



Administrative Staff Report

Report Date: March 4, 2025

Application Submittal Date: December 20, 2022

Application Complete Date: May 24, 2023

Project Name: North Beach Apartments

Type of Application: Admin CUP-Amendment

Permit Number: 23-00028

Project Location

3043 NW Bucklin Hill Road
Silverdale, WA 9838
Commissioner District #3

Assessor's Account #

212501-2-017-2008

Applicant/Owner of Record

Daybreak Development, LLC
6141 Troon Ave SW
Port Orchard, WA 98367-9196

VICINITY MAP



Decision Summary

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

1. Background

The applicant is requesting a revision to the previously approved Administrative Conditional Use Permit (ACUP). The proposal is for the construction of 4-story, 47-unit apartment building with 1-story parking below and additional parking on and off the apartment-site.

The subject property is located within the Silverdale Regional Center and Bucklin Hill Design District, with a High Intensity Shoreline Designation. The Kitsap County Hearing Examiner approved the building design and land use for the Bucklin Court Performance Based Development (PBD) reviewed by the Kitsap County Hearing Examiner (files 14 02210 and 14 02265). The hearing examiner also approved a PBD revision to allow additional density, pursuant to KCC 17.450.110. The approved PBD, and its revision, includes common open space and public shoreline access. The Hearing Examiner recommended approval of a shoreline variance and Shoreline Substantial Development Permit (SSDP) to Ecology which

allows an increased building height from 35' to 45'. This ACUP is Type-II permit that will be reviewed and issued separately.

2. Project Request

The applicant is requesting a major revision to the approved Administrative Conditional Use Permit to construct the multi-family development.

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.

COMMENTS:

The SEPA 14-day comment period previously occurred concurrent with the Notice of Application dated 07/05/2023. The Department received comments from State Department of Ecology and Suquamish Tribe on adjustments to the site plan for additional project mitigation. State Archaeology & Historic Preservation commented on the potential for historic resources onsite, which applicant will be required to address prior to construction. Pursuant to SEPA substantive authority at KCC 18.04.200(D), including Kitsap County Comprehensive Plan Policies and Zoning Code development standards for determining mitigation. Kitsap County Comprehensive Plan Environmental Goal 1 and Environmental Policy-21 direct that the environment (See Exhibit-25).

CONDITIONS:

1. The proposal is located within High Intensity designation for urban commercial and industrial intended and will be conditioned pursuant to KCC Title 22 Shoreline Master Program.
2. The proposal shall be consistent with KCC Title 22.150.525 for Residential - multifamily development within the High Intensity urban shoreline designation and shall be made a condition of approval.
3. The previous building height variance approval to allow building height up to 45' expired. Increase in residential density from 29 du/acre (39 du total) to 36 du/acre (47 du total). Due to required development density standards under the Kitsap County Comprehensive Plan and Title 17, another variance from the standard shoreline height guidelines has been reviewed with the submitted Major Revision to the PBD, and ACUP,

and shall be analyzed with the SSDP and SVAR, per KCC 22.500.100.B and KCC 22.500.100.E respectively.

4. Due to the presence of an adjacent wetland on the Old Mill Pond Park site, the revised proposal shall be conditioned per KCC Title 19.200. The permit shall also be conditioned for revised shoreline buffers per KCC 22.400.120, 19.300.310 and for stormwater controls, pursuant to Octile 12 Stormwater Drainage.
5. Prior to SDAP acceptance Archaeologist review of relevant historic and geotechnical information from the property to prepare a desktop Survey to determine what project activities are likely impact native sediments.
6. As an addendum to the above archeological survey, a Monitoring & Inadvertent Discovery Plan (MIDP) should be provided outlining the planned monitoring procedures and Inadvertent Discovery Plan for any activities that do not require monitoring. Recommend that the applicant continue consultation with the Suquamish Tribe and staff for ongoing cultural resource issues.

MITIGATION:

1. The building setbacks will be increased from the shoreline and offsite wetland as identified on the site plan to help reduce potential shoreline impacts as proposed by the applicant, dated March 01, 2024.
2. Follow building shading massing studies dated March 01, 2024, to reduce impacts on the adjacent Kitsap County Park and saltwater shoreline along Dyes Inlet
3. Mitigation shall be implemented per the submitted shoreline restoration plan with native plant landscape plan per the Shoreline No Net Loss Report and Landscape Plan, dated March 01,2024.
4. The Clear Creek Trail has been added as a project amenity with reduction plan that includes the trail reduction of net impervious surface area to a maximum 60" width reducing storm drainage impacts and includes ADA sitting area.

The SEPA appeal period expired December 10, 2024. No appeals were filed; therefore, the SEPA determination is final.

4. Physical Characteristics

The project site is located at 10310 NW Bucklin Hill Road between the Silverdale Hotel and the Old Mill County Park in Silverdale within Central Kitsap County, WA. The subject property is undeveloped, irregularly shaped, long, and narrow. The property includes associated tidelands. The parcel is 1.33 acres in size and was previously used as a concrete plant. The dimensions are 420 feet long x 168 feet wide. The parcel extends approximately 912 feet south from the mean high-water mark. The property receives access from Bucklin Hill Road via an existing four-way intersection and existing traffic signal, with a connecting easement across property to the north. The project site is located south of NW Bucklin Hill Road, between the Silverdale Hotel and the Old Mill Kitsap County Park. The property is on the north shoreline of Dyes Inlet with a gentle sloping bank, 4-foot-tall rock bulkhead and a 6-foot-wide compacted gravel Clear Creek trail parallels the upland side of the wall on the south side of the property.

The existing project site is an open grassy area separated by chain-link fencing. The shoreline consists of anchored logs and native vegetation and invasive plants interspersed. The Shoreline Master Program jurisdiction runs horizontally approximately halfway through the property. It is noted that the property was formerly used as a concrete batch plant, and it has been noted that 10 feet of fill material was placed over the site. The 2013 testing showed that all contaminants were below cleanup levels. However, the fill material is unknown but if for some reason contaminations is suspected during excavation, Ecology is requesting the applicant to be prepared to implement mitigation measures consistent with the Model Toxics Control Act.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban High Intensity Commercial Zone: Regional Center (RC)	Standard	Proposed
Minimum Density	10 (1.33 acres of net developable acreage x 10 = 28.4 or 28 required units)	47 Units
Maximum Density	30 (1.33 acres x 30 = 212.4 or 212 maximum units)	
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35 (55/85 feet)	4 stories, <45 feet
Maximum Impervious Surface Coverage	85%	~ 40,243 sf or 70%
Maximum Lot Coverage	NA	NA

Applicable footnotes:

17.420.060 Footnote #17 A greater height may be allowed as set forth in Title 21...

17.420.060 Footnote #22 Maximum height shall be thirty feet when located within the two-hundred-foot shoreline area...

17.420.060 Footnote #48: Shoreline properties are subject to Title 22 and may have additional buffers and setback requirements not listed in density tables.

17.420.060 Footnote #56 Height and density may be increased though Chapter 17.450, Performance Based Development, or qualifies as mixed-use development and meet modification or waiver request criteria as identified in Section 17.420.035, Additional Mixed use development standards.

Staff Comment: Except for Footnote #22, all the listed permits are applicable to the shoreline development. The Shoreline Master Program was amended to allow shoreline structures up to 35 feet which requires this footnote to be updated.

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Table 2 - Setback for Zoning District

	Standard	Proposed
Front (North)	20 feet	20 feet
Side (East)	10-feet.	30-feet
Side (West)	10-feet	5-feet
Rear (South)	10 feet	15/20' (shoreline setback)

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Taco Bell, Bank Building, (across NW Bucklin Hill Road Silverdale Plaza Retail Mall	RC
South	Shoreline- Dyes Inlet	Urban Shoreline Designation
East	Old Mill Kitsap County Park	Park
West	3-story Silverdale Hotel	RC

Table 4 - Public Utilities and Services

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

5. **Access**

Access to the site is from NW Bucklin Hill Road, a Minor Arterial to Mickelberry Road NW, which is a County maintained Local Access Road. Local access roads typically provide direct access to properties and provide access to the arterial road network.

6. **Site Design**

Within the Commercial zone the apartment complex is a permitted use but was conditionally approved by an Administrative Conditional Use Permit (ACUP), per Kitsap County Code (KCC per 17.240 Commercial Zone). The request was reviewed for consistency with KCC 17.540, the intent of the Commercial zone and compatibility with the abutting residential development, adjacent commercial uses, and the pedestrian circulation/traffic.

The development was reviewed for consistency with requirements in KCC 17.410.042 Allowed Uses, KCC 17.420.030 Design Standards, KCC 17.420.052 Commercial, Industrial,

Parks and Public Facilities Zones Density and Dimensions Table, and Chapter 17.540 Administrative Conditional Use Permit. KCC 17.110.250 defines dwelling, multi-family, as a building or portion thereof containing three or more dwelling units and designated for occupancy by three or more families. The information below includes planning review categories in KCC 17.420.030 (Design Standards).

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, with revisions through April 2020

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

Chapter 1 Land Use

Land Use Goal 1

Focus current and future planning on infill and redevelopment of existing Urban Growth Areas.

Land Use Policy 2

Support innovative, high quality infill development and redevelopment in existing developed areas within the Urban Growth Areas.

Land Use Policy 17

Support compact commercial areas in order to encourage pedestrian and non-motorized travel and transit use.

Chapter 3 Environment

Environment Policy 5. Support projects that increase air quality, reduce carbon emissions, or reduce climate change impacts.

Environment Policy 13. Use the best scientific information available to direct how functions and values of critical areas are preserved or enhanced.

Environment Policy 24. Consider and identify the vital connection between protection of Kitsap County's rural character, environmental essential assets and environmental benefits and economic opportunities.

Chapter 4 Housing

Housing and Human Services Goal 6.

Integrate affordable housing and human services planning for transportation, workforce development and economic development efforts.

Housing, Human Svcs. Policy 23.

Promote housing preservation and development in areas that are already well-served by schools, public transportation, commercial facilities, and adequate infrastructure to support alternative modes of transportation.

Chapter 5 Transportation

Transportation Goal 1

Provide a safe and reliable multi-modal transportation system for people of all ages and abilities.

Transportation Policy 3

Continue to require sidewalks on roads when development occurs within Urban Growth Areas.

Silverdale Subarea Plan Silverdale Transportation

Silverdale Sub Area Plan

Silverdale Policy 5

In areas where vehicular transportation will continue to be predominate mode of travel, ensure that access to rights-of-way and site design standards provide for safe and convenient access by the traveling public.

Economic Development

Silverdale Goal 3

Enhance the status of Silverdale as a regional retail and service center.

Transportation

Silverdale Goal 10

Work with transit providers to develop programs, routes and schedule that better accommodate a larger number of citizens.

Silverdale Regional Center

SRC Connectivity and Mobility Goal 5

Reduce the share of trips made by single occupancy vehicles (SOV).

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
Title 22	Shoreline Master Program

8. Documents Consulted in the Analysis

Applicant Submittals

Submission (Application)

Landscape Plan

Environmental (SEPA) Checklist

Shoreline No Net Loss Report

Architectural Site Plan

Dated or date stamped

August 14, 2017

August 14, 2017

February 27, 2024

February 27, 2024

February 27, 2024

Civil Site Plan	February 27, 2024
Preliminary Drainage Report	February 27, 2024
Traffic Impact Analysis	January 04, 2023
Revised Project Narrative	September 06, 2024
<u>Staff Communication</u>	<u>Dated</u>
Dev. Services & Engineering Memo	July 10, 2024
SEPA Mitigated Determination	November 20, 2024
North Beach Apartments Decision (23-01781, 23-01777, 22-04212.)	January 3, 2025

9. Public Outreach and Comments

The proposal is for multi-family housing for apartments, which in current code is permitted use. The project was previously conditionally approved under a Shoreline Variance and PBD and an ACUP within the Regional Center commercial zone for this project. The current proposal has been reviewed for consistency with the intent of the Regional Center zone and compatibility with the abutting shoreline, the Kitsap County Park and adjacent commercial uses. The proposal has been reviewed for consistency with requirements KCC 17.420.030 Design Standards that require that the applicant provide for functional screens, and pedestrian circulation/traffic to avoid pedestrian-vehicle conflicts. In addition, the project was reviewed for consistency with KCC 17.470 Multifamily Design Standards and the Silverdale Design Standards.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1	<u>Department of Ecology Shoreline Planning (DOE)</u> commented on water dependent uses vs. no-water oriented uses	23
2	DOE had concerns with new impervious surface within the shoreline buffer.	23
3	Comments on viewing plat form.	23
4	What is the rational on exceeding the 35-foot height limitation	23
5	DOE commented that the proposal exceeds 45 feet and section of code for elevator shafts was deleted KCC 17.429.060 Footnote was deleted	23
6	Need to remove rock wall/bulkhead	23
7	JARPA mentions Rooftop amenities. Does the proposal involve rooftop structures?	23
8	DOE commented on Geotechnical Report	23

9	<u>State Archeological and Historic Preservation</u> (DAHP) commented that the project will impact native sediments with excavation for foundation for structured parking	21 and 22
10	<u>DOE Toxics Cleanup Program</u> commented that with the history of the site being a concrete batch plant with 10 feet of fill. There is a probability the fill could be contaminated.	43

Issue Ref. No.	Issue	Staff Response
1	Water vs. non-water uses	<i>The applicant states that the project is designated as a water enjoyment use per KCC 22.150.655. The project provides for recreational use and aesthetic enjoyment of the shoreline area designated as common open space. Designating the trail will limit invasives. An access easement will be recorded for this route encouraging water-dependent uses for parcels other north for the community and future developments. Staff agrees with the water enjoyment designation and is consistent with Code.</i>
2	Impervious surface in Shoreline Buffer	<i>Applicant states that there will be 882 sf of impervious surface proposed with the 50-foot shoreline buffer. The proposal is for a 345-sf net reduction of imperious surface from the existing condition. The existing trail will remain gravel, reduced to 5 feet wide and maintain an ADA compliant surface. Staff supports the proposed reductions to trial surface.</i>
3	View Platform	<i>The applicant is proposing small lookout that will be within the building setback and will not have an impact to the function of the shoreline buffer. See the Revised Shoreline No Net Loss Report. The proposed lookout area is located SW corner and staff agrees area is outside the buffe and will not impact the shoreline buffer functions (See Exhibit-38).</i>
4	Exceeding Height Limitation	<i>The applicant states that the project qualifies for a variance per KCC 22.500.100.E.4 and discrepancy with what is allowed in the zone pursuant to KCC 17.420.058 maximum height allowances. The applicant addressed hardship, minimum necessary, massing is further back from shoreline. The net buffer was increased, and the upper story is proposed to be stepped back. Staff believes the applicant addressed the DOE comment (See Exhibits 7, 26 and-33).</i>

5	Title 17 Zoning Code Footnote	<i>The applicant is proposing through the revised plans to eliminate portions of the stair extending to rooftop. The request is for a 45-foot height limitation with an elevator overrun not exceed 5' above the height limit. KCC 17.420.060 Footnote #40 still allows for an exception for the elevator shaft and other similar projections to exceed the height limit. Staff agrees to the exception that is allowed and is consistent with the previous approval.</i>
6	Rockwall approved under previous permit.	<i>All amenities and supporting structure have been removed except for an existing wooden bench.</i>
7	Rooftop Amenities	<i>The applicant states the stair amenity has been removed and architectural plans do not show rooftop amenities. The Kitsap Code only speaks to height limits related to the permeant structure, not to recreational activities if desired.</i>
8	Geotechnical Report	<i>The applicant is only required to submit a 60% design and applicant has confirmed ground improvements which was decreased toward the shoreline.</i>
9	Disturbance of Native sediments that may contain Archeological resources	<i>The 2013 geotechnical report indicated that an underground parking structure is proposed 10 to 12 feet deep. Per the DAHP comment, the project will be conditioned at the time of excavation for parking and utilities a professional archaeologist will have a preliminary report on potential impacts to native sediments. The report will contain a Monitoring & Inadvertent Discovery Plan if resources have been identified (See Exhibit 21 and 22).</i>
10	Site potential contamination	<i>Pursuant to the DOE Toxics Cleanup Program comments, the project will be conditioned to mitigate against potential impacts and address worker safety if contamination is discovered.</i>

10. Analysis

a. Planning/Zoning

The proposal is for multi-family housing for apartments, which in current code is a permitted use. The project was previously conditionally approved under a Shoreline Variance and PBD and an ACUP within the Regional Center commercial zone for this project. The current proposal has been reviewed for consistency with the intent of the Regional Center zone and compatibility with the abutting shoreline, the Kitsap County Park and adjacent commercial uses. In addition, the project was reviewed for consistency with KCC 17.470 Multifamily Design Standards and the Silverdale Design Standards.

KCC 17.420.030 Design Standards:

The apartment complex was reviewed through the following requirements, pursuant to KCC 17.420.030 Design Standards for landscaping, lighting, signage, solid waste, off-street parking, etc. The proposal has been reviewed for consistency with requirements that require that the applicant provide for functional screens, and pedestrian circulation/traffic to avoid pedestrian-vehicle conflicts. The following analysis below provides information on consistency with design standards for land use review.

b. Lighting

Consistent with KCC 17.420.030 Design Standards and 17.105.110 artificial outdoor lighting, if necessary, the lighting should be arranged so that light is fully shielded from the side view, directed downward, and away from adjacent single-family residential properties. Not more than one-foot candle of illumination may leave the property boundaries.

Staff comment: *In addition to lighting being shielded and directed down, recommended that that all parking and pedestrian walkway lighting maintain a pedestrian compact scale, consistent Silverdale Design Standards. Not more than one-foot candle of illumination may leave the property boundaries to prevent excessive glare impacts on shoreline and abutting wetland to the east.*

c. Off-Street Parking

The project is required to provide adequate off-street parking consistent with the standards in KCC 17.490 Off-street Parking and Loading. Pursuant to KCC 17.490.030 number of required spaces. The project is required to provide the minimum off-street parking for multi-family at a ratio is 1.5-spaces per unit and 0.5 per unit of overflow and set-aside parking.

The proposed North Beach project is a 47-unit multifamily residential development located on parcel number 212501-2-017-2008 with a site area of 1.33 acres (57,935 sf). The proposed density of the project is 36 dwelling units per acre. The project consists of four stories of residential dwelling unit over one level of structured below grade parking. The structured parking consists of 53 parking stalls and secure bicycle storage. To the north of the structure are 23 surface parking stalls for a total of 76 off-street parking stalls.

Parking Reduction

In accordance with KCC section 17.490.030 Multifamily developments shall provide parking at a ratio of 1.5 parking stalls per dwelling unit and 0.5 parking stalls per dwelling unit on street or set aside for a total of 2.0 stalls per dwelling unit.

Justification for Multifamily Parking reduction

The director may authorize a reduction up to twenty five percent to the amount of required parking:

1. If a project proponent demonstrates that, due to the unusual nature of the proposed use, it is reasonable that the parking required by this section exceeds any likely need, or
2. That trip demand reduction programs or public transit availability serves to further reduce parking demand.

Applicant Response: As outlined in the Traffic Impact Analysis report dated August 2022, the required parking exceeds the likely need due to the proximity and availability of public transit that is sufficient to reduce the parking demand.

Kitsap Transit Access: A bus stop is located within 300 feet of the development with a route connecting to the Silverdale Transit center having a bus arriving approximately every hour. Therefore, up to a twenty-five percent reduction in required parking, from 2.0 parking stalls per dwelling unit to 1.5 parking stalls per dwelling unit is proposed.

Bicycle Parking: The project is required to be consistent with bicycle parking requirements, pursuant to KCC 17.490.020(H)(10). It recommended that applicant provide bicycle parking at a ratio of 1 space per 10 vehicle spaces and is required at a ratio 1 space per 20 vehicle spaces. The applicant is providing 76 parking spaces which requires a range between 4 to 8 bicycle parking spaces. The applicant is proposing 15 bicycle spaces with one ADA bicycle space for a total of 16. The civil site plan for the SDAP will be required to show the distribution of bicycle parking across the project site.

Charging Stations: Pursuant to KCC 17.490.080 the project is required to be consistent with the provisions for electrical vehicle charging spaces. The standard is one space required for every 10-standard vehicle parking space and provide site lighting for use outside of daytime hours. The applicant reviewed for consistency with the above code section and the International Building Code (IBC). The applicant separated out three categories: Electrical Vehicle spaces provided, Electrical Vehicle Ready and Electrical Vehicle capable.

Electrical Vehicle Spaces

Electrical Vehicle (Provided)	9 spaces (11.8%)
Electrical Vehicle (Ready)	20 spaces (26.3%)
Electrical Vehicle (Capable)	9 spaces 11.8%
ADA (Accessible)	1 space

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Multifamily (Condos / Townhomes / Apartments)	1.5 per unit + 0.5 per unit on street or set aside	71 spaces and 24 set aside /overflow	76 off-street parking provided (20% reduction requested)
Total		95	76

Staff Comment: The project complies minimum requirements for off-street parking standards in KCC 17.490. The proposal for structured parking is consistent is with Silverdale Design Standards and required if feasible in in the adjacent Waterfront District.

Kitsap Transit operates Route 265 Silverdale Central with stops on NW Bucklin Hill Road. The route connects to the Silverdale Transit Center which provides local service and connections to Poulsbo, Bainbridge Island, and to Seattle via the Washington State Ferries. Kitsap Transit supports reduced off-street parking for the major revision due to the connection with transit mode of transportation. The applicant has demonstrated the parking reduction is supported with the pedestrian access to the adjacent Kitsap Transit facilities on NW Buckling Hill Road and shopping within walking distance of the project. Kitsap Transit commented on 8/24/2024 and recommends the project be conditioned to issuing of ORCA cards with a monthly Kitsap Transit pass for residents with less or no parking space. This will allow for those residents to access our Route 265 along Bucklin Hill.

d. Signage

Pursuant to KCC 17.510 Sign Code the applicant can apply for signage near the entrance to the apartment complex during or after construction. Signage is not proposed currently. To be consistent with 17.510.100.E Monument Signs, any stand-alone monument sign will need to be coordinated with the Certificate of Occupancy with one sign per road frontage (see Condition# 3).

e. Landscaping

The project is required to be reviewed for consistency with KCC 17.500 Landscaping and 17.700 Appendix A. The Landscaping Plan is required to show how all disturbed areas, buildings and structures, and off-street parking areas are to be landscaped. Landscaping is calculated based on total site area. The applicant submitted a revised preliminary landscaping plan which is consistent with landscaping standards in KCC 17.500, landscaping for size, spacing and function. The landscaping plan to be submitted as part of the Site Development Activity permit may require more information on landscaping around the commercial site parking area for screening from the residential use and reduce the intensity of the commercial land use against the wetland buffer.

Staff Comment: The project includes 40,762sf 70% of impervious area and 22,024sf of pervious area. The pervious area along the perimeter will be landscaped, internal to the site and the shoreline buffer. The applicant has submitted a preliminary landscape plan showing landscaping in all disturbed areas, the location, and plant schedule consistent with KCC 17.500.030. The landscape plan is consistent with minimum landscaping requirements per KCC 17.500 Landscaping.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	8,690sf (15%)	9,183* (16%)
Required Buffer(s) 17.500.025		
North	Setback Buffer	Setback Buffer
South	Separation Buffer	Separation Buffer
East	Separation Buffer	Setback/Critical Area Buffer
West	Separation Buffer	Separation Buffer
Street Trees	Yes	Yes

f. Frontage Improvements

The project does not front on public right-of-way (ROW), but still includes a landscaped front yard setback with pedestrian and vehicular access to NW Bucklin Hill Road via a driveway from NW Bucklin Hill Road.

g. Design Districts/Requirements

The property is located within the Silverdale Design Standards, Bucklin Hill Center District. Below is the analysis of the required design standards. (See comments- Revised Architectural plans, and Narrative, dated July 15, 2022, below).

Chapter 4 Bucklin Hill Center District Design Standards

The proposed project is located within the Bucklin Hill Center District of the Silverdale Design Standards.

See Applicant and Staff responses in 23-01781, 23-01777, 22-04212 North Beach Apartments Staff Report.

KCC 17.470 Multi-Family Design Standards

The purpose of the design criteria is to encourage better site design for multi-family development enhance the built environments and provide for development of neighborhoods.

See Applicant and Staff responses in 23-01781, 23-01777, 22-04212 North Beach Apartments Staff Report.

h. Development Engineering/Stormwater

Applicant proposes multifamily structure with a footprint of approximately 19,300 sf with off-street parking and utility infrastructure constructed with building. The

stormwater runoff for the development (1.02 acre) will be routed into two proprietary devices. The project will direct discharge into Dyes Inlet and flow control is not required. For water quality stormwater will enter the proprietary water quality devices where drainage will be filtered then piped into Dyes Inlet by way of existing point of discharge.

Development Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development and issued conditions of approval on July 10, 2024. These comments are based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans accepted for review for all four permits (22-04212, 23-00028, 23-01777, and 23-01781) and as revised by additional materials accepted for review to Kitsap County Development Engineering (see Conditions 8-14).

i. Environmental

Frequently Flooded Areas

The project was reviewed for consistency KCC 19.500 Frequently flooded areas. The purpose of these requirement is to protect the public health and safety and welfare from harm caused by flooding. Kitsap County resource maps identify approximately the 40-feet of the property of being in the 100 -year floodplain (Zone AE) with a Base Flood Elevation of 13 feet. The applicant states that site grading and finished floor elevations have been provided to minimize risk of flood hazard due to potential sea level rise. The Beach Reference line website, the elevation of mean higher high water (MHHW) is 9.35 feet and the highest astronomical tide (HAT) of 11.29 feet Per the Kitsap County Climate Change Resiliency Study (2020), the projected sea level rise is 1 to 5 feet by 2100 (See (see Conditions 17 & 18).

Wetland/Shoreline

The nearest wetland is located on the Kitsap County Old Mill Park that located adjacent to the east side of the subject property, near the southwest corner of the park and abuts Dyes Inlet. The Category-IV wetland was rated per the Washington State Wetland Rating System for Western Washington. There is a freshwater depressional system that has no inlet or outlet and is compose of forested and emergent vegetation. The wetland does not have a saltwater tidal connection to the shoreline unless there are extreme weather events with high tides. Per KCC 19.200.220 the wetland is a Category IV and requires a 50-foot wetland buffer. The project is outside the required 50-foot buffer of the offsite wetland. There is a 15-foot building and impervious surface setback at the edge of the required buffer per KCC 19.200.225.E. Approximately 10 feet of the wetland buffer extends onto the project site (see Condition 15).

Geological Hazardous Areas

Erosion Hazard Areas

Kitsap County resource mapping identifies a Severe Erosion Hazard Area near the shoreline. The development will maintain a setback approximately 65 feet from the OHWM and the finished grade will be 13 feet higher than the OHWM. The existing site conditions do not include an erosion hazard due to the lack of slopes along the shoreline. The project is outside the mapped erosion hazard and will avoid erosion

hazard impacts. The only activity that will occur in this area is revegetation to mitigate shoreline impacts. There is no landslide areas mapped at the site.

Seismic Moderate Hazard Areas

The southern half of the property as having a Moderate to High susceptibility to liquefaction. The existing fill and alluvium soils at the site are potentially liquifiable during the IBC design seismic event. The structure will be designed consistent with the 2008 IBC to be constructed to resist the effects of earthquake motions. The proposal is being conditioned to follow the recommendations of the geological assessment.

j. Access, Traffic and Roads

Access and Circulation: Pedestrian access shall be accommodated on-site from the public right-of-way, and throughout the site to minimize potential conflicts between pedestrian and vehicular circulation. Pedestrian paths must correspond with state and local codes for barrier-free access. Projects should also integrate walkways into the site plan leading to transit stops within one thousand two hundred feet of the site and incorporate transit stops within the site plan design as appropriate.

The development site receives access from the north via a driveway from NW Bucklin Hill Road, which is classified as an urban collector. The private access aligns with the traffic signal for Silverdale Plaza on the north side of NW Bucklin Road. The development receives vehicular and pedestrian access from one driveway. Access was established with an easement across the adjoining property to the north conveyed on Short Plat 3692 R-2 (Auditor's File No. 9412210135 and 9412210136. The applicant prepared a traffic impact analysis to determine if there were potential impacts.

Staff Response: The applicant's architectural site plan is consistent with the Zoning design standards to reduce conflicts by providing internal pedestrian connections in parking area, from the parking area to the building and a route to NW Bucklin Hill Rd. Consistent with the intent with Parking reduction, recommend that the applicant coordinate with the property with the access easement to provide striping to have a delineated pedestrian route to NW Bucklin Hill Rd.

k. Fire Safety

The Silverdale Way Fire Station #51 will be the primary responder for this development. Kitsap County's Fire Marshal's Office reviewed and approved the preliminary proposal. Further analysis will be done with the Site Development Activity Permit. (See Fire Conditions of approval below.)

l. Solid Waste

Solid Waste/Recycling enclosures are proposed along the north side of the parcel and have been located throughout the site. The project has been conditioned for compliance with solid waste requirements and approval from Waste Management.

m. Water/Sewer

This project will be served by public water, by Silverdale Water District and Kitsap County Wastewater for sewer Service. Kitsap County sanitary sewer is available for the project. Applicant needs to submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works - Sewer Utility Division Standards and Regulations. The applicant shall provide either binding water letters or proof on a construction agreement for a main extension prior to a Sewered Building Clearance approval.

n. Kitsap Public Health District

The Kitsap Public Health District will review the proposal at the time of Site Development Activity Permi or Building Permit. The district has requested Sewered Building Clearance to review sewer and water availability. Based on the comment letter by DOE, if contamination is discovered the Health District Solid Waste Division may coordinate with the State for cleanup.

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.

12. Findings

Pursuant to KCC 17.540.040 Decision Criteria Administrative Conditional Use Permit Approval or approval with conditions may be granted only the following criteria are met:

1. The proposal is consistent with the Comprehensive Plan.

Staff Comment: The multi-family redevelopment is consistent with the Comprehensive Plan and the Regional Center Designation.

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 request for the ACUP complies with the applicable provisions of the KCC Title 17 of the Zoning Code. This includes off-street parking, charging stations, setbacks building height, landscaping,

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

Staff Comment: The apartment development incorporates elements to reduce impacts to properties in the vicinity that include increased shoreline setbacks, upper story setback, shading study, structured off-street parking, shoreline buffer enhancement, wetland analysis for park property, and mitigation of stormwater management for

quantity and quality limiting impact on adjacent 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 apartment building incorporates building design elements to help increase compatibility with abutting properties, the Regional Center zone and High Intensity shoreline designation. Landscaping, open space, separation buffers screening, reduced building mass, increased setback from shoreline, reduction of impervious surface on the shoreline and the development site. Structured parking under building.

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 Administrative Conditional Use Permit be **approved**, subject to the following 34 conditions:

a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. A final landscape plan is required at Site Development Activity Permit (SDAP) submittal.
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. 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.
5. Artificial outdoor lighting shall 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 the rural character of the area. Light standards (poles) shall not exceed 20 feet in height.
6. 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.

7. The decision set forth herein is based upon representations made and exhibits contained in the project application (49 Exhibits). 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.
8. 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.
9. This property has received an Administrative Conditional Use Permit (ACUP) for multi-family develop and is bound by the conditions of approval (refer to Administrative Conditional Use Permit (ACUP), DCD Application (# 23-00028) on file at the Department of Community Development.
10. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of an agreement to abide by the terms and conditions of the administrative conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.
11. 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.
12. The ACUP, PBD Major Amendment approval is guided by the Shoreline permit procedure and shall become void if no building permit application for the apartment building is applied and accepted as complete, by the Department of Community Development within two (2) years and completed in five (5) years from the date of the Hearing Examiner's decision and resolution of any appeals.

b. Development Engineering

13. 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 dated July 10, 2024.

STORMWATER

14. 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.
15. 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.
16. A Hydraulic Project Approval (HPA) permit may be required for work below the ordinary high-water mark or associated with the outfall. Prior to SDAP approval, the applicant shall submit an approved HPA from the Washington Department of Fish and Wildlife (WDFW), or documentation from WDFW specifying that a HPA is not required. Information regarding HPA's can be found at <http://www.wdfw.wa.gov/hab/hpapage.htm> or by calling the Office of Regulatory Assistance at (360) 407-7037.
17. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/html> or by calling Alyssa Brewer at 564-669-4922, email alyssa.brewer@ecy.wa.gov. This permit is required prior to issuance of the SDAP (See Exhibit-27).
18. 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.
19. 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 (See Exhibit-27).

c. Environmental

20. Vegetation planting shall occur as specified in the approved planting 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 must contact Development Service and Engineering Staff at (360)337-5777 for a site inspection and as-built approval. Monitoring and maintenance of the planted area shall be conducted for three years after DCD staff approves planting. Monitoring includes live and dead vegetation counts and records of all maintenance activities. Maintenance activities can be defined as, but are not limited to, removal practices on invasive or nuisance vegetation and watering schedules. Monitoring information shall be summarized in a letter with photographs depicting conditions of the vegetation and overall site. Monitoring reports are due to Kitsap County Department of Community Development Services and Engineering Division by December 31 of each monitoring year. If more than 20 percent of the plantings do not survive within any of the monitoring years, the problem areas shall be replanted and provided with better maintenance practices to ensure higher plant survival.

16.A 50-foot-foot native vegetation buffer must be maintained along the delineated wetland boundary as depicted on the approved site. In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer.

21. A 50-foot native vegetation buffer must be maintained landward of Ordinary High Water, as depicted on the approved site plan. In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer.
22. This project is located within a flood hazard area as determined by Kitsap County Code (KCC) Section 15.04.040. All construction shall be in accordance with the flood resistant requirements of KCC Title 15. Upon completion of the project, the owner shall provide to the Department of Community Development (DCD) a flood elevation certificate completed by a Washington State licensed land surveyor, identifying the elevation of the lowest floor in relation to the base flood elevation as determined by the Flood Insurance Rate Map (FIRM) for the subject parcel. In accordance with KCC Title 15, all structures shall have their lowest floor, including basements, a minimum of one foot above the base flood elevation.
23. DCD highly recommends that a Washington State licensed land surveyor establish the elevation of concrete foundation wall forms prior to the placement of concrete to ensure that the height of the proposed lowest floor will be at least 1 foot above the base flood elevation. This effort made early in the construction process could avert the unfortunate expense of raising a constructed structure to a compliant elevation should it later be found to be below the required minimum height above the base flood elevation. The flood elevation certificate shall be submitted to DCD prior to requesting a final inspection. A certificate of occupancy will not be issued until the flood elevation certificate is received and approved by DCD.

d. Traffic and Roads

24. 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.
25. 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 Condition

e. Fire Safety

26. 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.
27. 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 Condition

f. Solid Waste

28. 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 or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>
29. 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.
30. 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.
31. 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 Condition

g. Kitsap Public Health District


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

h. Additional Conditions

33. The applicant should coordinate with the property with the access easement to provide striping to have a delineated pedestrian route to NW Bucklin Hill Rd.

34. Kitsap Transit recommends the project applicant coordinate with Transit to issuing of ORCA cards with a monthly Kitsap Transit pass for residents with less or no parking space. This will allow for those residents to access our Route 265 along Bucklin Hill.

Report prepared by:




Jeff Smith, Staff Planner / Project Lead

2/28/2025

Date

Report approved by:



Darren Gurnee Supervisor

2/28/2025

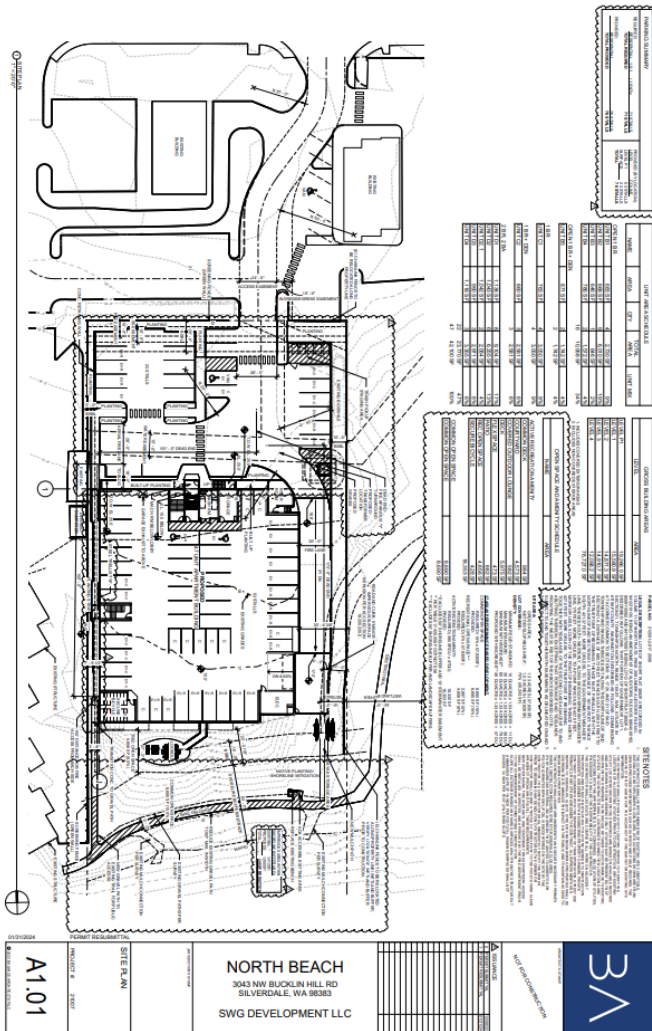
Date

Attachments:

- Attachment A – Site Plan
- Attachment B – Architectural Elevation Plan
- Attachment C – Critical Area Map
- Attachment D – Shoreline/Critical Areas Map
- Attachment E – Shoreline Existing Conditions Map
- Attachment F – Shoreline Proposed Mitigation Map
- Attachment G – Zoning Map


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Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Jeff Smith

Site Plan

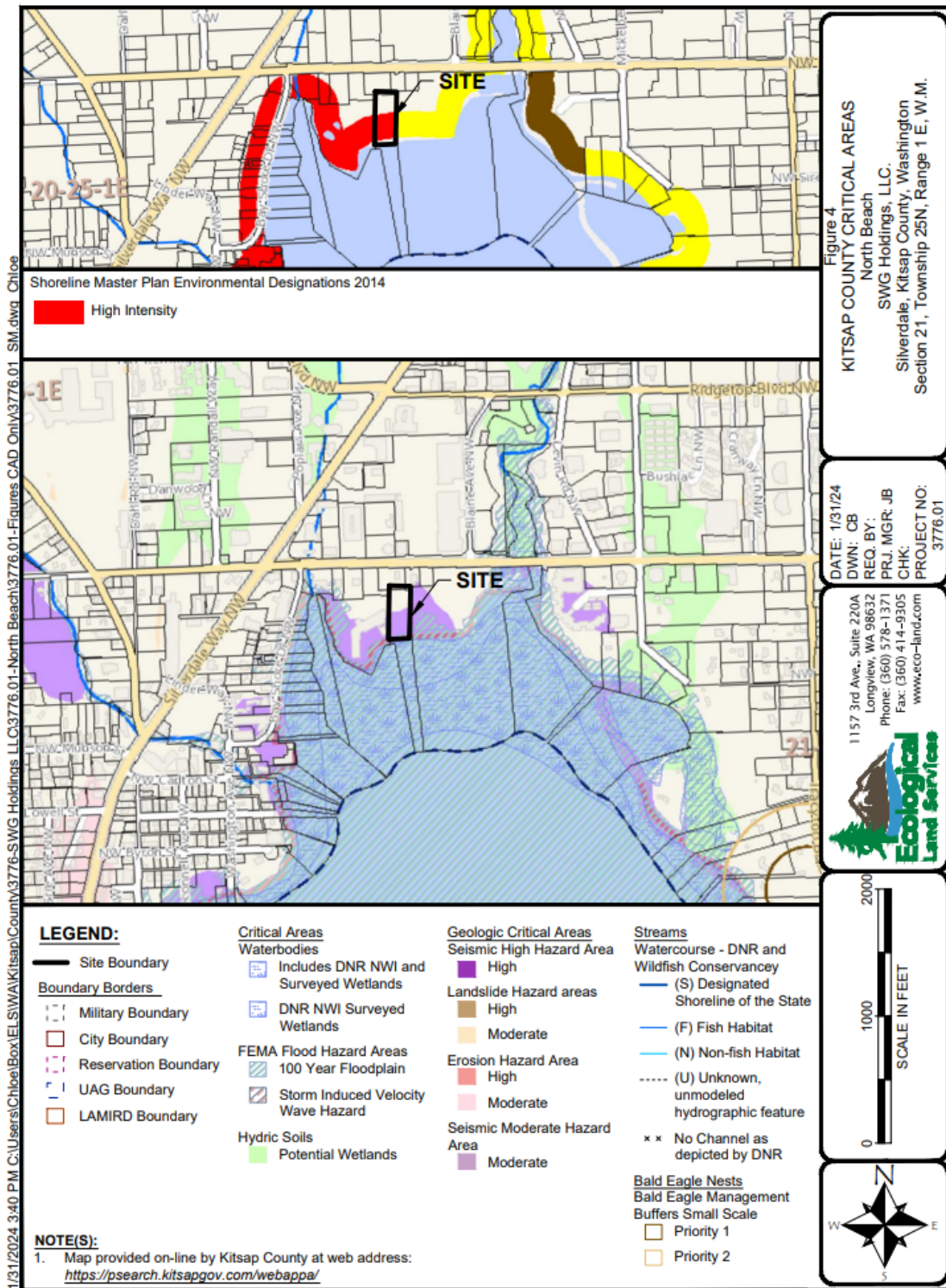


Architectural Elevation



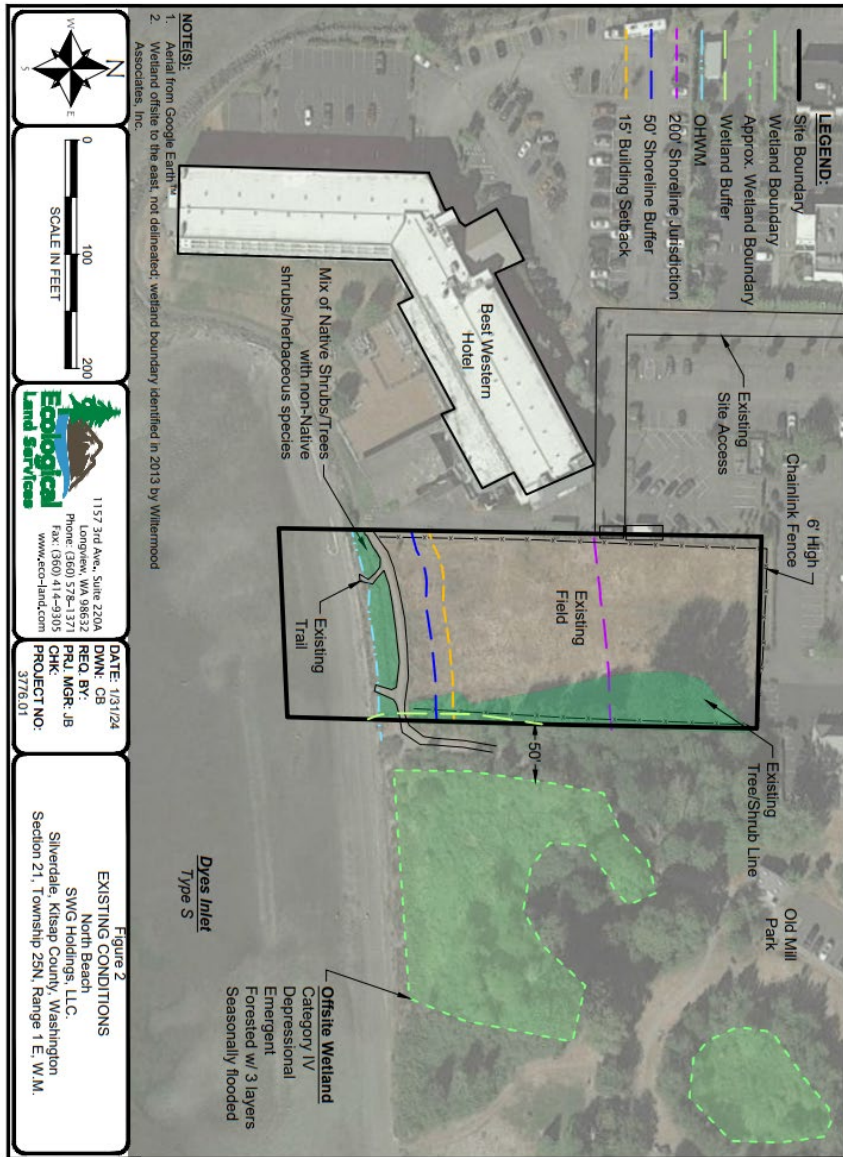
01/13/2024	PERMIT RESUBMITTAL	<p>NORTH BEACH 3043 NW BUCKLIN HILL RD SILVERDALE, WA 98383</p> <p>SWG DEVELOPMENT LLC</p>	
A3.01	<p>ELEVATIONS</p> <p>PROJECT # 21007</p>		

Shoreline/Critical Area Map

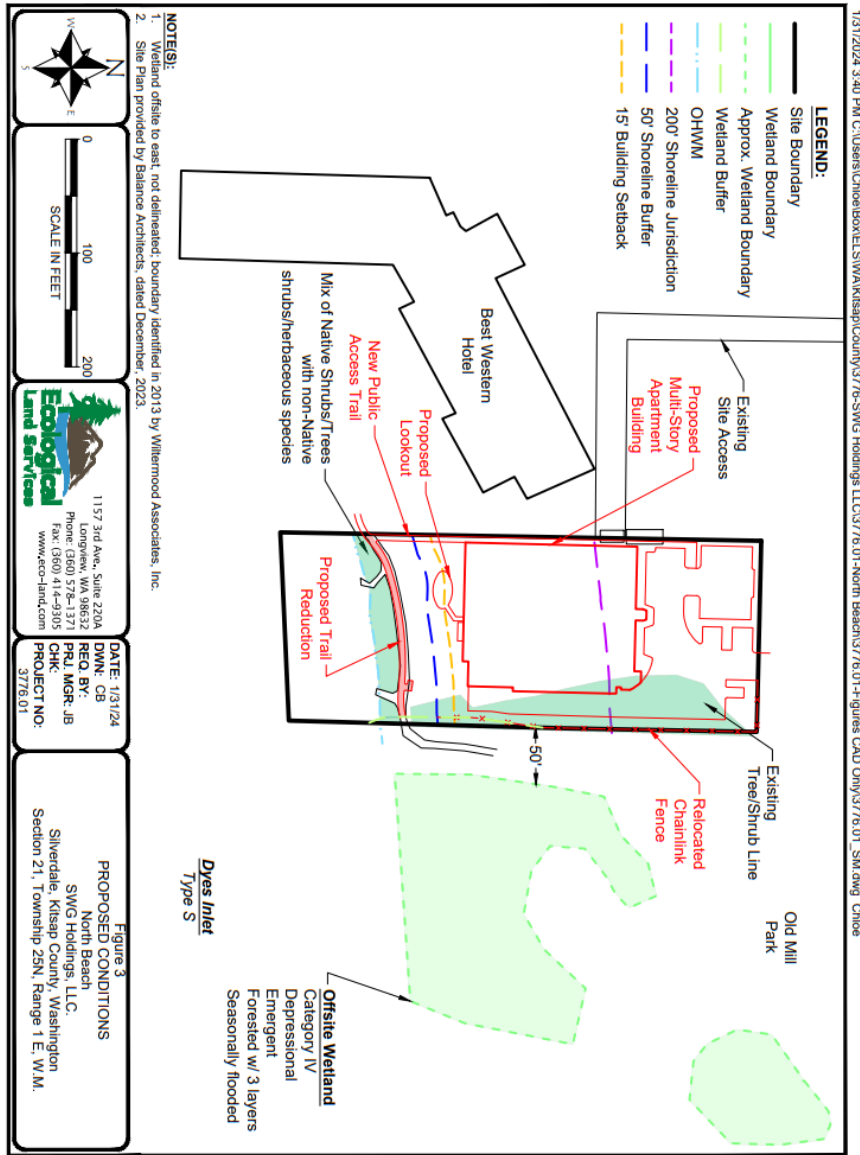


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Existing Conditions Map



Mitigation Map



Zoning Map

