



## Hearing Examiner Staff Report and Recommendation

**Report Date:** July 15, 2021  
**Hearing Date:** July 22, 2021

**Application Submittal Date:** September 18, 2020  
**Application Complete Date:** October 2, 2020

**Project Name:** Schulman - Stream Buffer Reduction Greater than 50% for New Single-Family Residence Construction

**Type of Application:** Critical Areas Variance (CVAR)

**Permit Number:** 20-04318

### Project Location

\*No Site Address\*  
Kitsap County, WA  
Commissioner District 3

### Assessor's Account #

282501-1-026-2002

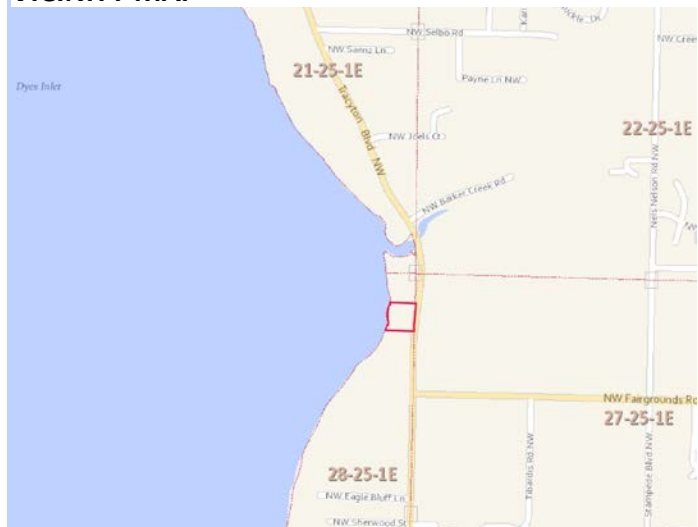
### Applicant/Owner of Record

Robert Schulman & Mie Mukai  
1916 Rebecca Creek Road  
Canyon Lake, TX 78133-5920

### Recommendation Summary

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

### VICINITY MAP



### 1. Background

Robert Schulman and Mie Mukai (hereafter, “the Applicants”) propose to construct a single-family residence, with associated utilities and driveway access, on an approximate 2.07 acre parcel in the Rural Protection (RP) zoning district. Due to the size of the property and the bounding critical area buffers (See Section 10.i and 10.j of this report), the Applicants request approval of a Critical Area Variance to reduce the standard buffer of an on-site Type-F stream.

### 2. Project Request

The Applicants request approval for a Critical Area Variance to the standard Type-F stream buffer resulting in a variable buffer width of 38 ft to 113 ft. The standard buffer for a Type F stream is 150 feet (KCC 19.300.315); therefore, the reduction request equates to approximately seventy-five percent (where the smallest buffer is proposed at 38 feet). Per KCC 19.300.315(A)(3)(b), buffer reductions for single-family residences greater than fifty

percent shall be pursuant to a variance under Section 19.100.135.

**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.

As noted on the Notice of Application dated December 10, 2020 (Exhibit 10), the project is SEPA exempt pursuant to KCC 18.04.090 and WAC 197-11-800(1)(c) for minor construction.

**4. Physical Characteristics**

According to Kitsap County Assessor’s Data, the subject site is approximately 2.07 acres. The property is bound to the west by a shoreline bluff to Dyes Inlet and to the east by Tracyton Blvd NW, a County maintained public right-of-way (ROW). The subject site is within the Rural Conservancy Shoreline Designation (Exhibit 17). Along the easterly property line is a mapped Type N stream (Exhibit 16), which was later found to meet the criteria of a Type F stream (See Section 10.i). A site investigation was performed by EnviroSound Consulting Inc. which noted, “The subject property is currently undeveloped and overgrown with trees and low vegetation... Access to the subject site is provided by dirt access point [from] Tracyton Boulevard. There is beach access provided by an old set of stairs on the western property edge” (Exhibit 9).

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

Comprehensive Plan: Rural Protection Zone: Rural Protection Shoreline Designation: Rural Conservancy	Standard	Proposed
Minimum Density	NA	1 dwelling unit / 2.07 acres, lot is existing
Maximum Density	1 dwelling unit/5 acres	
Minimum Lot Size	5 acres	2.07 acres, lot is existing

Maximum Lot Size	NA	2.07 acres, lot is existing
Minimum Lot Width	140 feet	NA, lot is existing
Minimum Lot Depth	140 feet	NA, lot is existing
Maximum Height	35 feet	<35 feet, See Condition X
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

**Table 2 - Setback for Zoning District**

	Standard	Proposed
Front (North)	50 feet	~ 59 feet
2 <sup>nd</sup> Front (East)	50 feet	~ 103 feet
Side (South)	20 feet; 5 feet for accessory structures	~ 184 feet
Side (West)	20 feet; 5 feet for accessory structures	~196 feet

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

Surrounding Property	Land Use	Zoning
North	Single-family residence	Rural Protection (RP)
South	Single-family residence	Rural Protection (RP)
East	ROW Kitsap County Park	Park (P)
West	Waterbody	NA

**Table 4 - Public Utilities and Services**

	Provider
Water	Private well
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District

**5. Access**

Vehicular access is proposed via an existing easement which leaves the parcel at its north boundary, traverses northerly, then intersects Tracyton Boulevard NW (Exhibit 8).

## 6. Site Design

See Site Plan, included as an Attachment at the end of this report.

It should be noted that the review of this proposal is strictly limited to compliance with the variance criteria per KCC 19.100.135, as required per KCC 19.300.315(A)(3) for stream buffer reductions. Approval of the final site design is dependent on the submittal of a geotechnical engineering report at the time of development permit application that would support the proposed development (See Geologically Hazardous Areas analysis in Section 10.i of this report).

## 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 June 30, 2016 and amended April 2020.

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

Land Use Goal 13 *Protect Kitsap County's unique rural character.*

### *Land Use Policy 50*

Limit the designated rural area to low residential densities that can be sustained by minimal infrastructure improvements, cause minimal environmental degradation, and that will not cumulatively create the future necessity or expectation of urban levels of service.

*Land Use Policy 51. Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.*

Environment Policy 13. Use the best scientific information available to direct how functions and values of critical areas are preserved or enhanced.

*SMP Policy SH-1.. Protect and conserve shoreline areas that are ecologically intact and minimally developed or degraded. Develop incentives and regulations for privately*

*owned shorelines that will protect and conserve these areas while allowing reasonable and appropriate development.*

*SMP Policy SH-2. Recognize that nearly all shorelines, even substantially developed or degraded areas, retain important ecological functions.*

*SMP Policy SH-4. Permitted uses and developments should be designed and conducted in a manner that protects the current ecological condition, and prevents or mitigates adverse impacts.*

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
Title 19	Critical Areas Ordinance
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures
Title 22	Shoreline Master Program

**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 through 22.

Exhibit #	Document	Dated	Date Received
<b>1</b>	<b><u>Short Plat Amendment</u></b>		<b><u>7/25/1984</u></b>
<b>2</b>	<b><u>Authorization Form</u></b>		<b><u>9/29/2020</u></b>
<b>3</b>	<b><u>Building Site Application</u></b>		<b><u>9/29/2020</u></b>
<b>4</b>	<b><u>Habitat Management Plan – BGE Consulting</u></b>	<b><u>9/8/2020</u></b>	<b><u>9/29/2020</u></b>
<b>5</b>	<b><u>No Net Loss Report – BGE Consulting</u></b>	<b><u>9/10/2020</u></b>	<b><u>9/29/2020</u></b>
<b>6</b>	<b><u>Permit Questionnaire</u></b>		<b><u>9/29/2020</u></b>
<b>7</b>	<b><u>Project Narrative</u></b>		<b><u>9/29/2020</u></b>
<b>8</b>	<b><u>Site Plan</u></b>		<b><u>9/29/2020</u></b>
<b>9</b>	<b><u>Slope Stability Analysis – EnviroSound Consulting</u></b>	<b><u>6/27/2018</u></b>	<b><u>9/29/2020</u></b>
<b>10</b>	<b><u>Notice of Application</u></b>		<b><u>12/10/2020</u></b>
<b>11</b>	<b><u>Preliminary Condition Memo</u></b>		<b><u>2/23/2021</u></b>
<b>12</b>	<b><u>Map - Aerial Imagery</u></b>	<b><u>5/25/2021</u></b>	
<b>13</b>	<b><u>Map - Assessor's</u></b>	<b><u>5/25/2021</u></b>	

14	<u>Map – Comprehensive Plan</u>	<u>5/25/2021</u>	
15	<u>Map - Critical Aquifers</u>	<u>5/25/2021</u>	
16	<u>Map - Critical Areas</u>	<u>5/25/2021</u>	
17	<u>Map - Shoreline Management</u>	<u>5/25/2021</u>	
18	<u>Map - Zoning</u>	<u>5/25/2021</u>	
19	<u>Notice of Public Hearing</u>	<u>7/7/2021</u>	
20	<u>Certification of Public Notice</u>		
21	<u>Staff Report</u>	<u>7/15/2021</u>	
22	<u>Staff Presentation</u>	<u>7/22/2021</u>	

## 9. Public Outreach and Comments

To date, no comments have been received by the department.

## 10. Analysis

### a. Planning/Zoning

The subject site is a legal lot of record, created by way of Short Plat in 1977. The site is located within the Rural Protection zoning district (Exhibit 18). Detached single-family dwellings (Use 124) are a permitted use in the RP zone (KCC 17.410.042), subject to footnotes 43 and 101. Neither footnote applies, as the provisions are related to elements that are not part of this proposal (i.e., special care and transitory accommodation provisions). Compliance with applicable zoning standards will be reviewed again at the time of development permit submittal.

The recorded short plat shows a 30-foot access and utilities easement (Exhibit 13) located on this and adjacent lots. At the time of SDAP submittal, a site plan showing all current easements shall be submitted to ensure the project does not encroach upon and meets setbacks to any easement.

### b. Lighting

Exterior lighting standards (KCC 17.400.420.030.C) are not applicable to single family residential development.

### c. Off-Street Parking

The submitted site plan (Exhibit 8) shows a plan for 3 on site parking stalls, satisfying minimum parking requirements.

**Table 5 - Parking Table**

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single Family (detached)	For historical lots or lots with no standing requirement, 3 per unit.  Garages are not calculated towards any parking requirement.	3	3
Total		3	3

**d. Signage**

No signage is proposed or required.

**e. Landscaping**

Single-family lots are exempt from landscaping standards (KCC 17.500.010). Mitigation planting is proposed as detailed in Section 10.i of this report.

**Table 6 - Landscaping Table**

	Required	Proposed
Required Landscaping (Sq. Ft.) 15% of Site	NA	NA
Required Buffer(s) 17.500.025		
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees	NA	NA

**f. Frontage Improvements**

Frontage improvements are neither proposed nor required. The property abuts Kitsap County ROW (Tracyton Blvd NW). Any work within the County ROW shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the ROW shall be submitted as part of the SDAP process (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time of development permit.

**g. Design Districts/Requirements**

Single-family detached dwellings are exempt from design standards per KCC 17.420.030.A and the project is not within a designated design district (KC 17.700 Appendix B1 through C4).

**h. Development Engineering/Stormwater**

The department understands that on-site stormwater management is proposed for the rooftop area by collecting the rooftop runoff to downspouts directed to tight line piping over the waterfront bluff and terminating in a diffuser tee above ordinary high water; and for the driveway area by sheet flow directed westerly through a vegetated flow path.

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 Critical Area Variance permit application materials accepted for review September 29, 2020 to Kitsap County Development Services and Engineering.

Development Services and Engineering accepts the concepts contained in this preliminary submittal and recommends ten conditions as an element of the land use approval.

**i. Environmental**

**19.200 Wetlands**

The mapped wetlands (Exhibit 16) are associated with the shoreline and are regulated under KCC Title 22. See Section 10.j of this report.

**19.300 Fish and Wildlife Habitat Conservation Areas**

Kitsap County's Critical Areas Map (Exhibit 16) show a stream running along the subject site's easterly property line. Though mapped as a Type N water, the applicant submitted a Habitat Management Plan by BGE Environmental (Exhibit 4) indicating the stream meets the criterion for Type F waters. The report also states the stream typing was verified with Washington Department of Fish and Wildlife Habitat (WDFW) Biologist Brittany Gordon and Suquamish Tribe Biologist Alison Osullivan on June 13, 2019. Due to these facts, the department agrees with the finding that the stream is a Type-F water, with a minimum 150-ft buffer requirement per KCC 19.300.310.

Per KCC 19.300.315(A)(3)(b), Buffer reductions for single-family residences greater than fifty percent, shall be reviewed pursuant to variance standards shown in KCC



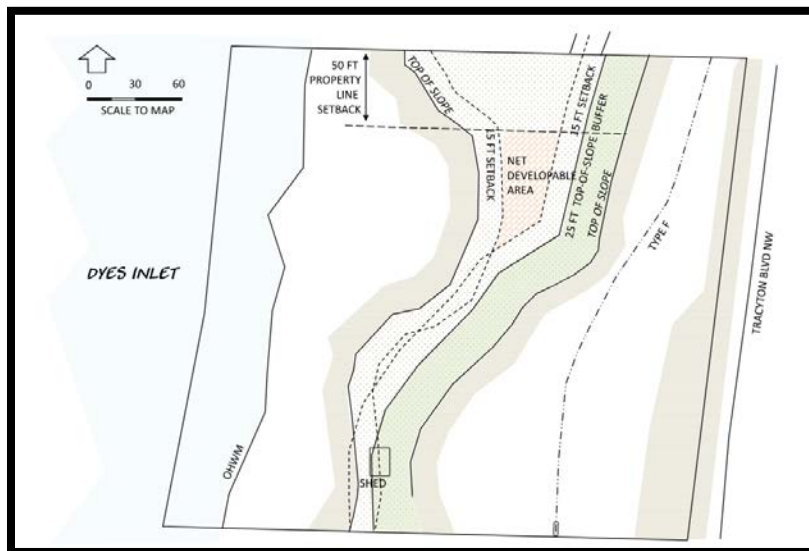
Section 19.100.135 which are copied and underlined below, with staff comments provided *in italics*.

KCC 19.100.135 says:

A. A variance in the application of the regulations or standards of this title to a particular piece of property may be granted by Kitsap County, when it can be shown that the application meets all of the following criteria:

1. Because of special circumstances applicable to the subject property, including size, shape, or topography, the strict application of this title is found to deprive the subject property of rights and privileges enjoyed by other properties in the vicinity; provided, however, the fact that those surrounding properties have been developed under regulations in force prior to the adoption of this ordinance shall not be the sole basis for the granting of a variance.

*Staff Comment: The subject site is below the standard lot size for the zone (See Table 1 of this Staff Report). The development area is further restricted by a Rural Conservancy Shoreline buffer of 130 feet, as well as steep slopes and a Type-F stream buffer of 150 feet. Due to the size of the property, location of critical areas, and standard buffer requirements strict application of KCC Titles 19 and 22 would result in a limited buildable area (Figure 1). Please note, Figure 1 does not include the required 130-ft shoreline buffer, plus additional 15-ft setback, which further encroaches into the “net developable area”. The development of surrounding properties is not being used as a basis for reviewing this variance.*



**Figure 1: Excerpt from Project Narrative**

2. The special circumstances referred to in subsection (A)(1) of this section are not the result of the actions of the current or previous owner.

*Staff Comment: The circumstances referred to in subsection (A)(1) above are not the result of the actions of the current or previous owner. The lot is a legal lot of record, created by way of short plat in 1977 (Exhibit 1).*

3. The granting of the variance will not result in substantial detrimental impacts to the critical area, public welfare or injurious to the property or improvements in the vicinity and area in which the property is situated or contrary to the goals, policies and purpose of this title.

*Staff Comment: The applicant has provided a habitat management plan and no net loss report that adequately demonstrates that this proposal, with mitigation will not result in substantial detrimental impacts (Exhibits – 4 and 5). The reports recommend enhancement of the stream corridor with in-fill of native trees and shrubs, as well as the eradication of invasive Himalayan blackberry and English ivy from the established stream corridor. The reports also outline a five-year monitoring plan.*

4. The granting of the variance is the minimum necessary to accommodate the permitted use.

*Staff Comment: The granting of the variance is the minimum necessary to accommodate the reasonably sized (1,013 square foot) single-family residence and supporting facilities. If the proposed structure is moved in any direction, it would result in an impact to either a zoning setback, other critical area buffer, or shoreline buffer. The Applicant's Environmental Consultant also found that "the requested buffer reduction is the minimum necessary to establish a setback around the residence while optimizing the streams top-of-slope buffer function." The department agrees with this finding.*

5. No other practicable or reasonable alternative exists. (See Definitions, Chapter 19.150.)

*Staff Comment: KCC 19.150.510 defines Reasonable Alternative as "an activity that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation". As noted above, alternative locations would require encroaching into other critical areas or shoreline buffers.*

6. A mitigation plan (where required) has been submitted and is approved for the proposed use of the critical area.

*Staff Comment: The applicant has submitted a mitigation plan (Exhibit 4) that meets the goals and standards outline in KCC 19.300 and the project is required to follow the recommendations of that report, including mitigation and five-year monitoring.*

#### **19.400 Geologically Hazardous Areas**

The following analysis, as related to geologically hazardous areas, is limited to reviewing the proposal for compliance with the critical area variance (stream buffer reduction) criteria. The applicant should be aware that a full geotechnical engineering report meeting the standards of KCC 19.700.725 will be required at the time of development permit. The project and submitted report will be reviewed for compliance with all applicable standards of KCC 19.400. *The burden of understanding that the subsequent detailed geotechnical analysis may result in additional concerns, questions, or conditions is on the applicant, and that a full geotechnical report may cause a need to modify any prior approval.*

Kitsap County's Critical Areas Map (Exhibit 16) indicate various geologically hazardous areas along the shoreline bluff area, including a Moderate Seismic Hazard Area, High Landslide Hazard Area, and a Moderate and High Erosion Hazard Area. Per KCC 19.400.435(A)(2), a minimum vegetation buffer is required from the toe of slope to twenty-five feet beyond the top of the slope. In addition, for high landslide hazard areas, the setback shall be equal to the height of the slope (1:1 horizontal to vertical) plus the greater of one-third of the vertical slope height or twenty-five feet. In this case, the minimum setback equates to 75 feet as detailed below:

(Height of Slope = 50 feet) + the greater of (one-third of height of slope =  $1/3 * 50 = 16.67$  feet) or 25 feet.

25 feet > 16.67 feet

Therefore, the minimum setback is 50 feet + 25 feet, or 75 feet.

These standards can be modified through the submittal of a geologic assessment (KCC 19.400.435(A)(2)). The applicant submitted a Slope Stability Report by EnviroSound Consulting, dated June 27, 2018 which stated "slope stability analysis indicates that a buffer of 0 feet with a building setback of 15 feet is sufficient to meet stability safety requirements with regards to the shoreline slope." However, a full geotechnical engineering report will be required to be submitted at the time of development permit to substantiate this finding.

Though not mapped, the submitted site plan confirms the presence of slopes on the eastern side of the property (near the stream) measuring approximately 33 percent grade, which are typically considered geologically hazardous areas, per KCC 19.400.420 and 19.400.425. No comments were provided in the submitted slope

stability analysis regarding this sloped area. A geotechnical report addressing this sloped area and all clearing/grading/development activity will be required at the time of development permit.

Staff recommends multiple conditions be approved, to ensure compliance with KCC 19.400 at the time of the next applicable development permit application.

**19.500 Frequently Flooded Areas**

The proposed development is outside of the mapped flood hazard area (Exhibit 16).

**19.600 Critical Aquifer Recharge Areas**

The site is within a Category II Critical Aquifer Recharge Area (Exhibit 15); however, single-family development is not a listed activity with potential threat to groundwater quality. No further review is required.

**j. Shoreline Master Program**

The subject site is within the Rural Conservancy Shoreline Designation (Exhibit 17) and is subject to the standards of Kitsap County's Shoreline Master Program (KCC Title 22).

KCC 22.400.120 requires a standard 130 ft buffer and additional 15 ft building setback from the Ordinary High Water Mark (OHWM) of the shoreline. The submitted No-Net Loss Report (Exhibit 5), Habitat Management Plan (Exhibit 4) and Project Narrative (Exhibit 7) confirm that the proposed development is outside of the required buffer and setback area.

At the time of development permit, the proposal will be reviewed for compliance with **22.400.105** Proposed Development, **22.600.170** Residential Development, and all other applicable standards.

**k. Access, Traffic and Roads**

Vehicular access is proposed via an existing easement which leaves the parcel at its north boundary, traverses northerly, then intersects Tracyton Boulevard NW (Exhibit 8).

**l. Fire Safety**

Fire Safety review is not required for this permit type. The proposal must demonstrate compliance with all applicable building and fire codes at the time of development permit application.

**m. Solid Waste**

Solid Waste review is not required for this project.

**n. Water/Sewer**

Potable water is proposed to be provided by an on-site well. Sanitary sewage disposal is proposed to be provided by an on-site septic system. The applicant submitted a Building Site Application (Exhibit 3) to the Kitsap Public Health District for approval. The final approved BSA is required to be submitted at the time of development permit application.

**o. Kitsap Public Health District**

The Kitsap Public Health District has reviewed and approved the application with no comments.

**11. Review Authority**

The Hearing Examiner has review authority for this Critical Areas Variance application under KCC, 21.04.100. The Hearing Examiner may approve, approve with conditions, or deny a Critical Areas Variance. 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**

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 19 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.
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.

**13. Recommendation**

Based upon the analysis above and the decision criteria found in KCC 19.100.135, the Department of Community Development recommends that the Critical Area Variance request for SCHULMAN Stream Buffer Reduction be **approved**, subject to the following 20 conditions:

**a. Planning/Zoning**

1. Permit approval subject to conditions in the Hearing's Examiner Decision.
2. The proposal shall be compliant with the applicable zoning standards of the Rural Protection (RP) zoning district.
3. At the time of SDAP submittal, the site plan shall show all current easements to ensure the project does not encroach on required setbacks or the easement(s) itself.

**b. Development Engineering**

4. 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.
5. The information provided demonstrates that, due to the proximity of critical areas, this proposal will require a Site Development Activity Permit (SDAP) from Development Services and Engineering.
6. 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 of development permit application. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.
7. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall.
8. If the project proposal is modified from that shown on the submitted site plan accepted for review September 29, 2020, Development Services and Engineering will require additional review, potentially new conditions, and potentially a revision to this decision.

**c. Environmental**

9. The proposal shall follow the recommendations of the Habitat Management Plan dated September 8, 2020, by BGE Environmental.
10. A Hydraulic Project Approval (HPA) may be required for the proposed outfall. Prior to SDAP approval, the applicant shall submit an approved HPA from the Washington State Department of Fish and Wildlife (WDFW) or documentation from WDFW specifying that an HPA is not required.
11. Due to the presence of geologically hazardous areas on site, a full geotechnical engineering report shall be submitted with the SDAP application. The report shall be to the standards outlined in KCC 19.700.725. The report shall specifically address compliance with applicable standards of KCC 19.400.410, KCC 19.400.435 and KCC 22.400.105. The report shall demonstrate that the project is set back sufficiently to ensure that shoreline stabilization is unlikely

to be necessary during the life of the structure. A subsequent full geotechnical analysis may result in additional concerns, questions, or conditions about proposed development, and a full geotechnical report may cause a need to review and modify any prior approval.

12. Pursuant to KCC 19.400.410(C), the proposed clearing for the project and all critical area buffers shall be marked in the field for inspection and approval by the department prior to beginning work. The field marking of all buffers shall remain in place until construction is completed, and final approval is granted by the department. Permanent marking may be required as determined necessary to protect critical areas or its buffer.
13. All clearing, grading, and vegetation removal shall be in accordance with 19.400.410(D). Clearing and grading shall be limited to the period between May 1st and October 1st, unless the applicant provides an erosion and sedimentation control plan prepared by a professional engineer licensed in the state of Washington that specifically and realistically identifies methods of erosion control for wet weather conditions.
14. Pursuant to KCC 22.400.105, the project shall comply with the following standards:
  - a. New development shall be located and designed to avoid or, if that is not possible, to minimize the need for new and maintenance dredging.
  - b. New development on lots constrained by depth, topography or critical areas shall be located to minimize, to the extent feasible, the need for shoreline stabilization.
  - c. New development on steep slopes or bluffs shall be set back sufficiently to ensure that shoreline stabilization is unlikely to be necessary during the life of the structure, as demonstrated by a geotechnical analysis.
  - d. Non-water-oriented facilities and accessory structures, except for preferred shoreline uses, such as single-family residences and single-family residential appurtenances when consistent with buffer provisions in this chapter, must be located landward of buffers and adjacent water-oriented uses, or outside shoreline jurisdiction, unless no other location is feasible.
15. The project shall comply with applicable standards for residential development in accordance with KCC 22.600.170:

**d. Traffic and Roads**

16. 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.
17. The required Site Development Activity Permit application shall include documentation of rights of use of the access easement indicated as providing access to this parcel.

18. The required Site Development Activity Permit shall include 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.
19. 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 (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.

**e. Kitsap Public Health District**

20. An approved Building Site Application (BSA) shall be submitted at the time of building permit application.

**Report prepared by:**



7/14/2021

\_\_\_\_\_  
Tasha Santos, Staff Planner / Project Lead

\_\_\_\_\_  
Date

**Report approved by:**



7/14/2021

\_\_\_\_\_  
Angie Silva, Assistant Director

\_\_\_\_\_  
Date

**Attachments:**

Attachment A – Site Plan

CC: Applicant/Owner: Robert Schulman and Mie Mukai [mie.mukai@gmail.com](mailto:mie.mukai@gmail.com)

Project Representative: Robbyn Myers [bgerobbbyn@comcast.net](mailto:bgerobbbyn@comcast.net)

Interested Parties:

Robert Keifer: 8110 Tracyton Blvd. Bremerton, WA 98311

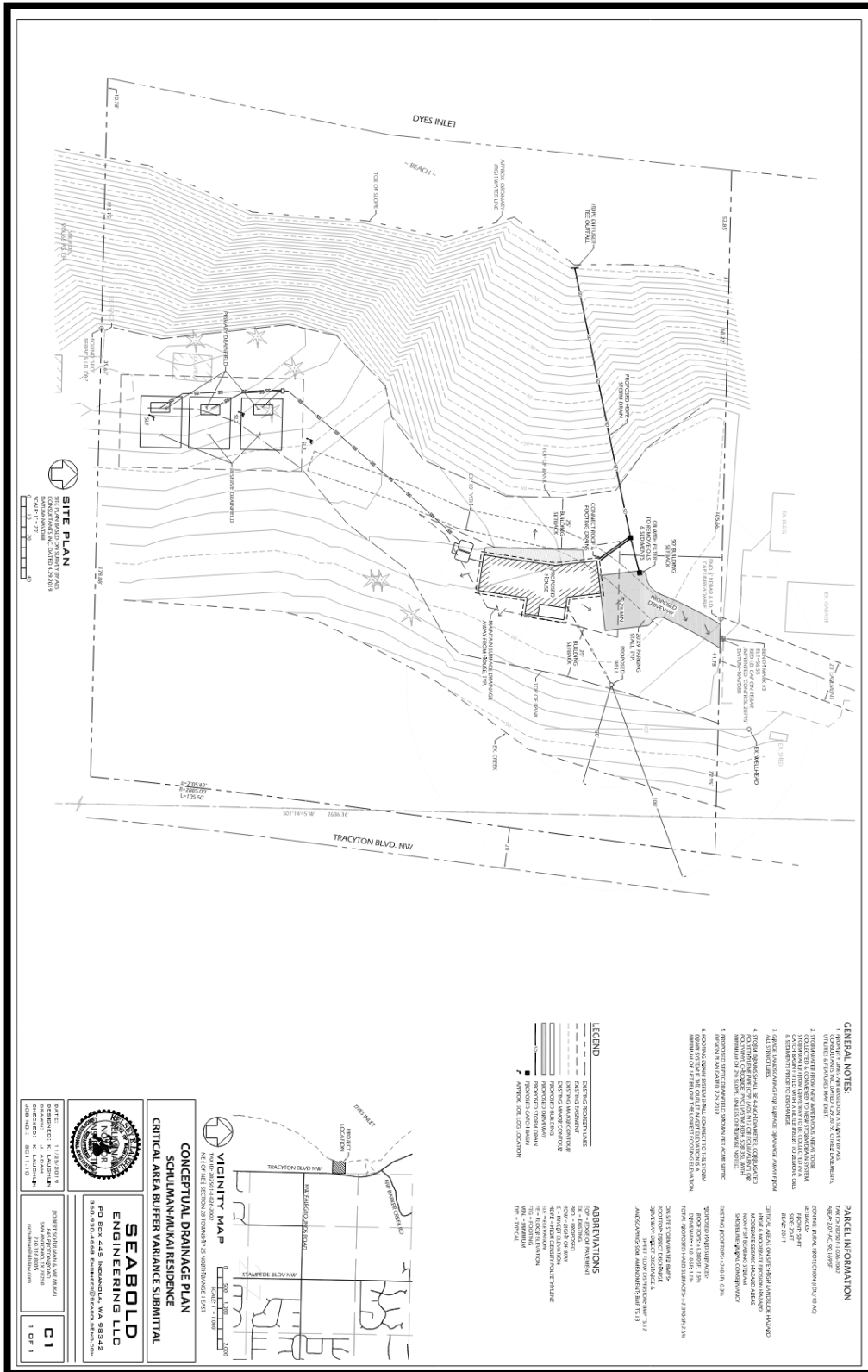
Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Tasha Santos



Site Plan



GENERAL NOTES:

1. PROPERTY LINE AND EXISTING BOUNDARIES SHALL BE VERIFIED BY A LICENSED SURVEYOR.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SEASIDE CRITICAL AREAS VARIANCE SUBMITTAL REQUIREMENTS.
3. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING DRAINAGE PATTERNS AND TO PREVENT OR MINIMIZE EROSION.
4. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING TOPOGRAPHY AND TO PREVENT OR MINIMIZE EROSION.
5. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING VEGETATION AND TO PREVENT OR MINIMIZE EROSION.
6. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING SOILS AND TO PREVENT OR MINIMIZE EROSION.
7. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING WATER RESOURCES AND TO PREVENT OR MINIMIZE EROSION.
8. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING AIR QUALITY AND TO PREVENT OR MINIMIZE EROSION.
9. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING VISUAL QUALITY AND TO PREVENT OR MINIMIZE EROSION.
10. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING CULTURAL RESOURCES AND TO PREVENT OR MINIMIZE EROSION.
11. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING HISTORIC RESOURCES AND TO PREVENT OR MINIMIZE EROSION.
12. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING SCENIC QUALITY AND TO PREVENT OR MINIMIZE EROSION.
13. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING OPEN SPACE AND TO PREVENT OR MINIMIZE EROSION.
14. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING RECREATION VALUES AND TO PREVENT OR MINIMIZE EROSION.
15. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING EDUCATIONAL VALUES AND TO PREVENT OR MINIMIZE EROSION.
16. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING RESEARCH VALUES AND TO PREVENT OR MINIMIZE EROSION.
17. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING ARTS AND CULTURAL VALUES AND TO PREVENT OR MINIMIZE EROSION.
18. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING COMMUNITY VALUES AND TO PREVENT OR MINIMIZE EROSION.
19. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING ECONOMIC VALUES AND TO PREVENT OR MINIMIZE EROSION.
20. THE PROPOSED IMPROVEMENTS SHALL BE DESIGNED TO MAINTAIN OR IMPROVE THE EXISTING ENVIRONMENTAL VALUES AND TO PREVENT OR MINIMIZE EROSION.

- LEGEND**
- EXISTING BOUNDARIES
  - EXISTING ROADS
  - EXISTING UTILITIES
  - EXISTING DRAINAGE
  - EXISTING TOPOGRAPHY
  - EXISTING VEGETATION
  - EXISTING WATER RESOURCES
  - EXISTING AIR QUALITY
  - EXISTING VISUAL QUALITY
  - EXISTING CULTURAL RESOURCES
  - EXISTING HISTORIC RESOURCES
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  - EXISTING ECONOMIC VALUES
  - EXISTING ENVIRONMENTAL VALUES
- ABBREVIATIONS**
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  - EXISTING UTILITIES
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  - EXISTING ARTS AND CULTURAL VALUES
  - EXISTING COMMUNITY VALUES
  - EXISTING ECONOMIC VALUES
  - EXISTING ENVIRONMENTAL VALUES

PARCEL INFORMATION

APPLICANT: SEABOLD ENGINEERING LLC  
 PROJECT: SEABOLD ENGINEERING LLC  
 PROJECT NO: 20-04318  
 PROJECT ADDRESS: 20-04318  
 PROJECT CITY: SEASIDE  
 PROJECT COUNTY: CLATSOP  
 PROJECT STATE: OREGON  
 PROJECT ZIP: 97138  
 PROJECT DATE: 10/15/2020  
 PROJECT SCALE: 1" = 50'

CONCEPTUAL DRAINAGE PLAN

SCHULMAN AKAIA RESIDENCE  
 CRITICAL AREA BUFFER VARIANCE SUBMITTAL

PROJECT LOCATION  
 TRACYTON BLVD NW  
 SEASIDE, OREGON

PROJECT DATE  
 10/15/2020

PROJECT SCALE  
 1" = 50'

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