



## Notice of Administrative Decision

**Date:** 09/23/2020

**To:** Ferguson & Cole Inc, [scott.fergusoncole@gmail.com](mailto:scott.fergusoncole@gmail.com)  
[brian@fergusonandcole.com](mailto:brian@fergusonandcole.com)  
Gary Chapman, [gcaes@bainbridge.net](mailto:gcaes@bainbridge.net)  
Interested Parties and Parties of Record

**RE:** **Permit Number:** Permit #20-02451  
**Project Name:** Ferguson and Cole LL #419  
**Type of Application:** Large Lot Subdivision

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit #20-02451: Ferguson & Cole LL #419 – Large Lot Subdivision, subject to the conditions outlined in this Notice and included Staff Report.**

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.**

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <https://www.cognitofirms.com/KitsapCounty1/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact [help@kitsap1.com](mailto:help@kitsap1.com) or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

**CC:** Interested Parties:  
None  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Peggy Bakalarski  
DCD File #20-02451



## Kitsap County Department of Community Development

September 17, 2020

Ferguson & Cole Inc.  
26221 Pioneer Way STE 10  
Poulsbo, WA 98370

RE: Large Lot Subdivision # 419 – Ferguson & Cole  
Permit No. 20-02451  
Tax Account No. 352301-3-008-2003

Dear Applicant:

This is to inform you that the above-referenced large lot 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 large lot subdivision in accordance with Kitsap County Code Title 16.52 Large Lot Subdivision.

The Department has further determined that the land segregation as it is presented in the preliminary large lot subdivision, received 06/22/2020 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 16.52.
2. The following condition shall be added to the face of the final large lot subdivision: Building permits issued on a lot in this final large lot Subdivision may be subject to impact fees pursuant to Kitsap County Code.
3. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.
4. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.

5. The decision set forth herein is based upon representations made and exhibits contained in the project application #20-02451. 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.
6. 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.
7. Please add the following note to the face of the Large Lot: "All native vegetation buffers shall be maintained as depicted on the plat. No cutting or clearing shall occur within the perimeter buffer, except the minimum vegetation needed to be removed for driveway access. Hazardous trees within the buffers may be removed upon review and approval of Kitsap County. Replanting of removed trees may be required."

### **SURVEY**

1. At the time of submittal of the final large lot subdivision a title certificate, current to within 30 days, is required. Please note or delineate on the face of the Final large lot subdivision all pertinent special exception items in Schedule "B" of the title certificate.
2. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.

### **STORMWATER**

1. Building permits submitted for development of lots within this Large Lot Subdivision shall include construction plans and profiles for all roads, driveways, storm drainage facilities and appurtenances. No construction shall be started prior to said plan acceptance.
2. Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.
3. Stormwater quantity control, quality treatment, and erosion and sedimentation control, as required for the lot development, shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Large Lot Subdivision application was deemed complete, June 23, 2020. If lot development meets the thresholds for engineered drainage design, 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 Building Permit Application.

4. 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.

|                                  |  |
|----------------------------------|--|
| Total Site Area                  |  |
| Allowable Impervious Area        |  |
| Available Impervious Area, Lot 1 |  |
| Available Impervious Area, Lot 2 |  |

5. The following condition shall be added to the face of the Final Large Lot Subdivision: If any proposed impervious area exceeds the allowable square footage as designated per the table, then an engineered Site Development Activity Permit (SDAP) will be required for that lot.
6. The following condition shall be added to the face of the Final Large Lot Plat: 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 Large Lot Subdivision Application was deemed complete, June 23, 2020.
7. The following condition shall be added to the face of the Final Plat: At the time of submittal of a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.
8. If the project proposal is modified from that shown on the site plan accepted for review June 22, 2020, Development Services and Engineering will require additional review and potentially new conditions.

**TRAFFIC**

1. At the time of building permit application, 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.
2. The property owners within the plat shall be responsible for maintenance of all landscaping within the existing and proposed right-of-way including any structures other than roadway, storm drainage facilities, and traffic signage. Maintenance shall include, but not be limited to, mowing of lawn areas. A note to this effect shall appear on the face of the final plat map. In addition, Development Services and Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
3. At the time of building permit application, submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter

11.22 of the Kitsap County Code. Existing approaches may need to be improved to meet current standards.

4. 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 (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.

**ENVIRONMENTAL**

1. A Kitsap County Timber Harvest Permit will be required if greater than 5000 board feet of merchantable timber is harvested for the proposal.

Preliminary approval of this large lot 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 large lot subdivision shall be done in accordance with Kitsap County Code 16.52. All applicable conditions of preliminary approval must be addressed with the submittal of final large lot 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 large lot subdivision.

If you have any questions or comments regarding this letter, please feel free to contact **Peggy Bakalarski** for Survey matters; **Candy Vickery** for Stormwater and Traffic matters; **Meg Sands** for Land Use matters; **Steve Heacock** for Environmental matters; all of whom can be reached at (360) 337-5777.

Sincerely,



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Peggy Bakalarski, Project Lead

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09/17/2020



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Shawn Aire, Development Services and Engineering Supervisor

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09/17/2020

Cc: AES Consultants, Inc.- [Gcaes@bainbridge.net](mailto:Gcaes@bainbridge.net)