



Kitsap County Department of Community Development

Hearing Examiner

Staff Report and Recommendation

Project Name: Morgan-Phelps PBD
Type of Application: Performance Based Development
Permit Number: 24-03495

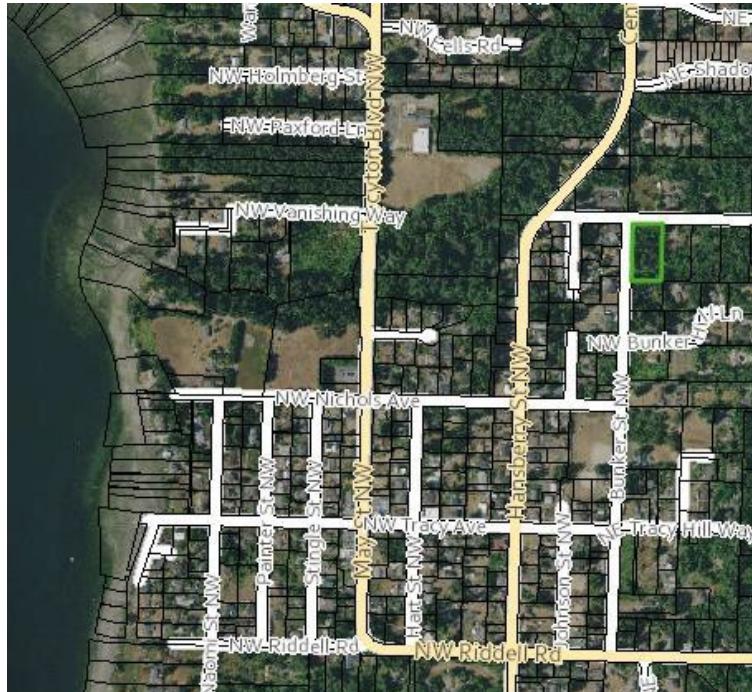
Morgan-Phelps P SP Amendment
Type of Application: Short Plat
Amendment
Permit Number: 25-02182

Project Location:

Assessor's Account #:
352501-3-073-2001

Applicant/Owner of Record:
Ross Morgan & Dan Phelps
7240 Cornell Ct NW
Bremerton, WA 98311

Vicinity Map:



Recommendation Summary:

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

1. Background

The project has Preliminary Short Plat approval under permit 20-00680 and the Site Development Activity Permit for the short plat is approved under permit 21-01593. The existing approval is for one single-family residence parcel (Lot D) and three duplex parcels (Lots A, B & C), creating 4 parcels and seven dwelling units as well as open space tracts. The applicants have decided to substantially change the project, creating one single-family residence parcel (Lot G) and six zero lot line duplex parcels (Lots A, B, C, D, E, F & G) as well as open space tracts.

Project Request:

The Performance Based Development permit (24-03495) proposes to reduce building setbacks to zero between parcels A & B, C& D, and E & F via Performance Based Development code in order to split the approved duplexes into independent ownership units on their own parcels. This requires a plat amendment, which is submitted as this permit # 25-02182.

2. SEPA (State Environmental Policy Act):

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of "major" environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application dated November 17, 2025.

The project is SEPA exempt due to being under the nine-unit threshold.

3. Physical Characteristics:

The 1.06 acre parcel is an urban residential property that is rectangular and covered with mature trees. It is flat and contains no critical areas. The parcel is a corner lot at NW Vena St and Bunker St NW.

Table 1 – Adjacent Land Use and Zoning Designations

Surrounding Property	Current Land Use	Zoning Designation
North	Single-family residence	Urban Low Residential
South	Single-family residence	Urban Low Residential
East	Single-family residence	Urban Low Residential
West	Single-family residence	Urban Low Residential

Table 2 – Density, Dimensions, and Design (KCC 17.420)

Standard	Existing Urban Low Residential	Proposed Urban Low Residential
Min. density (du/acre)	5 (3)	5 (3)
Max. density (du/acre)	9	9

Min. lot size	2,400'	2,400'
Max. lot size	9,000' (25)	9,000' (25)
Min. lot width	40', 20' attached housing	36'
Min. lot depth	60'	60'
Max. height (feet)	35'	35'
Max. impervious surface coverage	NA	NA
Max. lot coverage	N/A	N/A
Setbacks		
Min. front (41)(42)(43)	10' for habitable space, 20' for garage	20'
Side (42)(43)	5' for detached, 0' for attached	5' and 0'
Rear (42)(43)	10'	10'

Applicable footnotes:

3. Exception to Minimum Density. Properties within the UL and UCR zones may be divided in accordance with Title 16 regardless of the resulting minimum density or lot size provided:
- Each lot contains an existing primary structure;
 - Each lot meets all setbacks and other dimensional standards of the zone;
 - The division does not create any undeveloped lot; and
 - The division does not prevent the ability of the property to be further divided or redeveloped in the future.
25. For new building permit applications for residential dwelling units on vacant lots over eighteen thousand square feet located in urban low residential (ULR) and urban cluster residential (UCR) zones, the maximum lot size shall not exceed nine thousand square feet. This restriction shall not apply if:
- The net developable area of the existing parcel is less than eighteen thousand square feet; or
 - The project application will meet minimum density requirements as established by this chapter.

Staff Comment: The project will use the allowed building setbacks for attached and detached housing in the Urban Low Residential Zone. The Performance Based Development allows for a zero foot setback where attached housing straddles the parcel line..

Table 3 – Public Utilities and Services

Surrounding Property	Current Land Use
Water	Public Utility District 1
Power	Puget Sound Energy
Sewer	Kitsap County Sewer
Police	Central Kitsap Police Department
Fire	Central Kitsap Fire & Rescue

School	Central Kitsap School District
--------	--------------------------------

4. Access:

Though the parcel is at the corner of NW Vena St and Bunker St NW, access to the proposed parcels will come from Bunker St NW.

5. Site Design:

The plat includes three tracts: two for the septic drainfield and reserve, and one for recreation. Frontage improvements proposed for Bunker St NW include widening for parking, with curb, gutter and sidewalk. Frontage improvements proposed for NW Vena St consist of the addition of a sidewalk. Each parcel will contain two parking spaces in the driveways.

6. 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 was adopted December 2024. The following Comprehensive Plan goals and policies are most relevant to this application:

Land Use Goal 2: Capital Facilities

Channel growth to areas where adequate services can be provided.

Land Use Goal 10: UGA planning focus

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

Land Use Goal 15: Direct development to UGAs

Direct development to designated Urban Growth Areas consistent with projected population growth, Growth Management Act, VISION, and the Countywide Planning Policies.

Land Use Policy 15.3

Through application of Growth Management Act goals and adopted incentives, increase density in urban areas and limit sprawl in rural areas.

Housing Goal 1: Accessible and resilient housing

Promote the preservation, rehabilitation, and development of housing that contributes to healthy and accessible built environments.

Housing Goal 2: Economically viable housing

Ensure that a broad range of housing types are available across all economic segments of the community and demographic groups from both private and public development.

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

7. Documents Consulted in the Analysis:

A complete index of exhibits is located in the project file. To date, the index to the record consists of:

Exhibit #	Document	Dated	Date Received / Accepted
1	STAFF REPORT	12/31/2025	
2	Notice of Application (24-03495)	12/17/2024	
3	Public Comment: Snell	12/31/2024	
4	20-00680 Notice of Administrative Decision	2/26/2021	6/13/2025
5	Geologic Assessment	3/10/2020	6/13/2025
6	Landscape Plans	5/23/2025	6/13/2025
7	Preliminary Short Plat	2/10/2020	6/13/2025
8	Project Narrative		6/13/2025
9	SEPA Checklist	9/13/2024	6/13/2025
10	Septic Site Plan	5/19/2020	6/13/2025
11	Stormwater Worksheet		6/13/2025
12	Water Availability Letter	6/30/2025	7/7/2025
13	Drainage Report	9/19/2025	10/24/2025
14	Revised Short Plat	10/10/2025	10/24/2025
15	Stormwater Pollution Prevention Plan (SWPPP)	9/5/2025	10/24/2025
16	Revised Notice of Application (24-03495 & 25-02182)	11/17/2025	
17	Public Comment: Snell	11/26/2025	
18	Notice of Public Hearing (24-03495 & 25-02182)	12/24/2025	
19	Certification of Public Notice	12/29/2025	
20	Public Comment: Snell	12/29/2025	
21	Staff Presentation		
22	Hearing Sign In		

8. Public Outreach and Comments:

The Performance Based Development Permit received one public comment regarding stormwater management.

9. Analysis:

a. Planning/Zoning:

Purpose: A performance based development (PBD) allows flexibility in design and creative site planning, while providing for the orderly development of the county. A PBD also allows a wider range of development types and layouts to accomplish the following purposes:

- A. Protect critical areas and preserve natural site features such as trees, topography, and geologic features;
- B. Promote greater integration of active recreational space and uses;
- C. Promote the opportunity for housing that is affordable to a broad range of income and age groups;
- D. Provide for increased efficiency in the layout of the streets, utilities and other public improvements;
- E. Implement the policies of the Kitsap County Comprehensive Plan;
- F. Encourage creative approaches to the use of land and related physical development; and
- G. Encourage the use of low-impact development techniques and other creative designs to create a more desirable environment than would be possible through strict application of the remainder of this title.

17.450.70 - Performance Based Development, Residential standards and requirements

A. Access, Parking and Circulation.

- 1. General. The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.

- 2. Streets. Provide adequate road access, connected road network, safe pedestrian access, and emergency vehicle access. The provisions below apply to unincorporated urban growth areas, urban transition areas, and rural LAMIRDs.

- a. For zero lot line PBD subdivisions, a private access tract with, at a minimum, twenty-foot driving and fire lane and five-foot pedestrian facility on at least one side, provided adequate guest parking is provided (one-half space/lot available within five hundred feet of all lots).

- b. Lots that access off alleyways, pedestrian courtyards, or common open space are not required to front on a private or public road. Alley access lots (see Figure 1 below) may be integrated in a subdivision to allow greater opportunities for integrating open space corridors (on opposite side of lots from the alley) provided

Staff Report: Morgan-Phelps PBD & Short Plat Amendment (24-03495 & 25-02182)

adequate guest parking is accommodated in the surrounding street network (one-half space/lot available within five hundred feet of all lots).

3. **Parking.** The number of vehicular parking spaces shall be provided in accordance with Section 17.490.030, with additional incentives as follows:

- a. Vehicular parking may be provided either on street or off street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specified in the parking and loading requirements.
- b. PBDs with a commercial component may share up to twenty-five percent of required parking between residential and commercial uses.
- c. Up to fifty percent of off-street parking spaces may be compact stalls in accordance with Section 17.490.040.
- d. Shared driveways are allowed.

4. **Pedestrian Circulation.** A sidewalk or pathway system shall be provided through each neighborhood. The sidewalk or pathway system may disconnect from the road, provided the sidewalk/pathway continues in a logical route throughout the residential development to access each home. The pathway shall connect to schools, parks, and adjacent development when applicable. These facilities shall be durable, serviceable, safe, convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

Staff Comment: In urban areas, off-street parking is required at two spaces per unit. The proposal provides two parking spaces per dwelling unit. The proposal includes sidewalks for safe pedestrian access as well as an internal walking path to the recreation area. The proposal will use shared driveways. Bunker St will be widened to provide four additional on-street parking spaces.

B. **Setbacks.** PBD lots have flexibility in setbacks provided as follows:

1. Front or side setback if abutting a pedestrian easement: five feet.
2. Rear setback: reduced up to twenty-five percent with a minimum of ten feet.
3. Alleyway: five feet, ten for garage.
4. Facing common open space: five feet.

Staff Comment: Project will meet standard zone setback requirements for the Urban Low Residential Zone as well as for the Performance Based Development code, which allows zero lot line development.

C. **Common Open Space.** No open area may be accepted as common open space within a PBD, unless it meets the following requirements:

1. The location, shape, size, and character of the common open space is suitable for the PBD; however, in no case shall the common open space be less than fifteen percent of the gross acreage of the subject property(s). No area shall be calculated

Staff Report: Morgan-Phelps PBD & Short Plat Amendment (24-03495 & 25-02182)

as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD;

2. The common open space is suitable for use as an amenity or recreational purpose, provided the use authorized is appropriate to the scale and character of the planned density, topography, and the number and type of dwellings provided;
3. Common open space may be improved for its intended use as allowed under Kitsap County Code. Common open space containing critical areas may be enhanced consistent with the requirements of Title 19, Critical Areas Ordinance. Vegetation-based LID BMPs are permitted within common open space areas. The buildings, structures, and improvements to be permitted in the common open space are those appropriate to the uses which are authorized for the common open space; and
4. Common open space shall not include any of the following:
 - a. Lots, dwellings, and associated private yards, outdoor storage areas, and building setback areas;
 - b. Public or private street right-of-way including sidewalks and planter strips;
 - c. Parking lots, driveways, and other areas of motorized vehicle access; or
 - d. Open drainage facilities such as detention and retention ponds, wetponds, and other drainage facilities that require fencing pursuant to the drainage manual or engineering design standards;

Staff Comment: Common open space is provided in tracts F and G, for 14,031 SF, which is 30% of the parcel and more than 15% of gross area. The landscape plan shows these will retain natural vegetation.

D. Recreational Open Space. All residential PBDs within urban zones shall integrate developed active recreational area (a type of open space) that meets the following requirements:

1. Minimum Area. The recreational area must meet the requirements of Section 16.24.040(I) multiplied by a factor of one and one-half. This area may be included and count towards common open space requirement of Section 16.24.040(H). Recreational open space excludes perimeter screening buffers, critical areas and critical area buffers.
2. Minimum Dimensions. No recreational area shall be calculated as recreational open space if less than five hundred square feet in size, except if the area provides a functional or aesthetic benefit to the residents of the PBD.
3. Ownership and Maintenance. The recreational area shall be owned in common and/or available for use by all residents of the PBD and include provisions made by the covenants for perpetual maintenance.
4. Recreational areas shall be provided as follows:
 - a. Developments of zero to nineteen lots/units are not required to have such a recreational area;
 - b. For developments with greater than nineteen lots or units, one recreational area shall be provided for every twenty lots/units within the development.Required amenities shall be sized to accommodate three hundred ninety square

feet per lot/unit;

- c. Recreational areas shall be centrally located within the development in clearly visible areas on property suitable for such development. Recreational areas may be located in other areas of the development if directly linked with a regional trail system or other public park facility;
- d. Based upon topographical or site design characteristics of the subject property(s), recreational areas may be combined (while continuing to meet the overall square footage requirements established above) if the combination provides for increased benefit to all residents of the PBD;
- e. Recreational areas may be located within, and be calculated towards, the recreational open space area if contiguous;
- f. An athletic field with a minimum size of one hundred twenty yards long and sixty yards wide or swimming pool shall count as two recreational areas;
- g. An equestrian development or similar theme community may be provided in lieu of other recreational areas;

Staff Comment: Even though a development of less than 19 lots is not required to provide recreational space, a recreational lot is provided (Tract E). The concept is a grassy play field with picnic table and separation landscaping. The Recreational Tract is 2,813 SF which equals 6% of the total parcel size.

16.48.030 Amendment to preliminary short subdivisions

C. Major Amendments

- 1.a. Major amendments to preliminary short plats that were approved administratively are classified as Type II applications. Such amendments shall satisfy the requirements of this section.

Staff Comment: A minor amendment is a less than 10% increase per KCC 16.48.030(B)1; however, splitting the duplex parcels into two zero lot-line parcels nearly doubles the number of parcels—a nearly 50% increase. Therefore, the amendment is reviewed as a major amendment instead of a minor amendment.

16.48.020 Preliminary short subdivisions

- C. The preliminary short plat shall consist of the following:

1. Maps drawn on a minimum eighteen-inch-by-twenty-four-inch paper, to scale no less than one inch to one hundred feet, which scale shall be shown on the drawing, both graphically and textually;
2. Map signed and sealed by a surveyor registered in the state of Washington;
3. North point;
4. Lots labeled alphabetically;
5. The location of existing structures;
6. The location of existing road approaches;
7. The location of all existing and proposed roads, rights-of-way, and easements, labeling each of the foregoing by width;
8. The location of all other existing and proposed easements appurtenant to the property, labeled with dimensions;

9. The location of all property to be dedicated;
 10. Except in UGAs, a minimum twenty-five-foot-wide native vegetation buffer around the perimeter of the short subdivision. Where a short subdivision is inside a limited area of more intense rural development (LAMIRD), only that part of a lot or tract that abuts a rural zone outside of the LAMIRD is required to have a twenty-five-foot-wide native vegetation buffer;
 11. The location of all water bodies (including but not limited to lakes, ponds, saltwater shorelines, streams, and wetlands), their associated buffers and construction setbacks, and mapped flood hazard areas;
 12. The location of geologically hazardous areas and their associated buffers and construction setbacks. Delineate all slopes thirty percent in grade or greater and all slopes from fifteen percent to thirty percent in grade where they are rated as areas of "moderate" or "high" geologic hazard pursuant to Section [19.400.415](#);
 13. Approved setbacks of all lots;
 14. The location of existing on-site sewage systems, and wells with their protective well radii within, contiguous to and adjacent to the proposal; and
 15. The location of soil log holes, together with data regarding soil type and depth, if the short subdivision is not required to connect to public sewer;
 16. A landscaping plan as applicable per Chapter [17.500](#). If applicable, a tree canopy protection plan shall be provided as part of the landscaping plan in accordance with Chapter [17.495](#);
- D. The proposed streets shall align and be coordinated with streets serving adjacent properties;
- E. The proposed streets shall be adequate to accommodate anticipated traffic;
- F. If road or pedestrian connectivity between the short subdivision and adjacent properties is required, all ingress/egress accesses shall be dedicated to the public and developed consistent with Kitsap County Road Standards;
- G. If the required native vegetation buffer, as it exists, is void of native vegetation, plantings of native species will be required to create or recreate the buffer. This requirement may be modified by the director to be compatible with the surrounding area, upon submittal with the preliminary application, of narrative and photographic documentation of existing conditions;
- H. The Kitsap public health district shall recommend approval or denial. Said recommendation shall be in writing and shall address:
1. Conformity with current regulations regarding domestic water supply and sewage disposal;
 2. Adequacy of lot area, soil type, topographic and drainage characteristics, if proposing a sewage disposal method other than public sewer.

Staff Comment: The proposed amended preliminary short plat meets all the requirements of KCC 16.48.020. The original preliminary short plat was completed under permit 20-00680 and determined to meet all relevant code at that time.

b. Lighting

Non-project action - not analyzed as part of this proposal.

c. Off-Street Parking

Analyzed above.

d. Signage

Non-project action - not analyzed as part of this proposal.

e. Landscaping

KCC 17.420 and 17.500 require 15% landscaping. Native vegetation buffers do not count towards landscaping and must be shown on the site plan (see KCC section 17.500.020 G). The project provides more than 15% landscaping through frontage improvements, retained native vegetation and plantings.

KCC 17.500.0027(A) requires a partial visual buffer between compatible uses in order to soften the appearance of parking areas and building elevations. This proposal is bordered on two sides (south and east) by residential uses, which are compatible. A partial visual buffer is shown along those property lines as a combination of retained native vegetation and plantings.

KCC 17.500.027(A)1 requires a roadside buffer along existing or planned roads and side and rear property lines within urban growth areas. The planting shall encompass the required front setback area, and areas adjacent to the side and rear property lines. The roadside buffer along Vena St consists of retained native vegetation. Bunker St will have street trees planted.

f. Frontage Improvements

Frontage improvements are proposed for both Vena St and Bunker St. Vena St will have a pedestrian sidewalk installed and Bunker will be widened to accommodate on-street parking and provide a pedestrian sidewalk with curb, gutters and 12 street trees.

g. Design Districts/Requirements

Non-project action - not analyzed as part of this proposal.

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 Preliminary Drainage Report and Preliminary Engineering Plans accepted for review on Submittals Tab, 2nd Cycle Accepted on 11/05/25 to Kitsap County Development Engineering.

i. Environmental

No critical areas exist on the project site.

j. Access, Traffic, and Roads

No comment at this time.

k. Fire Safety

No comment at this time.

l. Solid Waste

No comment at this time.

m. Water/Sewer

No comment at this time.

n. Kitsap Public Health District

Building permit issuance will require recorded easements for the drainfield areas and final short plat approval (lot creation).

10. Review Authority:

The Hearing Examiner has review authority for these Performance Based Development and Preliminary Short Plat Amendment Permit applications under KCC Section and 21.04.100. The Hearing Examiner may approve, approve with conditions, or deny a Performance Based Development Permit. The Hearing Examiner may also continue the hearing to allow for additional information necessary to make the proper decision. The powers of the Hearing Examiner are at KCC, Chapter 2.10.

11. 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.

12. Recommendation:

Based upon the analysis above and the decision criteria found in KCC 16.48.030 and KCC 16.48.030, the Department of Community Development recommends that the request for 24-03495 Performance Based Development Permit and 25-02182 Preliminary Short Plat Amendment be approved, subject to the following conditions:

Planning/Zoning

1. The proposal shall set aside at least 15% of the gross area for common open space.
2. The following condition shall be added to the face of the final short plat subdivision: Lots A, B, C, D, E and F are granted zero lot line setbacks along internal shared property lines between the duplexes.

Staff Report: Morgan-Phelps PBD & Short Plat Amendment (24-03495 & 25-02182)

3. This project shall follow the Geotechnical Reconnaissance Report by Resolve Environmental and Geotechnical, dated March 10, 2020 and Addendum Letter dated August 4, 2020.
4. The project shall adhere to all elements and requirements set forth in Kitsap County Code 16.48.
5. The following condition shall be added to the face of the final short plat subdivision: Building permits issued on a lot in this short subdivision may be subject to impact fees pursuant to Kitsap County Code.
6. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
7. The decision set forth herein is based upon representations made and exhibits contained in the project application (20-006680, 24-03495 & 25-02182). 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.

Development Engineering

Development Engineering accepts the concepts contained in this preliminary submittal and requires the following conditions as an element of the land use approval:

9. DE-PREL CONSTR PLANS ENG 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.
10. DE-PREL # OF LOTS Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.
11. DE-PREL SDAP LG 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.
12. DE-PREL ENG 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.

13. DE-PREL NPDES. 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/>. This permit is required prior to issuance of the SDAP.
14. DE-PREL DOE UIC The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as an Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program. Use when project proposes infiltration trenches.
15. DE-PREL GRDG FILL SITE The application indicates that a significant quantity of grading material will be exported from the site. Prior to issuing the SDAP an approved fill site(s) must be identified.
 - a. Any fill site receiving 150 cubic yards or more of material must obtain an SDAP.
 - b. Fill sites receiving 5,000 cubic yards or more, or located within a critical area, must have an engineered SDAP.
 - c. For any fill site receiving less than 150 cubic yards, the SDAP holder shall submit to Kitsap County Department of Community Development load slips indicating the location of the receiving site and the quantity of material received by said site.
16. DE-PREL INFILT DESIGN The design of the infiltration facilities shall be in accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual.
17. DE-PREL INFILT OFFLINE The infiltration facilities shall remain offline until the drainage areas are stabilized, and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over infiltration facilities. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.
18. DE-PREL INFILT INSP REPORT During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection(s) to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report(s), properly stamped and sealed to Development Engineering.
19. DE-PREL INFILT ALL LOTS All lots shall use individual on-site infiltration systems. Before the issuance of building permits and/or occupancy permits, the property owner shall submit to the Department of Community Development for review, a sketch showing the design and location of a stormwater infiltration facility for the distribution of surface water runoff. Maintenance of these systems will be the responsibility of the homeowner.
20. DE-PREL IMP AREA/LOT DR FAC The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final plat, along with the following note: Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall drainage facilities shall be mitigated in accordance with Kitsap County Code Title 12 and may require a Site Development Activity Permit.
21. DE-PREL PLAT NOTES The following shall be added to the face of the Final Plat, under the heading Notes and Restrictions:
 - a. Maintenance of roof and yard drains and appurtenances shall be the

Staff Report: Morgan-Phelps PBD & Short Plat Amendment (24-03495 & 25-02182)
responsibility of the individual homeowners.

- b. All runoff from roof and yard drains must be directed so as not to adversely affect adjacent properties.
 - c. All lots are obligated to accept road drainage at the natural locations after the grading of streets is complete.
 - d. This Plat is subject to all elements of the Declaration of Covenant Conditions and Restrictions (CC&R's) recorded under Auditor File Number #####
 - e. No owner or occupant may obstruct or re-channel the drainage flows after location and installation of drainage swales, storm sewers or storm drains. It is expressly understood that any alteration of the water flow shall be completed only after approval by Kitsap County Department of Community Development.
22. DE-PREL SOIL AMEND LOTS The following condition shall be added to the face of the Final Plat: At the time of submittal of a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.
23. DE-PREL SOIL AMEND TRACTS Prior to recording the Final Plat, soil amendment is required over all disturbed areas within Tracts that are not covered by hard surface; provided, that in the event completion of a Recreational Tract has been bonded, soil amendment shall be completed prior to expiration of the bond covering that work.
24. DE-PREL MAINT BOND Upon completion of the storm drainage facilities, the developer will be required to post a two-year maintenance bond for the facility. The developer will be responsible for providing regular and adequate maintenance during this two-year period and supportive maintenance records. At the end of this time, the County will inspect the system and, when the facility is acceptable and 80% of the homes have been completed, the County will take over maintenance and operation of the system. Wording to this effect must appear on the plat and in the covenants before final recording. Areas proposed to be maintained by the County that are not in the right-of-way must be shown as a separate tract/s or drainage easement/s with Kitsap County being designated as the grantee.
25. Prior to recording the Final Plat, all work associated with the required Site Development Activity Permit shall be completed, including approval of all required inspections, and submittal of all engineer's certifications or other documentation required by the Site Development Activity Permit.
26. DE-PREL PLAN MOD 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.
27. DE-PREL WALL BP This project includes the construction of rock walls or other retaining facilities that either exceed four feet in height or sustain a surcharge. A separate building permit with an engineered design is required for such walls. This note shall be placed on the face of the final construction drawings.
28. DE-PREL WALL KCSDM Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9 of the Kitsap County Stormwater Drainage Manual.

Environmental

No environmental concerns on site.

Traffic and Roads

29. DE-PREL TRF CONCURRENCY 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.
30. DE-PREL TRF PLAT CONDS The following shall appear on the face of the Final Plat, under the heading Conditions:
 - a. Road approach permits shall be obtained prior to commencement of work on an individual lot.
31. DE-PREL TRF SIDEWALK RAMPS Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
32. DE-PREL TRF FRTGE EXT. Frontage improvements are required along the entire property frontage on Bunker Street NW and shall consist of 22-foot wide travel lane, vertical curb, gutter and 5-foot sidewalks.
33. DE-PREL TRF CROSS SECTIONS Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on existing fronting roads where access is proposed. The cross-sections shall show existing and proposed pavement, shoulders, ditches and slopes. The cross-sections shall also depict centerline of pavement and right-of-way, the right-of-way lines, and easements.
34. DE-PREL TRF RDAP The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.
35. DE-PREL TRF SIDEWALK B4 PAVING Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
36. DE-PREL TRF SIGHT DIST The developer's engineer shall certify that there is adequate entering sight distance at all project intersections with County rights of way or State rights of way. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards for County rights of way and shall meet WSDOT standards for state rights of way. The certification shall also note necessary measures to correct and maintain the minimum sight triangle. The required information shall be submitted with the SDAP, or with the commercial building permit application if a SDAP is not required.
37. DE-PREL TRF ROW. 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.

Fire Safety

None at this time.

Solid Waste

38. DE-PREL SOLID WM DOC SDAP 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>

Kitsap Public Health District

39. Building permit issuance will require recorded easements for the drainfield areas and final short plat approval (lot creation).

Report prepared by:

Kate Millward

12/18/2025

Kate Millward, Senior Planner and Project Lead

Date

Report approved by:

Darren Gurnee

12/18/2025

Darren Gurnee, Planning Supervisor

Date

Attachment A: Existing Zoning Designation

Attachment B: Critical Areas Map

Attachment C: Aerial Imagery

Attachment D: Preliminary Plat Amendment

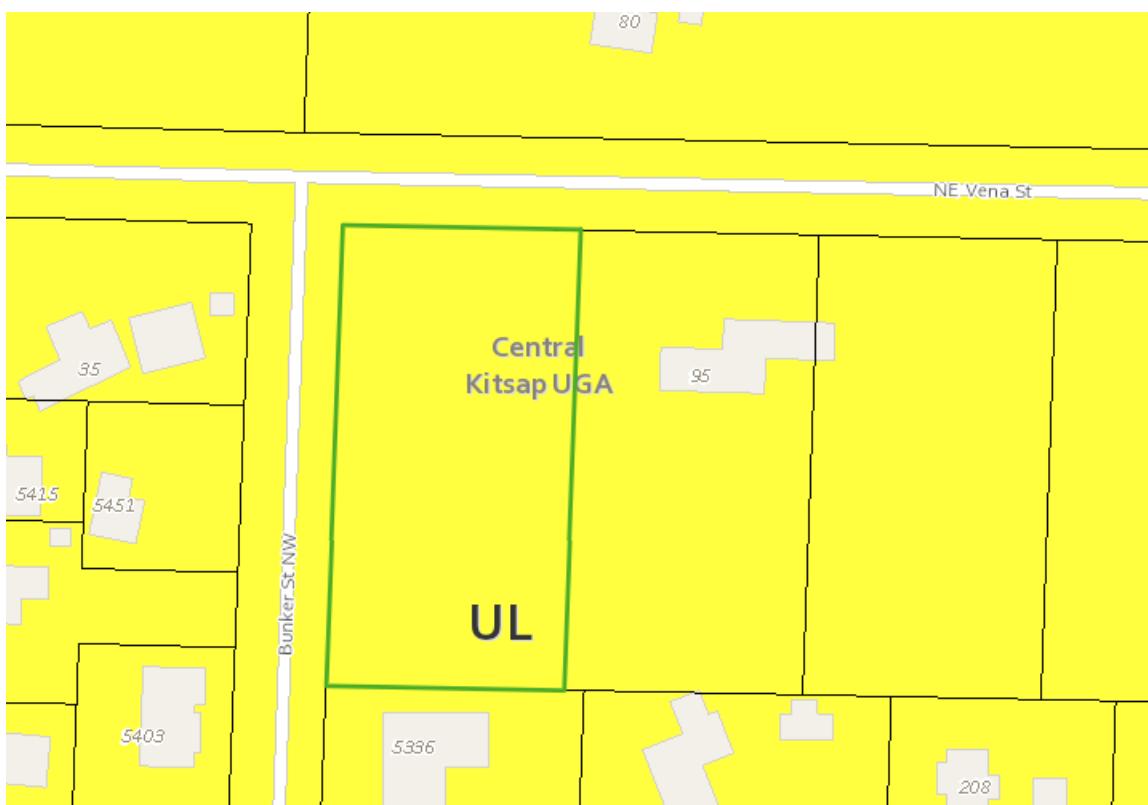
CC:

Applicant/Owner: Dan Phelps & Morgan Ross, antrondst@hotmail.com

Engineer: Michael Wnek with WNEK ENGINEERING, wnekeng@gmail.com

Interested Parties: John Tschida, scheetah13@comcast.net; Bill & Cheri Snell, bsnell10@comcast.net; Marilyn Winterowd, mwinterowd@aol.com; Johnny Rodriguez, jxrod75@aol.com; Sarah Tassano, sma98312@gmail.com

Attachment A: Zoning



Attachment B: Critical Areas Map



Attachment C: Aerial Imagery



Attachment D: Preliminary Plat Amendment

