



# KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Larry Keeton  
DIRECTOR

## NOTICE OF ADMINISTRATIVE DECISION

Jeffrey L Rowe, CBO  
DEPUTY DIRECTOR

September 12, 2014

To: Interested Parties and Parties of Record  
RE: Project Name : Red Lobster/Olive Garden Preliminary Short Subdivision  
#7418 Application: Short Subdivision  
File Number: 14 02663

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 26, 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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[www.kitsapgov.com/dcd](http://www.kitsapgov.com/dcd)

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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,



Constance Blackburn  
Clerk of the Hearing Examiner

C: Steve Hale [steveh@ldreeves.com](mailto:steveh@ldreeves.com)  
Steve Woods, 3309 56 ST NW, Suite 106, Gig Harbor, WA 98335  
[steve.woods@contourp11c.com](mailto:steve.woods@contourp11c.com)  
GMRI, PO Box 69519, Orlando, FL 32869

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 12, 2014

Steve Hale

Via email: [steveh@ldreeves.com](mailto:steveh@ldreeves.com)

**RE: Short Subdivision #7418  
Permit No. 14 02663  
Tax Account No. 172501-1-053-2001**

Dear Mr. Hale:

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 July 23, 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 02663. 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.
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. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.385.

**SURVEY**

7. 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.
8. A Final Short Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.48. The Final Short Plat shall contain the information set forth at KCC 16.48.040.C.
9. A reciprocal easement for ingress, egress, utilities and parking shall be provided with the Final Short Plat application submittal; this may be in the form of a note on the face of the Final Short Plat or a separate easement document to be recorded concurrently with the Final Short Plat and referenced thereon.

**STORMWATER**

10. The parcel is located inside an Urban Growth Area and is allowed 5,000 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.
11. Provide and delineate on the face of the Final Short Plat a stormwater easement centered over the existing stormwater facilities and grant access to Kitsap County.
12. The following conditions shall be added to the face of the Final Short Plat:
  - a. 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 Subdivision Application was deemed complete (July 23, 2014). Fees and submittal requirements shall be in accordance with Kitsap County Code in effect at the time of Building Permit Application.
  - b. If any proposed impervious area exceeds the allowable the square footage as designated per the chart, then an engineered Site Development Activity Permit (SDAP) will be required for that lot.

Total Site Area	3.60 acres
Allowable Impervious Area	5,000 sq. ft.
Available Impervious Area, Lot A	
Available Impervious Area, Lot B	

**TRAFFIC**

13. The following condition shall be added to the face of the Final Short Plat: At the time of building permit application, the applicant shall submit Kitsap County Public Works Form 1601 for issuance of a Concurrency Certificate, in compliance with KCC 20.04.030, Transportation Concurrency.

**WASTEWATER**

14. Kitsap County currently serves sanitary sewer service to the property. Any changes to the service will require approval from KCPW - Wastewater Division.
15. Provide and delineate on the face of the Final Short Plat a 15' sanitary sewer easement centered over the existing sewer main and grant access to Kitsap County Public Works.

Preliminary approval of this Short Subdivision will automatically expire five (5) years from the

**Red Lobster/Olive Garden Preliminary Short Subdivision #7418, Permit #14 02663**

**September 12, 2014**

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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; Shawn Aire for Stormwater and Traffic matters; Meg Sands for Land Use matters; or Michael Brooks for Wastewater matters, all of whom can be reached at (360) 337-5777.

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: Contour Engineering LLC, via email: [steve.woods@contourpllc.com](mailto:steve.woods@contourpllc.com)  
File