



Rafe Wysham
Director

KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Administrative Staff Report

Report Date: 2/11/2026

Application Submittal Date: 09/26/2025

Application Complete Date: 10/16/2025

Project Name: FRIEDRICH - Shoreline Variance for 300 Sq Ft Addition to Existing Single Family Residence

Type of Application: Shoreline Variance Type II

Permit Number: 25-03722

Project Location

8772 Misery Point RD NW

Seabeck, WA, 98380

Commissioner District #3

Assessor's Account

202501-3-044-1006

Applicant/Owner of Record

Shellie J & Theodore L Friedrich

8772 Misery Point RD NW

Seabeck, WA, 98380

Decision Summary

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

VICINITY MAP



1. Background

The shoreline property hosts an original 1,252 square foot home built in 1922, a detached garage built 1986, and a guest house permitted in 2022 was built over the garage. The residence and guest house are serviced by septic and other associated utilities. This 3.20 acre parcel is zoned Rural Residential and in the Rural Conservancy shoreline jurisdiction. The site is composed of lawn and healthy tree canopy with a total elevation gain of approximately 60 feet. The ordinary high water mark is delineated by a concrete bulkhead constructed in 1922.

2. Project Request

The applicant requests approval of a 300 square foot addition to an existing single-family residence. The addition will provide a primary bedroom and bathroom, while the current bedroom space will be converted into a secondary living room. The expansion is directly attached to the existing structure and designed to remain consistent with the

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residential character of the site. This addition would be constructed landward and laterally to the ordinary high water mark within the first 25% of the reduced standard shoreline buffer and in a legally cleared area (lawn). To mitigate for the additional 300 square feet of impervious surface generated within the reduced standard shoreline buffer, approximately 550 square feet of lawn waterward of the development will be planted with 44 plants – a mixture of Shore Pine, Ocean Spray, Tufted Hairgrass, D. Aster, and Red Elderberry.

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 KCC 18.04.090 and WAC 197-11-800 Flexible thresholds for categorical exemption for minor new construction, this project was found to be SEPA exempt.

4. Physical Characteristics

This 3.20 acre (139,392 square feet) parcel is zoned Rural Residential and in the Rural Conservancy shoreline jurisdiction. The site is composed of lawn and healthy tree canopy with a total elevation gain of approximately 60 feet. The whole parcel is bisected by Misery Point Rd NW. The portion of parcel on the western side of the road is covered by native ground cover and mature trees. The ordinary high water mark is delineated by a concrete bulkhead. Critical areas impacting the property include seismic moderate hazard area, erosion hazard area, landslide hazard area, shoreline associated wetlands, open water, and FEMA flood hazard area.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Residential Zone: Rural Residential	Standard	Proposed
Minimum Density	NA	1 du
Maximum Density	1 du/5 acres	
Minimum Lot Size	5 acres	NA
Maximum Lot Size	NA	NA

Minimum Lot Width	140 feet	NA
Minimum Lot Depth	140 feet	NA
Maximum Height	35 feet	1 stories, <35 feet
Maximum Impervious Surface Coverage	NA	~7,540 sf
Maximum Lot Coverage	NA	NA

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (West)	50 feet	253 feet
Side (North)	20-feet (5 feet for accessory structures)	75 feet
Side (South)	20-feet (5 feet for accessory structures)	19 feet
Rear (East)	20 feet Defer to environmental: rural conservancy KCC 22.400.120.B.1. requires 130 foot buffer	Defer to environmental

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residence	Rural Residential
South	Single-family residence	Rural Residential
East	Open Water- Hood Canal	Open Water
West	Common Area	Rural Residential

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	NA (septic system)
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District #401

5. Access

Access to the property is by Misery Point Rd NW, a county maintained road and easement, to the private driveway.

6. Site Design

The site will maintain most of its current landscaping, which includes lawn and healthy tree canopy- a mixture deciduous and conifer trees. The parcel is bisected by Misery Point Rd NW. The portion of parcel on the western side of the road is covered by native ground cover and mature trees.

On the eastern portion of the parcel, where the proposed project is sited, lawn is predominate on the northern portion with trees along the borders and in the center of the yard. Lawn dominates waterward of the single family residence up to the bulkhead.

The proposed addition will be sited on the southern side of the house. The proposed mitigation plantings are sited in the southern corner of the property along the bulkhead.

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 2, 2024.

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

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.

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

Preserve and celebrate historical, archaeological, and cultural resources.

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

Land Use Goal 17. Rural character Protect Kitsap County's unique rural character.

Land Use Policy 17.1. Permit residential uses in rural areas in a variety of rural lot sizes consistent with the rural character of the surrounding area.

Furthermore, the codified goals and policies in KCC Section 22.300 apply to this project as well. These goals and policies encourage public and private access to the shoreline, support residential development and associated uses, and support development that achieves no net loss of ecological function.

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>
JARPA	September 18, 2025
Geological Letter	July 4, 2025
Environmental (SEPA) Checklist	September 18, 2025
Revised Mitigation Package	January 14, 2026
Site Plan	November 25, 2025
Final Health District Approval	May 23, 2025
Project Narrative	January 14, 2026

Supplemental Narrative (ROI)	November 29, 2025
Building Plans	March 13, 2025
Submission Details	September 30, 2025
Stormwater Worksheet	September 26, 2025

<u>Staff Communication</u> Dev. Services & Engineering Memo	<u>Dated</u> February 5, 2026
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9. Public Outreach and Comments

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)
1	Dept of Ecology expressed concerns with the proposal meeting KCC 22.500.100 E variance permit criteria; KCC 22.400.120.C.2.b vegetation buffers and constrained lots; and KCC 22.800.B.1.F plant selection and shoreline characterization.

Issue Ref. No.	Issue	Staff Response
1	Environmental Impacts	In response to Dept of Ecology's concerns, the applicant's biologist updated the shoreline assessment and no net loss report to clearly address the sections of code brought into question as well as updated the proposed plants for the mitigation planting. The Department finds the responding information sufficient.

10. Analysis

a. Planning/Zoning

Kitsap County Code (KCC) 17.410.042 allows the development of a single family residence in the Rural Residential zoning designation.

b. Lighting

Not analyzed for this permit.

c. Off-Street Parking

The primary residence is required to have two offstreet parking spaces.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single-Family	2 per primary residence	2	2
Total	2	2	2

d. Signage

Not analyzed for this permit.

e. Landscaping

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		
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees	NA	NA

f. Frontage Improvements

Not analyzed for this permit.

g. Design Districts/Requirements

Not analyzed for this permit.

h. Development Engineering/Stormwater

Development Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Site Plan accepted for review and as revised by additional materials accepted for review 1/26/2026 to Kitsap County Development Engineering.

i. Environmental

This parcel exists within the Rural Conservancy shoreline designation. KCC Section

22.400.100 requires a standard buffer of 130-feet with a 15-foot building setback and a 100-foot reduced standard buffer referenced in KCC 22.400.120(B)2.

KCC 22.400.105 Proposed development.

A. Location.

1. New development shall be located and designed to avoid or, if that is not possible, to minimize the need for new and maintenance dredging.
2. New development shall be located and designed to avoid the need for future shoreline stabilization for the life of the structure. Likewise, any new development which would require shoreline stabilization which causes significant impacts to adjacent or down-current properties shall not be allowed.
3. New development on lots constrained by depth, topography or critical areas shall be located to minimize, to the extent feasible, the need for shoreline stabilization.
4. New development on steep slopes or bluffs shall be set back sufficiently to ensure that shoreline stabilization is unlikely to be necessary during the life of the structure, as demonstrated by a geotechnical analysis.
5. Subdivision shall be planned to avoid the need for shoreline stabilization for newly created lots, utilizing geotechnical analysis where applicable.
6. Non-water-oriented facilities and accessory structures, except for preferred shoreline uses, such as single-family residences and single-family residential appurtenances when consistent with buffer provisions in this chapter, must be located landward of buffers and adjacent water-oriented uses, or outside shoreline jurisdiction, unless no other location is feasible.

Staff Comment: The proposed addition will not need future shoreline stabilization and has been located to minimize the need for additional shoreline stabilization. The proposed addition is sufficiently setback to not affect existing shoreline stabilization.

KCC 22.400.115 Critical Areas

Kitsap County GIS indicates the presence of a 'Erosion Hazard Area', 'Seismic Moderate Hazard Area', and 'Landslide Hazard Area' as defined in KCC 19.400. The Geologic Letter completed by Envirotech Engineering on 05/10/2025 states, " ...it is Envirotech's opinion that the subject property and adjacent properties to the proposed development should not be significantly impacted... Based on the project information provided by the owner, the proposed development, and site conditions as presented in this report, it is Envirotech's opinion that additional geotechnical studies are not required to further evaluate this project."

KCC 22.400.120. Vegetation conservation buffers

The proposed addition triggers Constrained Lot and Infill Provision for expansion of a single-family residence below the reduced standard buffer. The proposed addition meets the conditions of the clause in KCC 22.400.120 C.2.c.iv. since the addition is no more than twenty-five percent of the existing gross floor area nor six hundred twenty-

five square feet and is an expansion of the existing structure into a legally cleared area no further waterward than the house.

KCC 22.400.120 C.2.c. Expansion of Development Below the Reduced Standard

Buffer. Expansion of existing development below the reduced standard buffer may only occur if approved through a shoreline variance pursuant to Section 22.500.100(E). To reduce the procedural burden on applicants, in some cases the variance may be approved administratively as a Type II decision according to the criteria below and the variance criteria in Section 22.500.100(E):

- i. Expansion of development shall not occur further waterward of the existing structure, unless no other feasible option exists due to physical constraints of the property.
- ii. Any expansion below the reduced standard buffer shall require a shoreline mitigation plan (see Section 22.700.140).
- iii. Expansion within the outer twenty-five percent of the reduced standard buffer or within any portion of the buffer in the shoreline residential designation shall require a Type II administrative variance, according to the conditions of subsection (C)(2)(c)(iv) of this section. Expansion within the waterward seventy-five percent of the reduced standard buffer shall require a Type III variance.
- iv. Expansion of a single-family residence below the reduced standard buffer may be allowed through Type II administrative variance for limited expansions of no more than twenty-five percent of the existing gross floor area or six hundred twenty-five square feet, whichever is less, if expanding into an existing legally cleared area and located no further waterward than the existing structure.

Staff Comment: The 300 sf proposed addition expands the existing 1,252 sf house by 24% below the reduced standard buffer in an existing previously cleared area no closer to the shoreline than the original residence. This requires a Type II shoreline administrative variance that complies with KCC 22.500.100 E.

The No Net Loss report provides a mitigation plan to ensure no net loss of ecological function.

KCC 22.400.125 Water Quality and Quantity

The Department reviewed the project against Kitsap County Code Title 12 Stormwater Drainage.

KCC 22.400.130 Historic, Archaeological, Cultural, Scientific and Educational Resources. The Department conditioned approval of this permit and subsequent

building permit(s) to notify Kitsap County DCD, the Washington State Office of Archaeology and Historic Preservation, and the affected tribes if archaeological resources are uncovered during excavation.

KCC 22.400.135 View Blockage

There are no view blockage concerns for this project.

KCC 22.400.140 Bulk and Dimension Standards

In the shoreline residential designation, lot size and setbacks are regulated by Title 17, buffer is regulated by Title 22, impervious area is regulated in 22.400.125, and the maximum building height is 35ft. The addition meets all code sections.

KCC 22.500.100(E) Shoreline Variance Criteria

4. Variance permits for development that will be located landward of the OHWM, except within those areas designated as marshes, bogs, or swamps pursuant to Chapter [173-22](#) WAC, may be authorized provided the applicant can demonstrate all of the following:

a. The strict application of the bulk, dimensional, or performance standards set forth in Chapters 22.400 and 22.600 of this program preclude, or significantly interfere with, reasonable use of the property.

Staff comment: Strict application of shoreline bulk and dimensional standards under KCC 22.400 and 22.600 interfere with reasonable residential use of the property due to site-specific physical constraints, as documented on the submitted site plan.

b. The hardship described in subsection (E)1 is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of this Program, and for example, not from deed restrictions or from the actions of the applicant or a predecessor in title.

Staff comment: The hardship necessitating the variance is the result of unique physical and environmental conditions inherent to the parcel, not the result of actions by the applicant or any predecessor in title.

c. The design of the project is compatible with other authorized uses within the area and with uses planned for the area under the Comprehensive Plan and this Program, will not cause net loss to shoreline ecological functions and does not conflict with existing water dependent uses.

Staff comment: The design of the proposed project is compatible with other authorized residential uses within the area and with uses planned under the Comprehensive Plan and Shoreline Master Program. The proposal consists of a 300 sf addition to an existing

single-family residence, which is consistent with surrounding shoreline development patterns.

- d. The variance will not constitute a grant of special privilege not enjoyed by other properties in the area.

Staff comment: Approval of the requested variance would not constitute a grant of special privilege not enjoyed by other properties in the area. The need for the variance arises from unique physical constraints specific to this parcel, including shoreline buffers, steep slopes, and existing structural features. Homes to the north and south of this parcel, located on the shoreline, include houses up to approximately 3,200 sf.

- e. The variance requested is the minimum necessary to afford relief.

Staff comment: The variance requested represents the minimum necessary relief to afford reasonable use of the property. The proposal is the least intrusive and smallest feasible solution that allows reasonable expansion of the legally existing residential use.

- f. The public interest will suffer no substantial detrimental effect.

Staff comment: Approval of the variance will not result in a substantial detrimental effect to the public interest. Granting the variance supports the public interest by balancing shoreline protection with reasonable residential use of a constrained shoreline parcel, consistent with the policies of RCW 90.58.020.

KCC 22.800 Appendices

In Appendix B, Mitigation Options, general mitigation standards are outlined.

Staff comment: This proposed project addresses mitigation standards including B(1)F requiring mitigation plans to incorporate applicable data from the Kitsap County Shoreline Inventory and Characterization report.

j. Access, Traffic and Roads

See conditions below.

k. Fire Safety

Not analyzed for this permit.

l. Solid Waste

Not analyzed for this permit.

m. Water/Sewer

Not analyzed for this permit.

n. Kitsap Public Health District

Not analyzed for this permit.

11. Review Authority

The Director has review authority for this Type II Administrative Shoreline Variance application under KCC Section 21.04.100. The Director may recommend approval, approval with conditions, or denial.

All applications for shoreline variances approved by the county, including administrative variances, shall be forwarded to Ecology pursuant to WAC [173-27-200](#), for final approval, approval with conditions, or denial. No approval shall be considered final until it has been acted upon by Ecology.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

13. Decision

Based upon the analysis above and the decision criteria found in KCC 22.500.100(E), the Department of Community Development recommends that the Friedrich Shoreline Variance for Addition to SFR be **approved**, subject to the following conditions:

a. Planning/Zoning

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.

b. Development Engineering

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. 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.
4. 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.

c. Environmental

5. Subject to the conditions of the Geological letter authored by Envirotech Engineering on May 10, 2025 for this permit and on file at the Department of Community Development.
6. Subject to the conditions and mitigation planting plan in the Shoreline Assessment and No Net Loss Report authored by C3 Habitat on January 14, 2026.
7. This project shall not justify future shoreline stabilization.
8. Vegetation planting shall occur as specified in the approved mitigation or enhancement plan produced in support of this permit. Planting of native vegetation shall occur within the first dormant season once the permitted project has been constructed and approved. When planting is complete, the applicant shall submit an as-built plan to DCD for approval prior to requesting the final inspection. Any assignment of savings, financial surety or other like security for performance of the buffer mitigation plan shall be released if planting requirements are satisfied upon completion of the site inspection and as-built approval.
9. A monitoring and maintenance permit is required for planted mitigation areas. This permit shall ensure monitoring and maintenance is 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 (KCC), 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.

10. Mitigation Planting Bond. A performance bond, assignment of savings, or other like security has been required by the department in an amount necessary to provide for future site monitoring and possible corrective action required for compensatory mitigation projects (one and one-half times the estimated cost of mitigation). Once the project is completed and a maintenance bond is established, the performance bond will be released. The maintenance bond, as determined by the wetland specialist/habitat biologist, will be released upon success of the project, as determined by the metrics in the mitigation plan, and no earlier than five years after completion of the mitigation project or as otherwise established. If the approved mitigation is not completed or fails to meet its success standards, the property owner must agree to a property access release form, with forfeiture of funds after the specified monitoring period.

d. Traffic and Roads

11. 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.

e. Fire Safety

Not analyzed for this permit.

f. Solid Waste

Not analyzed for this permit.

g. Kitsap Public Health District

Not analyzed for this permit.

Report prepared by:

Amanda O'Connor
Name, Staff Planner / Project Lead

2/11/2026
Date

Report approved by:

Darren Gurnee
Darren Gurnee, Supervisor

2/11/2026
Date

Attachments:

Attachment A – Site Plan
Attachment B – Shoreline Jurisdiction
Attachment C – Zoning Map
Attachment D – Critical Areas

CC: Shellie & Theodore Friedrich, tedf@olypen.com
Envirotech Engineering PLLC, envirotech@geotechnicalinfo.com
Andrew Stacey, Andrewfstacey@gmail.com

Interested Parties:
Matthew Evinger, Dept of Ecology, MEVI461@ECY.WA.GOV
Christy Christensen, christy@c3habitat.com
Pacific Home Source, info@pacifichomesource.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Amanda O'Connor

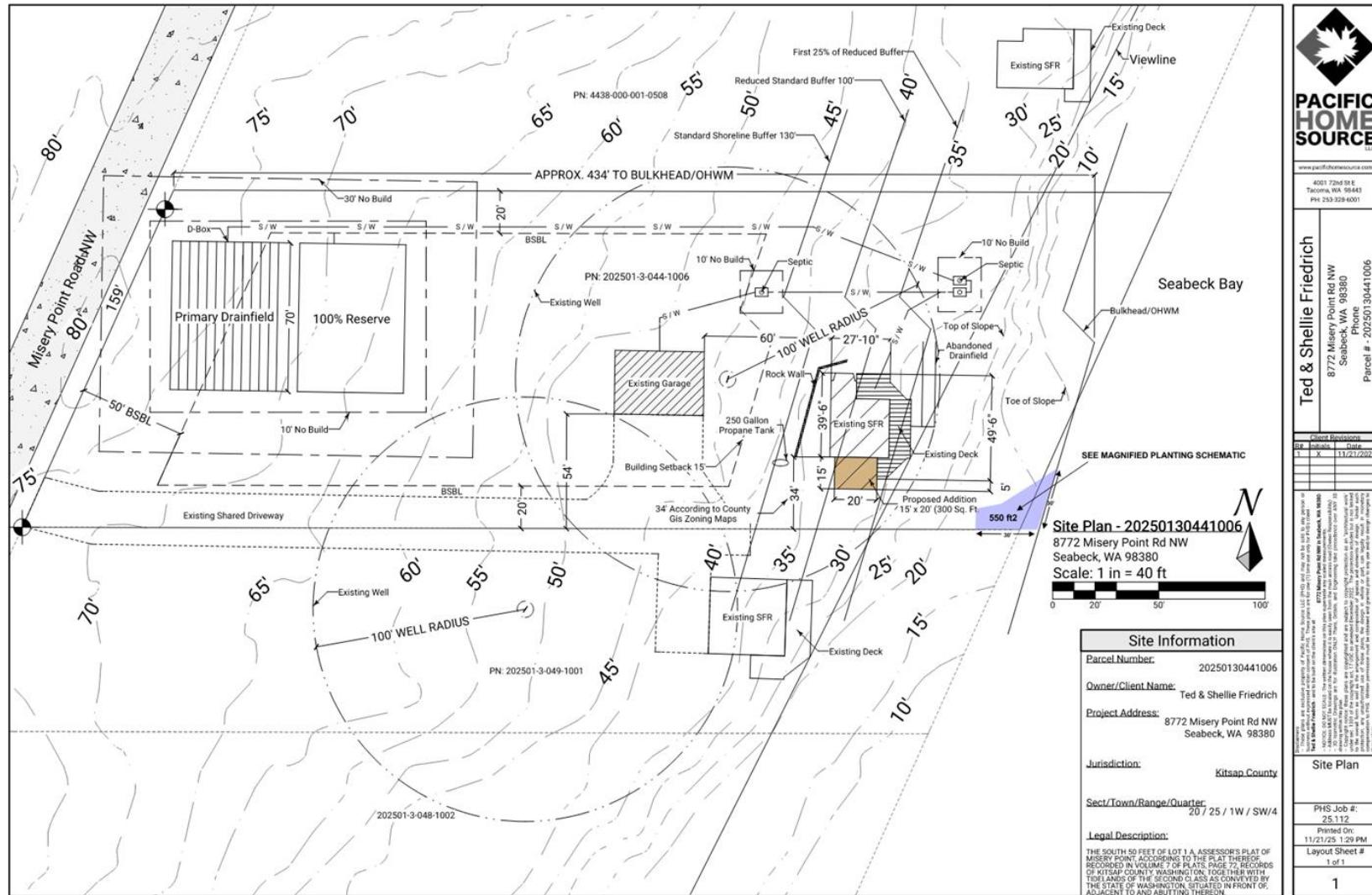


Rafe Wysham
Director

KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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

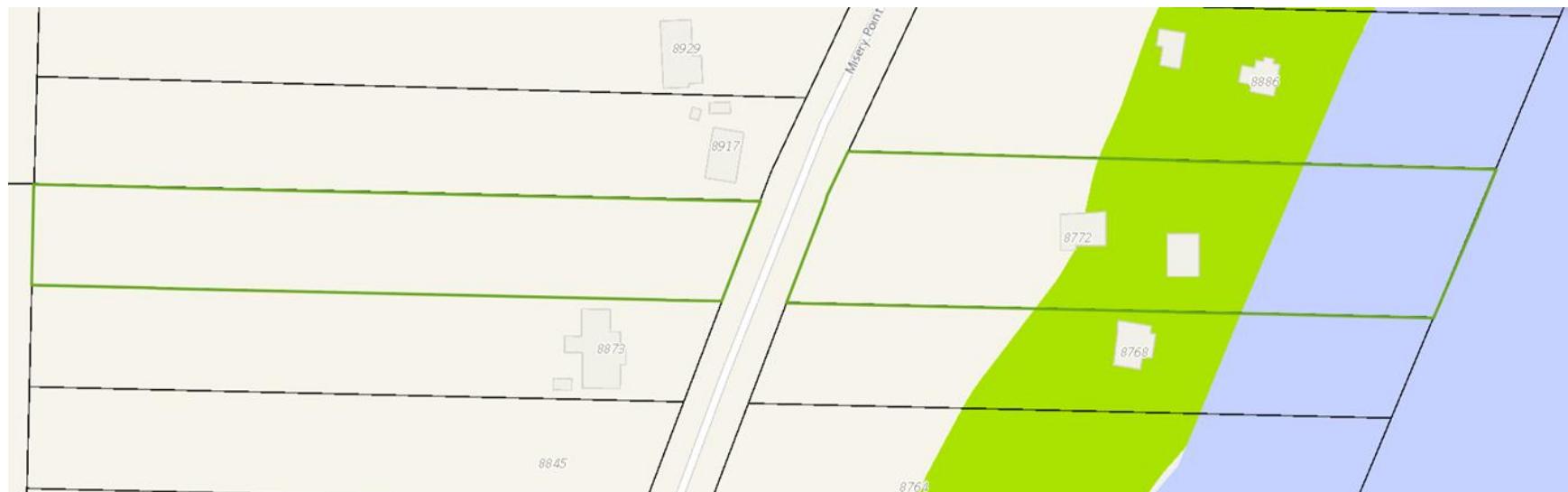
Site Plan



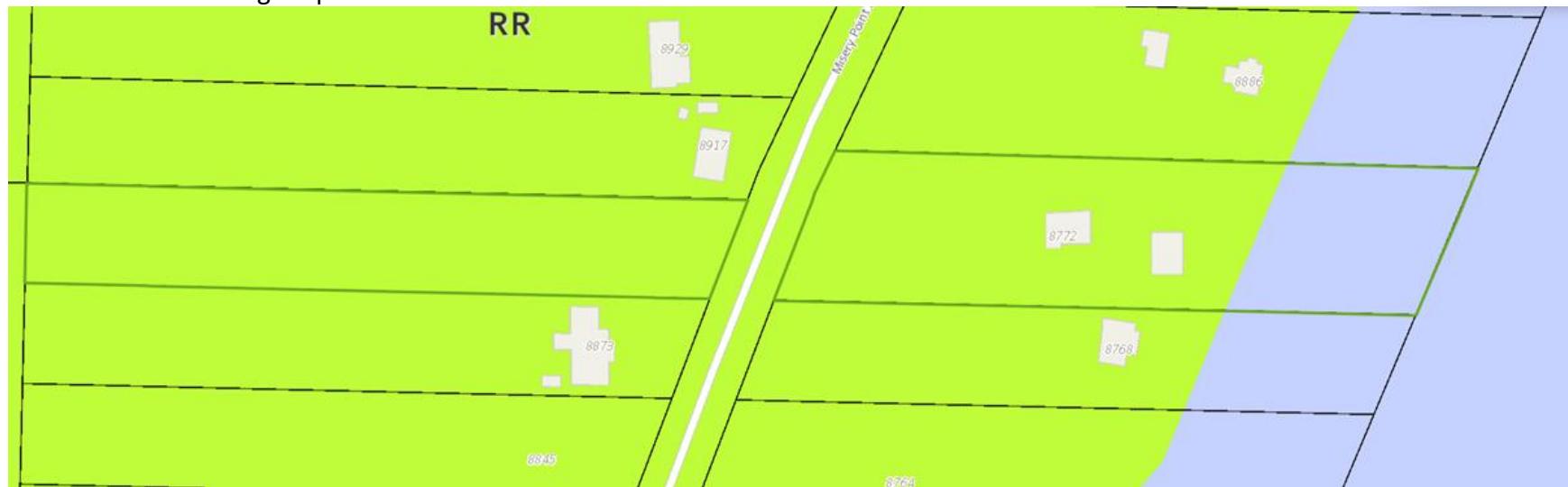
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Attachment B - Shoreline Jurisdiction



Attachment C - Zoning Map



Attachment D - Critical Areas

