



Code Interpretation

Subject of Interpretation:

Single-Family Residence permits with work within critical areas, or critical area buffers

Zoning Ordinance Section Number:

Kitsap County Code (KCC) 12.10.030 (7)

Kitsap County Stormwater Design Manual (KCSDM), Vol II, 1.2.2.2

Title of Section:

Site Development Activity Permits (SDAP) Required

Cause for Interpretation:

KCC 12.10.030(7) requires an SDAP when a project proposes activities that include: any land clearing or grading on slopes steeper than thirty percent, or within the mandatory setback of a steep slope, wetland, stream, lake, or Puget Sound (defined as critical areas per KCC 19.150.215).

KCSDM, Vol II, 1.2.2.2 identifies that Simplified Drainage Review – Engineered applies to small SFR projects for which Minimum Requirements #1 through #5 apply that are located inside critical areas or their buffers. This type of drainage review is triggered by a building permit, not by an SDAP.

Interpretation:

The intent of the KCC 12.10.030(7) is that a more in-depth review of the proposed project will be completed to ensure that the critical areas are protected, with special attention to post-development stormwater controls to mitigate or eliminate potential drainage-related impacts. The Simplified Drainage Review-Engineered review type requires submittals to be prepared by a professional engineer, and may require additional mitigation beyond the minimum stormwater requirements to compensate for loss of critical area habitat functions associated with activities inside the critical area or critical area buffers.

As such, any SFR permit that involves work in a critical area and **does not** trigger Minimum Requirements #1 through #9 will be reviewed under the Simplified Drainage Review-Engineered process.

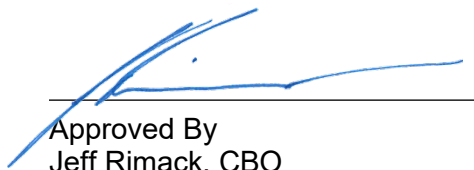
An SDAP will still be required if a permit proposes work in a critical area or within critical area buffers and meets either of the following criteria:

- Does not include construction of an SFR.
- Triggers Minimum Requirements #1 through #9 as outlined in KCC 12.20.010.

Commercial Permits **do not** qualify for Simplified Drainage Review-Engineered and will require an SDAP if work is proposed in a critical area or within critical area buffers.

Cecilia Olsen

March 7, 2024



Author of the Interpretation
Cecilia Olsen
Acting DE Supervisor

Date

Approved By
Jeff Rimack, CBO
Director