



Notice of Administrative Decision

Date: 05/13/2024

To: Barbara Schaad-Lamphere, bschaadl@msn.com
Trish Walton with N.L. OLSON, twalton@nolson.com
Interested Parties and Parties of Record

RE: **Permit Number:** 22-03483
Project Name: Schaad-Lamphere – ACUP Shoreline for a Kayak Shed
Type of Application: Shoreline Administrative Conditional Use Permit (ACUP)

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit # 22-03483 Schaad-Lamphere – ACUP Shoreline for a Kayak Shed, 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 titled: '*Appeal/Objection of an Administrative Decision*' found on DCD's website, through the Online Permit Application Portal: <https://app.oncamino.com/kitsapcounty/login>.

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 by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777.

CC: Engineer: Norman Olson with NL OLSON & ASSOCIATES INC, nolson2@nolson.com
Biologist: ECOLOGICAL LAND SERVICES, INC, joanne@eco-land.com
Health District
Public Works
Parks
Navy
DSE
Kitsap Transit
South Kitsap Fire District
South Kitsap School District
Puget Sound Energy
Water Purveyor
Sewer Purveyor

Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
WA Dept of Fish & Wildlife
WA Dept of Transportation/Aviation
WA State Dept of Ecology-SEPA
WA State Dept of Ecology-Wetland Review
WA State Dept of Transportation
Interested Parties: None



Administrative Staff Report

Report Date: 5/7/2024

Application Submittal Date: 7/15/2022

Application Complete Date: 8/9/2022

Project Name: Schaad-Lamphere – ACUP Shoreline for a kayak shed

Type of Application: Shoreline Administrative Conditional Use Permit

Permit Number: 22-03483

Project Location

1571 Colchester Dr. E.
Port Orchard, WA 98366
Commissioner District #2 (South)

Assessor's Account

4516-001-023-0000

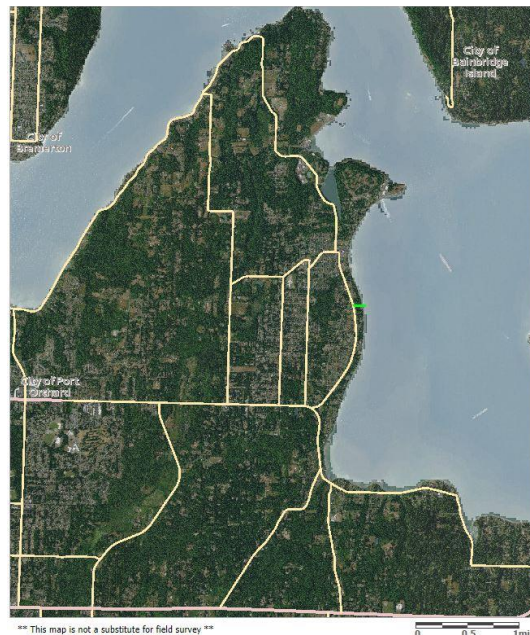
Applicant/Owner of Record

Barbara Schaad-Lamphere
2704 38th Ave. SW
Seattle, WA 98126

Decision Summary

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

VICINITY MAP



1. Background

The existing residence was constructed on the parcel approximately 95 years ago. In 2021 the applicant placed a 10 foot by 12 foot (120 sf) shed to store kayaks and marine equipment approximately 50 feet from the Ordinary High Water Mark (OHWM) and further landward than the existing residence.

The approximately 0.5 acre rectangular shaped parcel slopes from the west down to the shoreline on the eastern edge. This includes two relatively flat areas above and below a 40 foot bluff with a 50 to 60 percent slope (see Critical Areas Map). The residence and new shed exist east of, and below, the bluff base or toe of slope.

From the bluff base up to the road, the property is a mix of trees (cedar, Douglas fir, alder, big leaf maple), native shrubs (salal, Oregon grape, various berries) and invasive ivy. Lawn and finished landscaping exist below the bluff, around the house and shed, down to an existing basalt rock bulkhead.

2. Project Request

Approve an “after the fact” permit to replace an upland retaining wall and place a 120 sf water oriented storage shed within the shoreline residential jurisdiction reduced standard vegetative buffer.

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.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application dated 2/16/2023. The Department of Community Development issued a Determination of Nonsignificance (DNS) on 10/17/2023. SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed at the end of this report:

The SEPA appeal period expired 11/16/2023. No appeals were filed; therefore, the SEPA determination is final.

4. Physical Characteristics

The approximately 0.5 acre rectangular shaped parcel slopes from the west down to the shoreline on the eastern edge. This includes two relatively flat areas above and below a 40 foot bluff with a 50 to 60 percent slope. The residence and new shed exist east of, and below, the bluff base or toe of slope.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Limited Area of More Intense Development (LAMIRD-Type I) Zone: Manchester Village Low Residential (MVLR)	Standard	Proposed
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Minimum Density	NA	1 existing dwelling
Maximum Density	2 (15) (0.48 acres x 2 = 0.96 dwelling units rounded up to 1 dwelling us)	
Minimum Lot Size	21,780 sf	20,909 sf
Maximum Lot Size	NA	20,909 sf
Minimum Lot Width	60 feet (12)	60 feet
Minimum Lot Depth	60 feet (12)	NA
Maximum Height	35 feet (14)(37)(40) Water oriented storage 14 feet	Residence 3 stories, ~ 28 feet Water storage shed Less than 14 feet
Maximum Impervious Surface Coverage	50% for residential properties less than or equal to 0.50 acres; 40% for residential properties greater than or equal to 0.51 acres (16)	Less than 40%
Maximum Lot Coverage	NA	NA

Applicable footnotes:

12. Nonconforming Lots.

a. Nonconforming Lots in Single Ownership. If a single lot of record, legally created before the adoption of the Manchester Community Plan, is less than eight thousand seven hundred twelve square feet in size or does not meet the dimensional requirements of its zone, the lot may be occupied by any use allowed within the zone subject to all other requirements of this chapter.

b. Nonconforming Lots in Common Ownership. Contiguous lots of record held in common ownership, each lot legally created before adoption of the Manchester Community Plan, must be combined to meet the minimum lot requirements of its zone if one or more of the lots are less than eight thousand seven hundred twelve square feet in size or do not meet the dimensional requirements of its zone and, at the time of adoption of the Manchester Community Plan (March 18, 2002), either (i) a residential structure encumbered more than one of the contiguous lots or (ii) two or more of the contiguous lots were vacant. If one or more of the lots is sold or otherwise removed from common ownership after the adoption of the Manchester Community Plan, it will not be considered to meet the minimum lot requirements for nonconforming lots in single ownership. Property with two contiguous lots legally created before adoption of the Manchester Community Plan with a residential structure entirely on one lot may develop the second lot consistent with applicable zoning.

14. Within the view protection overlay, the maximum height for buildings and new vegetation shall be twenty-eight feet. Height shall be measured from the average elevation of the property’s buildable area to the structure’s highest point. Kitsap County will not enforce vegetation height standards. Buildable area is considered all portions of the property except wetlands and/or geologically hazardous areas. Properties within the view protection overlay zone may build or have new vegetation as high as thirty-five feet under the following circumstances:

- a. There is no existing view of downtown Seattle, the Cascade Mountains, Mt. Rainier or the Puget Sound from the subject property or any adjacent property; or
- b. The owners of all adjacent properties approve the building height prior to building permit issuance; or
- c. It can be explicitly shown that the structure will not cause the blockage of existing views from any of the adjacent properties.

15. Not applicable.

16. All properties within the Manchester village must also meet the requirements of the stormwater management ordinance, Chapters 12.04 through 12.32.

37. Not applicable.

40. Height limitations set forth elsewhere in this title shall not apply to the following: barns, silos, or other farm buildings and structures, provided they are not less than fifty feet from every lot line; chimneys, spires on places of worship, belfries, cupolas, domes, smokestacks, flagpoles, grain elevators, cooling towers, solar energy systems, monuments, fire house towers, masts, aerials, elevator shafts, and other similar projections; and outdoor theater screens, provided said screens contain no advertising matter other than the name of the theater. The proponent seeking exception to the height limitation shall certify that the object being considered under this provision will not shade an existing solar energy system which, by the determination of the director, contributes substantially to the space- or water-heating requirements of a building.

Staff Comment: The project doesn’t affect the density or lot size. The shed, height limitations, and impervious surface restrictions comply with KCC Section 17.420.056 and applicable footnotes.

The project complies with KCC Title 12 ‘Stormwater’ by directing stormwater to a discharge pipe. The pipe discharges at or below the Ordinary High Water Mark (OHWM) which requires a Hydraulic Project Approval (HPA) from the Department of Fish and Wildlife.

Table 2 - Setback for Zoning District

(34)(35)(48)	Standard	Proposed
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Front (West) (41)(42) (43)	20 feet	~ 187 feet to upper tram landing
Side (North) (42)(43)	5 feet	~ 3 feet 7 inches to existing tram lower and upper landing.
Side (South) (42)(43)	5 feet	~ 4 feet 8 inches
Rear (East) (42)(43)	5 feet, defer to environmental review. Shoreline residential jurisdiction requires an 85 foot standard setback.	~ 12 feet from the existing primary residence to the bulkhead.

- 34. Not applicable.
- 35. Not applicable.
- 41. Not applicable.
- 42. The following exceptions apply to historic lots:
 - a. Building setback lines that do not meet the requirements of this title but were legally established prior to the adoption of this title shall be considered the building line for alterations, remodels, and accessory structures on the lot or parcel; providing, that no structure or portion of such addition may further project beyond the established building line.
 - b. Any single-family residential lot of record as defined in Chapter 17.110 that has a smaller width or lot depth than that required by this title, or is less than one acre, may use that residential zoning classification that most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.
- 43. Not applicable.

Staff Comment: The Kayak storage shed location requires a 10 % variance to the zoning setback requirements on the south parcel line from 5 feet to 4 feet 6 inches. Kitsap County Code (KCC) Section 17.560.010 requires a project to meet certain criteria. The Department confirmed that the property size, steep slopes, and existing residence limit the placement of the shed to the location depicted on the site plan. Other parcels on the shoreline are allowed to construct water oriented storage sheds and such sheds are not materially detrimental to properties in the immediate vicinity.

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residence	Manchester Village Low Residential (MVLRL)
South	Single-family residence	Manchester Village Low Residential (MVLRL)

East	Puget Sound	Not Applicable.
West	Single-family residence	Manchester Village Low Residential (MVLRL)

Table 4 - Public Utilities and Services

	Provider
Water	Manchester Water District No. 11
Power	Puget Sound Energy
Sewer	Manchester Water District No. 11
Police	Kitsap County Sheriff
Fire	South Kitsap Fire & Rescue
School	South Kitsap School District No. 402

5. Access

Colchester Drive, a County maintained right-of-way, provides direct access to the project site.

6. Site Design

A steep driveway accesses a parking area at the west end of the property. A narrow walking path and a cable tram traverse the steep slope to the terrace on which the existing house is located. The new shed was assembled in place near the northwest corner of the house and two new walls were used to support the slopes. The area was spread with a cedar fiber to prevent erosion. There is lawn between the shed and the shoreline with two fruit trees and three cypress trees near the property line. Topography onsite slopes down steeply from Colchester Drive East to the terrace near the beach.

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. Chapter 3- Environment, incorporates by reference the goals and policies of the Kitsap County Shoreline Master Program.

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

22.300 General Goals and Policies

Policy SH-1. Protect and conserve shoreline areas that are ecologically intact and minimally developed or degraded. Develop incentives and regulations for privately owned shorelines that will protect and conserve these areas while allowing reasonable and appropriate development.

Policy SH-2. Recognize that nearly all shorelines, even substantially developed or degraded areas, retain important ecological functions.

Policy SH-4. Permitted uses and developments should be designed and conducted in a manner that protects the current ecological condition, and prevents or mitigates adverse impacts. Mitigation measures shall be applied in the following sequence of steps listed in order of priority:

1. Avoid the impact altogether by not taking a certain action or parts of an action;
2. Minimize impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
3. Rectify the impact by repairing, rehabilitating or restoring the affected environment;
4. Reduce or eliminate the impact over time by preservation and maintenance operations;
5. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments, including utilization of the in-lieu fee process where appropriate; and
6. Monitor the impact and the mitigation projects and take appropriate corrective measures.

Policy SH-5. Shoreline ecological functions that should be protected included, but are not limited to:

1. Habitat
2. Water quality maintenance; and
3. Water quantity maintenance.

Policy SH-6. Shoreline processes, both freshwater and marine, that should be protected to support the above functions include, but are not limited to the delivery, loss and movement of:

1. Sediment,
2. Water,
3. Nutrients,
4. Toxins,
5. Pathogens, and
6. Large woody material.

Policy SH-7. In assessing the potential for new uses and developments to impact ecological functions and processes, the following should be taken into account:

1. On-site and off-site impacts;
2. Immediate and long-term impacts;
3. Cumulative impacts, from both current and reasonably foreseeable future actions, resulting from the project; and
4. Any mitigation measures or beneficial effects of established regulatory programs to offset impacts.

Policy SH-8. Critical areas in the shoreline jurisdiction shall be protected in a manner that results in no net loss to shoreline ecological functions. Pursuant to RCW 36.70A.030(5), critical areas include:

1. Wetlands.
2. Frequently flooded areas.
3. Fish and wildlife habitat conservation areas.
4. Geologically hazardous areas.
5. Critical aquifer recharge areas.

Policy SH-9. Preserve native plant communities on marine, river, lake and wetland shorelines. In order to maintain shoreline ecological functions and processes, development along the shoreline should result in minimal direct, indirect, or cumulative impacts. This includes:

1. Keeping overhanging vegetation intact along the shoreline edge to provide shading and other ecological functions;
2. Preserving established areas of native plants and minimizing clearing and grading near bluff edges and other erosion or landslide-prone areas in order to maintain slope stability and prevent excess surface erosion and stormwater runoff;
3. Designing and placing structures and associated development in areas that avoid disturbance of established native plants, especially trees and shrubs; and
4. Removal of noxious weeds in accordance with WAC 16-750-020.

Policy SH-10. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat. When shoreline uses or modifications require a planting plan, maintaining native plant communities, replacing noxious weeds and avoiding installation of ornamental plants are preferred. Nonnative vegetation requiring use of fertilizers, herbicides/pesticides, or summer watering is discouraged.

Policy SH-13. Ensure mutual consistency with other regulations that address water quality and stormwater quantity, including standards as provided for in Title 12 (Storm Water Drainage) and Chapter 173-201A WAC (Water Quality Standards).

Staff comment: The project introduces a kayak storage shed, accessory to a primary residence, that qualifies as water oriented storage. The permit includes a condition of approval to limit the use of this structure to water oriented storage. Changing the use of this structure in the future may require new permits. The proposal results in no net loss of ecological function by planting native plant species as mitigation (see Habitat Management Plan).

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
Title 19	Critical Areas Ordinance
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures
Title 22	Shoreline Management Program

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Submission Form	7/15/2022
Schaad Site Plan	4/2021
JARPA Application	5/11/2022
No Net Loss Report	5/13/2021
Photo – Schaad looking east	7/15/2022
Photo – Schaad looking north	7/15/2022
Photo – Schaad looking south	7/15/2022
Photo – Schaad looking west	7/15/2022
SEPA Environmental Checklist	5/20/2021
Site Plan with drainage	5/13/2021
Slope Assessment Report	4/2021
Stormwater Worksheet	8/17/2021
Concurrency Test	7/15/2022
Customer Response to Information Request	8/1/2023

9. Public Outreach and Comments

No comments received.

10. Analysis

a. Planning/Zoning

Kitsap County Code (KCC) Section 17.560.010 requires a project to meet certain criteria.

17.560.010 Conditions for granting a variance.

A variance may be granted to any numerical standard of this title, excluding housing density, only when unusual circumstances relating to the property cause undue hardship in the application of this title. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the following conditions and facts exist:

- A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply generally to other property in the same vicinity or zone;
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;
- C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which property is located; and
- D. The variance is the minimum necessary to grant relief to the applicant.

The Department confirmed that the property size, steep slopes, and existing residence limit the placement of the shed to the location depicted on the site plan, the minimum relief necessary to place such a shed. Other parcels on the shoreline are allowed to construct water oriented storage sheds and such sheds are not materially detrimental to properties in the immediate vicinity.

The Department finds the project consistent with Kitsap County Code Title 17 Zoning.

b. Lighting

There are no additions to or changes to lighting with this proposal.

c. Off-Street Parking

Not applicable. There are no additions to or changes to parking with this proposal.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single Family Residential	3 parking spaces at 9 ft x 20 ft = 540 sf.	3 parking spaces at 9 ft x 20 ft = 540 sf.	More than 540 sf.

d. Signage

Not Applicable.

e. Landscaping

The project doesn't require landscaping through Kitsap County Code (KCC) Chapter 17.500 'Landscaping'. However, the project includes landscaping as part of mitigation to achieve no net loss (see Environmental analysis).

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site		
Required Buffer(s) 17.500.025		
North	Not Applicable	Not Applicable
South	Not Applicable	Not Applicable
East	Not Applicable	Not Applicable
West	Not Applicable	Not Applicable
Street Trees	Not Applicable	Not Applicable

f. Frontage Improvements

Not applicable.

g. Design Districts/Requirements

Not applicable.

h. Development Engineering/Stormwater

The parcel currently directs stormwater to a discharge pipe. The new kayak storage shed directs stormwater to this same discharge pipe. The stormwater pipe discharges to the shoreline and will require an approved Hydraulic Project Approval (HPA) from the Department of Fish and Wildlife.

i. Environmental

22.400.120 D.1...

- f. Water-Oriented Storage. Water-oriented storage, including boat houses or boat storage facilities, may be permitted within the buffer provided:
 - i. The width shall be no greater than twenty-five feet or twenty-five percent of the lot width, whichever is less.

Staff Comment: The parcel dimensions are approximately 61 feet wide (25% = 15 feet) by 554 feet deep (25% = 138 feet). Therefore, a water oriented structure is limited to 15 feet wide. The proposed structure is 10

feet by 12 feet and is below the 15 foot threshold.

- ii. The height shall not be greater than fourteen feet above grade, and shall also comply with the view blockage provisions of this program.

Staff Comment: The structure is less than 14 feet as measured from the ground to the top of structure.

- iii. The overall size shall not exceed two hundred square feet. Exceptions may be considered upon demonstration of need. In such cases, applicable mitigation options to achieve no net loss for new or redevelopment activities (Chapter 22.800, Appendix B), view blockage (Section 22.400.135), and buildings and construction (Title 14) provisions shall apply.

Staff Comment: As indicated in the no net loss report the project compensates for approximately 142 square feet of vegetation loss and impervious surface through a 2:1 mitigation ratio to ensure no net loss of buffer function. Mitigation includes enhancement of 284 square feet of buffer to compensate for 142 square feet of impact. The plan focuses on installing native vegetation intended to improve the function of the existing buffer area. Because the shed area was previously vegetated by non-important landscaping and there is lawn between the shed and the shoreline, there is a large potential for improvement of buffer function.

- iv. Allowance of a boat house within a buffer shall not justify the need for shoreline armoring to protect the structure.

Staff Comment: The kayak storage shed is not used to justify the need for shoreline armoring. The project replaced a 2.5 foot retaining wall immediately waterward of the new water oriented storage structure. KCC Section This "like for like" replacement of an existing retaining wall.

- v. Boat houses shall be prohibited in the natural environment designation.

Staff Comment: The project is located in the Shoreline Residential designation. A boat house, water oriented storage, is allowed.

- vi. Boat storage facilities within the high-intensity buffer shall not be subject to subsections (D)(1)(e)(i) through (iii) of this section, when supporting a water-dependent use and where consistent with the policies for the high-intensity shoreline environment designation.

Staff Comment: The project is located in the Shoreline Residential designation. A boat house, water oriented storage, is allowed.

j. Access, Traffic and Roads

No impacts to access, traffic, or roads.

k. Fire Safety

The project meets Kitsap County Code requirements for fire safety.

l. Solid Waste

The project does not add a land use that requires additional solid waste removal services.

m. Water/Sewer

The project does not add a land use that requires additional water or sewer/septic services.

n. Kitsap Public Health District

The project does not add a land use that impacts, or requires service from, wells or sewer/septic systems.

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 Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny an Administrative Conditional Use Permit.

KCC Section 22.500.100 D.4. All applications for shoreline CUPs, including administrative CUPs, approved by the county shall be forwarded to Ecology pursuant to WAC 173-27-200, for final approval, approval with conditions, or denial. No approval shall be considered final until it has been acted upon by Ecology.

12. Findings

1. The proposal is consistent with the 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.

3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
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.

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 Shoreline Administrative Conditional Use Permit request for Schaad/Lamphere be **approved**, subject to the following conditions:

a. Planning/Zoning and Environmental

1. Review the linked Administrative Decision for conditions of approval. The conditions listed below are staff-recommended conditions and may not be valid.
2. The placement of the bulkhead is for the protection of the upland property and not for the indirect intent of creating uplands at the expense of tidelands. The placement of the bulkhead shall be subject to the approved site plan and shall follow the natural contours of the shoreline and shall be placed at or above Ordinary High Water.
3. Any work done below the ordinary high water mark requires a Hydraulic Project Approval (HPA) permit from the Washington Department of Fish and Wildlife (drainage indicated by GeoTechnical report on file with the Department of Community Development). Information regarding an HPA can be found at <http://www.wdfw.wa.gov/hab/hpapage.htm>.
4. Permit approval does not include any development or clearing activity outside of the clearing limits identified on the approved site plan. No removal of trees or vegetation on the parcel beyond the established clearing limits are allowed without prior County approval. Please contact Kitsap County Department of Community Development before any additional clearing. (360)337-5777.
5. Setbacks:
FRONT (West): 20 ft min
Side: 5 ft min
Side: 5 ft min
Rear: Defer to Environmental (shoreline)
6. The shed shall only be used for water oriented storage. Any use other than water oriented storage may require additional permits.
7. Subject to the conditions of the Geotechnical report authored by N. Olsen Associates (April 2021) associated with this permit and on file at the Department of Community Development.
8. Subject to the conditions of the Shoreline Mitigation Plan and No Net Loss

assessment prepared by Ecological Land Services (Dated May 13, 2021) associated with this permit and on file at the Department of Community Development.

9. Vegetation planting shall occur as specified in the approved mitigation or enhancement plan produced in support of this permit. Planting of native vegetation shall occur within the first dormant season once the permitted project has been constructed and approved. When planting is complete, the applicant shall submit an as-built plan to DCD for approval prior to requesting the final inspection. Any assignment of savings, financial surety or other like security for performance of the buffer mitigation plan shall be released if planting requirements are satisfied upon completion of the site inspection and as-built approval. Monitoring and maintenance of the planted area shall be conducted for a minimum of five years after DCD staff approves planting.
10. Bald Eagles- This permit is conditioned for compliance with the Federal Bald and Golden Eagle Protection Act and the National Bald Eagle Management Guidelines. The applicant is responsible for following all federal setbacks, construction windows and obtaining any federal permits as necessary through the US Fish and Wildlife Service.
11. Danger Trees- Minor pruning, removal, or elimination of danger trees in the buffer may be allowed, subject to approval by the Department pursuant to the Kitsap County Critical Areas Ordinance (Title 19 Kitsap County Code) and Timber Harvest rules (Chapter 18.16 Kitsap County Code). Contact DCD at (360)337-5777 for more information.
12. The project will require a Hydraulic Project Approval from the WA state Department of Fish and Wildlife due to stormwater discharge at or below the Ordinary High Water Mark.
13. The tasks listed below will achieve the shoreline buffer mitigation goals and objectives. These tasks are listed in the order they are anticipated to occur; however, some tasks may occur concurrently or may precede other tasks due to site and procedural constraints.

Buffer Mitigation Area

- Establish the limits of the mitigation area, which will lie upslope of and in the lawn along the south lot line below the shed.
- Mark the locations for plantings across the mitigation area to ensure preservation of the view and to create an attractive configuration.
- Spread woody mulch (not beauty bark) over the lower planting area to protect the area from establishment of lawn grasses and invasive weeds.

b. Development Engineering

14. New and/or replaced hard surfaces do not exceed the 2,000 square foot threshold; nor does the project exceed 7,000 square feet of disturbed area. While a formal plan is not required, the applicant must consider all elements required of a stormwater pollution prevention plan and make allowances for managing

erosion and sediment discharge on site. Per KCC Title 12, if the project exceeds either of the thresholds noted above, then additional review for stormwater management will be required.

15. Building permits submitted for this development shall include construction plans and profiles for all storm drainage facilities and appurtenances.
16. Stormwater quantity control, quality treatment, and erosion and sedimentation control, as required for the development, shall be designed in accordance with Kitsap County Code Title 12 effective at the time this permit application was deemed fully complete. If 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.
17. If the project proposal is modified from that shown on the site plan approved for this permit application, Development Services and Engineering will require additional review and potentially new conditions.

c. Traffic and Roads

None.

d. Fire Safety

None.

e. Solid Waste

None.

f. Kitsap Public Health District

None.

Report prepared by:



4/26/2024

Name, Staff Planner / Project Lead

Date

Report approved by:



4/29/2024

Katharine Shaffer, Planning Supervisor

Date

Attachments:

Attachment A – Aerial Imagery

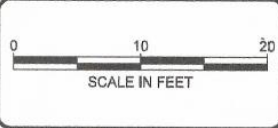
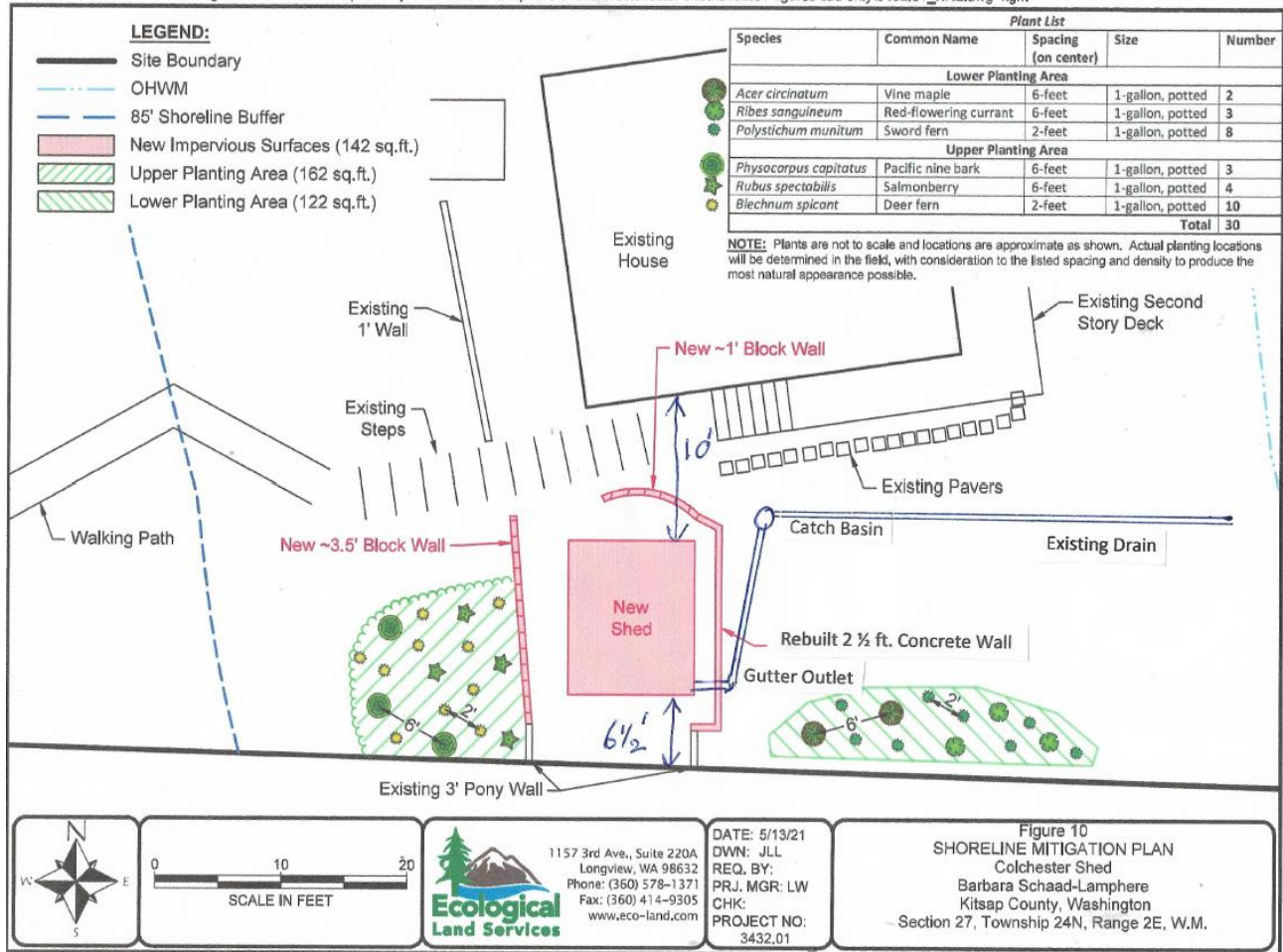
Attachment B – Critical Areas Map

Attachment C – Zoning Map

Attachment D – 2017 Ecology Shoreline Photo

CC: Applicant/Owner: Schaad-Lamphere, Barbara, bschaadl@msn.com
Authorized Agent: Trish Walton, twalton@nlolson.com
Engineer: Norman Olson with NL OLSON & ASSOCIATES INC, nlolson2@nlolson.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Darren Gurnee, dgurnee@kitsap.gov

Site Plan



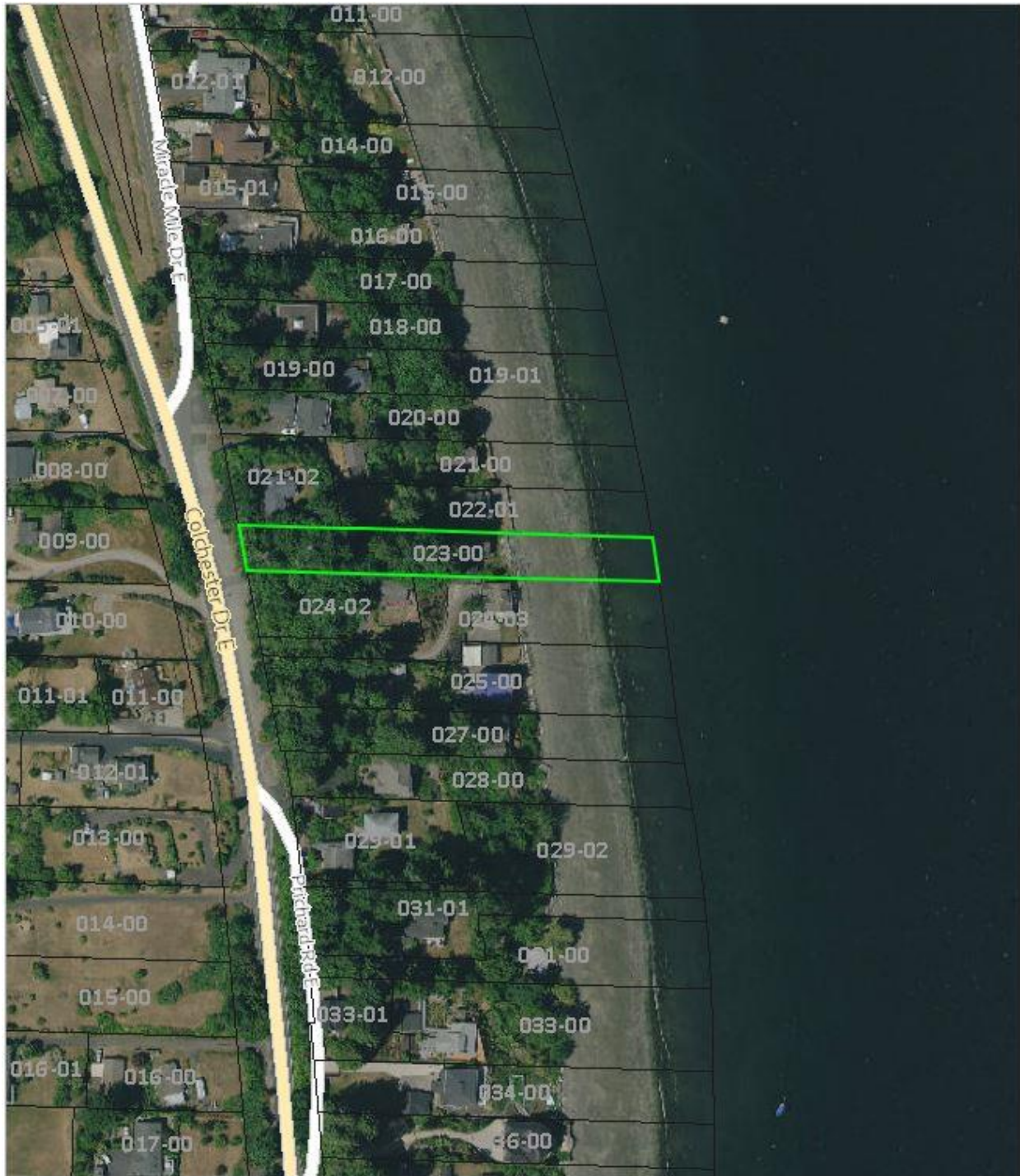
Ecological Land Services

1157 3rd Ave., Suite 220A
 Longview, WA 98632
 Phone: (360) 578-1371
 Fax: (360) 414-9305
 www.eco-land.com

DATE: 5/13/21
 DWN: JLL
 REQ. BY:
 PRJ. MGR: LW
 CHK:
 PROJECT NO:
 3432.01

Figure 10
SHORELINE MITIGATION PLAN
 Colchester Shed
 Barbara Schaad-Lamphere
 Kitsap County, Washington
 Section 27, Township 24N, Range 2E, W.M.

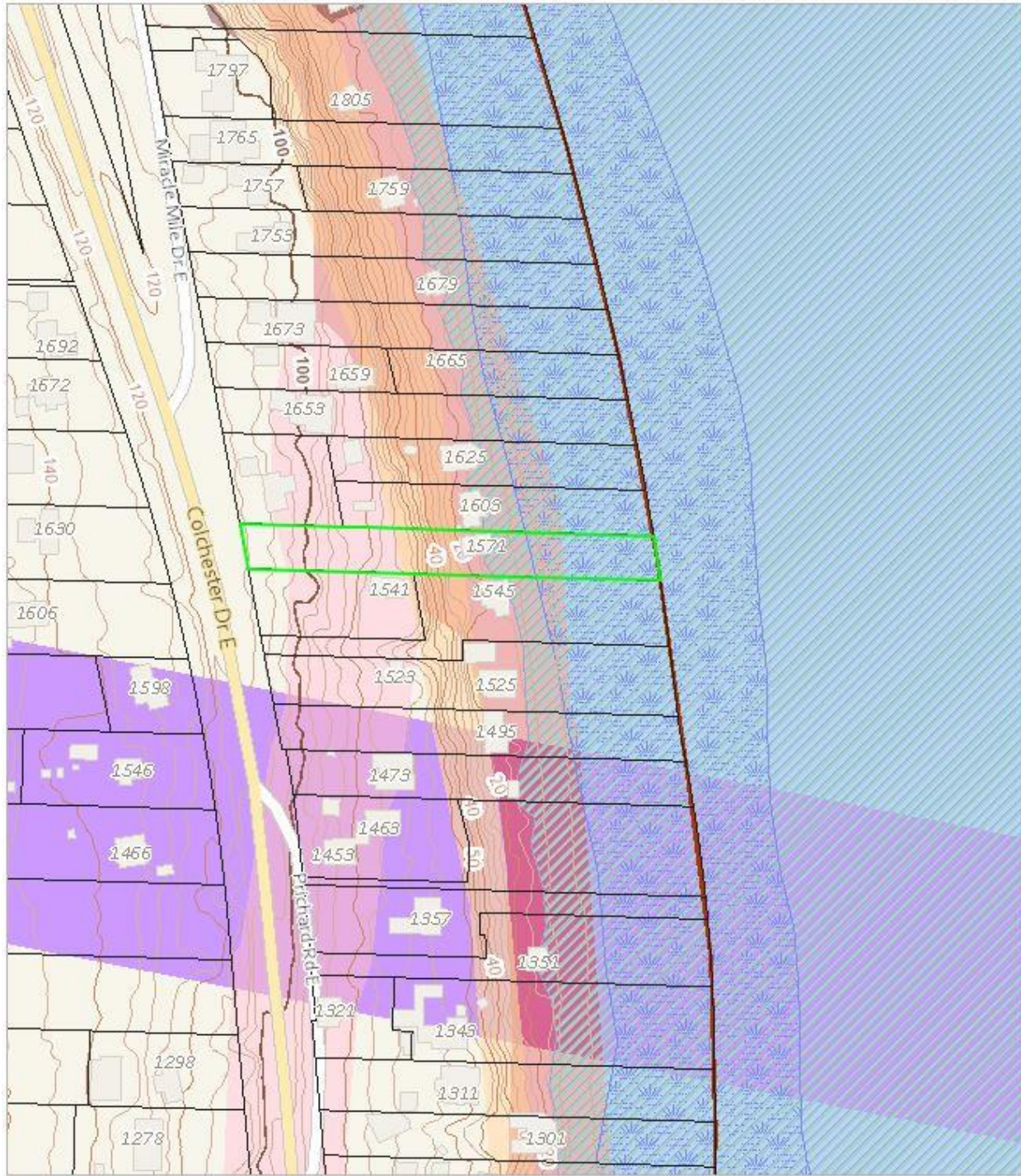
Attachment A – Aerial Imagery



** This map is not a substitute for field survey **

0 100 200ft

Attachment B – Critical Areas Map



** This map is not a substitute for field survey **

0 100 200ft

Attachment C – Zoning Map



** This map is not a substitute for field survey **



Attachment D – 2017 Ecology Shoreline Photo

