiltration/detention pond via a spill control catch basin and hydrodynamic separation system (CDS or approved equivalent).

Policies and Regulations Applicable to the Subject Proposal:

Kitsap County Code

Stormwater Drainage, Title 12

Preliminary Plat, General Provisions, Title 16.04

Preliminary Plat, Title 16.12

Kitsap County Zoning Code, Title 17, (May 14, 2007)

- Section 110 Definitions
- Section 330 Urban Low Zone
- Section 385 Landscaping
- Section 382 Design Standards
- Section 400 Land Use Review
- Section 421 Conditional Use Permits
- Section 435 Off-Street Parking and Loading
- Section 520 Appeals
- Section 525 Revocations of Permits or Variances

Kitsap County Critical Areas Ordinance, Title 19, (Adopted May 7, 1998 / Amended August 9, 1999)

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

Kitsap County Comprehensive Plan (December 11th 2006)

Comprehensive Plan Provisions

The following provisions are goals of the Comprehensive Plan addressing the preliminary plat:

Land Use Goals

Goal 11 Encourage new residential growth to locate within designated UGAs at higher densities than in rural areas.

Response: *The applicant is proposing to develop at the maximum density allowed within the Urban Low zone.*

Goal 13 Ensure that new development is compatible with established residential areas and provide for quality development.

Response: *The project is being developed in compliance with the single family development standards of 17.382.037*

Goal 33 Encourage the development of low-impact development standards for stormwater mitigation and to maximize groundwater resources.

Response: *The preliminary plat is being developed to capture and infiltrate storm runoff with a safety overflow that outlets to a swale along a private easement.*

Public Comment:

To date, the County has received ³2 inquiries from interested parties. The letters have had a common issue of concern dealing with storm drainage. These two issues are summarized below:

Drainage into the infiltration trenches on the southern edge of the parcel is uphill and close to neighboring structures.

The detention pond overflow is directed to a private easement owned by a neighbor.

Analysis:

Density

The proposed Preliminary Plat is requesting a minimum lot size of approximately 2400 square feet. Proposed lots range from 3200 square feet up to approx 3800 square feet. Total lots proposed are 40 for the 4.79 acre parcel or 8.4 units per acre.

The Urban Low zone requires a minimum lot size of 2400 SF and a maximum density of 9 units per acre. Both requirements have been met.

Sewage Disposal

Public sewer has been proposed for this project with a Binding Sewer Availability letter from Kitsap County. (exhibit 13)

Access

The 40 homes will receive access from Stampede Blvd. Public transportation is available at Fairgrounds Road which is approximately 0.4 mile from the site.

Sidewalks

A five-foot sidewalk is proposed and shall be required on both sides of the proposed plat roadway.

Streetscape

Landscaping and street trees are required along the Stampede Blvd frontage and the entrance to the development. Street trees and landscaping are also proposed on segments of the interior roads in association with provided open space tracts.

A final landscaping plan that complies with KCC 17.385 will be required prior to issuance of the Site Development Activity Permit (SDAP) approval. Installation of the landscaping is required prior to Final Plat approval.

Traffic

Based upon 10 ADTs per single family unit. Traffic for the 40-lots will produce approximately 400 average daily trips (ATDs).

Off-Street and On-Street Parking

Each single-family residence is required to provide two and one half parking spaces. It is required that each lot needs to accommodate two spaces with the balance of spaces being accommodated on-street within the development. A minimum of 20 guest/visitor parking spaces is required for the 40 proposed units. The applicant has demonstrated guest parking for 21 vehicles on the site plan.

The Hearing Examiner is required to make finding for the following requirements:

- A. *KCC Section 16.12.080 Hearing - Appropriate facilities and Improvements determinations.*
The Hearing Examiner determines 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 Kitsap County Health District, Public Works, Development Engineering, Planning and Fire District and the Washington State Department of Transportation were involved with the review process. Kitsap County reviewed the preliminary plat to make certain and determined that the development will not be detrimental to the health, safety and welfare of persons residing in this subdivision and or to persons residing near the subdivision.

- B. *KCC Section 16.012.090 Hearing Conformance to Comprehensive Plan determination.*
The hearing examiner shall determine if the proposed subdivision conforms to the general purposes of the Comprehensive Plan, and if the public use and interest will apparently be served by the proposal.

The Department has reviewed the preliminary plat and found the project consistent with Comprehensive Plan policies and the implementations regulations in the KCC Title 17 Zoning. The gross density for the plat proposal falls within the range of 4 to 9-dwelling units per gross acre at 8.4 dwelling units per acre, which is consistent with the UL zoning designation.

Agency Comment:

County Health District:	Recommends approval with conditions, Memo 4/13/09
County Development Engineering/ Public Works	Recommends approval, subject to conditions in a memo dated 4/20/09.
County Fire Prevention Bureau:	Recommends approval with conditions, Memo April 13, 2009

Findings:

Staff has reviewed the Stampede Bld. Preliminary Plat application against the requirements in the Kitsap County Code and found the project consistent. The following are findings for the Preliminary Plat Subdivision:

1. The Hearing Examiner has review authority for this Preliminary Plat application per *Kitsap County Code* (KCC) 16.12, 17.425.020 and 21.04.030.
2. The proposed development/use is one permitted within the subject zoning designation and complies with all of the applicable provisions of this Ordinance and all other applicable regulations, including prescribed development/performance standards and all applicable development standards and design guidelines.
3. The proposed development would be harmonious and compatible with existing and future developments within the land use designation and general area.
4. The subject site is physically suitable for the type, density and intensity of the use being proposed.
5. 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.
6. 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.
7. The preliminary plat, as conditioned below, incorporates appropriate provisions for the public health, safety, and general welfare, as required by RCW 58.17.110(2) and KCC, Section 16.12.160.

Recommendation:

Based upon the above findings, it is recommended that the Stampede Blvd Preliminary Plat be **approved**, subject to the following conditions:

1. All Building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.
2. A 6' foot tall, 3 rail, 8' section, solid cedar fence shall be constructed along the north and south property lines.
3. A forest practice permit shall be required from Kitsap County if more than 5000 Board Feet of marketable timber is removed from the site.
4. Land use approval is limited to the uses proposed by the applicant on the recommended site plan and the SEPA Environmental Checklist dated 3/27/09. 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.
5. Pursuant to KCC 21.04, land use approval is valid for a period of up to three (3) years from the decision date.

The Health District has reviewed the above referenced project and recommends preliminary plat approval subject to the following conditions:

6. Water is to be provided by the East Bremerton District.
7. Sewerage is to be provided by Kitsap County.
8. Any wells or septic tanks that may be found on the property would have to be properly decommissioned.
9. A Building Clearance for Sewered Properties is required from the Health District prior to issuance of each building permit. These lots will each require a binding water availability letter, and sewer letter.

The Fire Marshal's Office has reviewed the above project for fire protection purposes and has no conditions.

Development Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. A site evaluation was conducted on November 19, 2008. These comments are based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans stamped received March 30, 2009 to Kitsap County Development Engineering.

Development Engineering accepts the concepts contained in this preliminary submittal and requires the following conditions as an element of the land use approval:

GENERAL

10. 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.
11. 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

12. 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.
13. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with **Kitsap County Code Title 12** or as amended at the time of SDAP application. 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.
14. Kitsap County Code Title 12 classifies all water quality BMPs other than wet ponds/vaults, oil/water separators, and biofilters as experimental. The design engineer shall provide the required information as described in Section 6.6 of the Kitsap County Stormwater Design Manual with the SDAP application in order to gain approval from Development Engineering to use the experimental BMP. This requirement may be waived if the Washington State Department of Ecology (Ecology) has approved the specific BMP and the BMP is being utilized in accordance with the Ecology approval parameters. The water quality BMP shall be sized to provide treatment of the post-developed peak flow rate from the 6-month, 24-hour storm event per the KCSDM Section 6.2.
15. 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** or as amended at the time of SDAP application.
16. 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.
17. 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.
18. 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. 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.
19. Individual on-site infiltration systems may be used instead of a secondary drainage system and will be required on lots that cannot be directed to the secondary system. The engineer shall submit a detailed site and grading plan showing the location and design of those

proposed stormwater infiltration systems to Development Engineering with the SDAP submittal. Maintenance of these systems will be the responsibility of the homeowner.

20. 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.
21. 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.
22. 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.

TRAFFIC AND ROADS

23. At Building Permit application, submit (KCPW Form 1601) for issuance of a Concurrency Certificate, as required by KCC Section 20.04.030 Transportation Concurrency.
24. Roads shall not exceed 12% grade.
25. The following note shall appear on the face of the final plat map. "All interior roads shall remain private as proposed by the applicant. Should the applicant or his successors or assigns choose to dedicate these roads to Kitsap County, it shall be subject to a further review by Kitsap County Development Engineering and Public Works. For roads to be dedicated to Kitsap County, they must meet all the requirements of the Kitsap County Code as adopted at the time of dedication. All improvements necessary to bring said roads to the then current Kitsap County standards shall be done at no expense to the County prior to being accepted into the Kitsap County road system for maintenance."
26. Wheelchair sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
27. Road frontage improvements consisting of curb, gutter, and sidewalk shall be constructed along the east property line of the project parcel fronting Stampede Boulevard NW. Frontage improvements shall meet KCRS and address associated stormwater mitigation improvements.
28. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
29. 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 Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.

30. Provide surveyed cross-sections at 50-foot intervals on Stampede Boulevard NW. 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.
31. 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. Please denote the design vehicle on the plan set if different than the Kitsap County design vehicle. Existing approaches may need to be improved to meet current standards.
32. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
33. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Stampede Boulevard NW and the site access. 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.
34. Any work within the County right-of-way shall require a 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 (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.

SURVEY

35. A Final Plat Subdivision prepared by a Professional Land Surveyor in compliance with Kitsap County Code Title 16.16.
36. Private roads must be labeled as tracts, with ten feet for utility easement provided on each side of all private road tracts.
37. All potential park areas, common open space, recreational areas, private roads, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance shall be addressed on the face of the final plat as well as in the CCRs.
38. Access to all lots must be from roads within the proposed plat boundaries. A note to this effect must be placed on the Final Plat.

WASTEWATER

39. Kitsap County sanitary sewer is available for the project. Applicant needs to submit an "Application to Construct Sanitary Sewer".

OTHER

40. Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit.

41. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 4.7.5.

cc: Applicant
Engineer

Interested Parties :

John Murphy: John@newhometrends.com

Lynn Fowler 121 NE Wind Ridge Rd Belfair WA 98528

Tom Gieske PO Box 1027 Tracyton WA 98383

Bremerton-Kitsap County Health District, MS-30

Kitsap County Parks & Recreation Dept., MS-6

Kitsap County Development Engineering / Public Works

DCD Staff Planner: Dennis Oost

DCD Code Enforcement

Hearing Examiner

Clerk of Hearing Examiner

DCD File

DCD Building Permit File

DCD Fire Marshall