



## Hearing Examiner Staff Report and Recommendation

**Report Date:** August 6, 2020  
**Hearing Date:** August 13, 2020

**Application Submittal Date:** December. 19, 2019  
**Application Complete Date:** December 19,2019

**Project Name:** Camp Union Saloon  
**Type of Application:** Conditional Use Permit  
**Permit Number:** 19-05612

### Project Location

1400 Block NW Holly Road  
Seabeck, WA 98380  
Commissioner District #3

### Assessor's Account #

052401-3-017-1009

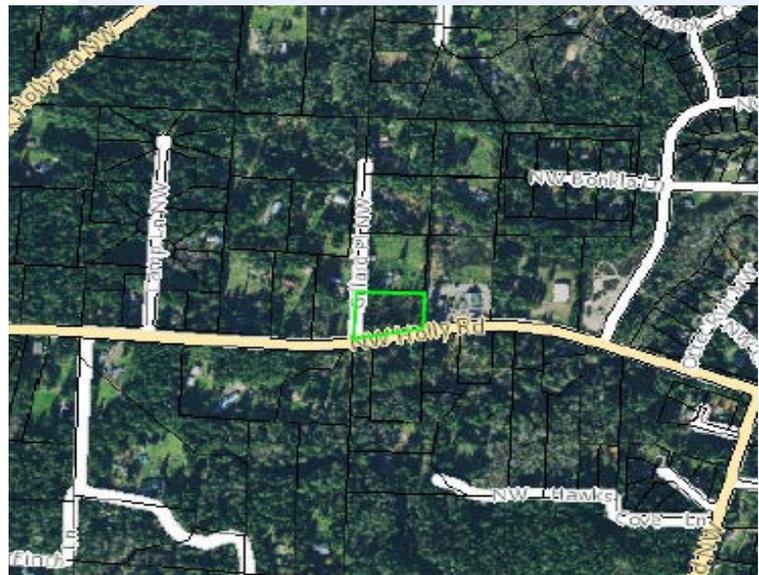
### Applicant/Owner of Record

Elizabeth Thoma  
801 Lost HWY W  
SEABECK, WA 98380-9602

### Recommendation Summary

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

### VICINITY MAP



### 1. Background

The request is for approval of a Conditional Use Permit for the relocation of the Camp Union Saloon with a retail space. The project consists of development the vacant property with a 4,920 square foot building that will house a 3,920 sf for the Camp Union Saloon and approximately 1,000 sf of retail space: and associated parking and pedestrian access. Drinking water is to be provided by Kitsap Public Utility District and served by an onsite sewage disposal system. The proposed land use in the Rural Commercial zone requires that the use to be consistent with rural residential neighborhood setting.

### 2. Project Request

The request is approval of a Conditional Use Permit

### 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 following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it 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 January 8, 2020 (Exhibit XX). A Determination of Nonsignificance (DNS) was issued on April 22, 2020 (Exhibit 18). SEPA noted the following information/SEPA mitigation conditions have been imposed :

**COMMENTS:**

The SEPA comment period previously occurred concurrent with the Notice of Application dated January 8, 2020. The proposal will be conditioned for Stormwater Control per Kitsap County Code Title 12, Critical Areas per Kitsap County Code Title 19, and Zoning per Kitsap County Code Title 17.

The SEPA appeal period expired May 6, 2020. No appeals were filed; therefore, the SEPA determination is final.

**4. Physical Characteristics**

The project proposal is for the development of a vacant 1.78-acre rural property. There is a small gravel road located within a 40-foot easement along the west property line for vehicle access to an adjacent residential property to the north of the site. A gravel area and driveway extend into the site from the abutting commercial development to the east that contains the existing Camp Union, convenience store and gas station. The site is vegetated with evergreen trees (fir and cedar) deciduous trees (alder) and underbrush that consists of ferns and scotch broom. There are existing trails scattered across the site. The Soil Survey of Kitsap County classifies the soil onsite as being Grove very gravelly sandy loam. The soil is classified as being deep, somewhat excessively drained soil located on glacial terraces and plains. The soils are formed in glacial outwash.

The site declivity in general tends to be towards the southeast corner of the site to a closed depression. The slopes on the site range from 5% to 15 % with a few isolated areas that have slightly steeper grades. The southwest area drains to and existing culverts in the southwest corner. Soil depth is shallow ranging from 30" to 32" for most test holes. Applicant claims no

ground water was encountered.

**Table 1 - Comprehensive Plan Designation and Zoning**

Comprehensive Plan: Rural Commercial Zone: Rural Commercial	Standard	Proposed
Minimum Density	NA	NA
Maximum Density	NA	
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35 feet	1 story, <35 feet
Maximum Impervious Surface Coverage	85%	~31,128 or 40%
Maximum Lot Coverage	NA	NA

Applicable footnotes:

17.120.060.A.26 No service road, spur track, or hard stand shall be permitted within required yard areas that abut a residential zone.

*Staff Comment: No service road, spur track, or hard stand is proposed within required yard areas abutting a residential zone.*

**Table 2 - Setback for Zoning District**

	Standard	Proposed
Front (South)	20 feet	70-feet (120')
Side (West)	20-feet (50-feet when abutting residential) KCC 17.410.050.A.12 requires 50-foot setback in RCO zone.	200-feet (240')
Side (East)	20 feet	64 feet (127')
Rear (North)	20 feet (50 feet when abutting residential) * Abuts residential KCC 17.410.050.A.12 requires 50-foot setback in RCO zone.	120 feet (90')

**Table 3 - Surrounding Land Use and Zoning**

Surrounding Property	Land Use	Zoning
North	Developed and single-family residences	Rural Residential (RR)

South	Developed Single-family residence	Rural Protection (RP)
East	Developed Commercial business /convenience store	Rural Commercial Zone (RCO)
West	Developed Single-family residence	Rural Residential (RR)

**Table 4 - Public Utilities and Services**

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Onsite Sewage Disposal System
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District #403

**5. Access**

The Camp Union Saloon will receive access from NW Holly Road near the center of the property. The NW Holly Road has functional classification as Rural Minor Arterial. The road segment fronting the project consists of a 60-foot right-of-way with two 11- 12-foot travel lanes with two 3 -5-foot gravel shoulders. There is an existing private access road called Gillard Place NW in an easement along the west side of the site, which will remain unchanged. The Kitsap County Non-Motorized Bike Route map shows bike route #38 is located along the property frontage on NW Holly Road.

**6. Site Design**

KCC 17.420.030 Design Standards: The apartment complex was reviewed through the following requirements, pursuant to KCC 17.420.030 Design Standards for landscaping, lighting, signage, solid waste, off-street parking, etc. The following analysis provides information on consistency with design standards for land use review.

**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.

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

*Land Use Goal 14*

*Foster rural business and business opportunities on designated commercial and industrial lands in the rural area, while balancing protection of rural character.*

*Land Use Policy 57*

*Unlimited expansion of commercial and industrial uses in the rural areas is not appropriate. Accordingly, only limited new commercial and industrial uses will be permitted in the rural areas. Such commercial and industrial uses must be consistent with the Growth Management Act and Comprehensive Plan requirements for rural areas, preserve Kitsap County's rural character, and shall not allow urban type uses or services.*

*Economic Development Goal 1*

*Promote a healthy and diverse economy that provides for a strong and diverse tax base, encourages business formation, retention, and expansion; creates industrial and professional business and employment opportunities to attract new business to the County.*

*Economic Development Policy 3*

*Provide a diverse mix and appropriate range of commercial, industrial and business and uses that will encourage economic activity capable of providing living-wage jobs and reasonably scaled to the needs of the community.*

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 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

**8. Documents Consulted in the Analysis**

A complete index of exhibits is located in the project file. To date, the index to the record consists of Exhibits 1 - 27.

Exhibit #	Document	Dated	Date Received
1	Submittal Waiver		12/05/19
2	Water Availability Letter		12/05/19
3	Septic Design		12/05/19
4	Drainage and Site Plans		12/05/19
5	Drainage Report		12/05/19
6	Parking Analysis Worksheet		12/05/19
7	Project Narrative		12/05/19
8	Authorization Form		12/12/19
9	Camp Union Saloon – Landscape Plan		12/12/19
10	SEPA Checklist		12/12/19
11	Building Design – Floor Plan		12/16/19
12	BMP Infeasibility Worksheet		12/17/19
13	BMP Lists		12/17/19
14	Stormwater Worksheet		12/17/19
15	Notice of Application	01/08/20	
16	CUP Plans		03/04/20
17	Project Narrative – Updated		03/04/20
18	SEPA Determination of Non-Significance	04/22/20	
19	Landscape Plans – Updated		05/26/20
20	Soil Infil. Investigation Addendum		05/26/20
21	Preliminary Stormwater Conditions Memo - Vickery	07/15/20	
22	Notice of Public Hearing	07/29/20	
23	Certification of Public Notice	07/29/20	
24	EMAIL – Response to Request for Operation/Activity Hours		08/03/20
25	Maps	08/05/20	
26	Staff Report	08/06/20	
27	Staff Presentation	08/13/20	

**9. Public Outreach and Comments**

Pursuant to KCC Title 21, Land Use, and Development Procedures, the Department gave proper public notice 800 feet around the subject property for the Conditional Use Permit. To date the Department has not received questions and comments on the proposal.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
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	None	
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Issue Ref. No.	Issue	Staff Response
	NA	

**10. Analysis**

**a. Planning/Zoning**

The proposed saloon will have hours of operation from 10:00 a.m. to Midnight Monday through Wednesday, Thursday - Friday 2:00 a.m., Saturday 8:00 to 2:00 a.m. and Sunday 8:00 a.m. to Midnight. The proposal will include an outside seating/concrete patio area approximately 550 square feet in size (5 tables). Consistent with KCC 17.105.110, to prevent excessive noise, the applicant is proposing a 6-foot wooden fence around the perimeter and landscaping for screening along the north side as shown on the building elevations/floorplans.

The proposed saloon is categorized by 17.420 044 #234 as a drinking establishment. Pursuant to the zoning category, the drinking establishment is a permitted use but conditionally approved by a CUP in the Rural Commercial zone. Per 17.110.226 drinking establishments means a business primarily engaged in the sale of alcoholic beverages, the sale of food is incidental (less than 20%) by definition. These establishments generally include more intensive land uses such as night clubs, bars and taverns. Drinking establishments usually tend to generate more traffic and have longer hours of operation than restaurant and which requires a higher-level land use permit.

The request was reviewed for consistency with the intent of the Rural Commercial zone KCC 17.290 and compatibility with the abutting residential development, adjacent commercial uses and traffic. The following are planning review categories pursuant to KCC 17.420.030 Design Standards:

**b. Lighting**

Lighting is reviewed for consistency with KCC 17.105.110 Obnoxious things. In all zones, artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one-foot candle of illumination can leave the property boundaries.

*Staff Comments: The project will be conditioned to reduce glare and reviewed through the Building Permit for consistency with lighting standards. Some glare on adjacent properties is unavoidable such as vehicle egress at the driveway approach on NW Holly Road.*

**c. Screening of Equipment, Storage, and Refuse Areas**

All roof mounted air conditioning or heating equipment, vents, ducts, or other equipment shall not be visible from the abutting lot, or any public street or right-of-way as feasible. This shall be accomplished using a parapet roof extension or screened in a manner which is architecturally integrated with the main structures.

*Staff Response: Elevations indicate the HVAC system is screened and not visible from the roadway or abutting properties. Visibility requirement will be verified at Building Permit Review.*

**d. Off-Street Parking**

The project is required to provide adequate off-street parking consistent with the standards in KCC Chapter 17.490 Off-street Parking and Loading. Pursuant to KCC 17.490.030 Number of required spaces, the project is required to provide minimum off-street parking for the area classified as Retail- low volume, ratio of 1 space per 400 square feet. Restaurants is the nearest category for the Camp Union Saloon which requires 1 space per 200 square feet of gross floor area. There will be 56 off-street parking spaces, including 2 ADA accessible spaces and 2 compact spaces. Per 17.490.040.B Required Landscape Area per Parking Space, the applicant is required to include approximately 1,400 square feet of parking area landscaping.

**Table 5 - Parking Table**

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Retail - Low Volume	1 per 400 square feet of gross floor Area	2.5 (rounded to 3)	56
Restaurant, Bars/Taverns	1 per 200 square feet of gross floor area	19.6 spaces (rounded to 20)	
Total		23	56

**e. Signage**

All commercial development requesting signage must be consistent KCC 17.510 Sign Code. When the business is not in operation signs shall not be illuminated past 10:00 p.m. and not turned on before 6:00 a.m. Pursuant to KCC 17.510.070 and 17.105.110 lighting from a sign shall be shielded and lighting directed away from adjoining properties. The current proposal includes small signs for the saloon and the retail space. The applicant may apply for a monument sign later a separate application.

*Staff Comments: The wall building signage appears to be compatible with the rural zone. All new signs will be reviewed through a Sign Permit for size requirements per the zone*

*and mitigate potential glare. Signs will be in operation past 10:00 p.m. and shut off at the time of closing from 12:00 to 2:00 a.m.*

**f. Landscaping**

The project is required to be reviewed for consistency with KCC 17.500 Landscaping. The Landscaping Plan is required to show how all disturbed areas, buildings and structures, and off-street parking areas are to be landscaped. Landscaping was calculated based on total site area. A minimum 15% of the site is required to be retained as land landscaping. The proposal is for 9,954 square feet of landscaping and 36,333 square feet of native vegetation which is equal to 46,287 square feet which equates to 60% will include vegetation. The applicant is proposing a 6-foot solid wood panel fence along the north property to provide screening.

*Staff Comments: The site plan and landscaping plan includes landscaping around the building, within the off-street parking area and along the road frontage. Except for the onsite sewage disposal area, natural vegetation is proposed to remain along the perimeter with the setbacks along the north and sides, and the 40-foot private road easement within Gillard Lane. The with the proposed landscaping plan, the project will be more compatible with the rural character than the older commercial development to the east. Except for the augmentation of the separation buffer along the east property line, the applicant can retain natural vegetation as needed within the roadside/separation buffer. At the time of SDAP the final landscape shall be consistent with the proposed floorplan for screening the outdoor seating area.*

**Table 6 - Landscaping Table**

	Required	Proposed
Required Landscaping (Sq. Ft.) 15% of Site	10,041 (15%)	46,287 (60%)
Required Buffer(s) 17.500.027		
North	Separation Buffer	Separation Buffer
South	Roadside and Setback Buffer	Separation Buffer
East	Roadside and Setback Buffer	Roadside and Setback Buffer
West	Separation Buffer	Separation Buffer
Street Trees	NA	NA

**g. Frontage Improvements**

Except for the construction of a commercial road approach, no frontage improvements will be required. The roadway will continue to maintain a rural level of service consistent with Kitsap County Road Standards.

**h. Design Districts/Requirements**

NA

**i. Development Engineering/Stormwater**

The site declivity in general tends to be towards the southeast corner of the site to a closed depression. The slopes on the site range from 5% to 15 % with a few isolated areas that have slightly steeper grades. The southwest area drains to and existing culverts in the southwest corner. Soil depth is fairly shallow ranging from 30" to 32" for most test holes. Applicant claims no ground water was encountered. Storm water runoff from the new /replaced hard surfaces is proposed to be mitigated for water quality via permeable pavement and roof top infiltration.

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 Drainage Report and Preliminary Engineering Plans accepted for review December 19, 2019 to Kitsap County Development Services and Engineering, and resubmitted materials accepted for review March 3, 2020 and May 22, 2020. Development Engineering has reviewed the storm drainage concept and issued preliminary conditions of approval dated July 15, 2020.

**j. Environmental**

The subject property is located is in a Critical Aquifer Recharge Area and adjacent to an area mapped as a Moderate Seismic Hazards in the vicinity to the south across NW Holly Road. The project will not require a hydrogeologic report due to the proposed land use but will be required to address the seismic hazard area through the Building Permit review.

**k. Access, Traffic and Roads**

Developments shall be limited to one ingress/egress per three hundred lineal feet along a public arterial. Small parcels that provide less than two hundred fifty feet of road frontage shall be limited to one parking lot entrance lane and one exit lane. Access points may be required at greater intervals as directed by the director of public works as demonstrated through a traffic analysis. Developments shall attempt to share access with adjoining parcels to minimize access points and potential conflicts from vehicles entering and exiting onto traveled roadways, unless deemed not feasible due to natural constraints such as critical areas or topographical relief, or existing development that precludes the ability to share access. Developments shall attempt to minimize vehicular movement conflicts with public roadways by use of connected frontage lanes.

The applicant states that based on business history the camp union saloon sees a majority of the customers with up to 40 patrons in the evening between 5 pm and 9

pm. Applicant anticipates 35 average daily trips with 18 vehicle peak hour trips in the evening between 4 to 6 pm.

*Staff Response: Only one access point is proposed and the estimated peak hour trips for the saloon should not impact the local rural road network. The development is consistent with this requirement.*

**l. Fire Safety**

Water service is provided by Kitsap Public Utility District No. 1. Fire flow is not required due to the building occupancy and construction type and building size. The Fire Marshal worked with the applicant to redefine the fire area.

**m. Solid Waste**

Every parcel with a structure shall have a trash receptacle on the premises. The trash receptacle shall comply with adopted public works standards and be of sufficient size to accommodate the trash generated. All receptacles shall be screened on three sides with fencing and/or landscaping as determined appropriate by the director.

*Staff Comments: The applicant includes a solid waste enclosure on the site plan to be constructed. The dumpster locations are adequately screened with vegetation and fencing.*

**n. Water/Sewer**

The applicant received a letter of Water availability from Kitsap Public Utility District and served by an onsite sewage disposal. The drainfield is proposed near the northeast corner of the site labeled native vegetation.

**o. Kitsap Public Health District**

Kitsap Public Health District has reviewed and approved the design of the onsite sewage disposal system.

**11. Review Authority**

The Hearing Examiner has review authority for this Conditional Use Permit application under KCC, Sections 17.550.020 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Hearing Examiner. The Hearing Examiner may approve, approve with conditions, or deny a Conditional Use Permit. The Hearing Examiner may also continue the hearing to allow for additional information necessary to make the proper decision. The powers of the Hearing Examiner are at KCC, Chapter 2.10.

**12. Findings**

The Hearing Examiner may approve, approve with conditions or deny a hearing examiner conditional use permit. Approval or approval with conditions may be granted only when all

criteria with finding are met:

1. The proposal is consistent with the Comprehensive Plan.

*Staff Comment: The project with conditions is consistent with Comprehensive plan and meets the goals and policies listed. The project will serve a limited service area and will primarily only serve the immediate rural neighborhood.*

2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.

*Staff Comments: The proposal for the conditional use permit complies with minimum requirements in storm drainage manual, vehicular access per County Road Standards, building setbacks, and off-street parking per Title 17 Zoning.*

3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

*Staff Comments: Historically, the use has already been present in the neighborhood for an extended amount of time. The proposal is consistent with rural character with the building being small-scale and compatible with the adjacent commercial buildings. The retention of natural vegetation, proposed landscaping and the wood panel fence will help reduce noise and glare from vehicle headlights. There is no music proposed with the outside seating area. The north side of the outside seating area will receive additional screening with landscaping.*

### **13. Recommendation**

Based upon the analysis above and the decision criteria found in KCC 17.550.030.A, the Department of Community Development recommends that the Conditional Use Permit request for Camp Union Saloon be **approved**, subject to the following 38 conditions:

#### **a. Planning/Zoning**

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.

2. 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.
3. Landscaping and fencing shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.
4. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.510 and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
5. The recipient of any conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of an agreement to abide by the terms and conditions of the conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.
6. This Conditional Use Permit 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.
7. The decision set forth herein is based upon representations made and exhibits contained in the project application (19-05612). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.

8. 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.
9. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit.

**b. Development Engineering**

**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.

**STORMWATER**

11. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12, and as such will require a Full Drainage Review Site Development Activity Permit (SDAP) from Development Services and Engineering, demonstrating a design that meets Minimum Requirements 1-9, as outlined in the Kitsap County Stormwater Design Manual.
12. 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 Conditional Use Permit application was deemed complete, December 19, 2019. 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.
13. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling

Josh Klimek at 360-407-7451, email [joshklimek@ecy.wa.gov](mailto:joshklimek@ecy.wa.gov). This permit is required prior to issuance of the SDAP.

14. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as an Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.
15. The Site Development Activity Permit application materials shall include results of subsurface investigation and infiltration testing, using the methods outlined in Vol. II, Chapter 5, Table 5.3 of the Kitsap County Stormwater Design Manual, to demonstrate feasibility of infiltration and permeable pavement.
16. During the construction of the proposed permeable pavement 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 Services and Engineering.
17. The design of the infiltration facilities will be accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual.
18. The infiltration facilities shall remain offline 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.
19. 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 Services and Engineering.
20. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a

Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.

21. Soil amendment is required over all disturbed areas that are not covered by hard surface.
  22. If the project proposal is modified from that shown on the submitted site plan accepted for review December 19, 2019, Development Services and Engineering will require additional review and potentially new conditions.
  - 23.
- c. Environmental**
24. There are mapped Moderate Seismic Hazards in the vicinity to the south across NW Holly Rd approximately 85' away. Per KCC 19.400.435.B.2, "Development activities or actions requiring a project permit within a seismic hazard area shall be in accordance with Chapter 14.04, the Kitsap County Building and Fire Code."
- d. Critical Aquifer Recharge Area.**
25. This project is subject to the conditions of Title 19.600.615 Development Standards.
  26. A. Category I Critical Aquifer Recharge Areas.
    1. Land uses identified in Table 19.600.620 are prohibited in Category I Critical Aquifer Recharge Areas, unless a waiver is granted by the department; and
    2. Requests for waivers for activities listed in Table 19.600.620 shall include a hydrogeological report (See Chapter 19.700, Special Reports) that includes a detailed risk-benefit analysis that considers credible, worst-case scenarios. The hydrogeological report shall evaluate potential impacts of a proposed land use or activity on both groundwater and surface water quality and quantity. The waiver will be evaluated and treated as a special use review and be reviewed by the department, the health district, affected tribes, and the affected water purveyors.
- e. Traffic and Roads**
27. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.

28. All rights of access for adjoining properties currently in existence shall be preserved. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP acceptance.
  29. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
  30. The property owners 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.
  31. Submit plans for construction of the commercial 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.
  32. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
  33. At the time of submittal of the Site Development Activity Permit, the Applicant shall apply for a Right-of-Way Permit through the Department of Public Works for any and all work performed in the county Right of Way associated with this project. You may apply online at <https://co-kitsap-wa.smartgovcommunity.com> or contact Kitsap County Public Works, Right of Way Division at [rowpermits@co.kitsap.wa.us](mailto:rowpermits@co.kitsap.wa.us) with any questions.
- f. Fire Safety**
34. This permit shall comply with all Kitsap County Fire Safety regulations and conditions of approval.
- g. Solid Waste**

35. Prior to SDAP approval, Waste Management (360) 674-3166 shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider (e.g. dumpster size and location) for the project. Pay particular attention to the access requirements of collection trucks. Documentation shall be provided from the solid waste/recycling service provider that their requirements for this project have been met.
36. The SDAP submittal shall show solid waste dumpster location, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Provided area must accommodate a minimum 6-yard dumpster.
37. The SDAP submittal shall show that at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans.
38. If using a compactor, liquid wastes generated as a result of compaction must not discharge into the stormwater system per BKCBH Ordinance No. 1996-11, Section IV.2.a.
- h. Kitsap Public Health District**
39. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.

**Report prepared by:**

  
\_\_\_\_\_  
Jeff Smith Planner / Project Lead

August 6, 2020  
Date

**Report approved by:**

 for  
\_\_\_\_\_  
Shawn Alire, Department Manager/ Supervisor

August 6, 2020  
Date

**Attachments:**

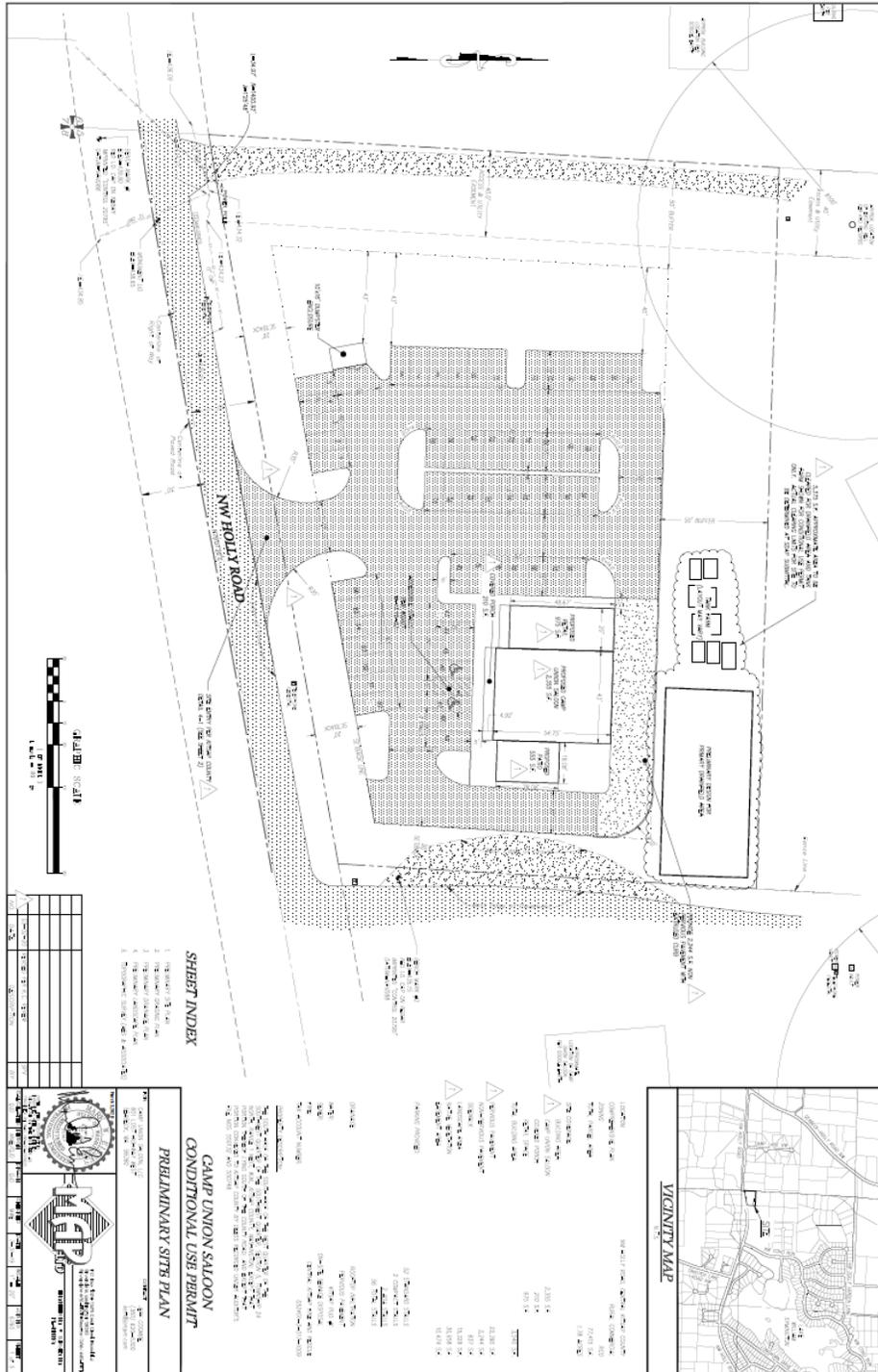
Attachment A – Site Plan

Attachment B – Building Elevations

Attachment C – Zoning Map, etc.

CC: Elizabeth Thoma, Applicant  
Mark Eisses Map LTD, [marke@map-limited.com](mailto:marke@map-limited.com)  
Interested Parties: None  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Jeff Smith

Site Plan



**Building Elevations**



DESIGN SOLUTIONS  
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CAMP UNION SALOON  
SEABECK, MA

