



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET, MS-36, PORT ORCHARD, WASHINGTON 98366-4682
(360) 337-5777 FAX (360) 337-4415 HOME PAGE www.kitsapgov.com/dcd/

Louisa Garbo, Director

Staff Report and Decision Administrative Conditional Use Permit

Date: October 3, 2016

Application Date: March 30, 2016

Complete Date: April 11, 2016

Project: North Beach Inn ACUP Major Revision (Bucklin Court)

This staff report was prepared by Jeff Smith, Senior Planner, Steve Heacock, Senior Environmental Planner, and Candy Mursell, Development Engineering Specialist, based on information available up until the time the report was prepared.

Project Request:

The applicant is requesting a major revision to the site plan for the building design and off-street parking for the Bucklin Court Administrative Conditional Use Permit (ACUP), File # 14 02265. The revision, revises the building footprint to add five units in parking area, revises the trail and shoreline access, and change the wetland/shoreline buffer enhancements. The request includes 24 units within the main building, and in the second building the construction of five carriage houses within approximately 390-square foot one-bedroom units on the second floor, with nine parking spaces on the ground floor. On December 24, 2015, the Hearing Examiner approved a PBD Major Revision with removal of the approved commercial uses and to increase the project density from 13 to 29 multi-family dwelling units (Permit 15 03985).

Pursuant to KCC Section 17.420 requirements for ACUP's, the major revision is required to be reviewed because of substantial changes to the character of the development from mixed-use to multi-family only. The review authority is Kitsap County, consistent with Title 21 Kitsap County Code (KCC) for Type-II permits. The County reviewed the application for consistency with the requirements of KCC Section 17.355, Commercial Zones, to see if the applicant has demonstrated the development satisfies height, lot, sign, parking, and landscaping requirements.

Planning File Number: 16 01847

Type of Application: Administrative Conditional Use Permit – Major Revision

Decision Summary: Approval, subject to conditions.

Project Location:

The project site is located at 10310 NW Bucklin Hill Road between the Silverdale Hotel and the Old Mill County Park in Silverdale, WA.



Assessor's Account #: 212501-2-017-2008; 212501-2-015-2000

Applicant and Owner of Record:

Daybreak Development LLC
30 NE Romance Hill Road, Suite 101
Belfair, WA 98528

Project Representative:

Sean Parker
Sean Parker Architects
490 Madison Ave, Suite 104
Bainbridge Island, WA 98110

Project Engineer:

Mark Kuhlman, PE
Team 4 Engineering
5819 NE Minder Road
Poulsbo, WA 98370

State Environmental Policy Act (SEPA):

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant, and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of "major" environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may be a determination of Non Significance, Mitigated Impacts, or Significance for an EIS is called a threshold determination. The County gives a separate notice of the threshold determination. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to Washington Administrative Code (WAC) 197-11-355, the Responsible SEPA Official issued a Mitigated Determination of Significance on November 20, 2014 and the appeal period ending on December 3, 2014 with the following information. Comments below are highlighted in bold and new mitigation comment is underlined>.

SEPA Comments:

A SEPA addendum has been issued for the project on November 24, 2015. The current proposal impacts are addressed in the previous SEPA MDNS, and the conditions shall remain.

CONDITIONS:

- 1. The proposal is located within an Urban Shoreline designation and will be conditioned pursuant to KCC Title 22.*
- 2. The proposal shall be consistent with KCC Title 22.28.110 for commercial development in the Urban Shoreline designation and shall be made a condition of approval.*
- 3. Due to required development density standards under the Kitsap County Comprehensive Plan and Title 17, a variance from the standard shoreline height guidelines has been reviewed with the submitted ACUP and SSDP, and shall be analyzed with the SCUP and SVAR, per KCC 22.08.020 and 22.08.030.*
- 4. Due to the presence of an adjacent wetland on the Old Mill Pond Park site, the proposal shall be conditioned per KCC Title 19.200. The permit shall also be conditioned for shoreline buffers per KCC Title 19.300 and for Stormwater control pursuant to KCC Title 12.*

MITIGATION:

- 1. Mitigation shall be required per the submitted native plant landscape plan and shoreline restoration plan.*

Site Characteristics:

The subject property is undeveloped, irregularly shaped, long and narrow. The property includes associated tidelands. The parcel is 1.33 acres in size and was previously used as a concrete plant. The dimensions are 357 feet long x 168 feet wide. The property receives access from Bucklin Hill Road via an existing easement across property to the north. The project site is located south of NW Bucklin Hill Road between the Silverdale Hotel and the Old Mill Kitsap County Park. The project site is located on the north shoreline of Dyes Inlet with a gentle sloping bank, 4-foot rock bulkhead and a 6-foot wide gravel trail that parallels the upland side of the wall. The shoreline zone requires a 50-foot buffer and 15-foot construction setback. The shoreline is exposed to direct sunlight during summer months. In the winter, the shoreline experiences severe weather events with high tides, wind, and salt water spray. The site vegetation is mostly maintained grass with some deciduous trees with an understory of blackberries. The north and west sides of the property are marked by a chain-link fence.

The Kitsap County Park located to the east is forested and contains a Category-III fresh-water Depressional Wetland (See the Wetland/Shoreline Buffer Mitigation Plan). The Category-III was rated per the Washington State Wetland Rating System for Western Washington which requires an 80-foot buffer. Approximately 10 feet of the wetland buffer extends onto the project site. The applicant has submitted a shoreline buffer enhancement plan prepared by Joanne Bartlett and a geotechnical report to analyze subsurface geology. The Kitsap Soil Survey identified Kapowsin (0 to 6% slopes) gravelly-loam, moderately deep and well-drained soils.

The project site is within 200 feet of the shoreline to Dyes Inlet, and falls under the jurisdiction of the Kitsap County Shoreline Master Program. The waterfront has a shoreline environmental designation of Urban High-Intensity.

Existing Zoning and Comprehensive Plan Designation:

The Comprehensive Plan designation for the development site is Commercial and zoned Regional Commercial (RC), within the Silverdale Urban Growth Area (UGA). The RC zone is designated high intensity commercial. The intent of the zone is to provide for shopping and service needs for the region and allows for high density residential (10 to 30 dwelling units per acre).

The following are the minimum lot standards for the RC zone per KCC Chapter 17.355 Commercial Zones and as outlined per Plan, per Kitsap County Code (KCC) Section 17.382.070:

Minimum Lot Area = N/A

Minimum Lot Width = N/A

Minimum Lot Depth = N/A

Maximum Lot Coverage = 85%

Maximum Height = 35 feet (may be increased to 65', subject to Central Kitsap Fire and Rescue review)

Minimum Density = 10 dwelling units/acre

Maximum Density = 30 dwelling units/acre

Minimum Setbacks =20 feet front yard setback

=10 feet side yard

=10 feet rear yard

Per the Use KCC Use Table 17.381.040(B), the multi-family development is permitted and reviewed through Administrative Conditional Use Permit

Surrounding Land Use and Zoning:

Except for park land, the current land use activities surrounding the development site are a mix of commercial buildings and passive uses are listed below:

Adjacent Parcels	Zoning	Land Use
North	RC	Taco Bell, Bank Building, (across NW Bucklin Hill Road

		Silverdale Plaza Retail Mall
South	Urban Shoreline Designation	Shoreline- Dyes Inlet
East	RC (Park)	Old Mill Kitsap County Park
West	RC	Three-story Silverdale Hotel

Public Utilities and Services:

Water: Silverdale Water District
 Power: Puget Sound Energy
 Sewer: Kitsap County Public Works
 Police: Kitsap County Sheriff
 Fire: Central Kitsap Fire and Rescue District #1
 Schools: Central Kitsap School District #401

Policies and Regulations Applicable to the Subject Proposal:

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan that is then used to prepare development regulations.

The following are goals and polices that apply to the development proposal from the Land Use and Transportation Elements of the Comprehensive Plan:

LU-57 Encourage Non-motorized and pedestrian linkages.

LU-82 Encourage commercial areas to be compact to encourage pedestrian and non-motorized travel and transit use.

LU-84 Provide development standards that identify appropriate uses, site size, building heights, setbacks, access, landscaping and signage and account for potential environmental impacts through physical buffers and screening for different types of commercial development.

LU-87 Control the number and size of signs associated with commercial uses to maintain a sense of visual order.

Kitsap County Code (KCC)

Road Standards, Title 11

Stormwater Drainage, Title 12

Zoning, Title 17, (as amended)

Chapter 110 Definitions

Chapter 355 Regional Commercial Zone

Chapter 382 Density, Dimensions and Design

Chapter 385 Landscaping
Chapter 400 Land Use Review
Chapter 420 Administrative Conditional Use Permit
Chapter 435 Off-Street Parking and Loading
Chapter 446 Signs
Chapter 520 Appeals
Chapter 525 Revocations of Permits or Variances
KCC, State Environmental Policy Act, Section 18.04
Kitsap County Land Use and Development Procedures, Title 21,
Kitsap County Comprehensive Plan

Transportation:

The project receives primary access from NW Bucklin Hill Road, via a signalized driveway used by other commercial businesses. Development Services and Engineering has reviewed the project proposal and has issued conditions of preliminary approval consistent with KCC Title 11, Road Standards, dated September 9, 2016.

Storm Drainage:

There are no significant changes to the existing storm drainage collection and conveyance system. Development Services and Engineering has recommended approval and has issued conditions of preliminary approval consistent with KCC Title 12, Storm Drainage Manual, dated September 9, 2016.

Sewage Disposal

Kitsap County Public Works has approved sewer service to the project site. A sewer clearance permit through the Kitsap Public Health is usually required for sewer properties.

Background

The former project was originally designed as a 31,287 square foot mixed-use development with a plan to construct 13 multi-family residential units, 4,529 square feet of office/commercial space, and 3,728 square feet of restaurant space (Permits 14 02210, and 14 02265). The project will include underground parking, a 3 to 4-story building up to 45 feet tall with brick, glass, and wood siding, 53 onsite off-street parking spaces, and open space. The building envelope will maintain the same general height and the same shoreline setbacks as previously approved by the Hearing Examiner. The property owner intends to file for a condominium and homeowners association with the State of Washington.

The project was originally reviewed through three Type-III and one Type-II permits. This included a PBD and Administrative Conditional Use Permit (ACUP) per Kitsap County Code (KCC) Title 17, Shoreline Substantial Development Permit (SSDP), Shoreline Conditional Use Permit (SCUP), and Shoreline Variance per Title 22 for consistency with the Shoreline Master Program, and ACUP.

Administrative Conditional Use Permit Major Revision Analysis

The request for a major revision was reviewed for consistency with Kitsap County Code (KCC) Section 17.382.030, Design Standards, to determine if the applicant has demonstrated the development is physically suitable for the site, and compatible with the character for existing and future permitted uses.

KCC Section 17.382.030 Design Standards

The development must also meet the following requirements of Section 17.382.030 Design Standards:

Building Height, Buffering, and Screening Modification: The director may increase or decrease landscaping, screening and setbacks to minimize conflicts.

Staff Comment: The architectural elevations show that the building will comply with the Zoning height limitation required by 17.382.070 Commercial, Mixed Use Density and Dimensions Table. The appearance is consistent with the urban shoreline environment. The proposal was approved for up to a height of 45 feet through the Shoreline permits and concurrence will be required from the Fire Marshall and Central Kitsap Fire and Rescue.

Exterior Lighting in Urban Developments:

If artificial outdoor lighting is necessary, the lighting should be arranged so that light is fully shielded from the side view, directed downward, and away from adjacent residential properties.

Staff Comment: Project lighting internal to the site should be downcast, consistent with the shoreline functions to mitigate light impacts on wildlife.

Screening of equipment, storage, and refuse areas:

1. The roof-mounted HVAC equipment shall not be visible from abutting lots or roadways.

Staff Comment: The applicant is not proposing any visible roof mounted HVAC equipment visible from the roadway based on the architectural elevations for the residential building.

2. Locate service areas, outdoor storage areas, and intrusive features away from neighboring properties.

Staff Comment: The applicant is not proposing outdoor storage area with the multi-family residential development. The project will compliment neighboring properties with the shoreline improvements and screened parking consistent with the Hearing Examiner's decision (Permit # 15 03985). The project is consistent with this requirement.

3. The project will be required to comply with all county solidwaste standards and provide concurrence from Waste Management as part of the Site Development Activity Permit process.

Staff Comment: The multi-family residential development is required to comply with solidwaste standards for recycle/waste collection enclosures as conditioned on September 9, 2016. During the SDAP review, the location and size of the enclosure

will be reviewed by the County and review will be coordinated with Waste Management for accessibility.

Access and Circulation

1. Safe pedestrian access and handicap access shall be required on-site from public rights-of-way to minimize pedestrian and vehicular conflicts. The applicant has proposed some changes to perimeter sidewalks and access from the parking lots to building.

Staff Comment: Through the SDAP, consistent with the preliminary site plan, the applicant is required to demonstrate there is avoidance of pedestrian conflicts by providing safe pedestrian access around the building and connection with the off-street parking area and to NW Bucklin Hill Road. Pedestrian access will need to be in compliance with standards for barrier free access per IBC Sections 1105, 1106 and other State and Federal requirements. The project site plan is consistent with this requirement.

2. Development is limited to one ingress/egress per 300-lineal feet along a public arterial. Small parcels that provide less than 200 feet of road frontage shall be limited to one parking lane and exit.

Staff Comment: The applicant is not proposing new access to the site. The project will include the use of existing driveway approach on the north of the development.

Signs permitted according to KCC Chapter 17.446.

The applicant is required to apply for sign permits in accordance KCC Section 17.446 Signs.

Staff Comment: There are no sign permits proposed at this time.

Off-street parking and loading per KCC Chapter 17.435.

The project is required to provide adequate off-street parking consistent with the standards in KCC Chapter 17.435 Off-street Parking, Loading, and KCC Section 17.382.030 Design Standards.

Staff Comments: The previous request proposed 66 off-street parking spaces for the mixed-use development and 58 spaces were required. Pursuant to off-street parking standards the revision requires 59 off-street parking spaces (1.5 off-street spaces and 0.5 set aside parking per unit). However, the applicant is proposing 53 spaces (nine spaces in the lower floor carriage house, 29 below grade garage building, and 15 surface parking). The applicant still has a reciprocal parking agreement with the neighboring property owner.

Landscaping provided per KCC Chapter 17.385.

KCC requires that a minimum of 15% of the total site area be landscaped to the standards in the Chapter KCC 17.485 Landscaping.

Applicant: The applicant states there is sufficient landscaping to meet landscaping requirements.

Staff Comment: Staff agrees with the applicant that there is adequate landscaping identified on the site plan to comply with the 15%. During the review of the Site Development Activity Permit, the applicant will be required to include a final landscape plan consistent with the preliminary plan showing how all disturbed areas will be replanted and include a plant schedule, staking detail with required spacing, and sizes (ground cover, shrubs, and trees).

The Landscaping Plan shall include a revised shoreline/wetland buffer mitigation plan prepared by the applicant’s wetland consultant as proposed in the original approval (Permit # 14 02265). The landscape plan shall include mitigation plan, revised pedestrian access from parking area, the wall, and the revised location of the shoreline trail that traverses the shoreline. The applicant’s wetland consultant shall inspect the installation prior to the release of the SDAP.

Staff Communication:

<u>Document</u>	<u>Dated or date stamped</u>
Development Engineering Memo	September 9, 2016
SEPA comments	November 20, 2014
Fire Marshal’s Condition	September 26, 2016
Public Health District Memo	See previous approval

(For all other documents and reports, see the project file which is the public record for the Administrative Conditional Use Permit.)

Public Comments:

The County gave proper public notice was given consistent with Title 21 of the Kitsap County Code. To date, the County has not received public comments on this permit.

The Department has reviewed the expansion and found the project is consistent with Comprehensive Plan policies and the implementation regulations in the KCC Title 17 Zoning and consistent with the RC zoning designation.

Site Plan Review Findings:

Staff has reviewed the North Beach Inn Administrative Conditional Use Permit Major Revision application against the requirements in KCC 17.382.030 Design Standards and satisfies the criteria set forth in KCC Section 17.420.040(A). Findings on each criterion are hereby made as follows:

1. As found above, the proposal is consistent with the Commercial designation of the Kitsap County Comprehensive Plan.
2. The proposal complies with applicable requirements of Title 17 KCC, assuming compliance with conditions of approval.
3. The multi-family development in the RC zone will not be materially detrimental to existing or future uses of property in the immediate vicinity for other uses.

Staff Comment: The largest potential impacts are traffic and off-street parking. The applicant provides sufficient off-street parking to meet future demand. The applicant has demonstrated that existing peak hour vehicle trips will not impact levels of service at intersections.

4. The proposal 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.

Staff Comment: As proposed, the project will be compatible with the Regional Commercial zoning, and physical characteristics of the development site. The off-street parking and the preservation of the existing landscaping will be consistent with the neighborhood character.

Land Use Decision:

Based upon the above findings, it is recommended that the North Beach Inn Administrative Conditional Use Permit Major Revision request be **approved**, subject to the following conditions:

Land Use Conditions:

1. The project revision will be subject to all other conditions of approval by the Hearing Examiner's approval for the Bucklin Court Performance Based Development, dated December 31, 2014 (File 14 02210 and 14 02265).
2. All required development permits shall be obtained prior to construction and/or occupancy.
3. All building permits shall be subject to impact fees pursuant to the Kitsap County Code in effect on the date of a complete building permit application.
4. At time of submittal of the Site Development Activity Permit, submit a final landscape plan consistent with KCC 17.385 Landscaping, A Final Site Landscape, and Irrigation Plan shall be prepared and stamped by a licensed and registered Landscape Architect. Specifically, trees sizes are to be 2 to 2.5" caliper, balled and burlapped (B&B). Larger shrubs sizes are to be B&B 5' to 6' tall.
5. 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.
6. Artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than 1 candle foot of illumination leaves the site.

7. The final architectural design submitted with the Building Permit should incorporate architectural design elements consistent with the shoreline to address compatibility for existing and future residential and commercial uses in the zone.
8. Prior to issuance of a development permits (Site Development Activity Permit (SDAP), the applicant shall record a Land Use Binder with the Kitsap County Auditor's Office pursuant to KCC Section 17.420.090 Land Use Binder. The Notice of Land Use Binder shall serve both as an acknowledgment of and as agreement to abide by the terms and conditions of the 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. The Binder shall be recorded within 30 days of the final land use decision and notification by the Department.
9. The landscape plan shall include the revised mitigation plan, revised pedestrian access from parking area, the wall, and the revised location of the shoreline trail that traverses the shoreline. The applicant's wetland consultant shall inspect the installation prior to the release of the SDAP.
10. 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 KCC. Unless in conflict with the conditions stated above and 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.
11. This PBD and ACUP approval is guided by the Shoreline permit procedures and shall become void if no building permit application for mixed use building is applied and accepted as complete, by the Department of Community Development, within **two years** of the date of the Hearing Examiner's decision and resolution of any appeals.
12. The main apartment building was approved for building (Not to Exceed) height of 45 feet through the shoreline permit (Permits 14 02210). A Land Surveyor shall verify the building height for the apartment building prior to issuance of the Building Permit Certificate of Occupancy.
13. Any violation of the conditions of approval shall be grounds to initiate revocation of this Performance Based Development and Administrative Conditional Use Permit.
14. Pursuant to KCC 17.382.030(E) (1) Design Standards, on the civil site plan an ADA compliant pedestrian connection is required from interior buildings to the shoreline

open space recreational tract to minimize potential conflicts between pedestrians and vehicles.

15. Land use approval is limited to the uses proposed by the applicant on the recommended site plan stamp received November 20, 2015 and the SEPA Environmental Determination dated November 20, 2014. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the Kitsap County Code.
16. The decision set forth herein is based upon representations made and exhibits contained in the project application. 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.
17. 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 approval granted and is a continuing requirement of such approval. By accepting this approval, 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.
18. Non-binding sewer and water letters are required for final approval and sewered building clearances will be required prior to building permit issuance.

FIRE PREVENTION

19. 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. The road shall not be more than 12% grade.
20. Fire flow in the amount of 2875 gpm @ 20 psi for a minimum of 2 hours is required for the project. This is based on the proposed building of 44,754 square feet and constructed of Type VB construction. A reduction in required fire flow of 50% as approved for commercial buildings has been given due to the building being required to have an approved automatic fire sprinkler system. Any changes to the structure will require a recalculation of fire flow. IFC 508.5 Amended by Kitsap County.
21. 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.
22. Fire flow for the proposed structure requires 3 hydrants, only 2 are shown on the plans. Please provide an additional hydrant within 600 feet or provide a plan showing an existing hydrant within 600 feet of the structure. Hydrants shall be shown on the SDAP.
23. Automatic fire sprinklers and a fire alarm for monitoring of the fire sprinklers is required to be installed throughout. Piping for the underground portion of the fire sprinkler has not been reviewed and is not approved on this application. A separate fire code permits shall be submitted.
24. Approved vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided and maintained to support vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. IFC 3310.1

GENERAL

25. 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.

STORMWATER

26. The information provided demonstrates this proposal is a *Major Development* as defined in **Kitsap County Code Title 12**, and as such will require a Site

Development Activity Permit (**SDAP**) from Development Services and Engineering.

27. 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 Administrative Conditional Use Permit Revision application was deemed complete, May 2, 2016. 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.
28. The Washington State Department of Fish and Wildlife (WDFW) may require a Hydraulic Project Approval (HPA) for the work required at the proposed outfall and near the shoreline. Prior to SDAP approval, the applicant shall submit an approved HPA from WDFW or documentation from WDFW specifying that an HPA is not required.
29. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction 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/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.
30. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits 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.
31. Kitsap County will not be responsible for any damage to any private roads, tracts, and/or easement areas that may occur during routine maintenance activities and that in Kitsap County's judgment occur, in whole or in part, because of any construction materials or techniques, or any maintenance materials or techniques. This includes, but is not limited to, damage to pavement or vegetated areas caused by maintenance trucks.
32. The impervious area accounted for in the overall drainage facilities installed shall be indicated on the face of the approved construction drawings. Additional impervious surfaces created beyond the amount accounted for in the overall drainage facilities shall be mitigated in accordance with Kitsap County Code Title 12
33. If the project proposal is modified from that shown on the submitted site plan dated May 02, 2016, Development Services and Engineering will require additional review and potentially new conditions.

TRAFFIC AND ROADS

34. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.
35. 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.
36. 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 approval**.
37. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
38. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
39. 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).
40. 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.

SURVEY

41. Prior to commencement of construction, any reciprocal easements needed for vehicular or pedestrian access, parking, or any other purpose shall be properly executed and delineated on the construction plans.

WASTEWATER

42. Kitsap County sanitary sewer is available for the project. Applicant needs to submit an "Application to Construct Sanitary Sewer."
43. Kitsap County sanitary sewer is available for the project. Applicant needs to submit a complete set of sewer plans, profiles, and specifications designed in accordance with KCPW - Wastewater Division Standards and Regulations.

SOLID WASTE

44. 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.

45. 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.

46. The SDAP submittal shall show that at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions 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.

OTHER

47. Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit.

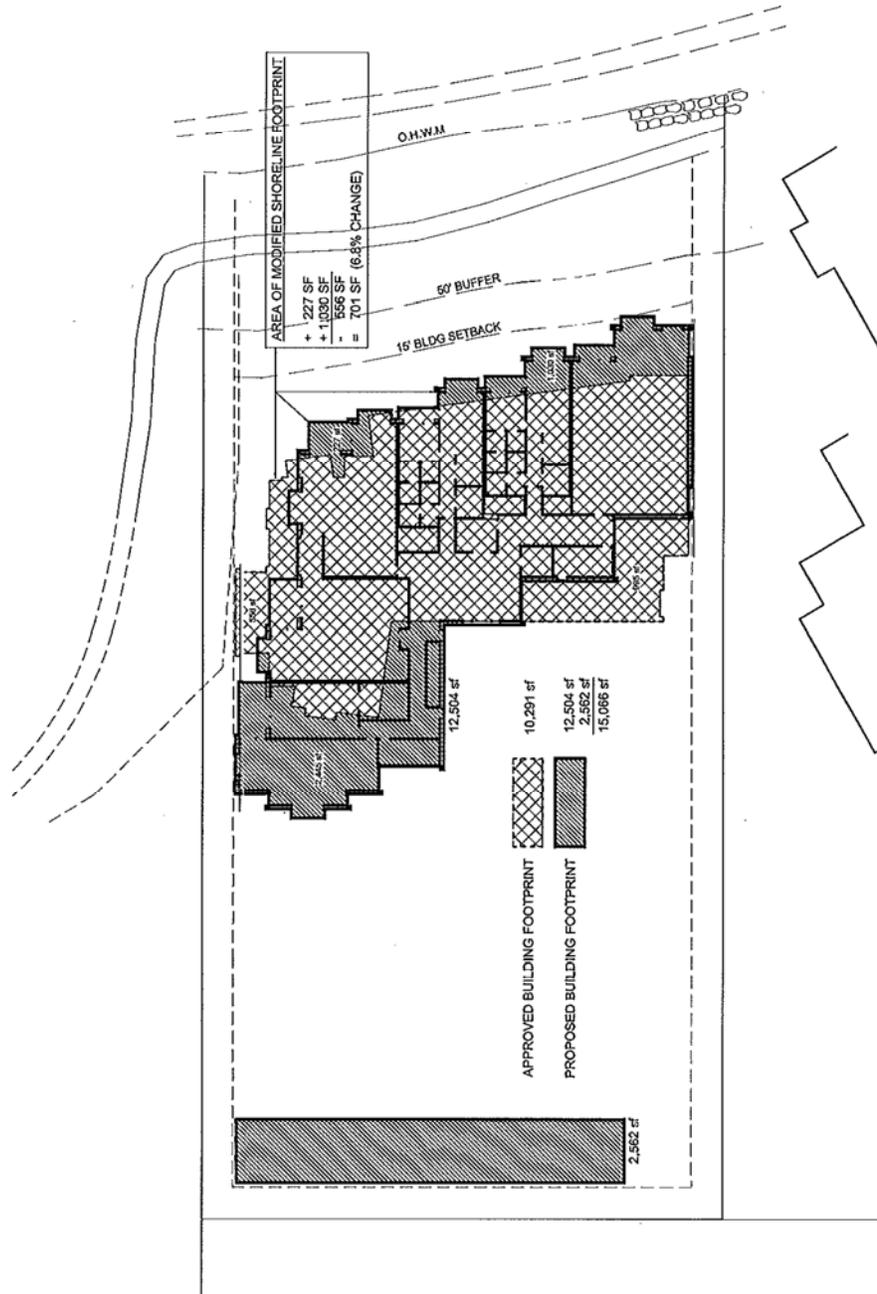
48. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 4.7.5.

(See Attached Site Plan Below)

This Administrative Decision is issued on _____ . This Decision of the Director of the Kitsap County Department of Community Development may be appealed to the Kitsap County Hearing Examiner, pursuant to Section KCC 21.04.290 Appeals. An appeal must be filed with the Department of Community Development within 14 days after this decision is mailed.

cc:

- XX Applicant: Daybreak Development LLC
- XX Representative: Sean Parker
- XX Engineer: Berni Kenworthy, Team 4 Engineering
- XX Interested Parties: None
- XX DCD Staff Planner: Jeff Smith
- XX DCD DSE Supervisor / Manager Shawn Alire



1 BUCKLIN COURT SHORELINE VARIANCE COMPARISON PLAN 11.23.15

Proposed Major Revision

