



Administrative Staff Report

Report Date: May 5, 2022

Application Submittal Date: February 14, 2020

Application Complete Date: July 7, 2020

Project Name: Twelve Trees Division 1 - Add 42 paved parking spaces in reduced landscape buffer

Type of Application: Type-II Revision Performance Based Development

Permit Number: 20-00672

Project Location

26200 Block Twelve Trees Lane NW
Poulsbo, WA
Commissioner District #1

VICINITY MAP

Assessor's Account

272701-4-042-2005
272701-4-044-2003
272701-4-047-2000
272701-4-061-2001
272701-4-049-2008
272701-4-060-2002
272701-4-046-2001
272701-4-048-2009
272701-4-043-2004
272701-4-045-2002
272701-4-099-2007



Applicant/Owner of Record

Tempus fugit co.
26276 Twelve Trees Ln NW, Ste B
Poulsbo, WA 98370-6400

Decision Summary

Approved subject to conditions listed under section 13 of this report.

1. Background

The request is to revise the approved Planned Unit Development (PUD) to add 42 compact paved off-street parking spaces along the northern perimeter of Division 1 Business Park in the Common Open Space Lot L. The minor revision is reviewed per the requirements in KCC 17.450.110. There is not an increase in building area, but the change in Tenant use will increase the demand for parking.

The site was re-zoned to Light Manufacturing and a Preliminary PUD Approval was provided under Resolution No. 262-1982 on August 9, 1982. The approval a footprint of 129,600 square feet of building area with buffers, landscaping, on-site sanitary sewer drainfields, parking, and wetland buffers is in Phase 1. The area located to the south end of the business park was designated for residential land use. The final PUD for Phase 1 was obtained through Resolution No. 344-1990 on July 30, 1990. In 2006, the tenant moved into Building No. 5 and later needed to expand their facilities. A Binding Site Plan Alteration, and SDAP were prepared to expand the floor area from 9,600 square feet to 18,790 square feet. The Binding Site Plan Alteration AFN 200911030196, was recorded on November 3, 2009. The building was extended to the west and to the south. The south end of the building extended through the 25-foot vegetation buffer and into the property known as Twelve Tree Business Park No. 4. An underground storm drainage detention system was built underneath the 25-foot vegetation buffer located between Building No. 5 and Building No. 6. The project has also been reviewed under Files# 19-00523 and 20-02276 Site Development Activity Permit and 21-05460 Binding Site Plan Alteration.

2. Project Request

The applicant is requesting a major revision to the approved Planned Unit Development (PUD) or referred to as a performance-based development under current Kitsap County Code to modify the buffer and add 42 off-street parking spaces.

3. SEPA (State Environmental Policy Act)

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 result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. 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.

During environmental review staff determined that the project is categorically SEPA Exempt

per WAC 197-11-800 under KCC 18.04 State Environmental Policy Act.

4. Physical Characteristics

The subject property involved with the revision is 11.84 acres in size, located within the Twelve Trees Employment Center (TTEC). The property was fully developed in approximately in 1990 then later expanded in 2007 to a total building floor area of 18,790 square. The 25-foot natural vegetation buffer along the north side of the property includes five propane tanks and a fire hydrant. Most of the onsite sewage disposal systems are located along the eastern side of the project site.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Twelve Trees Employment Center Zone: TTEC	Standard	Proposed
Minimum Density	0	0
Maximum Density	0	
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35 feet	<35 feet
Maximum Impervious Surface Coverage	85%	82%
Maximum Lot Coverage	NA	NA

Applicable footnotes: KCC 17.420.060.A Footnote # 21 Twenty feet when abutting a residential zone.

Staff Comment: The project site is internal to the employment center, bounded by critical area buffers and does not directly abutt a residential zone.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (West)	20 feet	20 feet
Side (North)	10 feet	10 feet
Side (South)	10 feet	0 to 10 feet
Rear (East)	10 feet	35 feet

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Undeveloped/Hill Moving and Storage	Twelve Trees Employment Center (TTEC)
South	Undeveloped	TTEC

East	Open Space/Buffer	TTEC
West	Industrial Building Complex	TTEC

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

5. Access

The Twelve Trees Employment Center receives access from Pioneer Way NW and project site receives access from a driveway to the site. Pioneer Way NW is classified as a major collector. The internal access road functions as a local access road. It is anticipated the expansion will not impact the local rural road network.

6. Site Design

The proposed major PBD revision was reviewed for consistency with requirements pursuant KCC 17.450.045 Standards and Requirements, 17.450.110 Revisions to PBD's and 17.420.030 Design Standards, which includes Off-street Parking and Loading, Landscaping, lighting, signage, etc.

7. 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 30, 2016

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

Land Use Goal 14

Foster rural business and business opportunities on designated commercial and industrial lands in the rural area, while balancing protection of rural character.

Land Use Policy 57

Unlimited expansion of commercial and industrial uses in the rural areas is not appropriate. Accordingly, only limited new commercial and industrial uses will be permitted in the rural areas. Such commercial and industrial uses must be consistent with the Growth Management Act and Comprehensive Plan requirements for rural areas, preserve Kitsap County’s rural character, and shall not allow urban type uses or services.

Economic Development Goal 1

Promote a healthy and diverse economy that provides for a strong and diverse tax base, encourages business formation, retention, and expansion; creates industrial and professional business and employment opportunities to attract new business to the County.

Economic Development Policy 3

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

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

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 17.360E	12 Trees Employment Center (TTEC)
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
PBD Revision Questionnaire	February 18, 2020
PUD Approvals 1982 &1990	February 18, 2020
Site Plan/Landscaping Plan	February 18, 2020
Project Narrative	June 25, 2020
Environmental (SEPA) Checklist	October 6, 2020
633 Expanded Parking	October 6, 2020
 <u>Staff Communication</u>	 <u>Dated</u>
None	

9. Public Outreach and Comments

Pursuant to KCC Title 21 Land Use and Development Procedures, the Department gave proper public notice for the Conditional Use Permit through the Notice of Application with the notification of property owners located up to 800 feet around the site. After the issuance of the Notice of Application, the Department did not receive written responses from neighbors.

10. Analysis

a. Planning/Zoning

TTEC zone: The general provisions in Chapter 17.360E guide new development within the Twelve Trees Employment Center (TTEC). The TTEC is a Type Type-III limited area of more intensive rural development. The zone is not required to only serve the existing population in the vicinity, but to promote the rural economy by providing jobs close to home. The zone must not conflict with surrounding residential area. The recommendation code is to address scale of development and provide screening buffers.

The request is for a major revision to the performance-based development (also known as Planned Unit Development) is through KCC 17.450.110. A major revision associated with subdivisions are processed through a Type-III application and all other revisions are reviewed through Type-II permits.

The following criteria are used to evaluate the proposal; in KCC 17.450.110.B.2 Major Revision.

2. A major revision means expansion of lot area or proposed changes that include the following;

a. Substantial relocation of buildings, parking or streets;

Proposal is for 42 additional off-street parking to serve tenants occupying the commercial structures.

b. Increase in residential density;
NA

c. Reduction in any perimeter setback;

The proposal is for the reduction buffer/setback along the north property line from 25 to 10 feet

d. An increase in gross floor area of a multifamily, commercial, industrial, or commercial component of a project greater than 10%;

Staff Comment: The building size will generally remain the same but building occupancy will be increased creating separate suites.

- e. Any relocation of open space (reduction greater than 5%);
NA
- f. Any change to landscape buffers resulting in the reduction in width or density of plantings;

Staff Comment: The proposal is to reduce the buffers from 25 feet to 10 feet and relocate the propane tanks in the 10-foot landscape strip. The screening buffer was required prior to the industrial park and when the north property line was an exterior property line. and a functional screen is no longer required.

A separation buffer is required pursuant to KCC 17.500.027.A. Partial Screening Buffer is required between two compatible uses with the same zone. The buffer/setback reduction will involve the removal of most of the vegetation along the north property line. A final landscaping plan will be required to be submitted with the SDAP showing the planting plan consistent with the above section that includes the fire hydrant and LP tanks with required curbing, bollards and wheel stops per the IBC.

- g. Any substantial change in the points of access:
NA
 - h. Any increase in structure height;
NA
 - i. An alteration in dwelling unit separation;
NA
3. Any increase in traffic generation (more than 10%).

b. Lighting

The project was reviewed for consistency with KCC 17.105.110 Obnoxious Things, to address glare and requirements requiring lighting to be directed away adjacent properties and directed down with not more than 1-candle foot of illumination can leave the property line.

c. Off-Street Parking

The applicant states that over the last 30 years the business park/employment center has operated, the number of employees and the amount of off-street has varied based on land use. For a number of years, the applicant has had challenges with off-street parking for the business park and parking was provided off-site. The 42 additional spaces will prevent the need for off-site parking. The parking expansion was reviewed for consistency with KCC 17.490 Off-street Parking and Loading. Calculations were based on Manufacturing/ research and Professional office uses under the categories in Table

KCC 17.490.030. Consistent with KCC 17.490.040 Off-street Parking lot Design, the applicant’s parking design avoids a large continuous row of vehicles by providing street trees on three landscape islands and one each at the end of the parking row.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Manufacturing, Research, Testing, Processing and Assembly Facilities	1 space per 1,000 sf. of gross floor area	139,000 sf. / 1,000 sf. = 139 minimum spaces required	177 +42 off-street parking spaces = 215 (24% increase requested)
Professional Office	1 space per 300 sf.	24,902 sf. / 300 sf.=83 minimum spaces required	
Total		222	215

d. Signage

NA

e. Landscaping

In addition to the off-street parking, the proposal is to reduce the buffer from 25 to 10 feet in width, which will involve the removal of existing natural negation. The project is required to be reviewed for consistency with KCC 17.500 Landscaping and 17.700 Appendices A. The Landscaping Plan was required to show how all disturbed areas related to the parking expansion are to be landscaped. Landscaping is required to be calculated based on a percent of total site area.

Kitsap County Code 17.500.027. A.2 requires a “Separation Buffer” to create a visual separation with a sight-obscuring buffer between compatible land uses. The subject property is surrounded by single-family homes within the rural zoning. The application proposes separation buffer with evergreen and deciduous trees. A final landscaping plan is required at time of Site Development Activity Permit (SDAP) submittal which complies with these requirements. An Irrigation Plan was also submitted in accordance with KCC 17.500.040.A.

Staff Comment: The applicant has submitted a preliminary landscaping plan and plant schedule with the preliminary land use proposal. Consistent with review comments by staff, the applicant has included a separation buffer with parking lot trees within landscape islands. However, additional information will be required to confirm the type of vegetation that will remain and be augmented. This may be accomplished through an as-built plan.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	15% (1.77 acres)	17.5 % (2.11 acres)
Required Buffer(s) 17.500.025		
North	Separation Buffer	Separation Buffer
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees	Yes	Yes

f. Frontage Improvements

NA

g. Design Districts/Requirements

NA

h. Development Engineering/Stormwater

Development Services and Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. Staff determined that the project is already vested to the 2016 Kitsap County Storm Drainage code. The project is also being reviewed through File # 20-02276 Site Development Action Permit for civil plan review.

i. Environmental

A wetland divides the western two thirds from the western one third. The wetland was originally delineated by Jones & Stokes and later verified September 13, 1996 by Kucinski Consulting Services Inc. The wetland was identified as being within a localized depression-oriented north to south. Under the prior wetland manual, the wetland had a dual rating Category 2 and 3. It was documented by the consultant that the buffer along the west side of the wetland complex is largely upland mixed forest community. It is a high-quality 50-foot buffer width that functions as 100-foot buffer. The project vested to earlier Critical Area Regulations.

j. Access, Traffic and Roads

NA

k. Fire Safety

NA

I. Solid Waste

Waste Management is the County's waste handler/hauler. The applicant will be required to obtain written approval from Waste Management to document that all standards for solid waste and recycling have been addressed.

m. Water/Sewer

Kitsap Public Utility District provides potable water service and fire flow to the Twelve Trees Employment Center and the development will continue to be served by an onsite sewage disposal system.

n. Kitsap Public Health District

NA

11. Review Authority

The Director has review authority for this Administrative Conditional Use Permit application under KCC, Sections 17.540.020 and 21.04.100. The Director may approve, approve with conditions, or deny an Administrative decision.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.
Staff Comment: The project is consistent with the Kitsap County Comprehensive Plan
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
Staff Comment: The major revision is consistent with design standards in KCC Title 17 and applicable regulation within the Kitsap County Storm Water Manual.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
Staff Comment: Perimeter screening is unchanged, and the proposed revisions will not be materially detrimental to surrounding properties.
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: The project incorporates provisions from KCC 17.500 Landscaping improving compatibility.

13. Decision

Based upon the analysis above and the decision criteria found in KCC 17.540.040.A, the Department of Community Development recommends that the Major Revision request for Twelve Trees Parking and Buffer Revision be **approved**, subject to the following 43 conditions:

a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. 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.
3. 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.
4. The decision set forth herein is based upon representations made and exhibits contained in the project application (File# 21-01733). 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.
5. Pursuant to KCC 16.56.030 Binding Site Plans -General requirements, the proposed Binding Site Application Alteration shall meet the requirements of the PUD Parking and Buffer Major revision (File# 21-00672).
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. This Major Revision to the Planned Unit Development (PUD) approval shall automatically become void if no development permit application is accepted as

complete by the Department of Community Development within four years of the Notice of Decision date or the resolution of any appeals.

8. Any violation of the conditions of approval shall be grounds to initiate revocation of this Permit.

b. Development Engineering

9. The information provided demonstrates this proposal is a Full Drainage Review as defined in Kitsap County Code Title 12 and will require a Site Development Activity Permit (SDAP) from Development Services and Engineering.
10. 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 Major PUD Revision application was deemed fully complete, 07-01-2020. 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 Code in effect at the time of SDAP application.
11. The design of the infiltration facilities shall be in accordance with Vol. II, Ch. 5.4 of the Kitsap County Stormwater Design Manual.
12. The infiltration facilities shall remain offline until the drainage areas are stabilized, and the water quality treatment facility is adequately established. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.
13. Immediately after excavation of the proposed infiltration facilities, the Project Engineer shall provide an inspection(s) to verify that the actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report(s), properly stamped and sealed to Development Services and Engineering.
14. Where slopes are steeper than 15% and flatter than 30%, infiltration facilities (excluding individual lot systems) shall be placed no closer to the top of slope than the distance equal to the total vertical height of the slope area. All retention facilities shall be a minimum of 200 feet from any slope steeper than 30%. This distance may be reduced based on a geotechnical engineering report. That analysis will be prepared by a Civil Engineer licensed in the State of Washington, knowledgeable in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.

15. This project includes the construction of a detention vault, which requires a building permit issued by the Department of Community Development. A Structural Engineer, registered in the State of Washington, shall design the vault and prepare the construction drawings. In addition, a geotechnical engineering analysis is required. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.
16. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before (requesting final building inspection/recording the final plat/binding site plan) 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.

c. Environmental

None

d. Survey

17. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
18. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easement shall be provided on each side of private road tracts.
19. All potential park areas, common open space, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance responsibility shall be addressed on the face of the final plat, as well as in the CCRs.
20. Access to all lots shall be from roads within the proposed plat boundaries. A note to this effect shall be placed on the Final Plat.
21. Proof of rights of use of the easement shown as providing access to the subject property shall be submitted with the Final Plat application materials.
22. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.

e. Traffic and Roads

23. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.

24. Work within the county right-of-way requires a permit to perform work in the right-of-way from the Kitsap County Department of Public Works.

Washington State Department of Transportation

Olympic Region Development Services

Attn: Dennis Engel, PE

PO Box 47440

Olympia, WA 98504-7440

f. Fire Safety

None

g. Solid Waste

25. Contact Waste Management at (360) 674-3166 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. Provide documentation from the solid waste/recycling service provider that their requirements for this project have been met.

h. Kitsap Public Health District

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

Report prepared by:



Jeff Smith/Project Lead

May 5, 2022

Date

Report approved by:

Scott Diener

Scott Diener, Manager, DSE

May 5 2022

Date

Attachments:

Attachment A – Site Plan

Attachment B – Binding Site Plan Alteration

Attachment C – Zoning Map

CC: TEMPUS FUGIT CO.26276 Twelve Trees Lane Suite B, Poulsbo, WA 98370-6400

Apanage Corporation, cristam@twelvetrees.com

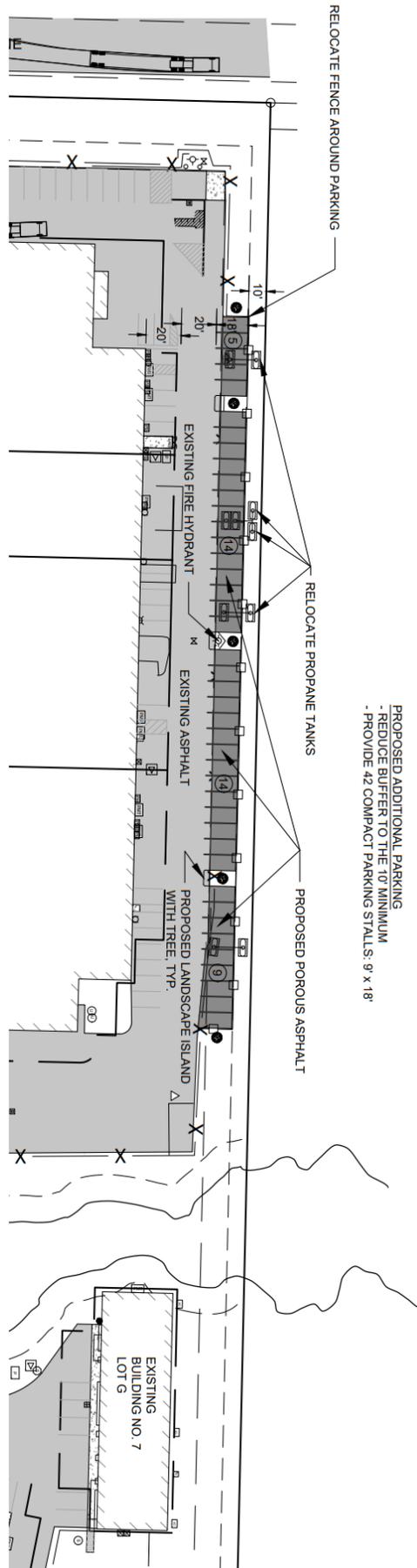
Engineer West Sound Engineering, paul@wsengineering.com
CRAIG@wsengineering.com

Interested Parties: NA

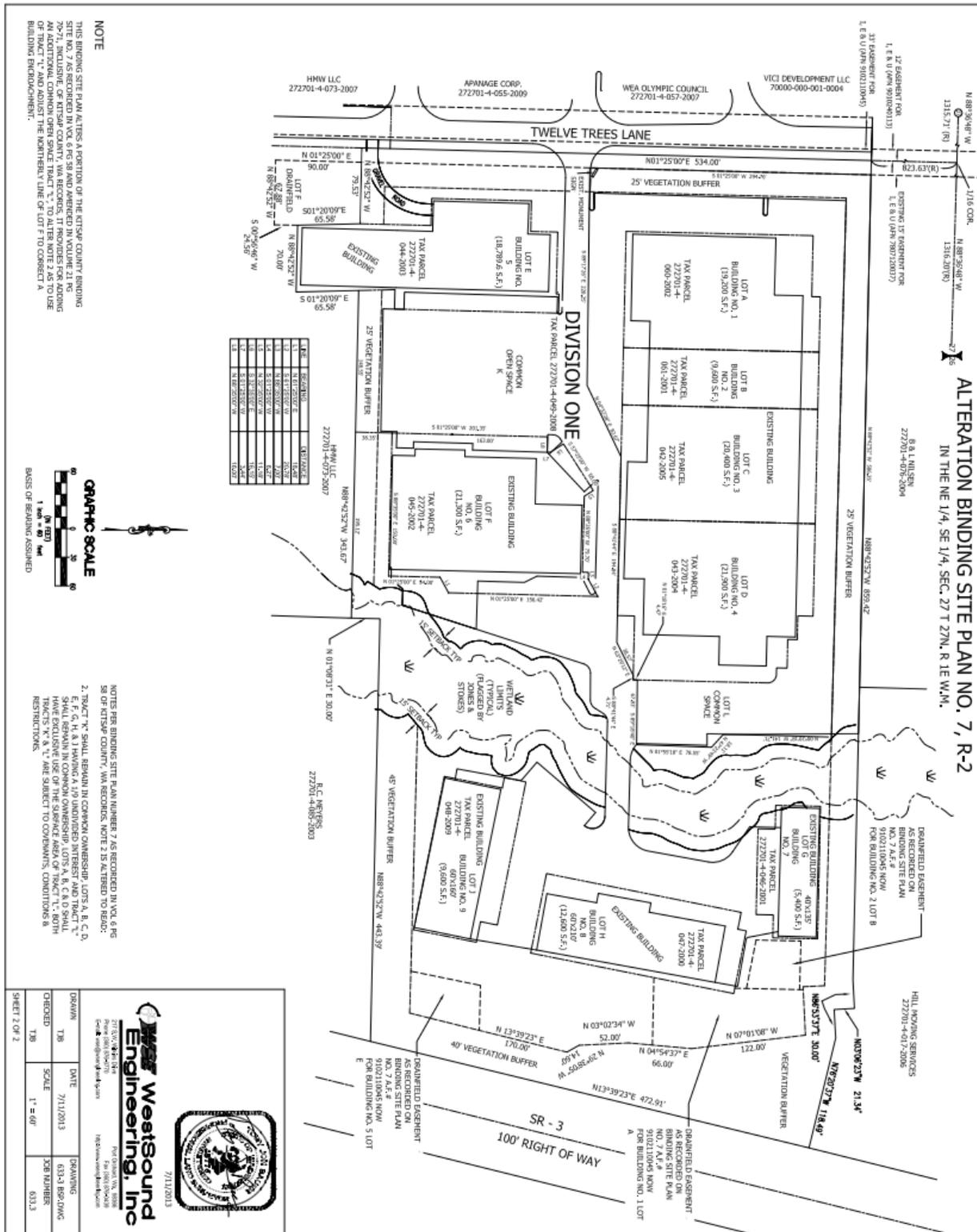
Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Jeff Smith



Binding Site Plan Alteration



Zoning Map

