



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

To enable the development of quality, affordable, structurally safe and environmentally sound communities.

Administrative Staff Report

Report Date: 11/24/2025

Application Submittal Date: 07/28/2025

Application Complete Date: 08/09/2025

Project Name: EBERHART - Shoreline Substantial Development Permit for New Construction of a Boat House/Storage Shed

Type of Application: Shoreline Substantial Development Permit (SSDP)

Permit Number: 25-02815

Project Location

1249 Colchester Dr SE
Port Orchard, WA 98366
Commissioner District 2

Assessor's Account

4516-002-017-0105

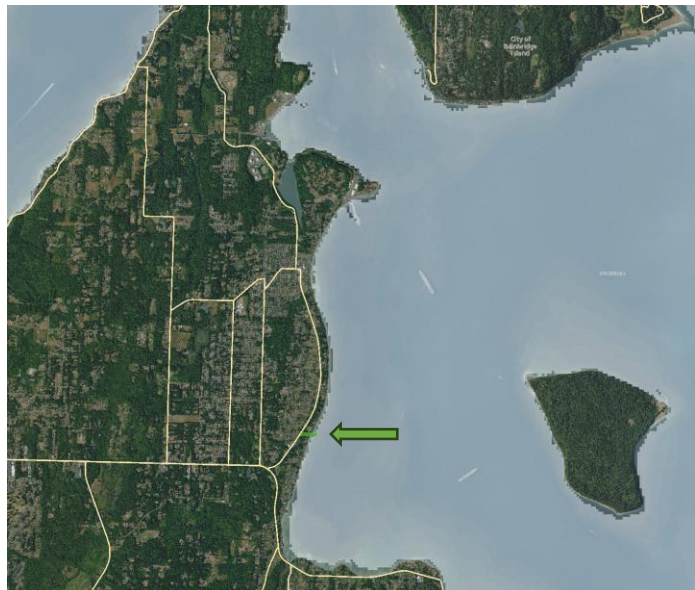
Applicant/Owner of Record

Bruce Eberhart
1249 Colchester Dr SE
Port Orchard, WA 98366

Decision Summary

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

VICINITY MAP



1. Background

The 0.74 acre exists within the Shoreline Residential jurisdiction. The property is aligned west to east off of Colchester Dr SE with a frontage to north Yukon Harbor. Existing development consists of a single-family residence (built in 1998) with two detached garages (built in 1993 and 2000). The home is located approximately 11 feet landward of the top-of-slope. A concrete bulkhead, established in 1993, delineates Ordinary High Water Mark (OHWM) along the shoreline. The southern property line has a boat launch that breaks through the bulkhead. Along the northern property line there is a concrete stairwell, centered with the neighboring property. These structures are in good condition. Concrete bulkheads continue along the shoreline to the north.

Parcel character is mature native conifers along the road. Breaks in canopy only occur with interruptions for access, drainfield, and structures. The understory is cleared. The shoreline is a moderate bluff with a grassy path along the slope face from top-of-slope to

the landing. Terracing designates elevation changes between structures. There is a small vegetable garden and hoop house set along the northern property line. The landing is grass with some landscape hybrids near the toe-of-slope. A concrete wall establishes the toe-of-slope to the south. The beach consists of cobbles, pea gravel, and a small percentage of sand.

2. Project Request

The Applicant requests approval to construct a boat house located at the landing along the top of the bulkhead to the shoreline. The proposed water-oriented storage structure is twelve feet by fifteen feet (12 ft x 15 ft) with a total footprint of 180 square feet. There will be two six inch by six inch wooden beams supporting the waterward corners, set below the existing grade and backfilled. The boat house floor will be raised to an elevation height that exceeds the expected flood levels. The landward edge of the structure anchored out of the flood plain. The setting is thirty inches from the top of the bulkhead and five feet from the adjacent northern property line. Impacts are over grass/lawn below the shoreline buffer. There is no work anticipated or proposed below OHWM. Mitigation requirement is 1:1 resulting in a planting area of 180 sq ft, proposed as native shrubs and ground covers adjacent and parallel to the top of the existing bulkhead. The applicant will also be planting 2 evergreen trees within the shoreline buffer per Department of Ecology's request to further offset impacts and ensure a net gain of shoreline function.

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. The project is SEPA Exempt under KCC 18.04.090.A.5.b State Environmental Policy Act: Up to one hundred fifty cubic yards if the proposal is located on property subject to the provisions in Title 22, Shoreline Management Master Program.

A Notice of Application was sent out on September 2, 2025. A revision was needed to alter the comment period from 14 days to 30 days, so a revised Notice of Application was redistributed on September 5, 2025. The SEPA Comment period previously occurred concurrently with the Notice of Application dated September 05, 2025. The SEPA appeal period expired October 05, 2025. No appeals were filed; therefore, the SEPA determination is final.

4. Physical Characteristics

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban High-Intensity Commercial / Mixed Use	Standard	Proposed
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Zone: Manchester Village Low Residential		
Minimum Density	NA	NA
Maximum Density	2	NA
Minimum Lot Size	21,780 s.f.	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	60	NA
Minimum Lot Depth	60	NA
Maximum Height	35 feet	NA
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	NA
Maximum Lot Coverage	NA	NA

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (West)	20 feet	NA
Side (North)	NA	5
Side (South)	5	NA
Rear (East)	5	100 shoreline buffer + setback

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	Single-family residence	Manchester Village Low Residential (MVLRL)
West	Yukon Harbor	NA

Table 4 - Public Utilities and Services

	Provider
Water	Manchester Water District
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff

Fire	South Kitsap Fire & Rescue
School	South Kitsap School District #402

5. Access

Access off Colchester Dr SE.

6. Site Design

The property is aligned west to east off Colchester Dr SE. The site has a house with two detached garages, a driveway, and drainfields between the house and Colchester Dr SE. A hoop house and garden exist between the house and the water.

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 December 2024.

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

Land Use Goal 7. Historic, archeological, and cultural resources

Preserve and celebrate historic, archeological, and cultural resources.

Land Use Policy 7.2. Engage with affected Tribes and the Department of Archeology and Historic Preservation on development proposals that may have impacts to cultural and historic resources.

Environment Goal 1. Ecosystems and habitat

Protect and enhance the health, resilience, functions, and processes of natural environments and ecosystems, including forest lands, shorelines, freshwater systems, and critical areas to ensure functioning ecosystem services and fish and wildlife habitat are sustained into the future.

Environment Policy 1.1. Manage development to protect habitats and ecological processes.

Environment Policy 1.2. Consider the functions and processes of the natural environment in project planning and review.

Environment Policy 1.3. Protect and restore marine shorelines, riparian areas, wetlands, floodplains, and estuaries.

Environment Policy 1.4. Preserve and restore the functions of natural habitat to support ESA-listed species, state listed animal and plant species, and species of local importance.

Environment Goal 2. Critical Areas

Designate and protect critical areas. Critical areas include wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.

Environment Policy 2.3. Provide development regulations that protect all functions and values of critical areas to ensure no net loss of ecological functions and values.

Environment Goal 3. Natural Resources as an asset

Formally treat natural environments and ecosystems including forest lands, shorelines, freshwater systems, and critical areas as essential assets that are planned for, managed, and invested in to meet the needs of current and future generations.

Environment Policy 3.1. Recognize that a healthy and vibrant environment is a foundation of strong social, community, health, and other positive outcomes.

Environment Goal 4. Collaboration and partnerships

Coordinate natural environment management and recovery with internal and external partners.

Environment Policy 4.1. Collaborate across County programs and external agencies and organizations that supply data, analysis, and support for managing and restoring natural environments and resources.

Environment Goal 5. Use Best Practices

Utilize best practices to protect people, property, and the natural environment.

Environment Policy 5.2. Employ Best Management Practices to protect the long-term integrity of the natural environment, adjacent land uses, and the productivity of resource lands.

Environment Policy 5.3. Maintain and enhance long term quality and quantity of water resources.

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)
Title 19	Critical Areas Ordinance
Chapter 21.04	Land Use and Development Procedures
Title 22	Shoreline Master Program

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Site Plan	September 25, 2025 (C2)
Geological Assessment Report	December 14, 2023 (C1)
JARPA	July 8, 2025 (C1)
No Net Loss & Flood Habitat Assessment	June 11, 2025 (C1)
SEPA Checklist	July 28, 2025 (C1)
Photos of the Shoreline Property	July 16, 2025 (C1)
Project Narrative	July 16, 2025 (C1)

9. Public Outreach and Comments

The Notice of Application and SEPA Comment Period were published on September 5, 2025. The Department received the following comments:

1. Thank you for the opportunity to provide early input on this application for a shoreline substantial development permit. Please consider the following comments and questions for the record:

Could this structure be placed farther from the shoreline?

The no net loss report's site plan suggests the boathouse would leave very little room for pathways around it. Would the project require removal of more vegetation near the boathouse? If yes, the plan should take that into account.

Ecology appreciates the mitigation plan's attention to meeting the compensation area requirements of Appendix B of the shoreline master program. We suggest that including trees in the compensation planting, particularly large conifers suited to the area (for example, there appear to be Douglas-firs growing onsite and on neighboring properties) would restore more lost function than just planting shrubs and herbaceous species and would be in keeping with the recommendations of Kitsap's 2010 shoreline inventory and characterization to establish trees as part of marine riparian vegetation conservation plans.

Ecology would be happy to provide additional technical assistance on this project. Please contact me at 206-743-6606 or matthew.evinger@ecy.wa.gov if you have any questions regarding the above comments or would like to arrange a meeting to discuss them.

Matthew Evinger (he/him)

Regional Shoreline Planner | Northwest Regional Office

Shorelands & Environmental Assistance Program

206.743.6606 Cell

matthew.evinger@ecy.wa.gov

10. Analysis

a. Planning/Zoning

See analysis under environmental.

b. Lighting

Lighting is not analyzed for this permit.

c. Off-Street Parking

Off-street parking is not analyzed for this permit.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
NA	NA	NA	NA

d. Signage

Signage is not analyzed for this permit.

e. Landscaping

Landscaping is not analyzed for this permit.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	NA	NA
Required Buffer(s) 17.500.025	NA	NA
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees	NA	NA

f. Frontage Improvements

Frontage improvements are not analyzed for this permit.

g. Design Districts/Requirements

This parcel is not within a design district.

h. Development Engineering/Stormwater

No comment at this time.

i. Environmental

- The no net loss & flood habitat assessment report prepared by BGE Environmental, LLC., dated June 11, 2025, states "The shoreline function assessment associated with this project results in no positive or negative effect on ecological function". The impervious impact assessment concludes 180 sq ft of new impervious surface. The impact assessment results in a mitigation requirement of 180 sq ft, proposed as native vegetation enhancement adjacent and parallel to the top of the existing bulkhead. No net loss can be achieved on-site with a prescribed buffer enhancement plan.
- The Department of Ecology requests for increased mitigation by planting two evergreen trees within the shoreline buffer. The applicants are complying with the request from Ecology and have included the planting of two new evergreen trees within the shoreline buffer near the northern property line. The evergreen trees will be lower-growing trees to minimize the potential for view blockages for neighboring homes. The trees are to be planted landward of the designated View Line for the Manchester Village Low Residential zone.
- The geological assessment report prepared by Resolve Environmental & Geotechnical, Inc. and dated December 14, 2023. Concludes "Noting that the structure to be built is a relatively-small, boat shed and storage area, it is Resolve's opinion that the proposed structure would not be likely to affect local geology, and there is apparently nothing that precludes construction on the site".
- A concrete diversion barrier with a drain pipe leading to splash blocks will be implemented to control drainage from the boat house. Despite the recommendation listed within the geological assessment, there are no plans to drill into the bulkhead and install a drainage pipe. Based on the proposed design, Washington Department of Fish and Wildlife concurred via email correspondence that an HPA will not be required.

22.400.110 Mitigation

Per the no net loss report, mitigation plan's goal is to enhance a minimum area of 180 square feet adjacent and parallel with the shoreline bulkhead to improve vegetated ecological conditions, functions, and processes. The proposed monitoring program is designed to track the success of the mitigation actions over time by measuring the degree to which the performance standards are being met. In addition to the mitigation plan provided in the no net loss report, two additional plantings of evergreen trees are proposed within the shoreline buffer.

22.400.115 Critical Areas

Kitsap County GIS indicates the presence of moderate and high erosion and moderate landslide hazard areas. The applicant provided a geological assessment that discusses the project setting from a geological perspective, conclusions, and recommendations. This report concludes that the relatively-small, boat shed and storage area, would not be likely to affect local geology, and there is apparently nothing that precludes construction on the site.

22.400.135 View Blockage

There are no view blockage concerns for this project.

22.150.160 Boat House definition, a structure built for and with a continued primary purpose to store aquatic vessels and usually associated with a single-family residence.

22.150.130 Appurtenance definition, structures and development necessarily connected to the use of a single-family residence, and located within contiguous ownership of the primary residential use including: garages, decks, fences, driveways, utilities, septic tanks and drainfields, officially registered historic structures, and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the OHWM. Appurtenances do not include bulkheads and other shoreline modifications or over-water structures, including tower stairs with landings at or below the ordinary high water line.

22.400.120 Vegetation conservation buffers.

D. Other Uses and Modifications in Vegetation Conservation Buffers.

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.
- ii. The height shall not be greater than fourteen feet above grade, and shall also comply with the view blockage provisions of this program.
- 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.
- iv. Allowance of a boat house within a buffer shall not justify the need for shoreline armoring to protect the structure.
- v. Boat houses shall be prohibited in the natural environment designation.
- 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 boathouse project results in 180 square feet of permanent impact to the shoreline buffer. The project will follow the 1:1 mitigation ratio for impacts over grass/lawn. The mitigation plantings will be made on the site of the residence, within the shoreline buffer on the southern portion of the bulkhead landing, which will restore 180 square feet of buffer. To ensure net positive ecological function of the buffer, the applicants will be planting two evergreen trees within the shoreline buffer. The permit has also been conditioned to reflect any inadvertent archeological discoveries.

j. Access, Traffic and Roads

No impacts to traffic or roads anticipated.

k. Fire Safety

Fire safety is not analyzed for this permit.

l. Solid Waste

Solid waste is not analyzed for this permit.

m. Water/Sewer

Water/sewer is not analyzed for this permit.

n. Kitsap Public Health District

No comment at this time.

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

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 22.500.100(B)3, the Department of Community Development recommends **approval** of the Shoreline Substantial Development Permit request for Eberhart - Shoreline Substantial Development Permit for New Construction of a Boat House/Storage Shed, subject to the following conditions:

a. Development Engineering

1. Building permits submitted for this development shall include construction plans and profiles for all roads, driveways, storm drainage facilities and appurtenances. No construction shall be started prior to said plan acceptance.
2. 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 the Building Permit is 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.
3. 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 <https://wdfw.wa.gov/licenses/environmental/hpa> or by calling the Aquatic Protection Permitting System at (360) 902-2422.
4. 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.

b. Environmental

5. Any work done or change in hydrology below the ordinary high-water mark requires a Hydraulic Project Approval permit from the Washington Department of Fish and Wildlife. Information regarding an HPA can be found at <http://www.wdfw.wa.gov/hab/hpapage.htm>.
6. 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.

7. Monitoring and maintenance of the planted area shall be conducted for five years, and extended if necessary, 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 annually. 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. The construction of the permitted project is subject to inspections by the Kitsap County Department of Community Development. Extensions of the monitoring period may be required if original conditions are not met. All maintenance and construction must be done in full compliance with Kitsap County Code, including the Kitsap County Critical Area Ordinance (Title 19 KCC) and Shoreline Master Program (Title 22 KCC). Any corrections, changes or alterations required by a Kitsap County Development Engineer Inspector shall be made prior to additional inspections. Any assignment of savings, financial surety or other like security for maintenance of the buffer mitigation plan shall only be released if monitoring requirements are satisfied in the final year of the monitoring term.
8. Subject to the conditions of the geological assessment report, prepared by Resolve Environmental & Geotechnical, Inc. and dated December 14, 2023, associated with this permit and on file at the Department of Community Development.
9. Subject to the conditions of the no net loss & flood habitat assessment report, prepared by BGE Environmental LLC., dated June 11, 2025, associated with this permit and on file at the Department of Community Development. The boathouse

project results in 180 square feet of permanent impact to the shoreline buffer. The project will follow the 1:1 mitigation ratio for impacts over grass/lawn. The mitigation plantings will be made on the site of the residence, within the shoreline buffer on the southern portion of the bulkhead landing, which will restore 180 square feet of buffer.

10. Per the Department of Ecology's public comments provided during the Notice of Application comment period, the applicant shall plant two evergreen trees within the shoreline buffer. The requested planting will be in addition to the mitigation plan documented in the No Net Loss & Flood Habitat Assessment report prepared by BGE Environmental, LLC.
11. If archaeological resources are uncovered during excavation, developers and property owners must immediately stop work and notify Kitsap County, the Office of Archaeology and Historic Preservation and affected Indian tribes.

c. Traffic and Roads

NA

d. Fire Safety

NA

e. Solid Waste

NA

f. Kitsap Public Health District

NA

Report prepared by:



Chelsea Nitsch, Staff Planner / Project Lead

November 24, 2025

Date

Report approved by:



Darren Gurnee, Current Planning Supervisor

November 24, 2025

Date

Attachments:

Attachment A: Site Plan

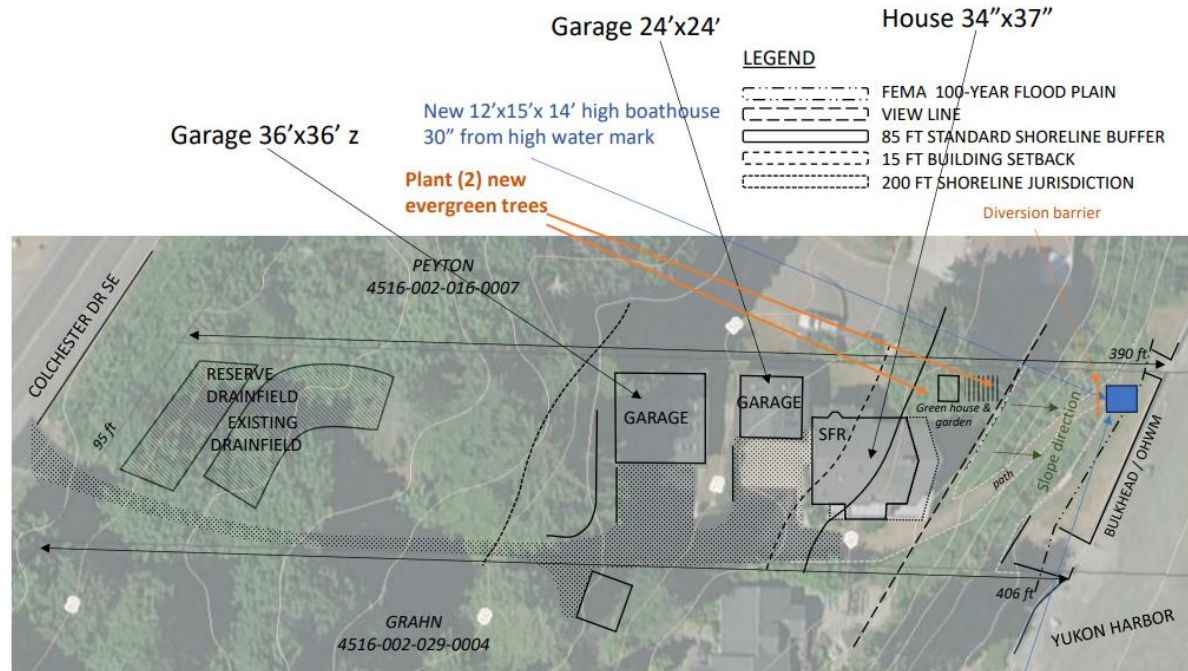
Attachment B: Critical Areas Map

Attachment C: Zoning Map

Attachment D: 2017 Ecology Shoreline Photo

CC: Applicant/Owner email: Bruce Eberhart, bruce@orcatwo.com
Engineer or Project Representative email: Resolve Environmental & Geotechnical, Inc. /
Ronald P. Nance resolveenvironmental@gmail.com
Biologist: BGE Environmental, LLC., bgerobbbyn@comcast.net
Interested Parties: Matthew Evinger Dept of Ecology Shoreline, MEVI461@ECY.WA.GOV
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Chelsea Nitsch

**Attachment A:
Site Plan**



Site Plan - SWPPP

Gutters with
downspouts – splash
blocks

EXISTING CONDITIONS
AERIAL 2021

EBERHART
1249 COLCHESTER DR SE
4516-002-017-0105



BGE Environmental, LLC

Wetland Consulting & Land Use Planning

BGE24_260

Attachment B: Critical Areas Map



