



Notice of Administrative Decision

Date: 12/30/2019

To: John Chadwell, jchadwell@orminc.com
Interested Parties and Parties of Record

RE: **Permit Number:** 18-04616
Project Name: Arborwood Preliminary Plat Minor Amendment
Type of Application: Preliminary Plat Amendment-Minor (PPlat Amend-Minor)

The Kitsap County Department of Community Development has **APPROVED** the land use application for **18-04616 Arborwood Preliminary Plat Minor Amendment**, **subject to the conditions outlined in this Notice and included Staff Report.**

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <https://www.cognitofirms.com/KitsapCounty1/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

CC: Linda Berry-Maraist, lmaraist@orminc.com
Don Hill w/David Evans and Associates, Inc., don.hill@deainc.com

Interested Parties:

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18-04616, Arborwood PPlat Amend-Minor
12/30/2019

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Administrative Staff Report

Report Date: December 24, 2019

Application Submittal Date: July 25, 2018

Application Complete Date: August 13, 2018

Project Name: Arborwood Preliminary Plat Minor Amendment

Type of Application: Type-II Decision

Permit Number: 18-04616

Project Location

24828 South Kingston Road NE and NE
White Horse Drive
Kingston, WA 98346
Commissioner District #1

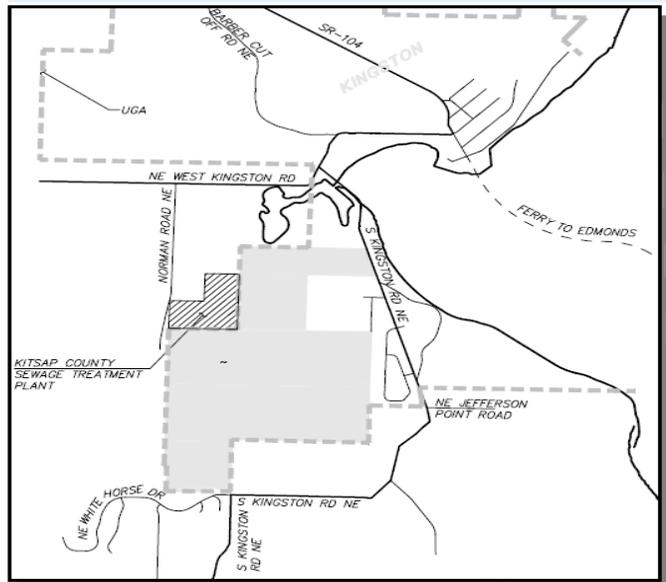
Assessor's Account

022602-1-016-2002
352702-1-003-2007
352702-1-015-2003
352702-1-016-2002
352702-2-025-2009

Applicant/Owner of Record

John Chadwell
Olympic Property Group
5727 Baker Way NW, #103
Gig Harbor, WA 98332

VICINITY MAP



Recommendation Summary

Approved subject to conditions listed under Section 13 of this report.

1. Background

The preliminary Minor Plat Amendment is to amend the conditionally approved Arborwood Preliminary Plat/Performance based on the development for 751 residential units. The amendments will modify streets and lots in Divisions 18-23 in the Arborwood Plat, Phase 1B, which is planned to be the first phase of Arborwood construction (See Attachment A). The purpose of the site plan modification is to 1) provide more efficient street layout, and 2) reduce the disturbance to critical areas. The applicant estimates that wetland buffer intrusion for lot layout and construction purposes is reduced approximately 75% within Divisions 18-23. The dwelling count for Divisions 18-23 has been reduced from 207 to 166 single-family detached units and 41 units will be redistributed to other future divisions (Attachment A).

Kitsap County records indicate the original plat application of Applewood was determined complete on December 31, 2007 and later withdrawn. The Arborwood preliminary Plat vested on March 26, 2008. The Kitsap County Hearing Examiner approved the preliminary plat of Arborwood on October 28, 2009 and the decision was issued on November 5, 2009 (See Attachment D). The development includes 751 residential units consisting of a mix of detached single-family homes, duplexes, townhomes, 20,000 square feet of retail space (File #07-47662 and HE Decision 090813-017). The applicant intends to develop the project in multiple phases based on market conditions. The approved project includes 23 divisions as development tracts, which represent future project phasing. The Arborwood development incorporates a pedestrian trail in the open space and a trail that is designed as a 10-foot paved pedestrian trail along the spine road. Spine Road A will be a public road, constructed to County Road Standards in phases. During the first phase Spine Road A will be constructed up to the intersection of Spine Road A and Road SP-B.

The applicant and the County entered into a Development Agreement on February 8, 2010 and received approval on March 25, 2010 (AFN# 2010004010022). The term of the agreement is 15 years, which can be extended an additional 5 years. Per the agreement, the applicant will dedicate a 104-acre Greenway area located on the west side of the project site to County Parks. The dedication of area can occur in phases as the Arborwood Plat is developed. The first dedication will occur with completion of the first phase of the Site Development Activity Permit (see Attachment G and I Appraisal 104-acre Greenway).

2. Project Request

The request is for a Preliminary Plat Minor Amendment to the approved Arborwood Preliminary Plat, as provided in Section KCC 16.40.040 Amendment to Approved Preliminary Subdivisions.

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 that follows environmental review may result in a Determination of Nonsignificance (DNS), Mitigated DNS (MDNS), or the necessity for an EIS, and is called a threshold determination. A separate notice of the threshold determination is given by the County. If the threshold determination 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 dated

November 6, 2018. An Addendum to the Revised Mitigated Determination of Nonsignificance (MDNS) was issued on November 15, 2019.

Per the Responsible SEPA Official a “Mitigated Determination of Non-significance and Notice of Adoption of Existing Environmental Documents” was issued under the optional DNS process in 197-11-355 on July 21, 2009. The appeal period ended on August 6, 2009. No appeals were received.

The Kitsap County Department of Community of Development is issuing this addendum to the SEPA MDNS for the Arborwood Preliminary Plat with the associated Minor Plat amendment, reviewed under permit 18-04616. Please note that consistent with Section WAC 197-11-625 of the State Environmental Policy Act (SEPA), Kitsap County is sending this addendum to the recipients of the DNS decision. The SEPA comment period for the Minor Plat Amendment occurred concurrent with the Notice of Application, dated November 6, 2018. There is not an appeal period for this SEPA addendum.

The addendum has been prepared in compliance with SEPA (RCW 43.21.C), SEPA Rules (WAC 197-11), and Chapter 18.04 Kitsap County Code, implements SEPA review in Kitsap County procedures.

The addendum provides additional information about the Minor Plat Amendment. The modification and the impacts of these modifications are within the range of the alternatives and significant adverse environmental impact previously analyzed in the July 23, 2009 MDNS (see Development Agreement Section 3 SEPA Mitigation), and the addendum does not substantially change that analysis (see WAC 197-600). The addendum does the following:

1. Describes modifications to the project per the revised submittal received and deemed complete on August 13, 2018, including reconfiguration of lots, revisions for stormwater control and a revised wetland report and modification of lot numbers and locations.
2. All conditions of the Hearing Examiner’s Decision for Permit 07-04766 and the associated Developer’s Agreement dated February 8, 2010 shall be adhered to. All previous land use actions and conditions shall apply including required SEPA substantive traffic and Right of Way mitigation conditions.

4. Physical Characteristics

The subject property is approximately 360 acres in size, undeveloped and located south of the Arness Slough, west of South Kingston Road NE and in the south end of the Kingston Urban Growth Area. The undeveloped site is covered primarily with second growth forest. The site is vegetated with a mix of conifers and deciduous trees and has moderately dense understory of ferns and brush typical of second growth forests of the region. The site contains geologically hazardous areas, wetlands and associated streams flowing west to Grovers Creek

and north to the Carpenter Estuary. In addition, the northeast portion of the site falls within a Bald Eagle management zone. The Arborwood development contains three open space and trail corridors containing wetlands and streams that run north to south through the development. Two corridors are located on the east side, and the west side of the development contains an approximately 120-acre open space corridor. As agreed upon in the Developer's Agreement, the tract will function as an extension to the North Kitsap Heritage Park when dedicated to the county.

Wetlands

Approximately 39 wetlands have been identified and delineated on the Arborwood property, totaling approximately 27 acres onsite, which includes approximately 124 acres of wetland buffer acreage. The applicant provided additional wetland analysis prepared by Raedeke Associates, Inc, dated August 13, 2018 to provide confirmation of the 2008 delineation of two existing wetlands and identification of a new wetland (See Attachment B Wetland Delineation).

The analysis describes lot reconfiguration located at the north end of Arborwood Division 18. The revision eliminates development impacts to newly discovered wetland 401. The wetland consultant concluded that eliminating wetland impacts to wetland 401 would not require a US Army Corp of Engineers permit (a Nationwide Permit) for the first construction phase. A Nationwide Permit will be required for future Arborwood phases due to unavoidable wetland impacts (ie, road crossings, utility installation).

Steep Slopes

The slopes on the developable portion of the site range on average from approximately 2% to 22%. The site consists of generally north-south rolling topography and valleys created by the glacial movement. Site elevations range from 30 feet above mean sea level along the north side to 300 feet in the southeast corner. Kitsap County resource maps indicate that approximately 30% of the site is covered by Geologic Hazardous Areas of Concern. The geotechnical analysis prepared by the consultant states that field observations did not find evidence of erosion, instability, or previous land slide area.

Streams

The project site contributes water to two separate basins, Grovers Creek and Carpenter Creek. There are two unnamed small independent drainages that bisect the property from the south to the north. Both streams flow through the property from the south to the north and enter the Carpenter Creek estuary. One additional tributary to Grovers Creek has been identified in the southwest corner and is the headwaters of the south fork of Grovers Creek.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban Cluster Residential Zone: Urban Cluster Residential (vested)	Standard	Proposed
Minimum Density	4-Dwelling Units per acre	The project density is 5 dwelling units per acre (approved for proposed lots 3600 sf, typical lot dimensions 50' x 100')
Maximum Density	9-Dwelling Units per acre	
Minimum Lot Size	NA.	4,000 sf
Maximum Lot Size	NA	7,496 sf
Minimum Lot Width	NA	45 feet
Minimum Lot Depth	NA	90 feet
Maximum Height	35 feet	2 stories, <35 feet
Maximum Impervious Surface Coverage	N/A	1,797,721 sf (41.27 acres)
Maximum Lot Coverage	NA	NA

Applicable footnotes: NA

(See Attachment E Zoning Map)

Table 2 - Setback for Zoning District

	Standard	Proposed
Front	10 feet for SFR, duplex & townhouse.	10 feet (20 feet Garage)
Side	5 feet (0' Lot Line allowed)	5 feet
Side	5 feet (0' Lot Line allowed)	5 feet
Rear	5 feet (0' Lot Line allowed)	5 feet

Applicable footnotes: KCC 17382.110 #5, the Design Standards for the Community of Kingston sets forth policies and regulation for properties within downtown area of Kingston. All development within these areas must be consistent with size and dimensions.

#28 Unless part of an approved zero-lot line development,

Staff Comment: With the preliminary approval the project vested to Urban Cluster Residential development standards and setbacks are listed in Table 1 and 2, pursuant to KCC 21.04.105 Vesting (see Development Agreement Section 6.1 Term Vesting).

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Currently undeveloped and single-family residences	Rural Protection (RP)
South	Undeveloped	Rural Residential (RR)
East	Single-family residences	Rural Protection (RP)
West	Single-family residences	Rural Protection (RP)

The north entrance to the site is approximately 4,000 feet south of West Kingston Road and adjacent to Taree Drive NE. The site is bounded by the subdivisions Brooke Estates, Plat of Taree No. 2 and South Kingston Road NE which provides primary access. To the south of the site are single-family homes with sections of open space. The White Horse community is located to the southeast of the site. Properties to the west of the site consists of undeveloped Heritage Park. The Kingston Wastewater Treatment Plant is located to the northwest of the site (See Attachment D).

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap Public Utility District
Power	Puget Sound Energy
Sewer	Kitsap County Wastewater
Police	Kitsap County Sherriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

5. Access

The preliminary plat will receive vehicle and trail access from two approaches from South Kingston Road NE at two separate locations. In a later phase, the north entrance will be incorporated into a newly constructed roundabout on NE South Kingston Road. With the current proposal, the southern entrance to the site will require a newly constructed traffic circle to connect with Spine Road A. The intent is that the Spine Road will provide a future north-south connection with two entrances as well as provide internal access to local access roads. Consistent with County requirements, the Fire Marshal's Office will require a second road access to the plat when the development reaches 100 dwelling units. Later phases, which are not part of this amendment, include access and intersection improvements at the north entrance and access from Spine Road D on the east side between Divisions 11 and 7 (See Attachment G).

6. Site Design

The proposed minor amendment to the preliminary approved Arborwood Preliminary Plat was reviewed for consistency with requirements pursuant to the process in KCC 16.40.040 Amendments to approved preliminary subdivisions. The preliminary plat was required to

comply with urban development standards at the time of vesting and included in the Development Agreement (ie, utilities, roads, sidewalks, landscaping and recreation facilities).

7. Policies and Regulations Applicable to the Subject Proposal

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 December 2006

See Comprehensive Plan goals and polices in the previous staff report, when the project vested on March 26, 2008.

(see Ordinance No. 352-2005 Kingston UGA).

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

- Land Use Goals and Policies,
 Policy LU-2, Policy LU-3, Policy LU-14, Policy LU-133 Policy LU-137, Policy LU-148
- Natural Systems Policies, Policy NS-27, Policy NS-28, Policy LU-32
- Housing Policies, Policy HS-12, Policy HS-13, Policy HS-15
- Transportation Policies: Policy T-81, Policy T-83

Kingston Subarea Plan goals and policies most relevant to this application:

- Environment Goals and Policies, Kingston Policy-13, Kingston Policy-16
- Parks, Trails and Open Space, Kingston Policy-17, Kingston Policy-19, Kingston Policy-32
- Transportation, Kingston Policy-38, Kingston Policy 43
- Land Use, Kingston Policy-52

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 11	Roads, Highways, and Bridges
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 16	Land Divisions and Development
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

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Minor Amendment Application	September 18, 2018
Revised Project Narrative	May 13, 2019
Development Agreement	October 4, 2018
Revised Preliminary Plat Amendment	March 13, 2019
Habitat Management Plan & Supplement	November 7, 2018
Revised Environmental (SEPA) Checklist	September 19, 2018
Revised Wetland Delineation Report, Preliminary Plat	June 10, 2019 June 18, 2018
Revised Landscape Plan	May 14, 2019
Revised Engineered Drainage Report, Plans	May 13, 2019
<u>Staff Communication</u>	<u>Dated</u>
Dev. Services & Engineering Memo	December 2, 2019
SEPA Addendum - Arborwood Preliminary Plat	November 15, 2019

9. Public Outreach and Comments

Pursuant to KCC Title 21 Land Use, and Development Procedures, the Department gave proper public notice for the minor amendment. A Notice of Application was sent to property owners up to 800 feet around the site to provide notification for the Type-II application. To date the Department has received comments or questions from one individual and two agencies during the application comment period.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1.	How many units will be approved with this modification? The parcels in the application include south and north areas. This is very important since traffic and other mitigation measures required by the development agreement and the Board of Commissioners approval are triggered by over 100 units. The application materials include conflicting unit totals.	Betsy Cooper (BC)
2.	Will the spine Road A be built in any form as part of the initial phase? Appears the amendment for fire access on Spine Road A would not be connected to South Kingston Road.	BC
3.	When will the County take ownership of the park conservation land? Please clarify the status of the property transfer of the Greenway to Kitsap County and the timing and responsibility for constructing ...	BC
4.	What Transportation and infrastructure mitigation measures have been agreed upon...will it be initiated in the first phase...	BC

5.	The applicant's proposal is to reduce the number of units from 207 to 165. Where will the units be placed? Concerns with the storm drainage report project description not being consistent with plat amendment description.	BC
6.	Condition #65 of the approval state improvements to South Kingston Road NE/NE West Kingston Road shall be submitted in association with the SDAP first Phase. Has that occurred? Compliance with mitigation on SR 104/Miller Bay at 200 equivalent residential units?	BC
7.	Hearing Examiner Decision 11/5/09 included requirements for storm water management, increase capacity of storm pond that serves Grovers Creek, review wetland and stream crossing proposals. Have these components been completed?	BC
8.	There is 15,188 square feet of wetlands is being affected. Where will wetland mitigation be occurring?	BC
9.	The County needs to be vigilant to hold to the intent off all requirements in the legally binding Developer's Agreement.	BC
10	State has concerns regarding the potential sediment/turbidity impacts from the proposed development on streams and wetlands below steep slopes. In addition, the State has concerns with stormwater management potential impacts downhill from the development caused by impervious surfaces. The recommendation was for the county to consider both increasing stream and wetland buffers as well as require phasing of land clearing.	WSDFW
11.	Kitsap Transit is requesting: (1) At least two designated bus stops within the project site. The stops can be used for the new Kingston Ride Service for on-demand style transit service and pre-booked trip options to the new Kingston Fast Ferry. (2) If frontage improvements are constructed along South Kingston Road, Transit is requesting space for two stops. The exact locations can be determined later with discussions with Transit.	Kitsap Transit
Issue Ref. No.	Issue	Staff Response
1.	Phasing and construction Plan	Applicant states that all conditions of the Hearing Examiner and the Development Agreement will be met. The applicant states that the proposal is consistent with the 2010 Development Agreement. Per the phasing map description, the agreement allow OPG flexibility to modify the phasing and project timing. The applicant is proposing only to build the southern portion first. Additional adjustments may be necessary based on development demand, cost, and market conditions. The

		applicant is estimating that construction will begin in Spring 2020 (See Finding e below).
2.	Development and timing of Spine Road A.	It has been confirmed that preliminary conditions include the requirements for a second access when the development reaches 100 lots. The preliminary plat was approved with a road from the south end to and through the north end with connection to South Kingston Road NE. It has been noted in the record that at some point Spine Road A will be constructed as a gravel road beyond Spine Road B and act as an interim fire access road and trail (See Attachment G).
3.	Status and timing of county ownership and availability of the Greenway and Regional Trail.	Per the conditions of approval and the development agreement the greenway for the heritage park extension will be placed in a conservation easement. Upon the recording of the final plat phase, and once the greenway boundaries are final, it is conditioned that the applicant dedicates the greenway tract to the county. The applicant is not proposing to dedicate the property during the Minor Plat Amendment (see Development Agreement Section 2.5 Greenway Conservation Easement).
4.	Clarify use of Spine Road C.	Applicant states that Spine Road C will serve the future development of Division 17 and provide a connection to the existing treatment plant (Phase 4).
5.	Distribution of Residential Units	The applicant submitted documentation into the record on description of Phase 1 lot counts. The plat received preliminary approval for 751 dwelling units/lots. The 42 units removed from Phase 1 will be distributed to later phases/divisions, which will be reviewed and approved by the County.
6.	Timing of Transportation Improvements	The applicant's proposal is only for modification of the southern lot cluster near the White Horse development. As required by the Hearing Examiner and the development agreement when lots/units are redistributed, improvements are required based on performance measures tied to traffic counts to mitigate impacts. Section No 5 of the Development Agreement for the MDNS lays out a plan for implementation of traffic improvements to South Kingston Road and West Kingston Road on the issuance of the 356th building Permit.
7.	Storm Mitigation Requirements	Stormwater mitigation will be provided in accordance with Title 12 and will be reviewed through Site

		Development Activity Permits and land use permitting as applicable.
8.	Wetland Mitigation	The applicant's proposal for Phase 1 is avoidance of wetland impact by reducing the number of residential units in this phase; 42 units are removed from this phase. If impacts are unavoidable in later phases, then additional analysis will be required, through land use and /or civil engineering review.
9.	Application of Development Agreement	Project review will occur as conditioned by the Hearing Examiner and required by the Development Agreement. Interested parties and outside agencies will continue to have opportunity to review and comment on individual phases as proposed.
10.	WDFW Comments	Staff has met onsite with the State and the tribe to review the development proposal and potential impacts to slopes, streams and wetlands. Consistent with comments, the applicant's proposal is to construct the project in multiple phases and implement changes to the plat to avoid impacts and obtain permits from other agencies when required (Army Corps). Section No 5 of the Development Agreement for the MDNS requires increasing the capacity of the stormwater pond serving the Grovers Creek Basin.
11.	Kitsap Transit Comments	Transit service is an important mode of transportation in Urban Growth Areas. The county will support the addition of transit facilities as needed to facilitate the reduction of single-occupancy -vehicles (SOV) during SDAP review. In addition, the county will reach out to the North School District to identify future school bus stops.

10. Analysis

a. Planning/Zoning

The preliminary plat/PBD is zoned Urban Cluster Residential (UCR). The intent of the zone is for clustering of appropriate urban densities, protect critical areas, provide open space, and provide interconnected pedestrian and bicycle facilities. The zone allows for single-family detached, attached, multi-family dwellings and limited commercial uses. The project is vested to Urban Cluster Low Residential development standards and setbacks at the time of approval, pursuant to KCC 21.04.105 Vesting. The Minor Plat Amendment vested on August 13, 2018 (see Development Agreement Attachment C).

b. Lighting

Urban residential plats generally include illumination of internal roadways. Pursuant to KCC 11.40 Street Lighting, street lighting at the intersection where private roads intersect with County right-of-way is required. The developer is responsible for installing the street lighting at intersections and maintained by the County. If desired, the developer and/or Homeowners Association (HOA) may install the internal street lighting. The individual property owners are billed through the local water purveyor (KPUD) for lighting with the HOA responsible for maintenance.

c. Off-Street Parking

Consistent with KCC 17.490 Off-street and Loading, the proposal includes off-street and on-street parking. The applicant is proposing 330 off-street parking spaces in driveways and 161 on-street parking and alley spaces. The project was approved under previous Chapter 17.435, which is now KCC 17.490 and the standards have not changed. 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
Single-family (attached detached)	2 per unit + 0.5 per unit on street or set aside	330 + 83 on street or set aside	340 + 161 on-street or set aside
Total		413	501

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. To be consistent with 17.510.060.M Conditionally Exempt signs - Real Estate Signage Program, when the final plat is recorded to establish the subdivision and lots are for sale, all signage will be required.

e. Landscaping

The previous Arborwood Preliminary Plat/PBD included provisions for streetscape landscaping along roadways and by entrance signs. Street trees were required all along roadways at an average interval of 25-30 feet with coordination with the location of lot driveways. The recommendation by staff was to retain natural vegetation in open space areas. The purpose was to provide a functional screen and provide associated habitat for wetland and stream buffers (See Landscape Conditions of Approval in previous decision). As conditioned per approval, the applicant submitted a landscape plan, dated October 31, 2018, and revised March 26, 2019, with the required elements such as

recreation areas, street trees, and natural vegetation open space landscape area. The landscaping plan also includes a trail plan providing pedestrian connection adjacent to or in open spaces areas throughout the development. A major north-south trail is proposed along Spine Road connecting the south and north ends of the plat and to the community of Kingston (See Attachment G).

Consistent with the Development Agreement for vesting, the Landscape Code requires Rural Character Buffers per KCC 17.385.050.D. A screening buffer will be required along the southern boundary (Lots 10 and 11) where the urban plat abuts the Rural Residential zone.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq Ft) 15% of Site	NA	NA
Required Buffer(s) 17.485.025		
North	Separation Buffer	Separation Buffer
South	Rural Character NA	None
East	Separation Buffer	Separation Buffer
West	Screening Buffer	Screening Buffer
Street Trees	Yes	Yes

f. Recreation Facilities

Consistent with the Hearing Examiner decision, the applicant has included a recreation facility on Tract B - Recreation in the first phase adjacent to the Category III wetland (Tract 908). The project is conditioned through the Site Development Activity Permit to provide recreational facilities for use by children who will reside within the subdivision (See Attachment A).

g. Frontage Improvements

Consistent with Kitsap County Road Standard and Comprehensive Plan policies, the preliminary plat is required to include frontage improvements along sections of internal road network and along South Kingston Road NE. As conditioned, the project includes the installation of curbing, and sidewalks along the project frontage.

h. Design Districts/Requirements

NA

i. Development Engineering/Stormwater

Applicant proposes to amend the previously approved Arborwood Preliminary Plat, to change the lot count from 207 lots in Divisions 18-23 to a lot count of 165 lots. The Preliminary Plat and Performance Based Development applications were approved via Hearing Examiner Decision Case Number 090813-017, with the Notice of Hearing Examiner Decision dated November 5, 2009. The condition numbering below is from the referenced Hearing Examiner Decision, with the disposition of each condition noted.

Development Services and Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Preliminary Plat Amendment application materials submitted to Kitsap County Development Services and Engineering application deemed complete October 31, 2018. Development Services and Engineering accepts the concepts contained in this preliminary submittal. Engineering has reviewed the proposal and issued conditions of approval on December 2, 2019.

j. Environmental

According to Appendix E the project is vested under the 1998 Critical Areas Ordinance (217-1998). The analysis was reviewed by the Environmental and Stormwater Section and concluded the applicant addressed all concerns.

k. Access, Traffic and Roads

See comments on access above.

l. Fire Safety

The development is consistent with county policy by providing one access until 100 dwellings are constructed. The project provides fire access from the south from NE White Horse Drive/S Kingston Road NE. The Fire Marshal has reviewed the proposal and conditioned the project. Fire flow verification, fire hydrant placement and adequate fire apparatus access for emergency responders are required and will be reviewed through the Site Development Activity Permit (See Attachment G - Preliminary Trail and Fire Access Plan).

m. Solid Waste

Individual property owners will be responsible for solid waste collection. Waste Management approval is required for solid waste service for the plat.

n. Water/Sewer

The project is vested at an urban level of service for water and sewer service. The applicant has provided documentation that the water and sanitary sewer service is available from KPUD and Kitsap County respectively. The Kitsap Public Utility District No

1 issued a Binding Sewer Availability Letter and Non-Binding Water Letter to Olympic Property Group on March 14, 2018.

o. Kitsap Public Health District

The Kitsap Public Health District has reviewed the proposal and does not have comments and concerns with the request. At the time of Building Permit submittal, a sewer clearance approval and a binding water availability letter is required.

Revision to the Hearing Examiner's Decision and Recommendation

Kitsap County Code 16.40.040 Amendment to approved preliminary subdivisions provides standards for Major and Minor Approved Preliminary Plat Amendments. The Department determined that the request is a minor plat amendment, which is reviewed pursuant to KCC 21.040.060 Land Use and Development Procedures as an administrative Type-II decision.

Minor Plat Amendment Analysis

Staff made the following comments based on review of the revised site plan for the Minor Plat Amendment, dated March 13, 2019 (see Development Agreement Section 8.2 Amendment, Minor). The applicant provided the following comments on the criteria specified in KCC 16.40.040 for the minor amendment to the preliminary approved plat:

General Requirements: The minor amendment is classified as Type-II decision under Chapter 21.04 and addresses those changes to an approved preliminary subdivision that fall within the scope of the original approval and/or do not significantly increase impacts to surrounding properties. For these purposes, "significant" shall mean a greater than 10% increase when the impact is quantifiable.

Staff Evaluation of Decision Criteria:

Per the Development Agreement the project vested on March 28, 2008 before the adoption of the amended Performance Based Development (PBD) code on November 10, 2008 (Ordinance 415-2008). The vested PBD Chapter does not have revision criteria. The PBD was approved as an element of the master plan and preliminary subdivision pursuant to KCC 17.435 PBD code. The intent of the PBD is to allow the use of lot clustering to preserve open space, suitable buffers, and efficiency of infrastructure layout. The minor plat amendment changes lot and road layout, increases open space, avoids critical areas and buffers, and does not change vehicle access to the Arborwood development. Original plat includes over 15% of open space and over 5% of active recreation areas. The minor plat amendment is more consistent with the PBD requirements outlined in the vested code.

11. Review Authority

The Director has review authority for this Minor Amendment to Preliminary Plat application under KCC, Sections 16.40.040 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny an Administrative Land Use Permit.

12. Findings

Written Findings: A proposed minor subdivision amendment may be approved if the Director makes written findings that all the following are satisfied. If one or more are not satisfied, the application must proceed as a major amendment. Criteria, which must be met, are outlined in Kitsap County Code 16.40.040, Items 1, and 2a through j. Preliminary Plat Amendment. The following italics are staff findings that address the criteria for the minor amendment:

- a. **The proposal does not result in significant impacts to the subdivision or the surrounding property. Impacts may include, but are not limited to, storm water, traffic, open space, landscaping, screening, on-street or set-aside parking, or noise.**

Applicant: The proposed amendment does not increase impacts. In fact, the proposed amendment reduces impacts to wetland buffers previously created by lot layout. This will be reviewed in detail during civil construction review that will occur later following preliminary land use review.

Staff Comment: The applicant is proposing only minor changes to grading and the storm drainage system. The request should not result in significant impacts within the subdivision and to surrounding properties.

- b. **The proposal satisfies the applicable general requirements of this title (KCC Title 16).**

Applicant: The Arborwood Preliminary Plat was approved with conditions in accordance with KCC Title 16 on October 28, 2009. This amendment is in conformance with KCC 16.40 Subdivisions and continues to satisfy these requirements with other applicable development standards per other Kitsap County Code Titles.

Staff Comment: The proposal is only for reconfiguring lot layout. The request is consistent with the goals and policies of the comprehensive plan, compatible with surrounding uses, and will not be detrimental to the health, safety, or welfare of the neighborhood.

- c. **The proposal does not result in a change of use.**

Applicant: The proposed amendment maintains the approved use of single-family detached dwellings. Future divisions to the north, and outside of the amendment area, maintain the uses as originally approved. These uses include single family detached, single family attached, and limited commercial as conditionally approved.

Staff Comment: No changes to the type of housing is proposed.

d. The proposal falls within the scope of the original approval and complies with the intent of the conditions originally imposed.

Applicant: The proposed amendment complies with the Development Agreement and is within the scope of the originally approved preliminary plat of October 28, 2009. Conditions of approval contained in the Notice of Decision will apply to future permit review and approval related to construction of the amended plat.

Staff Comment: The minor plat amendment is consistent with the intent of the Hearing Examiner's decision and is not proposing a change to the conditions of approval.

e. The proposal does not change the perimeter boundary of the original plat, or the boundary of any phases within the original plat.

Applicant: The boundary of the project remains the same and phases will remain the same at this time (see attachment #). Phase 1 consists of Phase 1A and Phase 1B as shown on the Phasing Map from Attachment F of the Development Agreement. At this time, Phase 1B is planned to be developed first and is the reason for the minor amendment. A single access point from S. Kingston Road N.E. will serve Phase 1B until the 100th lot is reached. Once the 100th lot is reached, a secondary access point will be provided.

Staff Comment: The applicant is not proposing to expand the perimeter boundaries of the single-family development. It is documented in the description for Attachment F of the Development Agreement to allow the applicant to modify the phasing plan (See page F-1 of the Agreement).

f. The proposal does not increase residential density by greater than 10%, provided the density requirements of the zone are maintained consistent with the zone.

Applicant: The proposed plat amendment is consistent with the underlying density requirements, as well as the requirements of the Kingston Sub-Area Plan as identified in Finding #6 in the Notice of Hearing Examiner Decision.

Staff Comment: The applicant is not changing the number of residential lots approved through the major revision and is consistent with the above requirement.

g. The proposal does not increase the intensity of housing types; for example, from detached single-family to attached one- and two-family dwellings.

Applicant: With this amendment, the intensity of housing types is not increased in Divisions 18-23 (Phase 1B). Lot sizes generally remain approximately the same, except for Division 22 where lot sizes are revised to be similar to surrounding divisions.

Staff Comment: The housing within the plat will remain detached single-family dwellings.

h. The proposal does not reduce the designated perimeter buffers, recreation or open space areas by more than 10%.

Applicant: All required perimeter buffers, recreation, and open space are maintained. Open space in this amendment is about 14 acres more than what was proposed in the approved preliminary plat (drawings dated June 18, 2008).

Staff Comments: The minor amendment does not reduce the required buffer conditioned through the Hearing Examiner's decision.

i. The proposal does not reduce or increase the number of access points or significantly alter the location of the access points.

Applicant: Access points to Arborwood remain the same, as conditionally approved.

Staff Comment: The proposed minor amendment to the preliminary plat will not alter the plat access but change phasing when access is constructed.

j. The proposal does not reduce required setbacks; and

Applicant: No changes to required setbacks are proposed with this amendment. Setbacks are vested in the Development Agreement.

Staff Comment: The required setbacks will not be reduced by this amendment and are vested to the project approval. The policy is to require building setbacks on the face of the final plat.

k. The proposal does not reduce any street frontage improvements (e.g., sidewalks, curb/gutter, and bicycle lanes).

Applicant: Street frontage improvements, as required by conditions of approval and Sections 2.2, 4, and 5 of the Development Agreement, remain the same.

Staff Comment: The minor amendment does not change the frontage improvements conditioned by the previous approval. For public safety if the project exceeds 400 ADT along the traffic circle, frontage improvement may include vertical curb, gutter at urban standards along South Kingston Road NE per in Title 11.

13. Recommendation

Based upon the analysis above and the decision criteria found in KCC 16.04.040, the Department of Community Development recommends that the Minor Plat Amendment request for the Arborwood Preliminary Plat be approved, subject to the following 55 conditions:

a. Planning/Zoning

1. The Minor Plat Amendment will be subject to all conditions of approval per the Hearing Examiner's decision for the Preliminary Plate/PBD of Arborwood issued on November 5, 2009 and approved Development Agreement dated March 25, 2010 (AFN# 2010004010022). If there are conflicts between these conditions and the conditions per the approved preliminary plat, the conditions below shall apply.
2. The Landscaping Plan shall depict a screening buffer along the south property line and separation buffers on the east and north sides of the project boundary.
3. This Preliminary Plat Minor Amendment approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within four years of the Notice of Decision date or the resolution of any appeals.
4. 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.
5. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
6. 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.

Development Engineering

b. Stormwater

Development Services and Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Preliminary Plat Amendment application materials submitted to Kitsap County Development Services and Engineering; application deemed complete October 31, 2018.

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

7. (38) 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. This condition remains and is unchanged.
8. (39) Approval of the preliminary plat shall not be construed to mean building 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. This condition remains and is unchanged.
9. (40) A technical deviation was requested for fencing of three (3) detention ponds and one (1) detention vault as indicated on the Drawings. The proposed fencing does not comply with the requirements as stated in the Kitsap County Stormwater Design Manual. Staff is in process of reviewing this request. If the technical deviation cannot be supported, the detention fencing will need to be designed to meet the Kitsap County Stormwater Design Manual or an approved Technical Deviation. This condition remains and is unchanged.
10. (41) A technical deviation was requested for the horizontal curvature and/or speed limit for the northernmost curve on proposed Spine Road A. Staff has determined that the proposed curve will be acceptable with a reduced speed limit on Spine Road A from its northern intersection with S. Kingston Road NE to the south boundary of Division 1. This condition remains and is unchanged.
11. (42) 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. This condition remains, revised to correctly identify the appropriate division within the Department of Community Development. Revised Condition 42: 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 Services and Engineering.

12. (43) 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 plat application was deemed complete, March 26, 2008. 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. This condition remains and is unchanged.
13. (44) Any project that includes offsite 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, March 26, 2008. This condition remains and is unchanged.
14. (45) 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. This condition remains and is unchanged.
15. (46) 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. This condition remains and is unchanged.
16. (47) This project includes the construction of a detention vault, which requires a building permit issued by the Department of Community Development. A structural Engineer, registered in the State of

Washington, shall prepare the construction drawings. In addition, a geotechnical engineering analysis of the vault design is required. That analysis will be prepared by a Civil engineer licensed in the State of Washington, knowledgeable in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis. This condition remains and is unchanged.

17. (48) Individual on-site infiltration or bioretention 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 plan with the general locations and design of those proposed systems to Development Services and Engineering with the SDAP submittal. Maintenance of these systems will be the responsibility of the homeowner. This condition remains and is unchanged.
18. (49) Low Impact Development techniques and maintenance of wetland hydrology are encouraged in the final design of each development phase. This condition remains and is unchanged.
19. (50) 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 easements/s with Kitsap County being designated as the grantee. This condition remains and is unchanged.
20. (51) 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. This condition remains and is unchanged.

21. (52) 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. This condition remains and is unchanged.

c. Environmental

22. Future phases requiring additional access may need to address additional mitigation for stream and wetland impacts.

d. Traffic and Roads

23. (53) At Building Permit application, submit KCPW Form 1601 for issuance of a Concurrency Certificate, as required by KCC Section 20.04.030 Transportation Concurrency. This condition remains and is unchanged.
24. (54) Roads shall not exceed 12% grade. This condition remains, revised to clarify applicability to public roads. Revised Condition 54: Public roads shall not exceed 12% grade depending on the road classification per Kitsap County Road Standards.
25. (55) Spine Roads A and B of the proposed plat (as depicted on the addendum received June 9, 2009), shall be designed and constructed in accordance with Kitsap County Code Title 11.22 and the Kitsap County Road Standards. The spine roads shall be publicly maintained, and the right-of-way dedicated to Kitsap County as proposed. This condition remains, revised to clarify the plan set date. Revised condition 55: Spine Roads A and B of the proposed plat (as depicted on the Preliminary Plat Amendment drawing submitted 5/8/2019), shall be designed and constructed in accordance with Kitsap County Code Title 11 and the Kitsap County Road Standards. The spine roads shall be publicly maintained, and the right-of-way dedicated to Kitsap County as proposed.
26. (56) The following note shall appear on the face of the final plat map. "All interior roads other than Spine Roads A, B, D and D shall remain private as proposed by the applicant. Should the applicant or his successors or assigns choose to dedicate these to Kitsap County, it shall be subject to a further review of 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.” This condition remains, revised to correctly identify the appropriate division within the Department of Community Development. Revised condition 56: The following note shall appear on the face of the final plat map. “All interior roads other than Spine Roads A, B, D and D shall remain private as proposed by the applicant. Should the applicant or his successors or assigns choose to dedicate these to Kitsap County, it shall be subject to a further review of Kitsap County Development Services and 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.”

27. (57) Horizontal curves for both public and private roads shall have minimum centerline radii as outlined in the Kitsap county Standards unless a technical deviation is granted. This condition remains and is unchanged.
28. (58) All rights of access for adjoining properties currently in existence shall be preserved (and documented on the face of the final plat). Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP or final plat acceptance. This condition remains and is unchanged.
29. (59) Construction of handicap access facilities within existing or proposed County right-of-way shall conform to the requirements of the Americans with Disabilities Act. This condition remains and is unchanged.
30. (60) 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. This condition remains and is unchanged.
31. (61) 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. This condition remains and is unchanged.

32. (62) Wheelchair ramps shall be provided on both sides of the site approach. Include on the plan set curb ramp details that meet the requirements of the Americans with Disabilities Act per WSDOT Standard Plan F-40 cement concrete sidewalk and approach details. This condition remains, revised to reference current WSDOT plan details. Revised Condition 62: Sidewalk ramps shall be provided on both sides of the site approach. Include on the plan set sidewalk ramps that conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
33. (63) Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings. This condition remains and is unchanged.
34. (64) The developer's engineer shall certify that there is adequate entering sight distance at all proposed intersections. 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. This condition remains and is unchanged.
35. (65) The applicant shall construct improvements to the intersection of South Kingston Road NE with NE West Kingston road, including 3-way signalization and channelization. This improvement is for SEPA mitigation and the design shall be submitted in association with the first SDAP for Phase 1. The design shall meet Kitsap County Road Standards. The applicant may enter into a Developer's Agreement with Kitsap County to defer construction of these improvements until reaching a maximum threshold of 355 equivalent residential units, as reflected by building permit or site development activity permit applications for the development. This agreement shall include the following elements at a minimum: 1) Engineering design drawings for the intersection improvement project as approved with the Phase 1 development; 2) A bond equal to 150% of the engineer's estimate of the total costs for final design, right-of-way acquisition and construction; and 3) The specific procedures to identify the development thresholds for initiating and completing construction. This condition remains and is unchanged.

36. (66) The bond for the South Kingston Road NE/NE West Kingston Road intersection improvements will be adjusted after three years based on an updated engineer's estimate, and every three years thereafter until completed. This condition remains and is unchanged.
37. (67) 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, MUTCH 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). This condition remains and is unchanged.
38. (68) 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. The need for and scope of bonding will be determined at that time. This condition remains and is unchanged.
39. (69) The Washington State Department of Transportation (WSDOT) requires, as mitigation for the project, the construction of a Two way Left Turn Lane (TWLTL) on the east leg of the SR 104/Miller-Hansville Road intersection. The TWLTL shall be constructed and operational as a condition of final plat approval for that development phase that includes the 200th equivalent residential unit (ERU) of the Arborwood Development. The TWLTL would extend from the existing westbound left turn lane east to about 150 feet east of the access that serves the Kingston Business Park that is located on the north side of SR 104 and to the east of the Albertson's Store complex. Actual length of the turn lane would be determined in the design process, but the above description provides an approximate length of the TWLTL, which is estimated to require about 500 feet of road widening. The WSDOT point of contact is Dale Severson at (360) 357-2736,

Washington State Department of Transportation
Development Review, Attn: Dale Severson
PO Box 47440
Olympia, WA 98504-7440
(This condition remains and is unchanged.)

40. Roundabout illumination shall meet ANSI roundabout light levels.
41. North site access with South Kingston is within UGA. Frontage improvements along South Kingston shall consist of curb, gutter, 6-foot sidewalk and 12-foot travel lanes plus additional 2 feet since South Kingston is not a bike route.
42. The site access at White Horse is zoned urban on the north side and rural on the south and east sides. Frontage improvements at this location shall consist of 11-foot travel lanes on White Horse, and 10-foot path extended to South Kingston. The design of the intersection can be rural in nature (no curb, gutter required).

e. Other Conditions

43. (77) Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit. This condition remains, revised for clarity. Revised condition 77: 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.
44. (78) Rock and retaining walls shall meet all applicable setback requirements of KCSDM 4.7.5. This condition remains and is unchanged.
45. (79) A Hydraulic Project Approval (HPA) may be required for one or more stormwater detention system outfalls. Prior to SDAP approval, the applicant shall submit an approved HPA(s) from the Washington State Department of Fish and Wildlife (WDFW) or documentation from WDFW specifying that an HPA is not required. This condition remains and is unchanged

f. Survey

46. A Final Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
47. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easement shall be provided on each side of private road tracts.
48. 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.

49. 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.

g. Fire Safety

50. A 20-foot unobstructed access road is required for dwellings here and after constructed on lots created by this land division. IFC 503 Amended by Kitsap County Code
51. 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. IFC 503 Amended by Kitsap County. 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 (residential) 35 feet (commercial).
 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.
52. The minimum fire flow requirements for one and two-family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.
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. When required by the Fire Code Official, fire department access roads shall be posted with approved signs or marked as follows: All curbs shall be painted red on the sides and top, and shall be labeled with 4-inch high white lettering at 25-foot intervals with the words "NO PARKING, TOW AWAY ZONE, IFC 503.3

h. Solid Waste

NA

i. Wastewater

55. Kitsap County sanitary sewer may be available. Applicant needs sanitary sewer availability approval from Kitsap County Public Works - Sewer Utility Division.
56. Kitsap County sanitary sewer may be 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(s) must be kept current and in good standing through permit approval date.

j. Kitsap Public Health District

NA

Report prepared by:



Jeff Smith, Staff Planner / Project Lead

12-14-19
Date

Report approved by:



For Shawn Alire, DSE Supervisor

12-24-19
Date

Attachments:

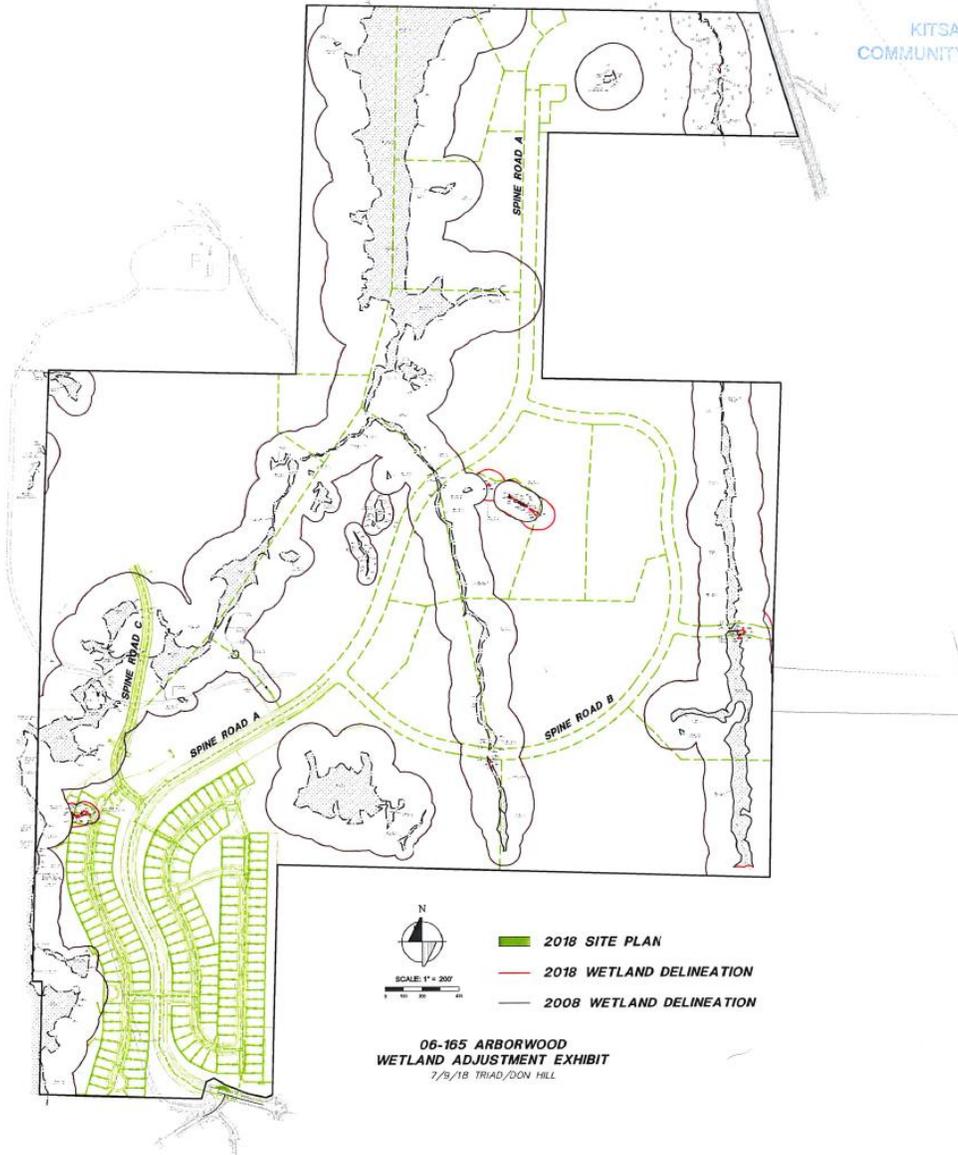
- Attachment A – Proposed Site Plan
- Attachment B – Wetland Delineation
- Attachment C – Project Overlay Map
- Attachment D – Preliminary Approved Plat Map and Site Plan
- Attachment E – Zoning Map
- Attachment F – 2009 Preliminary Data Table
- Attachment G – Preliminary Phased Trail and Fire Access Plan

CC: John Chadwell, OPG PROPERTIES LLC - Olympic Property Group, jchadwell@orminc.com
Donald J. Hill with David Evans and Associates, Inc., don.hill@deainc.com
Linda Berry-Maraist, lmarais@orminc.com,
Interested Parties:

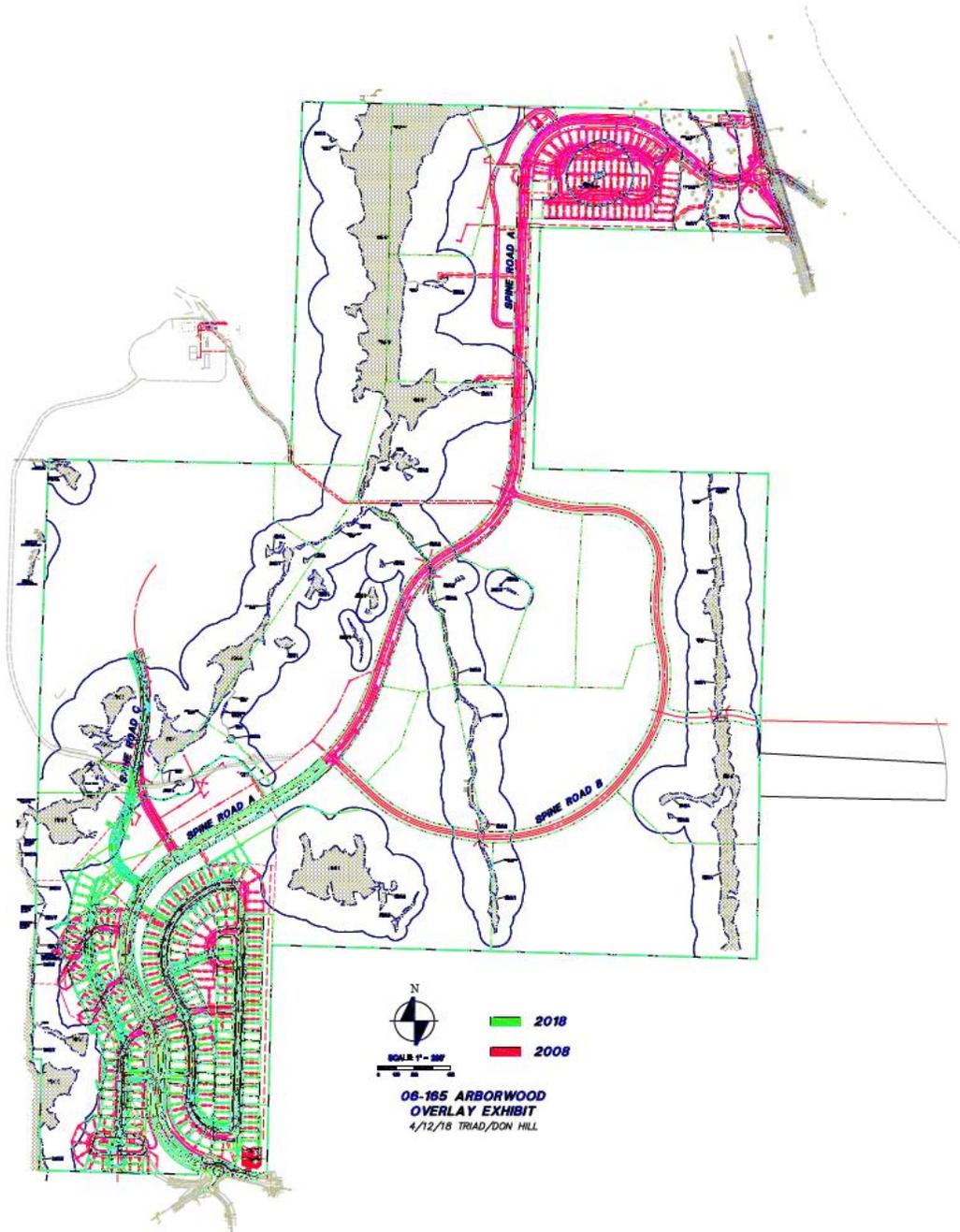
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kerrie.yanda@kitsappublichealth.org
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DForte@co.kitsap.wa.us, pnettleton@co.kitsap.wa.us
WSDOT, or-sepa-review@wsdot.wa.gov
DCD Staff Planner: Jeff Smith, JNsmith@co.kitsap.wa.us
Environmental Planner Steve Heacock, Sheacock@co.kitsap.wa.us
DSE Manager, Scott Diener, SDiener@co.kitsap.wa.us
DSE Supervisor, Shawn Alire, SAlire@co.kitsap.wa.us

**Attachment B
Wetland Delineation**

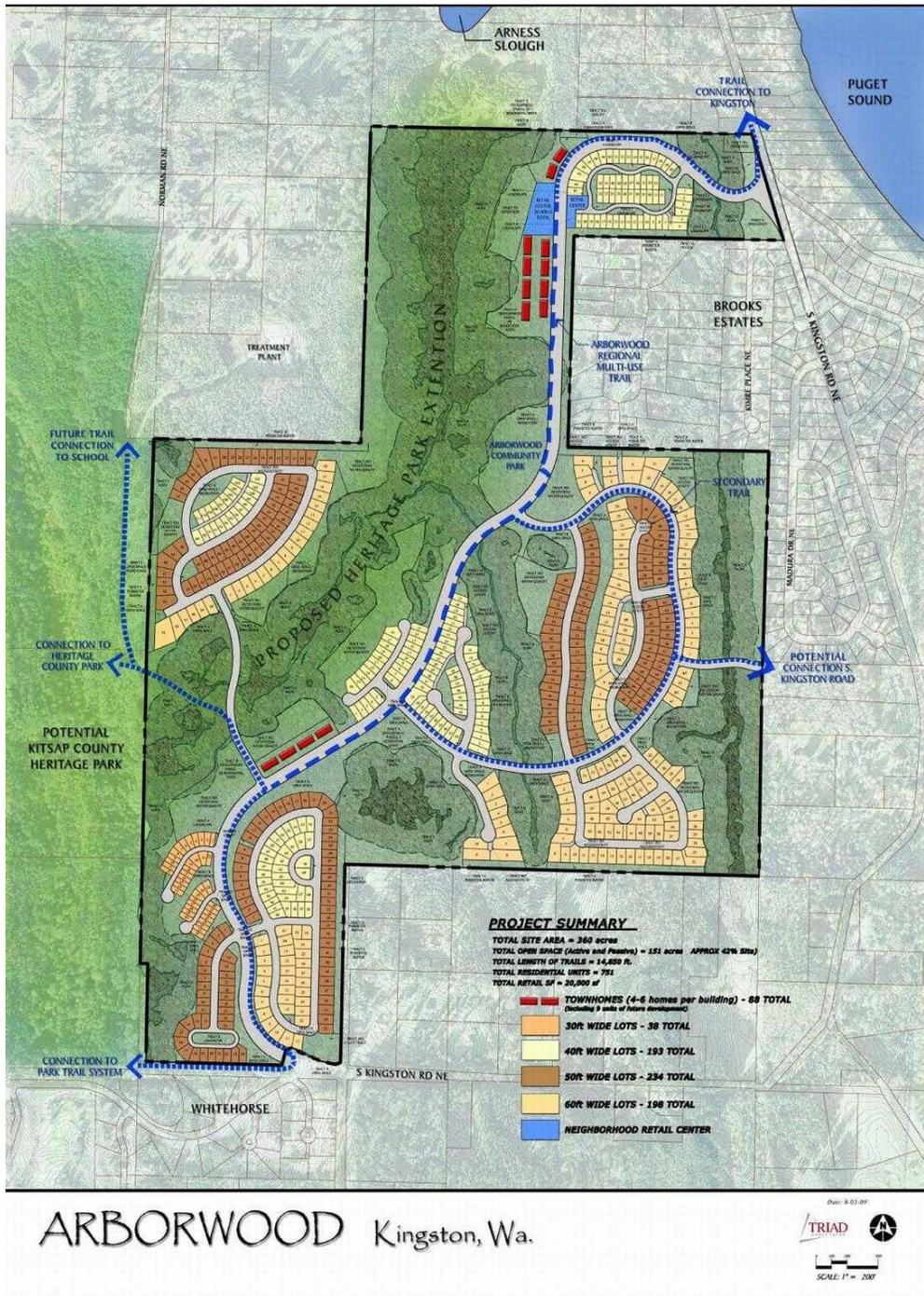
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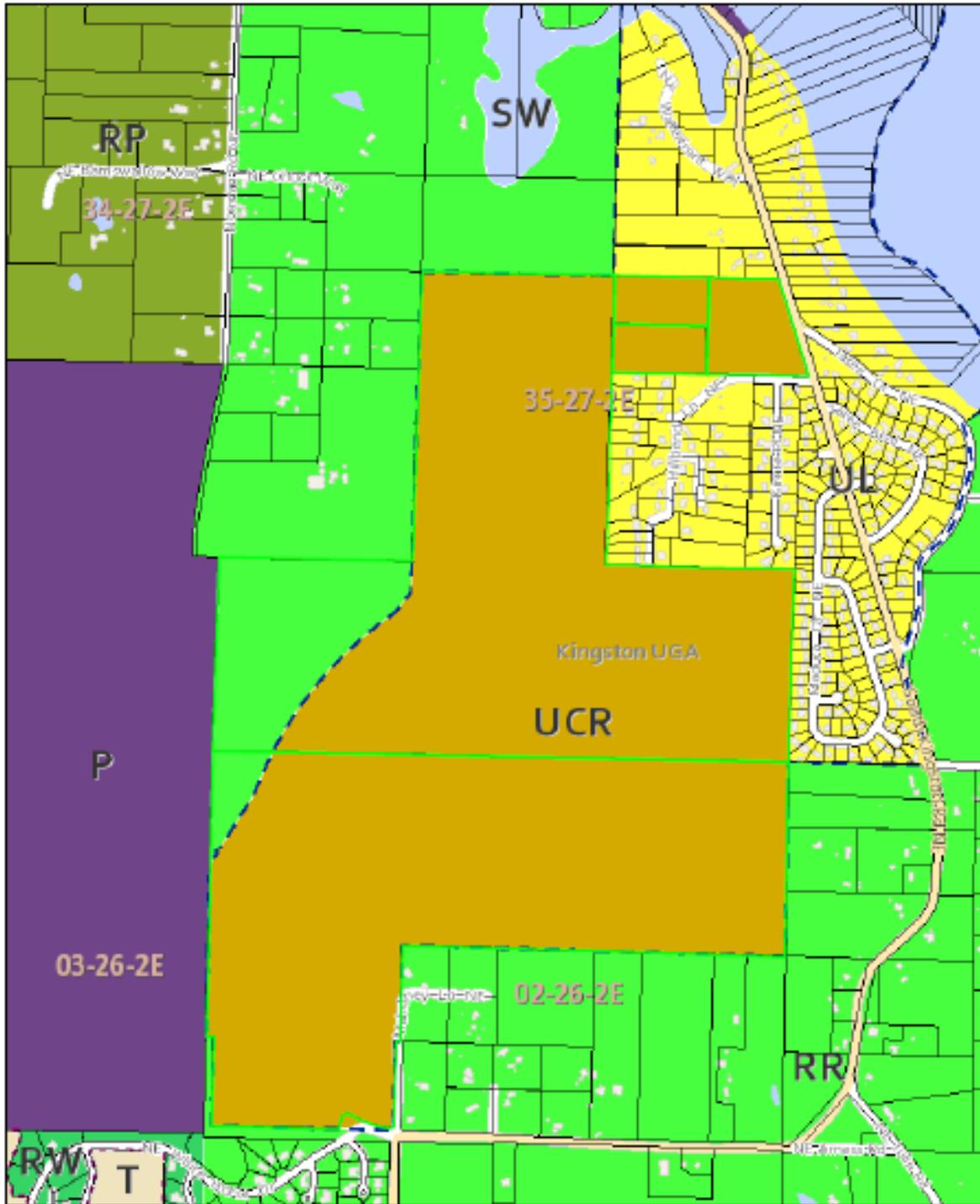
Attachment C
Project Overlay Map



Attachment D
October 28, 2009
Preliminary Approved Plat Map and Site Plan



Attachment E
Zoning Map 2018



Attachment F
Preliminary Data Table

Arborwood Preliminary Plat Site Summary Table
July 30,2009

	Area in SF & AC	% of Total Site Area
Total Site Area	15,678,690 SF/ 359.93 AC	
Area in lots and commercial space	4,239,456 SF/ 97.32 AC	27% (utility tracts included)
Detention areas less 25%	811,539 SF/ 18.63 AC	5%
Wetland/stream area	1,153,468 SF/ 26.48 AC	7%
Buffer area	5,410,587 SF/ 124.21 AC	35%
Passive open space including 25% of detention tracts* (excluding active open space)	1,001,444 SF/ 22.99 AC + 270,513 SF/ 6.21 AC* = 29 AC	8% (perimeter buffer included but not NGPA area)
Active open space	792,356 SF/18.19 AC	5% (18% of area in lots/commercial)
Roads	2,008,021SF/46.10AC	13%

- Detention tracts have been oversized for preliminary analysis. All portions not utilized for stormwater management will become open space
- Total open space on site 55%

