



## Administrative Staff Report

**Report Date:** 6/24/24

**Application Submittal Date:** 12/28/22

**Application Complete Date:** 2/24/23

**Project Name:** Christ the King Expansion

**Type of Application:** Administrative Conditional Use Permit (ACUP)

**Permit Number:** 22-06210

### Project Location

8059 Chico Way NW  
Bremerton, WA 98312  
Commissioner District 3

### Assessor's Account #

202501-3-014-2000

### Applicant/Owner of Record

Christ the King Evangelical Lutheran  
Church & School  
8065 Chico Way NW  
Bremerton, WA 98312

### VICINITY MAP



### Decision Summary

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

#### 1. Background

The existing church was permitted and built in 1999 and expansion would have required a Conditional Use Permit (CUP). However, Kitsap County zoning code (17.410.042) was updated on 6/28/22 to require an Administrative Conditional Use Permit (ACUP) for both Places of Worship and School uses. The changes meet Minor Amendment Criteria in KCC 21.04.265 which vest to criteria, but *not* to procedure. The application was submitted after the code change and the proposed work requires an ACUP.

#### 2. Project Request

The application proposes a 4,273-square foot classroom addition to the existing school building and a 956-square foot addition to the church building on the 4.78-acre parcel. The proposal includes frontage improvements along Chico Way and a new landscape buffer on the southwest corner of the primary church parcel.

Potable water is proposed to be provided by Silverdale Water District; sanitary sewage

disposal is proposed to be provided by Kitsap County Sewer Utility Division. Adequate vehicular access exists via Chico Way NW and NW Newberry Hill Rd. The parcel contains the following mapped critical areas: stream and landslide hazards. The proposed stormwater facilities include secondary drainage via discharge to discharge through a county ditch line and outfall to Dyes Inlet for stormwater quantity control.

**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 August 16, 2023. A Determination of Nonsignificance (DNS) was issued on May 22, 2024.

The SEPA appeal period expired June 4, 2024. No appeals were filed; therefore, the SEPA determination is final.

**4. Physical Characteristics**

The parcel is relatively flat and gently sloping toward the shoreline. The land is mostly cleared with trees along the north property line and in the northwest corner. The parcel is accessed from Chico Way NW to the east.

**Table 1 - Comprehensive Plan Designation and Zoning**

Comprehensive Plan: Silverdale UGA Zone: Urban Low Residential	Standard	Proposed
Minimum Density	5	NA
Maximum Density	9	
Minimum Lot Size	2,400 SF	NA
Maximum Lot Size	9,000 SF	NA
Minimum Lot Width	40 feet	NA
Minimum Lot Depth	60 feet	NA

Maximum Height	35 feet	
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

*Staff Comment: The application does not propose any new subdivisions or residential uses.*

**Table 2 - Setback for Zoning District**

	Standard	Proposed
Front (East)	20 feet for garage, 10 feet for habitable area	~88 feet
Side (Also considered the front) North	5 feet. If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances.	~70 feet
Side (West)	5 feet. If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances.	~200 feet
Rear (Sot	10 feet. If on an alley, 20 feet for a garage or carport opening directly onto the alley.	~79 feet

**Table 3 - Surrounding Land Use and Zoning**

Surrounding Property	Land Use	Zoning
North	Residential on the other side of NW Newberry Hill Rd.	Urban Low Residential (UL)
South	Undeveloped land owned by Christ the King Evangelical Lutheran Church and private single-family residences	Urban Low Residential (UL)
East	Single-family residences	Urban Low Residential (UL)
West	Single-family residences	Urban Low Residential (UL)

**Table 4 - Public Utilities and Services**

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

**5. Access**

Access to the subject property is off NW Newberry Hill to the north and Chico Way NW to the east. Both roads are County-maintained roads.

**6. Site Design**

Site design is analyzed under Section 10 of this report.

**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, 2018, and 2020.

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

*Land Use Goal 1. Focus current and future planning on infill and redevelopment of existing Urban Growth Areas.*

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 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>
Administrative CUP Application	December 28, 2022
Environmental (SEPA) Checklist	December 28, 2022
Civil Plan	December 28, 2022
Parking Analysis	December 28, 2022
Landscape Plans	December 28, 2022
Updated Landscape Plans	January 31, 2024
SEPA Determination of Non-Significance	May 22, 2024
<u>Staff Communication</u>	<u>Dated</u>
Dev. Services & Engineering Memo	May 20, 2024

**9. Public Outreach and Comments**

The Notice of Application was distributed on August 16, 2023. One comment was received regarding drainage along the ROW ditch line.

**10. Analysis**

**a. Planning/Zoning**

Kitsap County Code 17.415.395 Allowed Use Standards; Places of worship. In the rural protection (RP) or rural residential (RR) zones, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.

*Staff Comment: NA; subject property is in the Urban Low (UL) zone.*

**b. Lighting**

The project is conditioned for Artificial outdoor lighting to be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with surrounding properties.

**c. Off-Street Parking**

The project does not propose any new parking spaces. There are existing 76 parking spaces which would be over the required amount. However, because the uses

(church/school) were previously established, no zoning variance is required for the overage.

**Table 5 - Parking Table**

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Places of Worship	1 per 4 seats or 8 feet of bench length in the main auditorium	318.5 bench length/ 8 = 39.8 (Round to 40).	40 (existing)
Elementary/Middle or Junior High School	1 per employee; 2 per classroom	9 employees 8 class rooms (including addition) *2 = 16 9+16	25 Existing Spaces
			65 required  76 existing (No new parking spaces required)

**d. Signage**

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.

**e. Landscaping**

New landscaping is proposed on portions of the western and southern property lines. Additional landscaping is proposed on the eastern portion as the “roadside and buffer setback.” Existing vegetation screens the northern portion of the property.

**Table 6 - Landscaping Table**

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	15% (all commercial projects)	15% (including existing vegetation)
Required Buffer(s) 17.500.025	Solid Screening Buffer	Solid Screening Buffer

North	Existing Natural Screening	Solid Screening Buffer
South	Solid Screening Buffer	Solid Screening Buffer
East	Roadside and Setback Buffer	Roadside and Setback Buffer
West	Solid Screening Buffer	Solid Screening Buffer
Street Trees	Yes	Eastern portion of the entrance

**f. Frontage Improvements**

Frontage improvements are required along the entire property frontage on Chico Way and Newberry Hill Rd, and shall consist of 12-foot-wide travel lane, vertical curb, gutter, 5-foot bike lane, and 6-foot sidewalks.

**g. Design Districts/Requirements**

Project is not within a design district.

**h. Development Engineering/Stormwater**

Development Engineering has reviewed the land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans accepted for review 02/24/2023, and as revised by additional materials accepted for review 01/31/2024 to Kitsap County Development Engineering.

**i. Environmental**

There was a Landslide Hazard Assessment submitted prepared by South Sound Geotechnical Consulting dated January 2, 2024. The assessment supported the proposed additions. The project is conditioned to follow the recommendations of the report.

There is a fish-bearing stream on site requiring a 150-ft buffer and a 15-ft building setback. However, the proposed additions are not considering this further intruding into to the buffer. There is an existing parking lot between the additions and stream as well, creating a break in the functional buffer. Together with fact that the additions are mostly over existing impervious, there would effectively be no new impacts.

**j. Access, Traffic and Roads**

Adequate vehicular access exists via Chico Way NW and NW Newberry Hill Rd.

**k. Fire Safety**

Fire approval is based on building having a compliant sprinkler system per NFPA 13, compliant fire alarm per WA state amendments and NFPA 72, and access to 150' of all parts of the building.

**I. Solid Waste**

Prior to Site Development Activity Permit (SDAP) approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met.

**m. Water/Sewer**

Potable water is proposed to be provided by Silverdale Water District; sanitary sewage disposal is proposed to be provided by Kitsap County Sewer Utility Division.

**n. Kitsap Public Health District**

Kitsap Health District has reviewed and approved the project with no conditions.

**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 Conditional Use Permit.

**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, the Department of Community Development recommends that the project be **approved**, subject to the following 5 conditions:

**a. 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. Final landscape plans shall be submitted with the Site Development Activity Permit (SDAP).
5. 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.
6. The decision set forth herein is based upon representations made and exhibits contained in the project application (#22-06210). 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.
7. 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.
8. This Administrative Conditional Use Permit 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.

9. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.
10. Kitsap County currently serves sanitary sewer service to the property. Any changes to the service will require approval from Kitsap County Public Works - Sewer Utility Division.

**b. Development Engineering**

11. Construction plans and profiles for all roads, storm drainage facilities and appurtenances prepared by the developer's engineer shall be submitted to Kitsap County for review and acceptance. No construction shall be started prior to said plan acceptance.
12. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12, and as such will require a Full Drainage Site Development Activity Permit (SDAP) from Development Engineering.
13. 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 SDAP (or Building Permit if no SDAP required) application is deemed fully complete. 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, or Building Permit if an SDAP is not required.
14. Any project that includes off site improvements that create additional hard surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12.
15. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before requesting final inspection for the SDAP (or for the Building Permit if an SDAP is not required) 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.

16. If the project proposal is modified from that shown on the site plan approved for this permit application, Development Engineering will require additional review and potentially new conditions.

**c. Environmental**

17. Project shall follow the recommendations of the Landslide Hazard Assessment submitted prepared by South Sound Geotechnical Consulting dated January 2, 2024.

**d. Traffic and Roads**

18. At building permit application, submit Kitsap County Public Works Form 1601 for issuance of a concurrency certificate, as required by Kitsap County Code 20.04.030, Transportation Concurrency.

19. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.

20. The property owners 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 accepted construction plans. In addition, Development Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.

21. Frontage improvements are required along the entire property frontage on Chico Way and Newberry Hill Rd, and shall consist of 12-foot wide travel lane, vertical curb, gutter, 5-foot bike lane, and 6-foot sidewalks.

22. The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.

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

24. Before SDAP acceptance, the applicant shall submit a set of drawings to the Washington State Department of Transportation for review. The applicant shall

- notify Development Engineering in writing when the plans have been submitted to WSDOT. Development Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT lies with the property owner.
25. Final plan approval will require documentation of Washington State Department of Transportation (WSDOT) approval for impacts to and any required mitigation on State rights of way. WSDOT point of contact is Jeff Smiley who can be reached at (360) 874-3052 or by email [SmileyJ@wsdot.wa.gov](mailto:SmileyJ@wsdot.wa.gov)
  26. 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 process, if a SDAP is not required. The need for and scope of bonding will be determined at that time.
  27. The note about frontage improvements on "TWC\_Kitsap Co Christ the King Church Expansion\_HMP.pdf" Sheet A1.1 is correct. But "1817CUP-ALL DRAWINGS PERMIT SET SitePlan\_ProjectSummary\_Landscaping.pdf" pg 19 (sheet C4.0) shows 5' sidewalks; needs to be 6' sidewalks. The curb & sidewalk need to be installed 17' from the centerline of Chico Way to allow for a 12' travel lane and 5' bike lane. Sidewalks must be inside the ROW; this might require additional ROW dedication. Also transition sidewalk to asphalt shoulder with ADA-compliant ramp at north and south end.
  28. Prior to completion of this permit with the Department of Community Development, the Applicant shall satisfy all conditions of a Right of Way Permit through the Department of Public Works for any and all work performed in the county Right of Way associated with this project. Apart from the Site Development Activity Permit (SDAP), the Right of Way permit may require extra work to comply with current Washington State Department of Transportation or Kitsap County Road Standards. You may contact Kitsap County Public Works, Right of Way Construction Division at (360) 337-5777 to obtain a Right of Way permit.
  29. The Site Development Activity Permit shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.

30. Frontage improvement along Newberry Hill Rd shall be required and consist of 12' travel lane, 5' bike lane and 6' sidewalk. All access driveways off Newberry Hill Rd shall be designed per KCRS, Figure 4-4.
  2. Sheet C2.0, northern access on Chico Way shall be designed per KCRS, Figure 4-4.
  3. Sheet C2.0, southern access on Chico Way shall be designed per KCRS, Figure 4-3.
  4. Sheet C4.0, notes for accesses need to be revised – keynote #4 for northern access, keynote #5 for the southern access. Revise keynote #8, no guardrail needed, provide fence on wall per sheet C2.0.
  5. Sheet C5.0, provide cross-sections at 50' intervals on Chico Way including: roadway centerline, ROW centerline, 12' travel lane, 5' bike lane, 6' sidewalk.
  6. Construct frontage improvements to roadway centerline.
  7. Verify WSDOT standard plans call outs.

**e. Fire Safety**

N/A

**f. Solid Waste**

31. Prior to SDAP approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at [pnwcmsservices@wm.com](mailto:pnwcmsservices@wm.com) or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>
32. With submittal of the commercial building permit application, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at [pnwcmsservices@wm.com](mailto:pnwcmsservices@wm.com) or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>
33. The SDAP submittal shall show solid waste dumpster location, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Provided area must accommodate a minimum 6-yard dumpster.
34. The SDAP submittal shall show at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural

drawings attached to the civil plans.

35. Solid Waste enclosures shall be covered and placed on an impervious surface. Enclosures shall be directly connected to sewer system, where feasible. If direct connection to sewer is infeasible, the enclosure shall be sloped to drain into a dead-end sump.

**g. Kitsap Public Health District**

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

**Report prepared by:**



6-20-24

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Katharine Shaffer, Planning Supervisor

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Date

**Report approved by:**



6-20-24

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Scott Diener, Planning Manager

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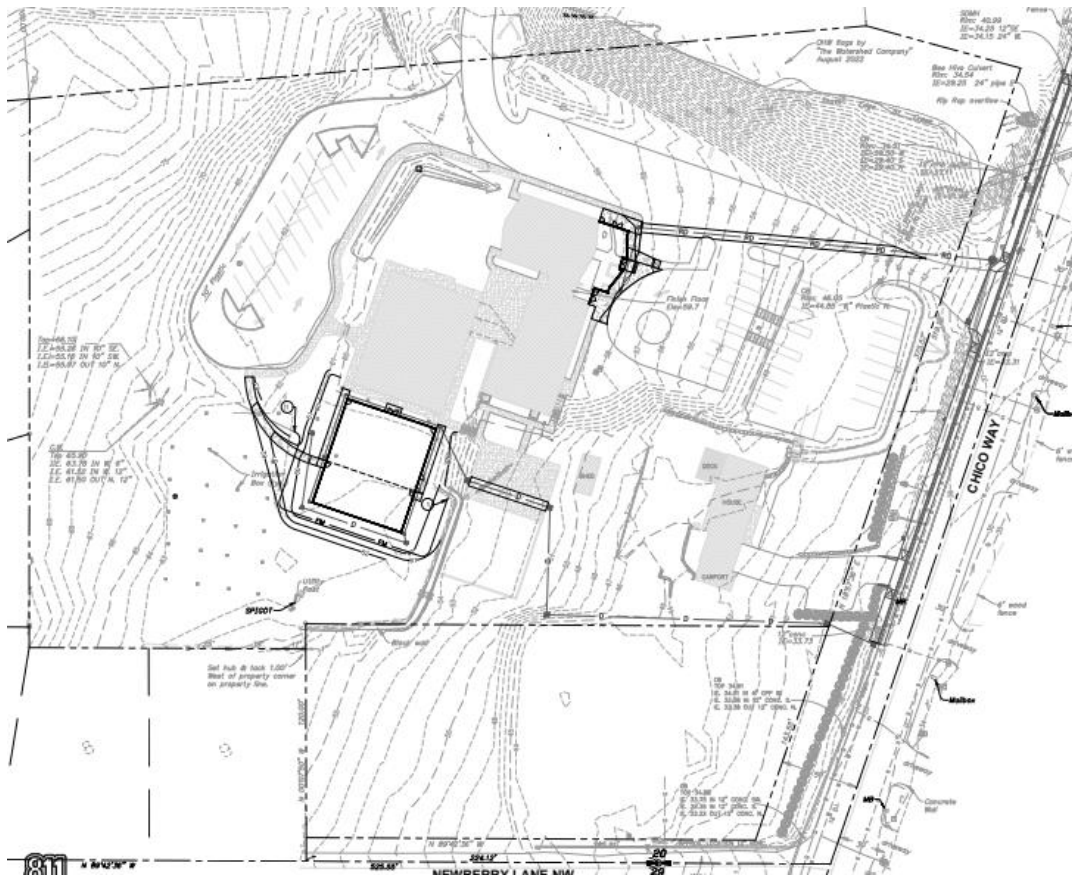
Date

**Attachments:**

Attachment A – Zoning Map (Required)

CC: Applicant/Owner: Chris Hintz (Christ the King) [chris.hintz@ctk-wels.org](mailto:chris.hintz@ctk-wels.org)  
Engineer or Project Representative: Steve Hammer, [steve@bpharch.com](mailto:steve@bpharch.com) and David Nason, [DNason@ahbl.com](mailto:DNason@ahbl.com)  
Interested Parties: Julia Smith, [lucyricky1@gmail.com](mailto:lucyricky1@gmail.com) and Carole Crist [Carole.crist@gmail.com](mailto:Carole.crist@gmail.com)  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Katharine Shaffer

**Site Plan**



Attachment A – Zoning Map

