



Notice of Administrative Decision

Date: 07/22/2024

To: Mark A & Jamie Luce Trustee, markaluce@yahoo.com
Interested Parties and Parties of Record

RE: **Permit Number:** 23-05922
Project Name: LUCE - Preliminary Short Plat SP# 7466
Type of Application: Preliminary Short Plat (P SP)

The Kitsap County Department of Community Development has **APPROVED** the land use application for **23-05922: LUCE - Preliminary Short Plat SP# 7466 - P SP**, subject to the conditions outlined in this Notice and included Staff Report.

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

The written appeal shall be made on, or attached to, an appeal form titled: *'Appeal/Objection of an Administrative Decision'* found on DCD's website, through the Online Permit Application Portal: <https://app.oncamino.com/kitsapcounty/login>.

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 by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777.

CC: Engineer: Seabold Engineering, engineer@seaboldeng.com
Surveyor: AGO Land Surveying LLC Gavin Oak, gavin@agols.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Peggy Bakalarski
Kitsap Transit
North Kitsap Fire District
North Kitsap School District
Puget Sound Energy
Water Purveyor - PUBLIC UTILITY DIST NO 1
Sewer Purveyor - PUBLIC UTILITY DIST NO 1
Point No Point Treaty Council
Suquamish Tribe

23-05922, LUCE - Preliminary Short Plat SP# 7466
07/22/2024

Port Gamble S'Klallam Tribe

Squaxin Island Tribe

Puyallup Tribe

WA Dept of Fish & Wildlife

WA State Dept of Ecology-SEPA

WA State Dept of Ecology-Wetland Review

Interested Parties: PERNA AVI DENNIS & SARAH REBECCA ROBBINS, ROBERTSON
BRUCE EDWARD



Kitsap County Department of Community Development

July 16, 2024

Mark & Jamie Luce Trustee
4509 80th St SW
Mukilteo, WA 98275

RE: Short Subdivision # 7466 – LUCE
Permit No. 23-05922
Tax Account No. 262702-4-044-2003

Dear Applicant:

This is to inform you that the above-referenced short subdivision has been granted **preliminary** approval.

This decision is in compliance with Kitsap County Code 21.04 Land Use and Development Procedures. All applicable criteria have been met for preliminary short subdivision in accordance with Kitsap County Code Title 16.48 short subdivision.

The Department has further determined that the land segregation as it is presented in the preliminary short subdivision, received 02/01/2024 by the Department of Community Development, conforms or will conform subject to conditions set forth in this letter, to the following:

1. Kitsap County Code Title 17 Zoning;
2. Kitsap County Code Title 12 Storm Water Drainage;
3. Kitsap County Comprehensive Plan and subarea plans;
4. Kitsap County Critical Areas Ordinance;
5. And all other elements of the Kitsap County Code that pertain to this land segregation.

Approval is subject to the following conditions:

LAND USE

1. Adhere to all elements and requirements set forth in Kitsap County Code 16.48.
2. The following condition shall be added to the face of the final short subdivision Plat: Building permits issued on a lot in this short subdivision may be subject to impact fees pursuant to Kitsap County Code.
3. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.

4. The decision set forth herein is based upon representations made and exhibits contained in the project application (23-05922). 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.
5. 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.

SURVEY

1. At the time of submittal of the final short subdivision a title certificate, current to within 30 days, is required. Please note or delineate on the face of the final short subdivision all pertinent special exception items in Schedule "B" of the title certificate.
2. A Road Maintenance Agreement will be required for the access easements shown on the face of the plat. This may be in the form of a note on the face of the Final Plat that addresses ownership and maintenance responsibilities of the access easement, or in the form of a Road Maintenance Agreement document to be recorded separately and referenced on the face of the Final Plat.
3. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
4. Access to lot A will be from the existing south driveway. Access to lot B will be provided by the existing easement to the north.

STORMWATER

1. 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.
2. 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.
3. The information provided demonstrates this proposal is a Small Project as defined in Kitsap County Code Title 12 and as such will require an Abbreviated Drainage Site Development Activity Permit (SDAP) from Development Engineering.

4. 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 SDAP application is deemed fully complete. 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 Code in effect at the time of SDAP.
5. Any project that includes offsite improvements that create additional hard surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12.
6. 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 note: 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 and may require a Site Development Activity Permit.
7. The following shall be added to the face of the Final Plat, under the heading Notes and Restrictions:
 - a. Maintenance of roof and yard drains and appurtenances shall be the responsibility of the individual homeowners.
 - b. All runoff from roof and yard drains must be directed so as not to adversely affect adjacent properties.
 - c. All lots are obligated to accept road drainage at the natural locations after the grading of streets is complete.
 - d. No owner or occupant may obstruct or re-channel the drainage flows after location and installation of drainage swales, storm sewers or storm drains. It is expressly understood that any alteration of the water flow shall be completed only after approval by Kitsap County Department of Community Development.
8. The following condition shall be added to the face of the Final Plat: At the time of submittal of a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.
9. If the project proposal is modified from that shown on the site plan approved for this permit application, Development Engineering will require additional review and potentially new conditions.

TRAFFIC & ROADS

1. 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.
2. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.

3. 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 accepted construction plans. In addition, Development Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
4. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on existing fronting roads where access is proposed. The cross-sections shall show existing and proposed pavement, shoulders, ditches and slopes. The cross-sections shall also depict centerline of pavement and right-of-way, the right-of-way lines, and easements.
5. The 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 to county rights of way 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.
6. Any required sidewalk shall be constructed prior to final roadway paving. This note shall appear on the face of the final construction drawings.
7. 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.
8. Prior to SDAP approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at pnwcmsservices@wm.com or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>
9. Frontage improvements are required along the entire property frontage on Barret Road NE and shall consist of 10-foot-wide travel lane, vertical curb, gutter and 5-foot sidewalks.

PUBLIC WORKS SEWER

1. Kitsap County currently serves sanitary sewer service to the property. Any changes to the service will require approval from Kitsap County Public Works - Sewer Utility Division.
2. Kitsap County sanitary sewer currently serves the project parcel. The project will have additional impacts on the sewer system and will be assessed additional newcomer fees.

HEALTH DISTRICT

1. Any septic tanks or wells located during construction will need to be decommissioned according to Kitsap County Board of Health Ordinance 2008A-01 (septic tanks and drainfields) and Kitsap Public Health Board Ordinance 2018-01 and WAC 173-160-381 (wells).

SOLID WASTE

1. Prior to SDAP approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at pnwcmsservices@wm.com or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>

Preliminary approval of this short subdivision will automatically expire five (5) years from the date of this letter. However, upon written request to the Department of Community Development by the original applicant and the current owner(s) of the subject property, at least thirty (30) days prior to expiration, a six (6) month extension may be granted.

Preparation of the final short subdivision shall be done in accordance with Kitsap County Code 16.48. All applicable conditions of preliminary approval must be addressed with the submittal of final short subdivision application. Submittals that do not address all conditions will be considered incomplete and returned without review. All of the above relevant conditions and any/all building setbacks and buffers established as conditions of approval must appear on the final short subdivision.

If you have any questions or comments regarding this letter, please feel free to contact **Peggy Bakalarski** for Survey matters; **William Sullivan** for Stormwater and Traffic matters; **Scott Diener** for Land Use matters; all of whom can be reached at (360) 337-5777. Please contact **Kimberly Jones** for Health District matters at (360) 337-5285.

Sincerely,



Peggy Bakalarski, Project Lead

07/15/2024
Date



Cecilia Olsen, Development Engineering Program Manager

07/15/2024
Date

c: **Authorized Agent** - Seabold Engineering, kelsey@seaboldeng.com
Surveyor – AGO LAND SURVEYING LLC – gavin@agols.com

Interested parties of record:

Bruce Robertson - PO Box 1275 Kingston, WA 98340

Dennis Perna & Rebecca Robbins – 26424 NE Barrett Rd. Kingston, WA 98346