



## 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

September 10, 2014

To: Interested Parties and Parties of Record  
RE: Project Name: Kennedy Short Subdivision #7417  
Application: Short Subdivision  
File Number: 14 01952

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 SEPTEMBER 24, 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: Brace MacLearnsberry, Team4 Engineering, [bruce@team4eng.com](mailto:bruce@team4eng.com)  
Mike and Patricia Kennedy, [kennedybuilders68@yahoo.com](mailto:kennedybuilders68@yahoo.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

September 8, 2014

Team4 Engineering  
Bruce MacLearnsberry  
Via email: [bruce@team4eng.com](mailto:bruce@team4eng.com)

**RE: Short Subdivision #7417**  
**Permit No. 14 01952**  
**Tax Account No. 292702-3-043-2003**

Dear Mr. MacLearnsberry:

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 June 4, 2014 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 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 14 01952. 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.

6. Submit a landscape plan (three full size copies and one 11 inches by 17 inches) with the Site Development Activity Permit (SDAP) or if no SDAP is required, with the final short subdivision application, or no later than October 15, 2014, whichever occurs first. Identify existing landscaping to remain and proposed vegetation. The understory shall be planted with a majority of large shrubs. Proposed trees shall be minimum 6-foot conifers. Label perimeter buffer as "native vegetation buffer". The perimeter buffer shall be planted or replanted and maintained to be an effective functional screen of the Kennedy Business Park.
  - a. Code Compliance has flagged the property and established a case because the buffer along State Route (SR) 307 has been substantially diminished. The perimeter buffer along SR 307 (aka Bond Road) shall be replanted consistent with the approved landscape plan by December 31, 2014.
  - b. The perimeter buffer along Minder Road shall be expanded to the access point. If any vegetation in the buffer, including the perimeter buffer along the north property line between SR 307 and Minder Road, has been removed it shall be replanted consistent with the approved landscape plan by December 31, 2014.
  - c. The perimeter buffer along SR 307, Minder Road and along the north property line between SR 307 and Minder Road shall provide an effective screen for the business park prior to recording the final short plat.
7. Indicate the impervious surface coverage in square feet for each lot as part of the final short subdivision application. Each lot shall comply with the maximum impervious surface coverage. The maximum impervious surface coverage allowed is 85% in the Rural Employment Center (REC) zone.
8. The following conditions shall be added to the face of the Final Short Plat:
  - a. No parking or loading spaces shall be located in a required front, side, or rear yard setback.
  - b. At the time of Building Permit application, the applicant or owner shall submit a parking narrative and demonstrate compliance with parking requirements at Kitsap County Code (KCC) 17.435.
  - c. At the time of Building Permit application, the applicant or owner shall provide a landscape plan and demonstrate compliance with KCC 17.385, and in particular KCC 17.385.060.
  - d. The perimeter buffer shall be planted and maintained to be an effective functional screen of the Kennedy Business Park. All native vegetation buffers shall be maintained as depicted on the plat. No cutting or clearing

shall occur within the buffer. Hazardous trees within the buffers may be removed upon review and approval of Kitsap County. Replanting of removed trees may be required.

- e. Signs shall comply with KCC 17.376.050 and be consistent with KCC Chapter 17.445, and Section 17.445.095 and Section 17.455.110, and shall not exceed 10 feet in height.
9. All unpermitted signs shall be removed within 14 days of the Notice of Decision for the preliminary subdivision. Failure to comply may result in Code Compliance action and citation with penalties. An inspection will be conducted after the established deadline to verify compliance.

### ***SURVEY***

10. A Final Short Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
11. 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.
12. 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.
13. The easement shown on Sheet 3 and labeled "Supplement to adjoining easement for ingress, egress and utilities" shall be also labeled with identification of the benefitted parcels. If benefitting parcels outside this short plat, identification shall be by legal description.

### ***STORMWATER***

14. The parcel is located outside of the Census Urbanized and Urban Growth Areas and may create or add up to 10,000 square feet of new impervious surface area. The available impervious area for each lot shall be determined by dividing the allowable impervious area between the lots created. Information shall be provided in a table as shown below.
15. The following conditions shall be added to the face of the Final Short Plat:
  - a. Lots A & B: Redevelopment activities shall comply with Kitsap County Code Title 12 effective at the time the Preliminary Short Plat Application was deemed complete (June 04, 2014). Fees and submittal requirements shall be in accordance with Kitsap County Code in effect at the time of Building Permit Application.
  - b. Lot C: Development requires a Site Development Activity Permit to design the stormwater facility and show how the connection will be made to the existing infiltration system. The SDAP shall be prepared in compliance with Kitsap County Code Title 12 effective at the time the Preliminary

Short Plat Application was deemed complete (June 04, 2014). Fees and submittal requirements shall be in accordance with Kitsap County Code in effect at the time of Site Development Activity Permit Application.

- 16. At the time of Building Permit Application and/or any additional road construction or site work, the property owner shall comply with Kitsap County Code Title 12 effective at the time the Preliminary Short Plat Application was deemed complete (June 04, 2014). Fees and submittal requirements shall be in accordance with Kitsap County Code in effect at the time of Building Permit Application.
- 17. If any proposed impervious area exceeds the allowable the square footage as designated per the chart, then an engineered Site Development Activity Permit (SDAP) to meet minimum requirements 1-10 per KCC 12.18 will be required for that lot.

Total Site Area	3.2 acres
Allowable Impervious Area	10,000 sq. ft.
Available Impervious Area Lot A	
Available Impervious Area Lot B	
Available Impervious Area Lot C	

- 18. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before requesting final building inspection or final SDAP inspection 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.
- 19. Indicate impervious area allowed per lot on the face of the final plat and accepted construction plans.

**TRAFFIC**

- 20. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
- 21. Prior to SDAP approval, provide documentation of Washington State Department of Transportation (WSDOT) approval for project impacts to, and any required mitigation, on (NAME OF HIGHWAY). 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

**ENVIRONMENTAL**

- 22. Critical Aquifer Recharge Area. This project is subject to the conditions of Title 19.600.615 Development Standards.
- 23. Category I Critical Aquifer Recharge Areas.
  - a. 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
  - b. 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.

**HEALTH DISTRICT**

- 24. Easements for the permitted onsite sewage systems shall be delineated on the Final Short Plat.

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 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; Jenifer Lawrence for Stormwater and Traffic matters; Meg Sands for Land Use matters; or Steve Heacock for Environmental 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.

**Kennedy Business Park Prelim. Short Plat #7417, Permit #14 01952**

**September 8, 2014**

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This information is no longer available by e-mail or telephone. The current fee schedule and 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: D. Mike & Patricia L. Kennedy, via email: [kennedybuilders68@yahoo.com](mailto:kennedybuilders68@yahoo.com)  
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