



## Administrative Decision Conditional Use Permit Minor Revision

Report Date: February 27, 2018

Application Complete Date: February 16, 2018      Application Submittal Date: February 16, 2018

**To:** KARE – Kitsap Animal Rescue and Education Dog Training Facility  
Diane Canafax and John Albright, [dcanafax@wavecable.com](mailto:dcanafax@wavecable.com)  
Interested Parties and Parties of Record

**RE:** Permit Number: 18-00743  
Project Name: KARE – Kitsap Animal Rescue and Education Dog Training Facility  
Type of Application: Conditional Use Permit (CUP), Minor Revision

**Decision Summary:**

Approved, subject to conditions

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS 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:  
<http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

**Project Request:**

The applicant is requesting to change Condition # 5 of Conditional Use Permit Minor Revision, Permit #17-04043. The condition originally stated "The applicant owns the adjacent property to the south, containing a single-family residence. At the time the applicant sells either property, a screen buffer must be placed on the subject property in accordance with Kitsap County Code 17.500.027.B." Applicant is requesting the condition be subject to Kitsap County Code 17.500.027.A.2, "Separation Buffer."

**Project Location:**

11755 Old Military Road NE  
Poulsbo, WA 98370  
North Kitsap

**Assessor's Account #:**

112501-3-034-2007

**Applicant/Owner of Record:**

Dianne Canafax and John Albright  
12774 NW Seaside Way  
Seabeck, WA 98380

**SEPA (State Environmental Policy Act):**

Pursuant to WAC 197-11-800(2), this proposal is SEPA exempt. SEPA Determination of Non-significance was issued under the original Conditional Use Permit (CUP), Permit #16 04352, on November 30, 2016. No appeals were received. SEPA is considered final.

**Physical Characteristics:**

The parcel is approximately 1.33 acres or 57,935 square feet. The parcel is shaped irregularly – a square shape on the northern portion connected to a rectangle piece by a narrow segment approximately 215 feet long and 28 feet wide. In between the square portion and the rectangle portion is a single-family residence also owned by the applicant.

**Comprehensive Plan Designation and Zoning:**

Rural Residential (RR)

Minimum Lot Area - 5 acres  
Minimum Lot Width - 140 feet  
Minimum Lot Depth - 140 feet  
Maximum Height - 35 feet

Standard Rural Residential Zoning Setbacks

Front - 50 feet  
Side - 20 feet  
Rear - 20 feet

**Surrounding Land Use and Zoning:**

The surrounding areas are also zoned Rural Residential. The parcels in the vicinity of the proposed project are similar or a larger size, are zoned Rural Residential with single-family homes, out buildings, and agricultural issues. To the east approximately one mile away, the zoning changes to Urban Low. To the west, Rural Residential zoning continues for slightly over a mile until the Puget Sound.

**Public Utilities and Services:**

Water: Private Well  
Power: Puget Sound Energy  
Sewer: Septic  
Police: Kitsap County Sheriff  
Fire: Central Kitsap Fire District  
Schools: Central Kitsap School District

**Access:**

Access to the site is off Old Military Road NE, a County maintained road.

**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 which is then used to prepare development regulations.

Kitsap County Comprehensive Plan  
Adopted June 2016

The following Comprehensive Plan goals and policies are most relevant to this application:

Rural and Resource Lands

Land Use Policy 50. *Limit the designated rural area to low residential densities that can be sustained by minimal infrastructure improvements, cause minimal environmental degradation, and that will not cumulatively create the future necessity or expectation of urban levels of service.*

Land Use Policy 51. *Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.*

Land Use Policy 59. *Allow or conditionally allow home-based cottage-type businesses and industries in the rural areas that do not negatively affect rural level of service or rural character.*

The County's development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Kitsap County Code (KCC)

- Title 12 Storm Water Drainage
- Title 13 Water and Sewers
- Title 14 Buildings and Construction
- Title 17 Zoning

Chapter 18.04 State Environmental Policy Act (SEPA)

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>Dated or date stamped</u>
Narrative	September 27, 2017

**Public Comments:**

The Notice of Application was distributed on October 5, 2016 for the original CUP approval, Permit #16 04352. The notice went to all properties within 800 feet of the subject property. No notice is required for this Type 1 application. To date, the County has not received public comment on the application.

**Analysis:**

**Land Use and Zoning**

Dog training facilities are not specifically enumerated in Kitsap County Code Use Table 17.410.040(A). Staff used the most like use – Kennels or Pet Day-Cares which are permitted land use, but conditionally approved activity in the Rural Residential Zone pursuant to KCC 17.410.040(A). The intent of the Conditional Use Permit process is for land use with special characteristics that may not be generally be appropriate within the zoning district, but may be permitted subject to review by the hearing examiner to established conditions to protect health, safety, and welfare. The application must be reviewed for consistency with KCC Section

17.420.030 Design Standards to see if the applicant has demonstrated the activity is physically suitable for the site, harmonious and compatible with existing and future permitted land use in the area.

**Setbacks**

No expansion or changes to existing structures are proposed.

**Landscaping**

The request asks to change condition #4 regarding landscaping requirements for the north and west portions of the property. Staff made a site visit to the subject property on September 22, 2017 and determine that the existing landscaping around the subject property was sufficient to screen under the requirements of Kitsap County 17.500.027.A.2, "Separation Buffer".

Title 17.385 requires that 15% of the gross parcel be landscaped. Most of the parcel is covered in landscape or grass. It is estimated 85% of the parcel has landscaping.

There are portions of the property that are properly screened by existing vegetation and because of the location of the subject structure would not have adequate room for additional screening. See picture below.



The original proposal included adding screening on the eastern portion of the property. This requirement remains.

**Findings:**

The Department has reviewed the proposed KARE Education and Dog Training Facility and found the project consistent with comprehensive plan policies and the implementation regulations in KCC Title 17 Zoning. The project is also consistent with the Rural Residential zoning designation. The following statements are findings for the proposed project:

1. Kitsap County DCD has review authority for this CUP application per *Kitsap County Code* (KCC) 21.04.030, 17.420, and 17.355.
2. The proposed development/use is one permitted within the subject zoning designation and complies with all of the applicable provisions of this Ordinance and all other applicable regulations.
3. The proposed development would be harmonious and compatible with existing and future developments within the land use designation and general area.
4. The subject site is physically suitable for the type, density and intensity of the use being proposed.
5. Appropriate provisions have been made for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys and other public right-of-way's, transit stops, potable water supply, sanitary waste, parks and recreation, playgrounds, schools and all other relevant facts, including: sidewalks or other planning features that ensure safe walking conditions.
6. The location, size, design and operating characteristics of the proposed development/use would not be detrimental to the public interest, health, safety, or welfare of the County.

**Decision:**

Based upon the above findings, it is recommended that the ACUP request for Kitsap Animal Rescue and Education Dog Training Facility be **approved**, subject to the following conditions:

**Planning/Zoning**

1. 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.
2. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
3. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500. 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.
4. The applicant is required to plant screening on the eastern portion of the property in accordance with Kitsap County Code 17.500.027.A.2, "Separation Buffer."
5. The applicant owns the adjacent property to the south, containing a single-family

residence. At the time the applicant sells either property, a screen buffer must be placed on the subject property in accordance with Kitsap County Code 17.500.027.A.2, "Separation Buffer".

6. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.510, and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
7. The recipient of any 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 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.
8. This 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.
9. The decision set forth herein is based upon representations made and exhibits contained in the project application (insert 16 04352). 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.
10. 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.
11. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit.
12. Activity must comply with Chapter 7.14.030 Dog Barking.
13. Hours of operation shall be limited to Monday-Friday 9AM-8:30PM and Saturday and Sunday 9AM-4PM.

#### **Development Services and Engineering**

14. If the project proposal is modified from that shown on the submitted site plan dated September 16, 2016, Development Services and Engineering will require additional review and potentially new conditions.

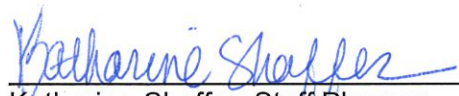
**Traffic and Roads**

- 15. 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.
- 16. Submit a Road Approach permit application, showing 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.
- 17. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the site access and Old Military Road NE. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards. The certification shall also note necessary measures to correct and maintain the minimum sight triangle. The required information shall be submitted with the Road Approach permit application.

**Health District**

- 18. A septic design has been submitted and received preliminary approval for the septic system only. The proposal included the facility being served by a private water system. However, public water is required. The applicant must submit a coordinated Water System Plan Review application with fees to the Health District to determine if Public Water is available.

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.

  
 \_\_\_\_\_  
 Katharine Shaffer, Staff Planner

2-27-18  
 Date

  
 \_\_\_\_\_  
 Scott Diener, Development Services and Engineering Manager

2-27-18  
 Date

CC: Interested Parties: Dan and Becky Siegrist  
 Kitsap County Health District, MS-30  
 Kitsap County Public Works Dept., MS-26  
 DCD Staff Planner: Katharine Shaffer  
 DCD File (18-00743)  
 DCD Building Permit File (18-00743)

