



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 8, 2014

To: Interested Parties and Parties of Record
RE: Project Name: Lone Rock Mercantile
Application: Administrative Conditional Use Permit
File Number: 14 02513

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 22, 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



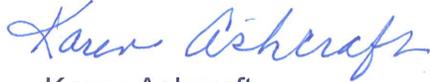
Notice of Administrative Decision – Lone Rock Mercantile – Administrative
Conditional Use Permit
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2. A written statement of the specific aspect(s) of the Decision and/or SEPA determination being appealed, the reasons why each is in error as a matter 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 Meg Sands at (360) 337-5777.

Sincerely,



Karen Ashcraft
Clerk of the Hearing Examiner

C: John Stallings sothpaws@gmail.com

Interested Parties:
(None)



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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LARRY KEETON, DIRECTOR

STAFF REPORT and ADMINISTRATIVE DECISION

Decision Date: October 8, 2014

Application Complete Date: July 14, 2014

Project: Lone Rock Mercantile

Project Summary:

The Department of Community Development approves the request to establish a general mercantile store that carries a variety of goods for local residents. The project application also includes a request for a drive-thru espresso stand and installation of a 500 gallon propane tank for re-filling portable propane tanks. The Department of Community Development denies the request to for the espresso stand and propane tank because both do not meet code requirements.

The .59-acre almost rectangular parcel is developed with an approximately 1,720 square foot convenience store type building, which will become the Lone Rock Mercantile store. The property is zoned Rural Commercial (RCO) and Rural Protection (RP) and located at 11195 Seabeck Highway in Seabeck. The project will be served by a septic system with the septic tank located on-site and an off-site drainfield and a public water system located off-site. The existing on-site well doesn't serve the subject property; it serves an adjacent parcel.

Decision Summary:

The general store request is approved, subject to 30 conditions. The espresso stand and propane tank are denied as proposed.

Application Number: 14 02513

Type of Application: Administrative Conditional Use Permit

Request:

The applicant has proposed to establish a general mercantile store that carries a variety of goods for local residents and a drive-thru espresso stand. They also plan to install a 500 gallon propane tank and sell small quantities of propane.

Project Location:
11195 Seabeck Highway NW
Seabeck, Washington
Central Kitsap County

Assessor's Account #:
152501-3-034-1005

Applicant:
John Stallings
Apiro Holdings LLC
PO Box 250
Seabeck, WA 98380

Owner of Record:
Apiro Holdings LLC
PO Box 250
Seabeck, WA 98380



SEPA Status:

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA comment period previously occurred concurrent with the Notice of Application dated July 30, 2014 (Exhibit 20). A Determination of Nonsignificance (DNS) was issued September 12, 2014 and indicated: The proposal will be conditioned for Stormwater control per KCC title 12 and for Land Use conditions per Title 17. The proposal will also meet US Fish and Wildlife Service management requirements for the care of the local bald eagles (Exhibit 23). SEPA appeal period expired September 26, 2014. No appeals were filed.

Physical Characteristics:

The .59-acre almost rectangular parcel is developed with an approximately 1,720 square foot convenience store type building, which is currently vacant, and a well house. The property is relatively flat, but gradually slopes from the southwest downward to the northeast. The property was cleared in the past and there is little vegetation remaining except for non-native shrubs and weeds.

Comprehensive Plan and Zoning Designations:

The Comprehensive Plan and Zoning designations both include a mix of Rural Commercial (RCO) and Rural Protection (RP, Exhibits 26 and 27).

| | |
|-------------------------------------|---------|
| RCO | |
| Minimum Density | None |
| Base/Maximum Density | None |
| Maximum Height | 35 feet |
| Maximum Impervious Surface Coverage | 85% |
| Maximum Lot Coverage | None |

Setbacks

| | |
|---------------|--|
| Minimum Front | 20 feet |
| Maximum Front | Not Applicable |
| Front | 20 feet |
| Side* | 20 feet or 50 feet when abutting residential |
| Rear* | 20 feet or 50 feet when abutting residential |

*The subject property abuts a residential zone; existing structures are grandfathered to their existing setbacks and new structures shall comply with the 50-foot setback requirement.

RP

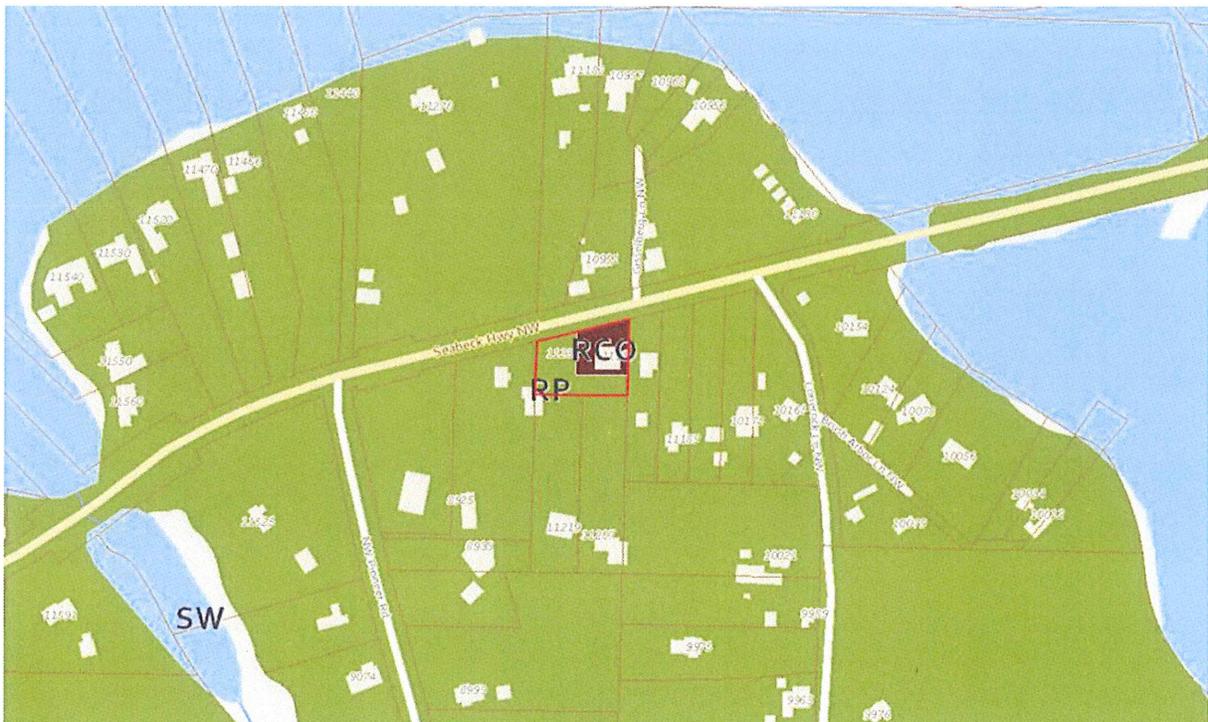
| | |
|----------------------|--|
| Base/Maximum Density | Not Applicable |
| Minimum Lot Size | 10 acres (for newly created lots, this is an existing lot) |
| Lot Width | 140 feet |
| Lot Depth | 140 feet |
| Maximum Height | 35 feet |

Setbacks

| | |
|-------|--|
| Front | 50 feet** |
| Side | 20 feet; 5 feet for accessory structures** |
| Rear | 20 feet; 5 feet for accessory structures** |

**Subject to footnote 29, this states: "One-hundred-foot setback required for single-family buildings abutting FRL or RW zones." The subject property does not abut a FRL or RW zone.

Surrounding Land Use and Zoning:



The surrounding area is zoned Rural Protection (RP). The immediate area is predominately developed with a single-family residence on individual lots that range from less than an acre to over an acre with some large parcels that are over 5 acres.

Public Utilities and Services:

Water: Lone Rock
Power: Puget Sound Energy
Sewer: on-site septic system
Police: Kitsap County Sheriff
Fire: Fire Protection District No. 1
Schools: Central Kitsap School District #401

Policies and Regulations Applicable to the Subject Proposal:

Kitsap County Comprehensive Plan

Adopted December 11, 2006 (Amended December 2010)

Economic Development

Policy ED-1

Balance business and industrial development with environmental protection and the provision of recreational open space.

Policy ED-5

Encourage business diversification to reduce dependence on government spending, commuter jobs outside of the county, and to minimize cyclical unemployment.

Policy ED-16

Provide a diverse mix and appropriate range of commercial, industrial and business land uses that will encourage economic activity capable of providing living-wage jobs and reasonably scaled to the needs of the community.

Policy ED-22

Encourage full utilization and development of industrially and commercially zoned areas; promote revitalization within existing developed industrial and commercial areas.

Kitsap County Code (KCC)

Title 11 Roads, Highways and Bridges

Title 13 Water and Sewers

Title 14 Buildings and Construction

Title 17 Zoning

Chapter 18.04 State Environmental Policy Act (SEPA)

Title 19 Critical Areas Ordinance

Chapter 20.04 Transportation Facilities Concurrency Ordinance

Chapter 21.04 Land Use and Development Procedures

Documents Consulted in the Analysis:

Applicant submittals:

| <u>Document</u> | <u>Exhibit #</u> | <u>Dated or date stamped</u> |
|--|------------------|------------------------------|
| Administrative CUP Application | 9 | July 14, 2014 |
| Building Elevation Photo | 14 | July 14, 2014 |
| Building Floor Plan | 16 | July 14, 2014 |
| Commercial Building Clearance – store | 1 | July 14, 2014 |
| Commercial Building Clearance – espresso | 18 | July 23, 2014 |
| Environmental (SEPA) Checklist | 3 | July 14, 2014 |
| Landscape Plan | 13 | July 14, 2014 |
| Narrative | 15 | July 14, 2014 |
| Parking Analysis | 2 | July 14, 2014 |
| Single-Family Wetland Certification | 10 | July 14, 2014 |
| Site Plan | 13 | July 14, 2014 |
| US FWS Bald Eagle Guidelines | 11 | July 14, 2014 |

Staff communication:

| <u>Document</u> | <u>Exhibit #</u> | <u>Dated or date stamped</u> |
|----------------------------------|------------------|------------------------------|
| Development Engineering Memo | 33 | October 2, 2014 |
| Determination of Nonsignificance | 23 | September 12, 2014 |
| Health District Email | 22 | July 31, 2014 |

Public comments:

No comments received to date.

Analysis:

Land Use and Zoning

The subject property is composed of mixed zoning – Rural Commercial (RCO) and Rural Protection (RP). The property is .59 acres according to the Assessor’s records. Approximately .13 acres is zoned RCO and the remaining area is zoned RP.

The applicant’s request is for a general retail merchandise store and espresso stand. Per Kitsap County Code (KCC) 17.381.040(B), the use table indicates general retail merchandise stores – less than 4,000 square feet and an espresso stand both require an Administrative Conditional Use Permit (ACUP) in the RCO zone. All activities in the RCO are subject to footnotes 12 and 64.

Footnote 12 states: “All buildings and activities shall be set back a minimum of fifty feet in FRL, MR, RW, RP, RR, RCO, RI or Parks zones and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer, and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.”

Staff response: In this instance, the subject property has mixed zoning including RP and RCO and abuts a residential zone, RP, and footnote 26 at KCC 17.382.070 and 17.382.110 trumps the setback requirements outlined above in footnote 12; all other elements above are required. Setback requirements for the subject property are outlined below under the setbacks heading. The property has direct access to a county road and the traffic generated by the proposed uses is not expected to cause any traffic congestion. In addition, the proposed uses are not expected to be detrimental to adjacent residential development. Similar uses to those proposed have occurred at different times in the past 50 years on the subject property.

Footnote 64 states: *"When a component of development is located within the Rural Commercial or Rural Industrial Zone and involves the conversion of previously undeveloped land which abuts a residential zone, it shall be treated as a Type III Administrative Decision."*

Staff response: This footnote doesn't apply because the subject property does not involve the conversion of undeveloped land.

An espresso stand is also subject to footnotes 58 and 72. However, the espresso stand is proposed within the RP zoned area of the subject property and an espresso stand is prohibited in that zone. Furthermore, due to the limited area of the property zoned RCO it is not feasible to relocate a drive-thru espresso stand to the RCO zoned area. As a result, footnotes 58 and 72 do not need to be addressed.

The existing Lone Rock Store is over 50 years old. It was originally built as a service station; then it was converted to a convenience store and gas station, and most recently a grocery and deli. For most of the past 10 years the property has been vacant.

The owners plan to turn the store into a general mercantile store that carries a variety of goods for local residents. They also had planned to install a drive-thru espresso stand and a 500-gallon propane tank to sell fuel for portable re-fillable tanks. The espresso stand and propane tank are not located within the required RCO zone and as such are not allowed. Furthermore, based on the RCO area and configuration, it doesn't appear that either of those uses could be relocated into the RCO zone and in the case of the propane tank comply with zoning setback requirements.

The store is proposed to operate 7 days per week, from 9:00 AM to 7:00 PM; no hours were indicated for the espresso stand.

Boundary Line Adjustment (BLA)

The subject property underwent a boundary line adjustment in 2005. Prior to the adjustment the subject property was developed with the store, zoned Neighborhood Commercial (NC) and was only .13 acres (less than 5,700 square feet) according to the Assessor's records. The store and any parking area would have utilized the entire parcel, not including the 15-foot access easement along the east property line. Two parcels, one to the west and one to

the south gave up approximately .44 acres of total area to the subject property. Those two parcels were zoned RP prior to the BLA and are still zoned RP. The land area added to the store parcel in 2005 retained its original zoning classification of RP and is a majority of the parcel area. When the "Year of the Rural" effort was conducted in 2010, parcels with mixed zoning including some type of commercial designation in the rural zones were changed to RCO for only the area that was covered by the commercial designation. Therefore, currently only approximately .13 acres is zoned RCO for the subject property.

Critical Areas

Based on a single-family wetland certification results dated May 29, 2014, there are no wetlands within 300 feet, and the project area exceeds the maximum buffer and setback requirements outlined under Kitsap County Code 19.200.220.

In the northwest corner of the property a bald eagle habitat buffer is present, showing that a nest is within 330 to 660 feet. On July 14, 2014, we received the US Fish and Wildlife Service certificate of approval for the work. Conditions have been added to avoid disturbing nesting eagles and their young.

The entire parcel is located in a Category I Critical Aquifer Recharge Area, specifically the Seabeck Significant Recharge Area. The Seabeck Aquifer is a significant potable water supply that is being developed for use in central and north Kitsap County. The convenience store and espresso stand are not activities with a potential threat to groundwater. The project includes installation of a 500-gallon propane tank for re-filling portable propane tanks. This tank would have to be located within the RCO zone designation to be supported. At present, it doesn't appear the tank could be relocated to comply with all code requirements. If the tank was able to meet all code requirements, a tank of this size is not a concern and is not considered an activity outlined in KCC Table 19.600.620, but this element would be reviewed by the Fire Marshal for fire code requirements and planning/zoning for setback requirements. The project will be conditioned to prohibit any activities outlined in KCC Table 19.600.620 unless it complies with Chapter 19.600 and development standards outlined at KCC 19.600.615.

Setbacks

According to the Assessor's records, the existing convenience market building was built in 1956. The structure is grandfathered to its existing setbacks. The existing convenience store's front yard setback, along the north property line and Seabeck Highway, is over 30 feet to the store canopy/covered entry and over 50 feet to the building wall at the closest point; the side yard setback, along the east property line, is at least 15 feet; the other side yard, along the west property line, is over 100 feet; the rear yard setback, along the south property line, is over 50 feet (Exhibit 13). It is difficult to determine the actual zoning setbacks for the west side and rear for the RCO zoned area as a result of the BLA. Any expansion or additions to the store building would be required to comply with setback requirements in place at the time of a complete application, but based on the existing site configurations and mixed zoning it is not feasible to expand the structure or uses and meet setback requirements. All activities, including outside displays or storage of products are required to meet the 20-foot front yard setback and 50-foot side and rear yard setbacks. Again, based

on the existing site configurations and mixed zoning it is not feasible to have any outside displays or storage of products within the RCO zone. No commercial display area or outdoor storage is allowed in the RP zone.

Setbacks for the proposed espresso stand are not being addressed because the use is not permitted in the RP zone, which is where the espresso stand was shown on the site plan.

The proposed propane tank, as shown, is not located within the required RCO zone and doesn't comply with the required 50-foot side and rear yard setbacks. Based on the existing site configurations for the RCO zone and zone lines, it does not appear feasible to relocate the propane tank to the RCO zone and meet the 50-foot side and rear yard setbacks.

Water

The Health District issued an approved building clearance for both the retail store and the proposed coffee stand (Exhibits 1 & 18).

Sewage Treatment

The Health District issued an approved building clearance for both the retail store and the proposed coffee stand (Exhibits 1 & 18).

Stormwater

The project as proposed creates no new or replaced impervious surfaces. As a result, stormwater mitigation is not required.

Fire Flow

Fire flow is not required because the building is less than 3,600 square feet. However, a fire code permit would be required for a propane tank.

Access and Roads

Access to the site is via Seabeck Highway, a paved county road classified as a rural major collector.

Traffic

Traffic for the proposed uses is expected to be low to moderate.

Off-Street Parking

Retail stores generating relatively little automobile traffic such as the proposed store requires 1 parking space per 400 square feet of gross floor area. Total building area is 1,720 square feet resulting in 5 parking spaces (1720 square feet ÷ 400 = 4.3 or 5 parking spaces). The site plan has delineated 6 parking spaces. However, parking is not allowed within required setback areas at KCC 17.435.020(E). One parking space located in the northeast corner, the westerly space of the two, falls within a portion of the required 20-foot front yard setback area and shall be eliminated and located to the west side of the building. Technically, parking on the west side of the building is located within the setback area if measured from the zoning line – the outer edge of the parking spaces are approximately 15 feet away from the line, but not from the property line – spaces are approximately 95 feet from the property

line. However, the boundary line adjustment (BLA) recorded in 2005 increased the area to the west side of the building. Based on the historic use of the property and available and used parking area prior to the BLA, it is reasonable and appropriate in this instance to allow parking to continue on the west side of the building. Without this concession, the site couldn't comply with the parking requirements from the zoning line and be located outside the setback area.

Landscaping

Approximately 40% of the total property is vegetated but the southern and western property lines will be improved and replanted by the owners with native plants and flowers. The applicant also proposes to add landscaping to the northwest corner and to planters and hanging baskets next to the store to improve the streetscape and site aesthetics. It is estimated that no more than 2% of the RCO area would be landscaped with the addition of proposed landscaping in planters and hanging baskets next to the store building. For landscaping requirements the entire site is being evaluated and in this case the project complies with the minimum 15% landscaping requirement.

Lighting

No new lighting is proposed. Existing or new lighting shall be the minimum necessary for safety purposes and be compatible with the rural area and surrounding properties.

Signage

The applicant has proposed temporary signage suspended from the store canopy measuring 10 feet by 2 feet or 20 square feet. Signage suspended from the canopy may be permitted, but signage on the canopy or spandrels is not allowed. A monument sign with lighting via spot lights on each side of the sign is proposed between the store and proposed espresso stand. The monument sign must be located within the RCO zoned area. The proposal is for monument signage area measuring 6 feet by 10 feet or 60 square feet and an overall height of 10 feet. At the present time, rural monument signage is limited to a maximum height of 6 feet from existing grade and sign area of no greater than 5 feet by 7 feet or 35 square feet. Sign illumination is limited to help preserve the rural and predominately residential character of the area. Signage is not to be illuminated after 9:00 PM and before 7:00 AM. The proposed temporary and monument signs must obtain a sign permit prior to installation.

Agency Recommendations

Development Services and Engineering recommends approval with 28 conditions, of that Development Engineering recommends approval with 3 conditions (Exhibit 33), Environmental Review recommends approval with 5 conditions, and Planning/Zoning recommends approval of this project with 20 conditions. Fire Marshal recommends approval with 1 condition. Kitsap County Health District recommends approval (Exhibit 22).

Findings:

1. The Director has review authority for this Administrative Conditional Use Permit application under the KCC, Sections 17.420.020 and 21.04.100.
2. The proposal as approved is consistent with the comprehensive plan.

3. The proposal as approved complies with or will comply with requirements of Title 17 and complies with or will comply with all of the other applicable provisions of the KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
4. The proposal as approved will not be materially detrimental to existing or future uses or property in the immediate vicinity.
5. The proposal as approved 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.

Decision:

Based upon the above findings, the Administrative Conditional Use Permit request for Lone Rock Mercantile is approved, subject to the following 30 conditions:

Development Services and Engineering

Environmental Review

1. Site clearing and development shall be subject to the conditions of the Bald Eagle Management Plan, prepared by the Washington Department of Fish and Wildlife.
2. Permit approval subject to maintaining a buffer of at least 660 feet between all your activities and the nest (including active and alternate nests) unless a similar activity is closer than 660 feet, then you may maintain a distance buffer as close to the bald eagle nest as the existing tolerated activity.
3. Permit approval subject to restricting all clearing, external construction, and landscaping activities within 660 of the nest to outside the nesting season (i.e., outside the nesting season is from August 16 through December 31 since the nesting season in the Pacific Northwest is generally from January 1 through August 15).
4. Permit approval subject to maintaining any established landscape buffers.
5. 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.

Planning/Zoning

6. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
7. The espresso stand and 500-gallon propane tank are prohibited outside the RCO zoned area and if relocated shall comply with RCO zoning setback requirements.
8. No outside product display or storage is allowed.
9. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.445, and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
10. Signage shall be compatible with the rural character of the area. Signage shall not be illuminated after 9:00 PM and before 7:00 AM.
11. No advertising or signage is permitted on spandrels or on canopy.
12. The monument sign shall not exceed 35 square feet, sign dimensions of 5 feet by 7 feet, and a height of 6 feet measured from existing grade. The monument sign shall be located on the area zoned Rural Commercial (RCO).
13. Landscaping, including a mixture of shrubs and groundcovers, is required along the base of the monument/freestanding sign. Mature height of landscaping shall screen the base or pedestal of the sign. Landscaping shall be installed prior to final inspection.

14. Lighting not to illuminate one-foot candle off of sign and/or property line and no glare to be directed off or leave the premise.
15. Location of the sign shall not restrict sight distance.
16. A minimum of five on-site parking spaces are required and shall be located within the RCO zoned area and outside the 20-foot front yard setback area.
17. A landscape plan consistent with the requirements of Kitsap County Code (KCC) 17.385 is required with the commercial building permit.
18. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.385. Landscaping shall be installed and inspected prior to requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.
19. Artificial outdoor lighting shall be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with the rural character of the area. Light standards (poles) shall not exceed 20 feet in height.
20. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the administrative conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared by the Department and recorded at the applicant's expense. The applicant shall provide recorded copies of the Binder to the Department immediately after recording. The Binder shall be recorded within 30 days of notification from the Department that the Binder is ready to be recorded.
21. This Administrative Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within three years of the Notice of Decision date or the resolution of any appeals.
22. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project

shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.

23. 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.
24. The decision set forth herein is based upon representations made and exhibits contained in the project application 14 02513. 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.
25. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.

Solid Waste

26. The solid waste service provider, Waste Management (360) 674-3166, shall be contacted for information on implementing the service provider's solid waste/recycling storage requirements for the proposed activity. Provide documentation from the solid waste/recycling service provider that their requirements for this project have been met.
27. The applicant shall provide a site plan showing at least 150 square feet of exterior recyclable materials storage space for the project.

Traffic and Roads

28. At time of building permit submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form is how you reserve road capacity for your project

Fire Marshal

29. A separate fire code permit is required to install the proposed propane tank.

Health District

30. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.

This Administrative Decision is issued on October 8, 2014. This Decision of the Director of the Kitsap County Department of Community Development may be appealed to the Kitsap County Hearing Examiner pursuant to KCC 21.04.290. Appeals must be filed with the Department of Community Development by the close of business on October 22, 2014.

c: John Stallings; sothpaws@gmail.com
Apiro Holdings LLC; sothpaws@gmail.com
Interested Parties: None identified to date
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Meg Sands
DCD Code Compliance
DCD File 14 02513
DCD Building Permit File 14 03137
DCD Development Services and Engineering
DCD Fire Marshal

