



## Notice of Hearing Examiner Decision

01/30/2019

To: Interested Parties and Parties of Record

RE:           Project Name: Woodston Preliminary Plat  
                  Applicant: Liden Land Investment LLC  
                                12968 Old Military Rd NW  
                                Poulsbo, WA  
                  Application: Preliminary Plat  
                  Permit Number: 18-01520

Enclosed is the Decision issued by the Kitsap County Hearing Examiner for the above project.

The applicant is encouraged to review the Kitsap County Office of Hearing Examiner Rules of Procedure found at:

<https://spf.kitsapgov.com/dcd/HEDocs/HE-Rules-for-Kitsap-County.pdf>

The Decision of the Hearing Examiner is final, unless appealed, as provided under Washington law.

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, Monday through Thursday, 8:00 AM to 4:00 PM and Friday 9:00 AM to 1:00 PM, except holidays. If you wish to view the case file or have other questions, please contact [Help@Kitsap1.com](mailto:Help@Kitsap1.com) or (360) 337-5777.

CC: Applicant/Owner: LIDEN LAND INVESTMENT LLC, [salidenpoulsbo@aol.com](mailto:salidenpoulsbo@aol.com)  
Engineer: SEABOLD ENGINEERING LLC, [kelsey@seaboldeng.com](mailto:kelsey@seaboldeng.com)  
Surveyor  
Project Representative: Laughlin, James, [jimlaughlin1@live.com](mailto:jimlaughlin1@live.com)  
Health District  
Public Works  
Parks  
Navy  
DSE  
Kitsap Transit  
Central Kitsap Fire District

Central Kitsap School District  
Puget Sound Energy  
Water Purveyor  
Sewer Purveyor  
Point No Point Treaty Council  
Suquamish Tribe  
WA Dept of Fish & Wildlife  
WA State Dept of Ecology-SEPA  
Interested Parties:

Kurt Lyons, [klyons1023@gmail.com](mailto:klyons1023@gmail.com)

**KITSAP COUNTY HEARING EXAMINER  
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION**

**Woodston Preliminary Plat, File No. 18-01520**

**January 29, 2019**

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**1. FINDINGS OF FACT**

**1.1 Proposal.** The Applicant requests Preliminary Plat approval to subdivide 4.04 acres into 16 lots, with up to 24 residences (eight detached units and up to 16 duplex units). The proposal includes a private roadway, associated sidewalks, on-street overflow parking, a recreation area, open space, landscaping, frontage improvements, and public water and sewer.

**Applicant/Property Owner:** Liden Land Investment LLC, 12968 Old Military Rd NE, Poulsbo, WA 98370.

**Location:** 12700 Block of Silverdale Way NW, Silverdale, WA 98383, Assessor No. 042501-4-049-2007.

**1.2 Hearing.** An open record public hearing was held on January 24, 2019. The Kitsap County Department of Community Development ("DCD"), through Mr. Smith, summarized the proposal. With the proposed conditions, DCD found the plat consistent with the Kitsap County Code ("KCC"), so recommended approval. The Applicant, through Mr. Laughlin, provided additional information on the project and addressed questions from the Examiner. There was no one else present who indicated a wish to testify. Although there was no public testimony, written comment was received from Mr. Lyons (Exhibit 34), who resides about two blocks away. He raised concerns about traffic impacts and noted a preference for detached residences, as opposed to duplex. DCD addressed the comment, noting that a traffic impact analysis addresses traffic impacts, and identifying the transportation improvements being built, including frontage improvements along Silverdale Way NW.

**1.3 Administrative Record.** Before the hearing, the Hearing Examiner reviewed Exhibits 1-33, which included the Staff Report. At the hearing, a neighbor comment was submitted as Exhibit 34. The Examiner admitted all exhibits.

**1.4 SEPA.** The SEPA comment period occurred concurrent with the Notice of Application.<sup>1</sup> DCD issued a Mitigated Determination of Non-Significance ("MDNS").<sup>2</sup> No appeal was filed. Through comment, Kitsap Transit asked that the existing transit stop be retained; the comment was addressed in the MDNS and in proposed CUP Condition 52. Although its location may be adjusted, the transit stop will remain at roughly the same location.

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<sup>1</sup> Exhibit 12.

<sup>2</sup> Exhibit 24.

**1.5 Public Notice.** Notice was provided consistent with KCC requirements, with both mailing and publication for the notice of application and public hearing.<sup>3</sup>

**1.6 Agency Comment.** Agency comment was received regarding regulatory compliance. As long as requirements are met, there were no objections to approval.

**1.7 Zoning/Plan Designations.** The Comprehensive Plan designation is Urban Low-Density Residential<sup>4</sup> and the zoning is Urban Low Residential.<sup>5</sup> This zone is designed to:

[R]ecognize, maintain, and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner.<sup>6</sup>

**1.8 Zoning Code Sizing/Density Requirements.** Urban Low Residential provides for minimum/maximum densities of 5-9 dwelling units per acre, which equates to 8-36 units here.<sup>7</sup> At 16-24 units,<sup>8</sup> the plat complies. Lot sizing requirements are also met.

Requirement	Proposed
Minimum Lot Size <ul style="list-style-type: none"> <li>• 2,400 SF detached</li> <li>• 5,000 SF attached<sup>9</sup></li> </ul>	3,272 SF
Maximum Lot Size <ul style="list-style-type: none"> <li>• 9,000 SF<sup>10</sup></li> </ul>	6,977
Minimum Lot Width - 40 feet	40 feet
Minimum Lot Depth - 60 feet	80.19 feet
Maximum Height - 35 feet	2 stories; < 35 feet
Maximum Impervious Surface - 85%	21% (48,805 SF)
Setbacks <ul style="list-style-type: none"> <li>• Front, 20 feet garage, 10 habitable area</li> <li>• Side, 5 feet</li> <li>• Rear, 10 feet</li> </ul>	Identical

<sup>3</sup> Exhibits 12, 23, and 31.

<sup>4</sup> Exhibit 28.

<sup>5</sup> Exhibit 26.

<sup>6</sup> KCC 17.200.010.

<sup>7</sup> KCC 17.110.213 (minimum density calculation based on net acreage); KCC 17.110.212 (maximum density calculation based on gross acreage); Exhibit 4 (net density calculations); Exhibit 32 (Staff Report), pg. 3. As discussed at the hearing, depending on how open space is calculated, the minimum net density requirement could jump to nine. But, either way, the project provides a sufficient number of housing units.

<sup>8</sup> While approval for 16 duplex units is sought, it is possible that not all will be built. Testimony, Applicant.

<sup>9</sup> KCC 17.410.050(A)(3).

<sup>10</sup> KCC 17.420.060(A)(25). Note, minimum density requirements are met.

**1.9 Surrounding Land Use and Zoning.** Surrounding properties are zoned Urban Low Residential and developed with single-family homes. The parcel is one of the few remaining un-platted lots.

**1.10 Physical Characteristics.** Mature fir stands, along with maple, madronas and native ground cover, vegetate the 4.04 acre site, with Silverdale Way NW fronting the site on the west. An existing driveway traverses the site, which will be removed. The Applicant confirmed in hearing testimony the easement burdening the driveway has been vacated, and so the plat will not result in access being cut off to any properties. Soils are moderately deep and moderately well drained.<sup>11</sup> Limited construction is proposed in Moderate Geologic Hazard areas. The slopes will require no critical area buffers or building setback, but the project is conditioned to follow the Geological Slope Assessment recommendations.<sup>12</sup>

**1.11 Transportation.** Access will be from Silverdale Way NW, a principal arterial. The traffic impact analysis outlines road system impacts. The traffic engineer estimates 227 average weekday daily trips, 18 new AM peak hour trips, and 24 new PM peak hour trips.<sup>13</sup> To address these impacts and ensure safe ingress and egress, and consistent with Kitsap County Road Standard and Comprehensive Plan polices, the project will incorporate frontage improvements along the approximately 350 feet of property frontage on Silverdale Way NW. The project was conditioned through SEPA to install curbing, 6-foot sidewalks and a 5-foot bike lane along the project frontage and will be coordinated with Kitsap Transit to integrate the bus stop. Within the plat, a 5-foot sidewalk on one side of the private road will be constructed.

**1.12 Parking.** The project includes on street and off-street parking. Two off-street parking spaces are required per residential lot and 0.5 per lot for overflow on-street parking.<sup>14</sup> 48 off-street parking spaces in driveways and 12 on-street parking spaces are provided.<sup>15</sup> DCD calculates the required number of spaces in the driveway and not within individual residential garages.<sup>16</sup> During individual building permit review for the homes, the location and number of off-street parking spaces will be verified.

**1.13 Central Mail Boxes, Urban Plats.** The trend is to move away from traditional rural box style and install a clustered mailbox for efficiency, security, and aesthetics. Where clustered mailboxes are proposed, the sidewalk will meet clear zone requirements.<sup>17</sup>

**1.14 Landscaping.** Landscaping is required at entrances and street trees planted by the developer along streets or on individual lots at construction or units prior to certificate of occupancy issuance.<sup>18</sup> The Applicant must submit a landscape plan with the Site Development

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<sup>11</sup> Exhibit 32 (Staff Report), pg. 3.

<sup>12</sup> Exhibit 8 (Geologic report); Exhibit 32 (Staff Report), pgs. 3 and 9.

<sup>13</sup> Exhibit 21 (Traffic Analysis).

<sup>14</sup> KCC 17.490.030.

<sup>15</sup> Exhibit 32 (Staff Report), pg. 8; Exhibit 16 (Site Plan).

<sup>16</sup> KCC 17.490.020.

<sup>17</sup> KCC 16.24.040(C)(d).

<sup>18</sup> Ch. 16.24 KCC, Urban Standards Landscaping Requirements; *see also* Ch. 17.500 KCC.

Activity Permit showing landscaping throughout the site, including around storm drainage and recreation facilities, along the trail, the street trees, and the natural vegetation retained.<sup>19</sup>

**1.15 Signage.** The Applicant may apply for signage near the entrance of the subdivision during or after construction,<sup>20</sup> although signage is not now proposed. When the final plat is recorded, all signage must follow code requirements.

**1.16 Lighting/Urban Plats.** Urban residential plats generally include illumination of internal roadways and street lighting at the intersection where private roads intersect with County right-of-way consistent with Ch. 11.40 KCC requirements. The developer is usually responsible for installing lighting at the County's intersection, which is then conveyed to the County. If desired, the developer and/or Home Owners Association install the internal street lighting. The individual property owners are billed through the local purveyor for lighting, with the Home Owners Association responsible for maintenance.

**1.17 Stormwater.** Stormwater runoff from the site's developed portions will be routed to a combination of infiltration and detention bioretention cells to provide water quality treatment and stormwater flow rate mitigation.<sup>21</sup> Low impact development practices may be reviewed during SDAP to reduce storm drainage runoff. The applicant's storm drainage concept combines infiltration and detention.

**1.18 Sewer and Water Service.** Kitsap County will provide sewer service.<sup>22</sup> Silverdale Water District will provide water.<sup>23</sup>

**1.19 Utility and Public Services.**

- **Water:** Silverdale Water District
- **Power:** Puget Sound Energy
- **Sewer:** Kitsap County
- **Police:** Kitsap County Sheriff
- **Fire:** Central Kitsap Fire & Rescue
- **Schools:** Central Kitsap School District #400

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

**1.21 Fire Protection.** The Fire Marshal's Office has reviewed the project, and included conditions. Fire flow verification and adequate fire apparatus access for emergency responders are required, and will be reviewed through the Site Development Activity Permit.

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<sup>19</sup> Exhibit 18.

<sup>20</sup> Ch. 17.510 KCC.

<sup>21</sup> Exhibit 32 (Staff Report), pg. 9.

<sup>22</sup> Exhibit 10.

<sup>23</sup> Exhibit 11.

**1.22 Schools.** Central Kitsap School District was notified of the plat. When the District responds, their comments will be included with the Site Development Activity Permit review.

**1.23 Urban Standards – KCC 16.24.040.** These requirements are met.

- Access. *See* above, including § 1.11.
- Public Transit. The property frontage includes a Kitsap Transit Bus stop. The applicant must coordinate with Kitsap Transit for relocating the bus stop when frontage improvements are constructed.<sup>24</sup>
- Non-Motorized Facilities. Sidewalks are typically required on both sides of public and private roadways. However, consistent with policy and applying the Kitsap County Road Standards, the project falls below 400 average daily trips for a local minor road and sidewalks are allowed on one side of the private roads. Internal trails are also proposed. Where clustered mailboxes are proposed, clear zone requirements must be met.<sup>25</sup>
- Off-Street and On-Street Parking. *See* § 1.12.
- Fire Protection. *See* § 1.21.
- Landscaping Requirements. *See* § 1.14.
- Utilities - Water and Sewer. *See* §§ 1.18 and 1.19. Besides the project being served by an urban level of service for water and sewer, Puget Sound Energy will also service the project.
- Recreation. The plat will include recreational open space amenities consistent with subdivision standards (24 units x 390 square feet = 9,360 square feet of recreation facilities).<sup>26</sup> Included is a 3,200 square foot active recreation area near the front property line and a 6,450 square foot passive recreation area with hiking trails through the existing preserved vegetation on the site's east slope. The common open space tract which preserves native vegetation is 65,430 square feet. The recreation facility will be somewhat centrally located near the west side. Provisions must be made to provide a level area to safely locate playgrounds catering to younger children. The project will include play equipment or other amenities consistent with housing demographic served.

**1.24 Appropriate Provisions for Facilities and Improvements - KCC 16.04.080.** As addressed below, appropriate provisions for facilities and improvements have been made consistent with KCC 16.04.080, to ensure the plat serves the public interest.

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<sup>24</sup> See Exhibits 13 and 14.

<sup>25</sup> KCC 16.24.040(C)(1)(d).

<sup>26</sup> *See* KCC 16.24.040(H).

- Code/Plan Consistency. The project, as conditioned, is consistent with the Comprehensive Plan and County Code, which provide for attractive urban development adequately supported by urban facilities and services. No policy or code provision was identified which the project would contravene.
- Adequacy of Access. DCD reviewed the plat access adequacy. Compliance with County transportation requirements and plat conditions ensure access requirements are met. *See also* § 1.11. The internal access streets do not interconnect with adjacent properties, which is generally preferable to create an interconnected street grid which promotes non-vehicular travel and reduces traffic congestion. However, based on the street grid on the adjacent properties, further interconnection is not presently incorporated.
- Safe Walking Conditions. *See* §§ 1.11, which address the provision of sidewalks to ensure safe walking conditions are in place.
- Lot Configuration. The lots are not irregular and run at right angles to the street faced.
- Home Owner Associations. While homeowner association ownership and maintenance of the private internal streets and drainage facilities is authorized, KCC requirements must be met. Conditions are imposed address maintenance of landscaping, drainage, and road facilities. *See e.g.*, Conditions 7, 22, and 42. Conditions require property owner maintenance of certain plat conditions. Although an HOA may take responsibility for such work, such associations can be dissolved. Plat conditions ensure that regardless of whether an HOA takes on these responsibilities, they remain with the ultimate property owners.

**1.25 Single-Family Subdivision/Development Standards – KCC 17.420.037.** The plat meets single-family platting requirements.

- Sidewalk Requirements. *See* §1.11.
- Public Streets and Connectivity Requirements. The preliminary subdivision will include an internal private road, so will not involve County dedication.
- Utilities Connectivity Requirements for Public Utility Extensions to Contiguous Properties. There are utility easement requirements, but future public utility extension easements per KCC 17.420.037 are not proposed.
- Landscaping Requirements. *See* § 1.14.
- Off-Street Parking. *See* § 1.12.

**1.26 Conditions.** The Examiner finds the proposed conditions are necessary to ensure code requirements are met and to achieve consistency with the above findings. No objections or concerns were raised over the conditions. Other than to correct minor errors or provide clarification, the conditions have not been revised. These clarifications were made:

- Condition 9: Reference to Exhibits 1A and 1B removed. Exhibit 1 is the SEPA Checklist and so is only part of the application.
- Condition 24: Reference to site plan date of October 2, 2018, changed to most recent site plan submitted to the Examiner.
- Conditions 33 and 53: Consistent with SEPA review and hearing testimony, reference to the bike lane is added.

## **2. CONCLUSIONS OF LAW**

**2.1** The Hearing Examiner reviews Preliminary Plat applications for consistency with Single-Family Subdivision/Development Standards and platting requirements.<sup>27</sup> These requirements include zoning and platting provisions in Titles 16 and 17, including KCC 16.04.080, KCC 16.24.040, and KCC 17.420.037. These regulations require that plats meet sizing and related requirements (*i.e.*, density, height, setbacks, and landscaping), and be adequately served with necessary infrastructure and services (*i.e.*, stormwater facilities, sewage, water supply, transportation facilities, recreational facilities, and schools).

**2.2** The zoning code authorizes the proposed residential use at the densities proposed. As the findings address, and assuming the below conditions are complied with, the proposal meets all platting requirements, including lot size, setbacks, and infrastructure requirements. Conditions are imposed to ensure these requirements are complied with.

**2.3** Conditions are imposed to ensure County transportation, stormwater, and water/sewer service requirements are complied with. The proposal, as conditioned, and as the findings address, includes provisions to address impacts on drainage; roads, including adequate access and safe walking conditions; water supplies; sanitary wastes; fire protection; landscaping; and, other supporting public and private facilities and improvements.

**2.4** As mitigated and proposed, the project is consistent with Comprehensive Plan policies providing for attractively designed urban development adequately supported by urban facilities and services.

**2.5** Given project consistency with requirements and policies, the Hearing Examiner concludes it should be approved.

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<sup>27</sup> KCC 21.04.100.

## **DECISION**

The Hearing Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves the requested Preliminary Plat, provided these conditions are adhered to.

### **Planning/Zoning**

1. All required permits shall be obtained prior to commencement of land clearing and/or construction.
2. All Building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.
3. A Final Landscape Plan will be required to be submitted with the Site Development Activity Permit, consistent with KCC 17.500 Landscaping, during civil site plan review, which depicts natural vegetation, and the planting and irrigation plan. The tree retention plan shall be included with the SDAP.
4. Street trees shall be planted along the access driveway and on individual lots at approximately 25' spacing. A final landscape plan will be subject to approval by the Department prior to SDAP approval. Trees on individual lots are required to be installed prior to Certificate of Occupancy of individual residential units.
5. Include a note on the face of the plat showing building setbacks for the lots, as conditioned per the plat approval.
6. 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.
7. Prior to the plat transferring to the Home Owner's Association (HOA), the developer will be responsible for irrigation, and maintenance of all landscaping to ensure survival up to two years. The developer or the HOA shall maintain all landscaping consistent with the Tree Care Industry Association standard practices.
8. Pursuant to KCC Section 21.04.110 Timeline and Duration of Approval, Kitsap County's land use approval for the preliminary plat is valid for a period of up to five (5) years from the decision date of the preliminary plat consistent with RCW 58.17.140 and .170.
9. The decision set forth herein is based upon representations made and exhibits contained in the project application. 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.

10. 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.

11. Any violation of the conditions of approval shall be grounds to initiate revocation of this Plat.

### **Development Engineering**

12. 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.

13. Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.

14. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12, and as such will require a Site Development Activity Permit (SDAP) from Development Services and Engineering that address how the project will comply with Minimum Requirements 1-9 of the Kitsap County Stormwater Design Manual.

15. 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, May 5, 2018. 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.

16. 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, May 5, 2018.

17. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at:

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh Klimek at 360-407-7451, email [joshklimek@ecy.wa.gov](mailto:joshklimek@ecy.wa.gov). This permit is required prior to issuance of the SDAP.

18. 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.

19. The design of the infiltration facilities will be in accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual.

20. The infiltration facilities shall remain off line until the drainage areas are stabilized and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over infiltration facilities. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.

21. 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.

22. 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.

23. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final plat, along with the following condition: 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.

24. If the project proposal is modified from that shown on the most recent site plan submitted to the Examiner, Development Services and Engineering will require additional review and potentially new conditions.

## **Survey**

25. A Final Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.

26. All private roads shall be labeled as tracts and constructed in accordance with Fire Code requirements. Ten feet for utility easement shall be provided on each side of private road tracts.

27. 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.

28. 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.

29. Delineate and dimension on the final plat, easements to encompass all stormwater features not located in the right-of-way, private road tracts or stormwater tracts.

## **Environmental**

30. The face of the Final Plat shall include a condition that all development shall follow the recommendations of the Geological Slope Assessment prepared by EnviroSound Consulting, LLC, dated 3/12/2018.

31. A Kitsap County Conversion Timber Harvest Permit and Forest Practice Application shall be required with submittal of the Site Development Activity Permit.

## **Traffic and Roads**

32. 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.

33. Frontage improvements shall be constructed along the entire property frontage on Silverdale Way NW, consisting of vertical curb, gutter, bike lane, and 6-foot wide sidewalk.

34. Frontage improvements shall be constructed along the interior plat roads, consisting of curb, gutter and 5-foot wide sidewalks along one side of each road.

35. No parking on the interior plat road shall be permitted within 50 feet of the edge of Silverdale Way NW travel lane. The Site Development Activity Permit shall depict all parking outside of this 50-foot limit.

36. Side slopes on arterials shall be no steeper than 3H:1V for cut slopes and 4H:1V for fill slopes. For any road that does not meet the minimum roadway clear zone and recovery area criteria, to include slopes, installation of a guardrail is required.

37. The following note shall appear on the face of the final plat map. "All interior roads shall remain private."

38. All traffic control devices on public and private roads shall comply with the Manual on Uniform Traffic Control Devices as amended by the Washington Administrative Code. This is in accordance with 23 Code of Federal Regulations (CFR), Part 655.

39. Any required hammerhead shall be designed to accommodate a SU design vehicle. The wheel path of the design vehicle shall remain within the paved area for all required movements.

40. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.

41. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.

42. 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.

43. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on Silverdale Way NW. The cross-sections should show existing and proposed pavement, shoulders, ditches and slopes. The cross-sections should also depict centerline of pavement and right-of-way, the right-of-way lines, and easements.

44. 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. The approach shall be designed as an urban major approach, in accordance with Kitsap County Road Standards.

45. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.

46. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Silverdale Way NW and the plat access road. 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.

47. All work, equipment and materials for traffic signal and street lighting installations shall meet and be in compliance with all requirements of the Kitsap County Road Standards, Project Contract Provisions of Plans and Specifications accepted for construction by Kitsap County, MUTCD Manual on Uniform Traffic Control Devices, NEMA National Electrical Manufacturer's Association, NEC National Electrical Code, WSDOT Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).

48. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process. The need for and scope of bonding will be determined at that time.

### **Fire Safety**

49. Fire flow is required. Hydrant location shall be shown on the final plat. If fire flow is impractical, the following note shall be added to the face of the plat: "Automatic fire sprinklers, as approved by the Kitsap County Fire Marshal, shall be installed throughout homes here and after constructed on lots created by this land division".

The following access requirements apply:

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).
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.

### Wastewater

50. Kitsap County sanitary sewer is 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.

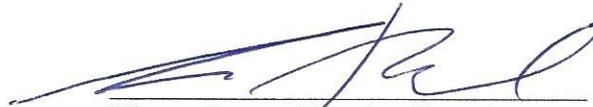
51. Sewer Availability Agreement account(s) must be kept current and in good standing through permit approval.

### SEPA

52. The existing bus stop along Silverdale Way frontage will be retained with no physical barrier to prevent use by those with disabilities. The applicant shall contact Kitsap Transit prior to construction of the sidewalk to allow adequate time to notify passengers. The bus stop shall be replaced (integrated) into the sidewalk.

53. Frontage improvements shall be constructed along the entire property frontage on Silverdale Way NW, consisting of vertical curb, gutter, bike lane, and 6-foot wide sidewalk. Frontage improvements shall also be constructed along the interior plat roads, consisting of curb, gutter, and 5-foot sidewalks along one side of each road.

THIS DECISION is entered this 29th day of January, 2019.



Kitsap County Hearing Examiner  
Susan Elizabeth Drummond