



Notice of Hearing Examiner Decision

09/05/2019

To: Interested Parties and Parties of Record

RE: Project Name: Minder Meadows Preliminary Plat
Applicant: Creative Commercial Investments LLC
4338 Murphy Dr NW
Gig Harbor, WA 98335
Application: Preliminary Plat (PPlat)
Permit Number: 19-01333

Enclosed is the Decision issued by the Kitsap County Hearing Examiner for the above project.

The applicant is encouraged to review the Kitsap County Office of Hearing Examiner Rules of Procedure found at:

<https://spf.kitsapgov.com/dcd/HEDocs/HE-Rules-for-Kitsap-County.pdf>

The Decision of the Hearing Examiner is final, unless appealed, as provided under Washington law.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review at the Department of Community Development, Monday through Thursday, 8:00 AM to 4:00 PM and Friday 9:00 AM to 1:00 PM, except holidays. If you wish to view the case file or have other questions, please contact Help@Kitsap1.com or (360) 337-5777.

CC: Owner/Applicant: Creative Commercial Investments LLC, jminder1@gmail.com
Surveyor: AES Consultants, aes@bainbridge.net
Engineer: Wnek Engineering, Michael Wnek, mike@wnekeng.com
Health District
Public Works
Parks
Navy
DSE
Kitsap Transit
Central Kitsap Fire District
Central Kitsap School District

Puget Sound Energy
 City of Bremerton Planning Director
 Water Purveyor: North Perry Water District 13
 Sewer Purveyor: Kitsap County Public Works
 Point No Point Treaty Council
 Suquamish Tribe
 Port Gamble S'Klallam Tribe
 Squaxin Island Tribe
 Puyallup Tribe
 WA Dept of Fish & Wildlife
 WA State Dept of Ecology-SEPA
 WA State Dept of Transportation

Interested Parties:

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 Coggins, Darrell, 7604 Concord Ln NE, Bremerton, WA 98311
 Noser, Patty, 7604 Concord Ln NE B-201, Bremerton, WA 98311
 Miller, Randy & Hye, 7920 Forest Ridge Dr NE, Bremerton WA 98311
 Paguio, Rolito & Annabelle, 7755 Forest Ridge Dr NE, Bremerton WA 98311

**KITSAP COUNTY HEARING EXAMINER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION**

Minder Meadows Preliminary Plat, File No. 19-01333

September 4, 2019

1. FINDINGS OF FACT

1.1 Proposal. Divide 2.99 acres into 20 lots for single-family homes. The proposal includes one access point, County-maintained plat roads, open recreation space, landscaping, frontage improvements, and public water and sewer.

Applicant/Property Owner: Creative Commercial Investments LLC, c/o Joseph Minder, 4338 Murphy Drive NW, Gig Harbor, WA 98335.

Location: 1898 NE John Carlson Road, Bremerton, WA 98111, Assessor No. 252501-2-002-2001.

1.2 Hearing. An open record public hearing was held on August 22, 2019. The Kitsap County Department of Community Development, through Ms. Barnhart, summarized the proposal. With the proposed conditions, DCD found the plat consistent with the Kitsap County Code, so recommended approval. The Property Owner/Applicant, through Mr. Minder, provided additional information on the project and confirmed there were no concerns with the Staff Report's proposed conditions.

1.3 Administrative Record. Exhibits 1-34, which included the Revised Staff Report, were admitted. After the record closed, a comment was submitted from an adjacent neighbor (Exhibit 35)¹ addressing concerns over tree preservation; specifically, a cedar about three feet from her property line, which she requests preservation of. While not part of the record, the Examiner asks DCD to forward the comment to the Applicant, so the Applicant is aware of the request.

1.4 SEPA. The SEPA comment period occurred concurrent with the Notice of Application.² Due to clerical error, the postcard notices to nearby property owners were sent late, resulting in an extension of the comment period. DCD issued a Determination of Non-Significance ("DNS"),³ requiring the proposal be conditioned for Stormwater Control per KCC Title 12; Critical Areas per KCC Title 19; and Zoning per KCC Title 17. No SEPA appeal was filed.

¹ Ms. Soterakopoulos, 7765 Forest Ridge Drive.

² Exhibits 17 and 18.

³ Exhibit 28.

1.5 Public Notice. Notice was provided consistent with KCC requirements, with both mailing and publication for the notice of application and public hearing.⁴ Notice met KCC requirements.

1.6 Agency Comment. Agency comment was received regarding regulatory compliance. As long as requirements are met, there were no objections to approval.

1.7 Public Comment. Staff received inquiries from neighbors and interested party requests during the notice of application and SEPA comment period. Public comment was received via e-mail from Ms. Soterakopoulos, Ms. Kim, and Ms. DeGeus, and summarized by Staff.⁵ Regarding buffers and setbacks, DCD noted:

Pursuant to KCC 17.500.027, Partial screening buffers are required to provide partial visual separation between compatible uses. The subject parcel is zoned Urban-Low, as are the parcels to the north and east. Retention of existing vegetation or planting of new buffers along the perimeter is not feasible. Such trees would be considered 'danger trees' per Kitsap County Code 18.16 and 19.150 and root systems could undermine structural foundations and possibly utilities. However, a separation buffer of a six-foot fence around the north, east and west perimeters has been applied to reduce site-specific adverse impacts to adjacent land uses.⁶

1.8 Zoning/Plan Designations. The Comprehensive Plan designation is Urban Low Density Residential⁷ and the zoning is Urban Low Residential.⁸ This zone is designed to:

[R]ecognize, maintain, and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner.⁹

1.9 Zoning Code Sizing/Density Requirements. Urban Low Residential provides for minimum/maximum densities of 5-9 dwelling units per acre, which equates to 9-27 units here.¹⁰ At 20 units, the plat complies. Lot sizing requirements are also met.

Requirement	Proposed
Minimum Lot Size - 2,400 SF	3,219 SF (smallest proposed lot)

⁴ Exhibits 17, 18, 29, and 33.

⁵ Exhibits 31 and 34 (Revised Staff Report), pp. 7-9.

⁶ Exhibit 34 (Revised Staff Report), pg. 8.

⁷ Exhibit 34 (Revised Staff Report), p. 3.

⁸ Exhibit 34 (Revised Staff Report), pp. 3.

⁹ KCC 17.200.010.

¹⁰ KCC 17.110.213 (minimum density calculation based on net developable acreage); KCC 17.110.212 (maximum density calculation based on gross acreage); Exhibit 34 (Revised Staff Report), p. 3.

Maximum Lot Size - 9,000 SF ¹¹	5,343 SF (largest proposed lot)
Minimum Lot Width - 40 feet	50 feet
Minimum Lot Depth - 60 feet	69.91 feet
Maximum Height - 35 feet	35 feet (maximum)
Setbacks <ul style="list-style-type: none"> • Front, 10 feet habitable area, 20 garage or carport • Side (east), 5 feet • Side (west), 5 feet • Rear, 10 feet 	10 feet habitable area, garages attached 10 feet 15 feet (setback is utility easement) 10 feet

1.10 Surrounding Land Use and Zoning. Surrounding properties to the north and east are zoned Urban Low Residential and are developed with single-family homes; property to the south is zoned Urban High Residential and includes the Bremerton Tennis and Athletic Club; and property to the west is zoned Urban Medium Residential and is developed with condominiums and single family homes.

1.11 Physical Characteristics. The property has about two acres of tree cover and a 15% average grade, sloping down to the southwest. Other than the moderate slope there are no critical areas on site. An existing house and garage will be demolished.

1.12 Transportation. The single access is proposed at NE John Carlson Road, a County-maintained right-of-way. The internal road will also be County-maintained. The traffic impact analysis outlines road system impacts. The traffic engineer estimates 189 average weekday daily trips, 15 new AM peak hour trips, and 20 new PM peak hour trips.¹² Frontage improvements along NE John Carlson Road include twelve-foot travel lane, five-foot bike lane, vertical curb, gutter, and six-foot sidewalk. Improvements along the internal roadway consist of vertical curb, gutter, and five-foot sidewalk (both sides). Crosswalks are also included to provide access to on-street parking and the recreational lot.

1.13 Parking. The project includes on-street and off-street parking. Two off-street parking spaces are required per residential lot and 0.5 per lot for overflow on-street parking.¹³ 40 off-street parking spaces in driveways and 10 on-street parking spaces are provided.¹⁴ DCD calculates the required number of spaces in the driveway and not within individual residential garages.¹⁵ During individual building permit review for the homes, the location and number of off-street parking spaces will be verified.

¹¹ KCC 17.420.060(A)(25). Note, minimum density requirements are met.

¹² Exhibit 16 (Traffic Impact Analysis).

¹³ KCC 17.490.030.

¹⁴ Exhibit 34 (Revised Staff Report), pp. 9-10.

¹⁵ KCC 17.490.030.

1.14 Central Mail Boxes, Urban Plats. The trend is to move away from traditional rural box style and install a clustered mailbox for efficiency, security, and aesthetics. Where clustered mailboxes are proposed, the sidewalk will meet clear zone requirements.¹⁶

1.15 Landscaping. Landscaping is required at entrances and street trees planted by the developer along streets or on individual lots at construction or units before certificate of occupancy issuance.¹⁷ The Applicant will have to submit a landscape plan with the Site Development Activity Permit consistent with Ch. 17.500 KCC and showing landscaping around the storm drainage facility, street trees, and the recreation facility (Conditions 8-10).

1.16 Signage. The Applicant may apply for signage near the entrance of the subdivision during or after construction,¹⁸ although signage is not now proposed. When the final plat is recorded, all signage must follow code requirements.

1.17 Lighting/Urban Plats. Urban residential plats generally include illumination of internal roadways and street lighting at the intersection where private roads intersect with County right-of-way consistent with Ch. 11.40 KCC requirements. The developer is usually responsible for installing lighting at the County's intersection, which is then conveyed to the County. The project will meet exterior lighting requirements at KCC 17.420.030(C).

1.18 Stormwater. Stormwater runoff from roads and driveways will be collected and directed to Filterra units for treatment, then directed to one of two infiltration trench facilities for on-site stormwater management. Rooftop runoff will be collected and directed to these infiltration trench facilities. Construction includes a stormwater tract and an infiltration trench facility for stormwater management within the recreational tract. Development Services and Engineering reviewed the proposal and approved the concept in the Preliminary Drainage Report and Preliminary Engineering Plans.¹⁹

1.19 Environmental. The site is mapped for moderate seismic hazard, with slopes exceeding the 15% threshold for a Moderate Geologic Hazard Area. A limited Geotechnical Report²⁰ is provided to support the proposal. The site is also mapped as a Category II Critical Aquifer Recharge Area, but the land use is not a use of concern per KCC 19.600 and does not require further analysis. A Kitsap County Timber Harvest Permit will have to be submitted during SDAP application.

1.20 Sewer and Water Service. Kitsap County will provide sewer service.²¹ North Perry Avenue Water District will provide water.²²

¹⁶ KCC 16.24.040(C)(1)(d).

¹⁷ Ch. 16.24.040(F); Ch. 17.500 KCC.

¹⁸ Ch. 17.510 KCC.

¹⁹ Exhibit 27.

²⁰ Exhibit 26.

²¹ Exhibit 5.

²² Exhibit 11.

1.21 Utility and Public Services.

- **Water:** North Perry Avenue Water District
- **Power:** Puget Sound Energy
- **Sewer:** Kitsap County
- **Police:** Kitsap County Sheriff
- **Fire:** Central Kitsap Fire and Rescue
- **Schools:** Central Kitsap School District #401

1.22 Solid Waste. The proposal has been reviewed and conditioned for solid waste disposal. Waste Management approval is required for the plat.

1.23 Fire Protection. The Fire Marshal's Office has reviewed the project and included conditions. Fire flow verification and adequate fire apparatus access for emergency responders are required, and will be reviewed through the SDAP.

1.24 Schools. Central Kitsap School District was notified of the plat application.²³ When the District responds, their comments will be included with the SDAP review. School impact fees are imposed through KCC Title 4.

1.25 Urban Standards – KCC 16.24.040. These requirements are met.

- Access. *See* above, including § 1.12.
- Public Transit. Kitsap Transit service is provided near the proposed site, including Routes 15 and 23 in front of the site along NE John Carlson Road, and Routes 2, 17 and 19 at the SR-303 corridor.
- Non-Motorized Facilities. *See* §§ 1.12 and 1.14.
- Off-Street and On-Street Parking. *See* § 1.13.
- Fire Protection. *See* § 1.23.
- Landscaping. *See* § 1.15.
- Utilities. *See* §§ 1.21 and 1.22. Besides urban water and sewer service, Cascade Natural Gas and Puget Sound Energy should serve the project.
- Recreation. The plat will include recreational open space amenities consistent with subdivision standards (20 units x 390 square feet = 7,800 square feet of recreation facilities).²⁴ The Applicant is proposing 13,214 square feet of recreation area, centrally located in the plat, to include a tot lot/playground, community garden, and open space.

1.26 Appropriate Provisions for Facilities and Improvements - KCC 16.04.080. As addressed below, appropriate provisions for facilities and improvements have been made consistent with KCC 16.04.080, to ensure the plat serves the public interest.

²³ Exhibit 17.

²⁴ KCC 16.24.040(H).

- Code/Plan Consistency. The project, as conditioned, follows the Comprehensive Plan and County Code, which provide for attractive urban development adequately supported by urban facilities and services. No policy or code provision was identified which the project would contravene.
- Adequacy of Access. DCD reviewed the plat access adequacy. Compliance with County transportation requirements and plat conditions ensure access requirements are met. Easements will be required for lots with shared driveways. *See also* § 1.12.
- Safe Walking Conditions. *See* § 1.12, which addresses the provision of sidewalks and crosswalks to ensure safe walking conditions are in place.
- Lot Configuration. The lots are not irregular and run at right angles to the street faced. Three corner lots will have shared driveways with adjacent lots. In those cases, lot fronts have been identified as the side in which the house would front.
- Homeowners Association. Conditions require property owner maintenance of certain plat conditions. Regardless of whether an HOA takes on these responsibilities, they remain with the ultimate property owners.

1.27 Single-Family Subdivision/Development Standards – KCC 17.420.037. The plat meets single-family platting requirements.

- Sidewalk Requirements. *See* § 1.12.
- Public Streets and Connectivity Requirements. The plat has been reviewed for adequate connectivity.
- Utility Connectivity. There are utility easement requirements; future public utility extension easements per KCC 17.420.037 are not proposed.
- Landscaping. *See* § 1.15.
- Parking. *See* § 1.13.

1.28 Staff Report and Conditions. Except as modified here, the Staff Report is incorporated by reference. The Report's proposed conditions are necessary to ensure code requirements are met and to achieve consistency with the above findings. No objections or concerns were raised over the conditions and they should be imposed without substantive revision.

2. CONCLUSIONS OF LAW

2.1 The Hearing Examiner reviews Preliminary Plat applications for consistency with Single-Family Subdivision/Development Standards and platting requirements.²⁵ These requirements include zoning and platting provisions in Titles 16 and 17, including KCC 16.04.080, KCC 16.24.040, and KCC 17.420.037. These regulations require that plats meet sizing and related requirements (*i.e.*, density, height, setbacks, and landscaping) and be adequately served with necessary infrastructure and services (*i.e.*, stormwater facilities, sewage, water supply, transportation facilities, recreational facilities, and schools).

²⁵ KCC 21.04.100.

2.2 The zoning code authorizes the proposed residential use at the densities proposed. As the findings address, and assuming the below conditions are complied with, the proposal meets all platting requirements, including lot size, setbacks, and infrastructure requirements. Conditions are imposed to ensure these requirements are complied with.

2.3 Conditions are imposed to ensure County transportation, stormwater, and water/sewer service requirements are complied with. The proposal, as conditioned, and as the findings address, includes provisions to address impacts on drainage; roads, including adequate access and safe walking conditions; water supplies; sanitary wastes; fire protection; landscaping; and other supporting public and private facilities and improvements.

2.4 As mitigated and proposed, the project is consistent with Comprehensive Plan policies providing for attractively designed urban development adequately supported by urban facilities and services.

2.5 Given project consistency with requirements and policies, the Hearing Examiner concludes it should be approved.

DECISION

The Hearing Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves the requested Preliminary Plat, provided these conditions are adhered to.

Planning/Zoning

1. A Final Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.

2. All potential park areas, common open space, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance responsibility shall be addressed on the face of the final plat as well as in the CCRs.

3. Access to all lots shall be from roads within the proposed plat boundaries. A note to this effect shall be placed on the Final Plat.

4. All lots with shared driveways shall record access easements for SDAP approval to meet the requirements of KCC 16.24.040(A)(4).

5. Corner lots with shared driveways have established front lot lines as follows: Lot 4 is the north lot line; Lot 10 is the west lot line; and Lot 14 is the east lot line.

6. The names of the roads in this land segregation shall be approved by DCD prior to final subdivision approval.

7. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.

8. A Final Landscape Plan will be required to be submitted with the SDAP, consistent with KCC 17.500 Landscaping, during civil site plan review, which depicts natural vegetation, and the planting and irrigation plan.

9. Street trees shall be planted along the front (NE John Carlson Road) and fronts of individual lots at approximately 25' spacing. A final landscape plan will be subject to approval by DCD prior to SDAP approval. Trees on individual lots are required to be installed prior to Certificate of Occupancy of individual residential units.

10. Prior to the plat transferring to the HOA, the developer will be responsible for irrigation and maintenance of all landscaping to ensure survival up to two years. The developer or the HOA shall maintain all landscaping consistent with the Tree Care Industry Association standard practices.

11. Any and all signage design and location (including exempt signs) shall comply with KCC 17.510 and be reviewed and approved by DCD prior to installation. Signage may require a separate permit.

12. Pursuant to KCC 16.04.100 and KCC 21.04.110 Timeline and Duration of Approval, Kitsap County's land use approval for the preliminary plat is valid for a period of up to five (5) years from the decision date of the preliminary plat consistent with RCW 58.17.140 and .170.

13. The decision set forth herein is based upon representations made and exhibits contained in the project application. 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.

14. 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.

15. Any violation of the conditions of approval shall be grounds to initiate revocation of this plat.

Development Engineering

16. 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.

17. 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 KCC Titles 11 and 12.

18. The information provided demonstrates this proposal is a Large Project as defined in KCC Title 12, and as such will require an SDAP from Development Services and Engineering, designed to meet Minimum Requirements 1-9.

19. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with KCC Title 12 effective at the time the Preliminary Plat application was deemed complete, April 17, 2019. 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 SDAP application.

20. Any project that includes offsite improvements that create additional impervious surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with KCC Title 12 effective at the time the Preliminary Plat application was deemed complete, April 17, 2019.

21. The site plan indicates that greater than one 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/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.

22. 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.

23. If a significant quantity of grading material will be imported/exported to/from the site, a vehicle wheel wash must be included as an element of the siltation

erosion control plan. Typically, significant quantity of grading material means five or more trucks leaving the site per hour.

24. The design of the infiltration facilities will be in accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual.

25. The infiltration facilities shall remain off line 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.

26. During construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection 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 properly stamped and sealed with a professional engineer's stamp to Development Services and Engineering.

27. Upon completion of the storm drainage facilities and road construction, the developer will be required to post a two-year maintenance bond for the facilities and roads. 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, 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.

28. The impervious area per lot for rooftop area and driveway area, as accounted for in the overall drainage facilities installed, shall be indicated on the face of the final plat. Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall drainage facilities shall require a SDAP for that lot and be mitigated in accordance with KCC Title 12.

29. 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.

30. 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.

31. If the project proposal is modified from that shown on the submitted site plan received April 11, 2019, Development Services and Engineering will require additional review and potentially new conditions.

32. The 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.

33. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9 of the Kitsap County Stormwater Design Manual.

Environmental

34. All work shall follow the recommendations of the Limited Geotechnical Report (EnviroSound Consulting, Inc.; dated 1/22/19). This report shall be provided with the application for the SDAP and each subsequent building permit. Building permit applications shall also include an addendum letter to verify the recommendations are met for foundations, etc.

35. A Timber Harvest Permit application shall be provided with the application for the SDAP.

Traffic and Roads

36. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the KCC. The KCPW 1601 form reserves road capacity for the project.

37. Public roads shall not exceed 12% grade depending on the road classification per Kitsap County Road Standards.

38. The interior roads of the proposed plat shall be designed and constructed in accordance with KCC 11.22 and the Kitsap County Road Standards for a local access road or an approved higher standard. Roads shall be publicly maintained, and the right-of-way dedicated to Kitsap County as proposed.

39. All traffic control devices on public and private roads shall comply with the Manual on Uniform Traffic Control Devices as amended by the Washington Administrative Code. This is in accordance with 23 Code of Federal Regulations (CFR), Part 655.

40. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.

41. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.

42. The property owners within the plat shall be responsible for maintenance of all landscaping within the existing and proposed right-of-way including any structures other than roadway, storm drainage facilities, and traffic signage. Maintenance shall include, but not be limited to, mowing of lawn areas. A note to this effect shall appear on the face of the final plat map and the accepted construction plans. In addition, Development Services and Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.

43. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on NE John Carlson Road. The cross-sections should show existing and proposed pavement, shoulders, ditches and slopes. The cross-sections should also depict centerline of pavement and right-of-way, the right-of-way lines, and easements.

44. Submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with County rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the KCC. Existing approaches may need to be improved to meet current standards.

45. Sawcut of existing asphalt shall provide minimum 3-foot compaction room. Pavement restoration shall be a minimum ½ lane with no paving joint in wheel tracks.

46. Frontage improvements, consisting of twelve-foot travel lane; five-foot bike lane; and vertical curb, gutter and six-foot sidewalk, shall be constructed along the property frontage along NE John Carlson Road.

47. Frontage improvements, consisting of vertical curb, gutter and five-foot sidewalk, shall be constructed along the interior plat road(s).

48. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.

49. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the plat access road and NE John Carlson Road. 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. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.

50. All work, equipment and materials for traffic signal and street lighting installations shall meet and be in compliance with all requirements of the Kitsap County Road Standards, Project Contract Provisions of Plans and Specifications accepted for construction by

Kitsap County, Manual on Uniform Traffic Control Devices (MUTCD), National Electrical Manufacturer's Association (NEMA), National Electrical Code (NEC), Washington State Department of Transportation (WSDOT) Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).

51. A Right-of-Way Permit is needed for any utility connections and road frontage improvements. Prior to scheduling the preconstruction meeting, the Applicant shall apply for and obtain an approved ROW Permit for all work within the County right-of-way. Additional permit conditions, bonding, traffic control, inspections, and other requirements may apply to the Right-of-Way Permit and will be determined by Kitsap County Public Works. You may apply online at <https://co-kitsap-wa.smartgovcommunity.com> or contact Kitsap County Public Works, Right-of-Way Division at rowpermits@co.kitsap.wa.us with any questions.

52. Prior to requesting a final inspection on the required SDAP with DCD, the Applicant shall satisfy all conditions of a Right-of-Way Permit through the Department of Public Works for any and all work performed in the County right-of-way associated with this project. Apart from the SDAP, the Right-of-Way Permit may require extra work to comply with current Washington State Department of Transportation or Kitsap County Road Standards. You may contact Kitsap County Public Works, Right-of-Way Division at (360) 337-5777 to obtain a Right-of-Way Permit.

Fire Safety

53. Water line size and location and the location of fire hydrants must be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits.

54. Hydrants are required and shall be placed no further than 600 feet from each other.

55. The minimum fire flow requirements for one and two-family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.

Solid Waste and Wastewater

56. Kitsap County sanitary sewer is available for the project. Applicant must submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works – Sewer Utility Division Standards and Regulations.

57. Sewer Availability Agreement account must be kept current and in good standing through the permit approval date.

58. Prior to SDAP approval, Waste Management (360-674-3166) shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider for the project. Pay particular attention to the access requirements of

collection trucks. Documentation shall be provided from the solid waste/recycling service provider that its requirements for this project have been met.

Kitsap Public Health District

59. If septic tanks/wells are encountered during construction, decommissioning will be required. Sewered building clearance will be required for each lot prior to building permit issuance.

THIS DECISION is entered September 4, 2019.



Kitsap County Hearing Examiner
Susan Elizabeth Drummond