



## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

*To enable the development of quality, affordable, structurally safe and environmentally sound communities.*

Larry Keeton  
DIRECTOR

Jeffrey L. Rowe  
DEPUTY DIRECTOR



### NOTICE OF ADMINISTRATIVE DECISION

October 16, 2014

To: Interested Parties and Parties of Record  
RE: Project Name: Kingston Lumber Supply Company  
Application: Short Subdivision #7411  
File Number: 12 02462

Enclosed is the Administrative Decision issued by the Kitsap County Department of Community Development (DCD) for the above referenced application.

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS APPEALED TO THE KITSAP COUNTY HEARING EXAMINER BEFORE THE CLOSE OF BUSINESS ON OCTOBER 30, 2014. PLEASE NOTE: THE DEPARTMENT OF COMMUNITY DEVELOPMENT IS OPEN MONDAY TO THURSDAY FROM 9:00 A.M. TO 4:00 P.M. AND ON FRIDAY FROM 9:00 A.M. TO 1:00 P.M. EXCEPT HOLIDAYS.**

Pursuant to the Kitsap County Land Use and Development Procedures, an appeal may be filed objecting to the Department's Decision. An appeal must be made in writing, and received by the Department of Community Development (DCD). At the time of filing the appeal, the appellant shall pay the sum of **five hundred dollars (\$500.00)**. This fee is non-refundable and subject to change. Make check payable to Kitsap County Department of Community Development (DCD).

The written appeal shall be made on, or attached to, an appeal form provided by DCD, and shall contain the following information.

The project name, project applicant, application type, and file number designated by the County;

1. The name, address, and signature of each appellant. If multiple parties file a single appeal, the appeal document shall designate, in writing, one party as the contact representative for all contact with the DCD Director and the Office of the Hearing Examiner. All contact between the County and the appellants regarding the appeal, including notices, shall be through this contact representative; and

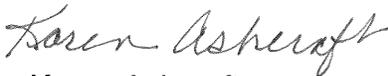
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2. A written statement of the specific aspect(s) of the Decision and/or SEPA determination being appealed, the reasons why each is in error as a matter of fact or law, and show the evidence relied upon to prove the error.

The complete application file will be available for review at the Department of Community Development, Monday through Thursday from 9:00 A.M. to 4:00 P.M. and Fridays from 9:00 A.M. to 1:00 P.M, except holidays. You may make an appointment by calling Karen Ashcraft at (360) 337-4487.

If you have questions, please contact Karen Ashcraft at (360) 337-4487 or Candy Mursell at (360) 337-5777.

Sincerely,



Karen Ashcraft  
Clerk of the Hearing Examiner

C: Tom Waggoner, PO Box 169, Kingston, WA 98346  
[tom@kingstonlumber.com](mailto:tom@kingstonlumber.com)  
Mark Kuhlman, Team4 Engineering, 5819 NE Minder RD, Poulsbo, WA  
98370 [mark@team4eng.com](mailto:mark@team4eng.com) [mike@team4eng.com](mailto:mike@team4eng.com)

Interested Parties:  
(None)



## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682  
(360) 337-5777 FAX (360) 337-4925 HOME PAGE - [www.kitsapgov.com/dcd/](http://www.kitsapgov.com/dcd/)

Larry Keeton, Director

October 14, 2014

Kingston Lumber Supply Co.  
Via email: [tom@kingstonlumber.com](mailto:tom@kingstonlumber.com)

**RE: Short Subdivision #7411, Permit No. 12 02462  
Tax Account No. 262702-1-085-2009**

Dear Mr. Waggoner:

This is to inform you that the 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 Plat, received November 15, 2012 (and as revised by submittal dated July 18, 2014) by the Department of Community Development, conforms or will conform to the following regulations, subject to conditions set forth in this letter.

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 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 and/or construction.
4. The decision set forth herein is based upon representations made and exhibits contained in the project application 12 02462. Any substantial 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.
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 precedent 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.

6. Building straddling the lot lines of Lots C, D and E shall comply with setbacks at the time of final subdivision application or shall be removed prior to recording the final short plat.
7. Building on Lot E shall comply with setbacks to new property lines.
8. Existing buildings on Lot D and Lot E are legal non-conforming structures to their existing setbacks and property lines. Any change to the building footprint, exterior walls, and/or an addition shall conform to the required setbacks at the time of a complete building permit application.
9. All new development shall comply with Kingston Design Standards (KDS). Preliminary short subdivision approval doesn't imply the proposed layout complies with KDS.
10. Should residential development be proposed, it shall comply with the recreation requirements at KCC 16.24.040(H) and applicable sections of Title 17 in Chapters 17.352, 17.382 and/or 17.425.
11. On-site parking standards and requirements were based on professional office – 1 space per 300 feet of gross floor area, but not medical or dental office or clinic; retail stores generating heavy automobile traffic – 1 space per 200 feet gross floor area; and a restaurant over 5,000 square feet, but not drive-in or fast food restaurant. Future proposed uses shall not require more parking spaces or lower parking ratios that result in an increase in the number of required parking spaces unless the applicant provides a parking analysis for Lots A-E that clearly demonstrates sufficient parking will be provided for all uses and spaces including any vacant building space(s). Parking is based on the following:

	Professional Office	Retail	Restaurant	Parking spaces Required
Lot A	7,800 sq ft			26
Lot B	3,000 sq ft	4,000 sq ft		10 + 20 = 30
Lot C	3,600 sq ft	4,800 sq ft		12 + 24 = 36
Lot D	1,200 sq ft		5,800 sq ft	4 + 24 = 28
Lot E	3,800 sq ft			13
Totals	19,400 sq ft	8,800 sq ft	5,800 sq ft	133 spaces

12. Identify the transit stop/shelter on the Site Development Activity Permit (SDAP) and landscape plan.
13. The SDAP and landscape plan shall delineate a unified pedestrian circulation system with amenities and plantings. Both plans shall include internal sidewalks and appropriate sidewalks or marked connections to parking spaces not located adjacent to a building.
14. Dumpster pads, refuse areas, outdoor recycling areas, service areas and

outdoor storage areas shall not be located adjacent to or in the vicinity of pedestrian-oriented spaces. The preferred location, per KDS, for dumpster pads and other similar features would be near the outer edge of parking areas and generally not adjacent to buildings or public spaces.

15. If the KDS informational sign is to be located in the right-of-way instead of within an easement on the property, provide a letter from Kitsap County or WSDOT approving the location. If you are unable to provide the required letter, delineate an easement area on your property at the corner of Lindvog Road and SR 104. The sign shall be installed prior to SDAP final inspection approval and sign off.

### **SURVEY**

16. A Final Short Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
17. 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 Plat all pertinent special exception items in Schedule "B" of the title certificate.
18. Provide proof of registration of the Owners' Association from the Washington Secretary of State Office.
19. Provide a Covenants, Conditions & Restrictions (CCR) document that addresses, at a minimum, ownership and maintenance responsibilities for the access tract and associated stormwater facilities.
20. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Private road tracts shall be conveyed to the Owners' Association. Ten feet for utility easements shall be provided on each side of private road tracts.
21. Per Kitsap County Code 16.24.050(A), the width of the access tract shall be 30 feet, as it serves more than three lots.
22. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval. Approved road names and lot addresses shall be placed on the face of the Final Short Plat.

### **STORMWATER**

23. 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.
24. Approval of the preliminary short subdivision 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.
25. The information provided demonstrates this proposal is a Major Development as defined in Kitsap County Code Title 12 and will require a Site Development Activity Permit (SDAP) from Development Engineering.

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26. 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 Short Subdivision application was deemed fully complete, December 10, 2013. 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.
27. Any project that includes off site improvements that create additional impervious surface such as land 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 Short Subdivision application was deemed complete (December 10, 2013).
28. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) 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/html> or by calling Josh Klimek at (360) 407-7451, email [jokl461@ecy.wa.gov](mailto:jokl461@ecy.wa.gov) This permit is required prior to issuance of the SDAP. Processing time for NPDES permit is a minimum of 37 days.
29. 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.
30. The design of the infiltration facilities shall be in accordance with Section 7.3.4 of the Kitsap County Stormwater Design Manual.
31. The infiltration facilities shall remain off line until the drainage areas are stabilized and the water quality treatment facility is adequately established. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.
32. 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 & Engineering.
33. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before recording the final plat 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 as allowed by law.

34. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final short plat. Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall drainage facilities shall be mitigated in accordance with Kitsap County Code Title 12.

### **TRAFFIC**

35. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.02.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.
36. 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.
37. All rights of access for adjoining properties currently in existence shall be preserved and documented on the face of the final plat. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP acceptance or final plat recording, whichever occurs first.
38. Construction of handicap access facilities within existing or proposed County right-of-way shall conform to the requirements of the Americans with Disabilities Act, per WSDOT standard plans at the time of construction.
39. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
40. 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 accepted plans. In addition, Development Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
41. Provide surveyed cross-sections at 50 foot intervals along the parcel frontage on Lindvog Road NE and State Highway 104 . 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.
42. Submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code.

43. The southern most driveway approach proposed on Lindvog Road NE shall be removed because it is located within the functional area of the SR 104 and Lindvog Road NE intersection.
44. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
45. Frontage improvements shall be constructed along Lindvog Road NE and State Highway 104 for the full length of the property boundaries. Improvements shall include curb, gutter and sidewalk and shall meet KCRS and address associated stormwater mitigation improvements.
46. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the approach and Lindvog Road NE. 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 & 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 & Standard Plans, and the Occupational Safety & Health Administration, OSHA.
48. Washington State Department of Transportation requires a 5-foot shoulder along SR 104 fronting the project parcels.
49. The access onto SR 104 shown on the preliminary plans requires an Access Connection Permit from the WSDOT.
50. Before SDAP acceptance, the applicant shall submit a set of drawings to the WSDOT for review. The applicant shall notify Development Services & Engineering in writing when the plans have been submitted to WSDOT. Development Services and Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT lies with the applicant.
51. Final plan approval will require documentation of WSDOT approval for project impacts to, and any required mitigation, on State Highway 104. WSDOT point of contact is Dale Severson, PE who may be reached at (360) 357-2736 or by mail at:

Washington State Department of Transportation  
Olympic Region Development Services  
Attn: Dale Severson, PE  
PO Box 47440  
Olympia, WA 98504-7440

52. Any work within the county right-of-way requires 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.

**SOLID WASTE**

53. 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.
54. 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.
55. The SDAP submittal shall show at least 150 square feet of exterior recyclable materials storage space for the project.

**ENVIRONMENTAL**

56. Critical Aquifer Recharge Area. This project is subject to the conditions of Title 19.600.615 Development Standards.
  - 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.

**FIRE MARSHAL**

57. Fire apparatus access roads are required and must be maintained. Any proposed revision to these roads must be submitted to, reviewed and approved by the Kitsap County Fire Marshal's Office. IFC 503 Amended by Kitsap County. Access roads shall comply with the following:
  - a. Unobstructed width of 20 feet and height of 13 feet 6 inches.
  - b. Shall be designed and maintained to support a 60,000 pound fire apparatus and be provided with an all weather driving surface.
  - c. Dead end access roads exceeding 150 feet in length shall be

- provided with an approved turnaround.
  - d. Inside turning radius shall be a minimum of 25 feet.
  - e. 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.
  - f. Road shall not be more than 12% grade.
58. Fire flow in the amount of 2500 gpm @ 20 psi for a minimum of 2 hours is required for the project. This is based on the largest proposed building of 7800 square feet and constructed of Type V-B construction. A reduction in required fire flow of up to 75% as approved for commercial buildings is allowed when the building is provided with an approved automatic fire sprinkler system. The resulting fire flow shall not be less than 1500 gpm. Any changes to the structure will require a recalculation of fire flow. IFC 508.5 Amended by Kitsap County.
59. Water line size and location and the location of fire hydrants must be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits.
60. Fire alarms and fire sprinklers may be required based on square footage and occupancy and will be determined at time of building permit review.

#### **HEALTH DISTRICT**

61. Binding sewer and water availability letters shall be submitted with the Final Short Plat application materials.

#### **WASTEWATER**

62. Kitsap County sanitary sewer may be available. Applicant needs sanitary sewer availability approval from KCPW - Wastewater Division.
63. Applicant needs to submit an "Application to Construct Sanitary Sewer" to Kitsap County Public Works Sewer Utility Division.

#### **OTHER**

64. Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit.
65. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 4.7.5.

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 Plat shall be done in accordance with Kitsap County Code 16.48. All applicable conditions of preliminary approval must be addressed with

**Kingston Lumber Preliminary Short Plat #7411, Permit #12 02462**

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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 Plat.

If you have any questions or comments regarding this letter, please feel free to contact Candy Mursell for Survey matters; Shawn Alire for Stormwater, Traffic and Solid Waste matters; Meg Sands for Land Use matters; Lisa Lewis for Environmental matters; Jackie Blackwood for Fire Marshal matters; or Michael Brooks for Wastewater matters, all of whom can be reached at (360) 337-5777. Please contact John Kiess for Health District matters at (360) 337-5285.

When you are ready to submit the Final Short Subdivision application, please call Ellen Tietz at (360) 337-5777 for a submittal appointment.

Please refer to our website at [www.kitsapgov.com/dcd/](http://www.kitsapgov.com/dcd/) for permit status information (this information is no longer available by e-mail or telephone). The current fee schedule and counter-complete submittal checklists can also be found at our website to assist with submittal of your Final Short Subdivision application.

Sincerely,



Scott Diener, Manager  
Development Services & Engineering  
Department of Community Development

Copy to: Team 4 Engineering, via email: [mike@team4eng.com](mailto:mike@team4eng.com)  
File