



Notice of Hearing Examiner Decision

07/01/2021

To: Interested Parties and Parties of Record

RE: Project Name: Eldorado Preliminary Plat
Applicant: Ben Paulus, CEO
Blue Fern Development
11232 120th Ave NE Ste 104
Kirkland, WA 98033
Application: Preliminary Plat (PPlat)
Permit Number: 20-01380

The Kitsap County Hearing Examiner has **APPROVED** the land use application for **Permit #20-01380 Eldorado Preliminary Plat – PPlat, subject to the conditions outlined in this Notice and included Decision.**

THE DECISION OF THE HEARING EXAMINER IS FINAL, UNLESS TIMELY APPEALED, AS PROVIDED UNDER WASHINGTON LAW.

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>

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, by contacting 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: Applicant: Ben Paulus, Ben@bluefern.com
Owners: MENTOR J P, jennifer@mentorcompany.com
Sequoia Spring LLC, 11232 120th Ave NE Ste 204, Kirkland WA 98033
Eldorado Hills II LLC, 9330 Silverdale Way NW Ste 201, Silverdale WA 98383
Project Representative: Holli Heavrin, hhh@coredesigninc.com
Authorized Agents: Diane Nelson, permits@coredesigninc.com; Levi Holmes, levi@jwgroup.com; Holly Blinn, holly.b@jwgroup.com; Michelle Branley,

michelle@bluefern.com; Patty Charnas, patty.c@jwigroup.com; Blue Fern Homes, invoices@teaknw.com

Health District
 Public Works
 Parks
 Navy
 DSE, DCD
 Kitsap Transit
 Central Kitsap Fire District
 Central Kitsap School District
 Puget Sound Energy
 Water/Sewer Purveyor: Kitsap PUD
 Point No Point Treaty Council
 Suquamish Tribe
 Port Gamble S'Klallam Tribe
 Squaxin Island Tribe
 Puyallup Tribe
 WA Dept of Fish & Wildlife
 WA Dept of Transportation/Aviation
 WA State Dept of Ecology-SEPA
 WA State Dept of Ecology-Wetland Review
 WA State Dept of Transportation
 DCD Planners: Tasha Santos, Jeff Smith, Steve Heacock
 Interested Parties:

Adam Eberhard & Bella Cruz, ajbella_360@yahoo.com; Karin Ahlman & Garry Wanner - Kitsap Assoc. Realtors, kqwanner@johnlscott.com; Alan Link, alanlink43@gmail.com; Anne and Michael Plummer, pepperpotdesign@gmail.com; Kris Baker, kmfay_2000@yahoo.com. Barry Weingast, weingast@wavecable.com, Beth & Bruce Anderson, anderson.b@wavecable.com; Brian Chase, bchase4@icloud.com; Christian Vosler - Kitsap Sun, christian.vosler@kitsapsun.com; Cate Christopherson - Kitsap Assoc. Realtors, catec@johnlscott.com; Tiffany Claxton - Kitsap Assoc. Realtors, tiffany@kitsaprealtor.org; Steven L. Cole - Postmaster Bremerton WA, steven.L.cole@usps.gov; Raymond Conners, Raymond - Kitsap Assoc. Realtors, raymondconners@johnlscott.com, David and Shanna McVicker, dskgn@wavecable.com; Diane & Tom Ringstad, diatomring@q.com; Dixie & Charles Zappala, dixiezappala@hotmail.com; Don & Elaine Jukam, jukam@comcast.net; Doug Newell, DougN@ckschools.org; elliecoombe@hotmail.com, Gary & Dawn Fisher, fishnboots3@gmail.com; Gary & Karen Mills, kfm926@gmail.com; Glenn Peglow, gpeglow@msn.com; gmckenzie@prodigy.net; Wes & Signe Hill, weshill01@wavecable.com; Jane Afuso, jane.afuso@yahoo.com; Janice & Gary McFarland, cyclingfarlands@gmail.com; Janice Gurry, jgurry1011@icloud.com; Jeffrey & Teresa Pearson, jeffandteresa@wavecable.com; Karen Chu, kip.sea@gmail.com; Karena Belin, jpnbubby@yahoo.com; Ken Kraft, kkraft.kraft01@gmail.com; Kevin & Gail Gross, kevinandgail@wavecable.com; Laurie Adamson, laurieadamsonphd@gmail.com; Lea Trujillo, leatrujillo@gmail.com; Frank Leach - Kitsap Assoc. Realtors,

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

**Eldorado Preliminary Plat
File No. 20-01380**

July 1, 2021

1. FINDINGS OF FACT

1.1 Proposal. Divide 93-acres into 500 lots, with 47 tracts, for single-family homes. The proposal includes supporting utilities, access, stormwater facilities, open space, and critical area buffers.

Applicant

Ben Paulus, CEO, Blue Fern Development 1
11232 120th Ave. NE, Ste 204, Kirkland, WA 98033

Principle Authorized Agent: Holli Heavrin, P.E., Core Design
12100 NE 195th Street, Ste 300, Bothell, WA 98011

Owners

Sequoia Spring LLLC
11232 120th Ave NE, Ste 204, Kirkland, WA 98033

JP Mentor
1414 Market St, Ste 200, Kirkland, WA 98033

Eldorado Hills II LLC
9330 Silverdale Way NW, Ste 201, Silverdale, WA 98383

Location

SEC 30, TWP 25, RNG 1E; Assessor #'s 302501-4-001-2001; 302501-3-010-2002; and, 302501-4-012-2008. No street address.

1.2 Hearing. An open record public hearing was held June 10, 2021. Due to COVID-19 restrictions, the hearing was conducted remotely, with the Examiner, Kitsap County Department of Community Development (“Department”), and Applicant calling in. Access information was provided to the public to allow citizens to join via either a video link or telephone call-in. Technical difficulties were limited.¹ In case any citizens who wished to comment had difficulty calling in, the record was kept open through June 17.²

¹ One citizen had difficulty with connectivity during the public testimony portion, but resolved the issue by hearing end, so testified at the hearing. Another citizen was able to listen to the hearing, but stated she was not able to speak. She followed up with written comment. Exhibit 91.

² See Temporary Emergency Rule to Address COVID-19 Situation (April 1, 2020).

At the hearing, DCD, through Ms. Santos and Mr. Heacock, described the project. DCD found it consistent with requirements, and recommended approval with conditions. The Applicant, through Mr. Holmes and Ms. Blinn, provided further detail. Public testimony followed. The Applicant, through Mr. Holmes and Ms. Heavrin, and DCD, through Ms. Santos and Mr. Heacock, addressed concerns arising from citizen comment.

1.3 Hearing Testimony. Project neighbors testified on the proposal, including Mr. Gross, Ms. Gross, Ms. Mills, Ms. Evans, Mr. Trujillo, Mr. Sweeten, Mr. Hayes, Mr. Peglow, Mr. Skiff, Mr. Weingast, Mr. Kammer, Mr. Cousyn, Ms. Johns, and Ms. Rogers. Concerns raised included impacts on traffic, pedestrian safety, stormwater, density/compatibility, wetlands and streams, wildlife, and school impacts. Citizens identified an overall concern with the rapid influx of development in the area. SEPA concerns were also raised. The Examiner noted she lacked SEPA jurisdiction without an appeal, but the concerns may still be identified as SEPA review may overlap with other authority, such as with the critical areas ordinance.

In addressing comment, Mr. Holmes identified key points from the traffic impact analysis, or TIA. The TIA evaluated the Project coupled with pipeline development and a 1.5% growth factor. Even with these additions, El Dorado Blvd will be at about 60-65% capacity. Frontage improvements include sidewalks along both sides of El Dorado Blvd, which now lacks sidewalks. An extensive trail system will interconnect with the larger County system. Frontage improvement completion will be tied to phasing. Until the infrastructure is in place, there will be no occupancy. As for schools, Mr. Holmes discussed the project with the School District so it can plan ahead and the project is paying impact fees (exceeding \$1.3 million), along with park impact fees. A homeowners association will be formed to maintain improvements not publicly dedicated. Mr. Holmes described the stream buffering on the west side, which also protects the adjacent rural property.

Ms. Heavrin, a civil engineer, outlined stormwater requirements. Due to site soils, the Project cannot utilize infiltration as it would cause damage to downstream properties. Mr. Holmes noted that around 2015 the property was logged. With the logging permits there are no detention or stormwater control requirements. Sheet flow results, which impacts downstream properties. The Project will rectify these issues, as stormwater will be detained and treated and released at a rate equivalent to runoff from a forested site.

Ms. Santos addressed various code requirements. The project meets density requirements and impervious surface requirements do not apply. Also, KCC 19.200.210(C) identifies criteria for when wetlands do not require buffers and it was met. She referenced the frontage improvements and codes governing homeowner association requirements. The Applicant worked with Kitsap Transit to coordinate on their needs. The decision to require two bus stops was based on agency need. The School District is notified as part of project review and their comments are reviewed. The District has not opposed the plat. Ms. Santos noted that an environmental report was prepared and it identified no protected species.

Mr. Heacock addressed the character of the surrounding neighborhood. Several surrounding older plats were built under older requirements, with many lots on septic, on the larger lots septic necessitates. This project is within an urban area with sewer infrastructure. The

developer proposed, without Department prompting, to pay a proportionate share to Eldorado/Newberry Hill signalization and improvements to address traffic. The critical areas ordinance was updated in 2016 and the County worked closely with Ecology, tribes, and other environmental groups, and determined that small isolated wetlands with low habitat function would not require buffering. Mr. Heacock explained the western pond turtle, which the Applicant's biologist reviewed, requires larger wetland resources than are present.

1.4 Administrative Record. The Examiner admitted Exhibits 1-104, as listed in the Exhibit List. Exhibits included the Staff Report, application materials, the preliminary plat, documentation of agency consultation, technical analysis, public notice documents, public comments, and a DCD Power Point presentation. One comment was received after record closure but was admitted as transmission was delayed due to an error in email addressing.

1.5 Notice. Hearing and application notice was provided consistent with KCC requirements.³

1.6 SEPA. DCD issued a Mitigated Determination of Non-Significance, which was revised and re-issued.⁴ No appeal was filed. The revised determination clarified required mitigation (frontage improvements of curb, gutter and sidewalk construction along the entire project frontage). Conditions include:

1. The proposal will be conditioned for stormwater control pursuant to KCC Title 12 (Stormwater Drainage).
2. Due to the presence of steep slopes on the property, unclassified drainage conveyance systems, and seasonal streams, the proposal will be conditioned to follow all recommendations of the geotechnical report per KCC Chapters 19.400 and KCC 19.700.
3. Due to the presence of wetlands, unclassified drainage systems and seasonal and F-type streams on the property and in the vicinity, the proposal will be conditioned to follow the recommendations of the wetland and habitat assessment report by Eco-Land Services, LLC. The proposal is conditioned to follow KCC Chapters 19.200, KCC 19.300 and KCC 19.700.
4. The Plat proposes four phases that will be further guided under separate Site Development Activity Permit (SDAP) approval. Should the designs change upon future permitting or phasing of the SDAPs (e.g., Final Plat designs), further application and a revised SEPA Decision may be required by the SEPA Responsible Official.
5. The applicant is responsible for frontage improvements of curb, gutter, and sidewalk construction on NW Eldorado Blvd along the entire property frontage contained in the proposal.
6. Coordination with Kitsap County Transit is planned. Currently, 2 bus stops will be provided along the frontage of the project. Exact transit stop locations are not demarked at this time.

³ Exhibits 21, 22, 57, 59, 69, 78, and 81 KCC 21.04.080, .210.

⁴ Exhibits 45 and 46; Exhibit 80 (revised Staff Report), pp. 3-5.

7. If an archaeological resource or site is found during construction activity must be halted, and the State Historical Preservation Officer must be notified (Phone # 360-586-3065) and be requested to provide recommendations on how to proceed. The Suquamish Tribe and Kitsap County SEPA Official or SEPA Coordinator must also be notified.
8. The applicants shall pay a proportionate share of the total project (44.5%), as identified by Gibson Traffic Consultants in the TIA Update 8-31-2020, for intersection improvements at Newberry Hill Road and Eldorado Boulevard. Intersection improvements at Newberry Hill Road and Eldorado Boulevard shall be to Kitsap County Road Standards.
9. The applicants shall pay a proportionate share (13.15%) of the signal improvements as identified by Gibson Traffic Consultants in the TIA Update 8-31- 2020, for Newberry Hill Road at Provost Road.

1.7 Written Public Comment. The Department reviewed and responded to comments it received, which addressed concerns over density, stormwater, traffic, critical areas, compatibility with neighborhood and Comprehensive Plan, property value impacts, schools, parks, pandemic effects on review, water and sewer, PSE easement/open space, and SEPA.⁵

1.8 Agency Comment. The proposal was circulated within the County. As long as requirements are met, there were no agency objections to approval.

1.9 Zoning/Plan Designations. The site is within the Silverdale Urban Growth Area. The Plan designation is Urban Low Density Residential and the zoning is Urban Low Residential. 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.⁶

Several public comments objected to the zoning and allowed densities. However, the Examiner cannot change the zoning. Authority is limited to evaluating plat consistency with code. The plat provides homes consistent with the site's zoning and the land use planning, which includes the Comprehensive Plan and Silverdale Sub-Area Plan. These plans call for urban residential development at set densities, with homes adequately supported by urban utilities, infrastructure, and services.⁷

Surrounding properties are vacant or developed with single-family homes. Surrounding zoning is Urban Low, Urban Restricted, and Rural Residential. Though adjacent to rural areas, the site is slated for urban development. The numerous public comments submitted are correct; a large number of homes are planned. Other comment documented the need for homes and the

⁵ Exhibit 80 (revised Staff Report), pp. 14-20.

⁶ KCC 17.200.010.

⁷ Exhibit 80 (Staff Report), p. 19.

housing shortage in the area and region, which in turn exacerbates homelessness, a growing issue.⁸ Providing affordable housing and protecting established neighborhoods, which the Growth Management Act, Ch. 36.70A RCW, provides for, can be a difficult balance.

1.10 Zoning Code Sizing/Density Requirements. The Urban Low Residential zone provides for minimum/maximum densities of 5-9 dwelling units per acre, which equates to 241-840 units.⁹ At 500, the plat complies. Lot sizing requirements are also met.

Requirement	Proposed
Minimum Lot Size - 2,400 SF	2, 595 SF (smallest proposed lot)
Maximum Lot Size - 9,000 SF ¹⁰	8, 911 SF (largest proposed lot)
Minimum Lot Width - 40 feet	40 feet
Minimum Lot Depth – 40 feet	60 feet
Maximum Height – 35 feet	Reviewed with Building Permit
Setbacks <ul style="list-style-type: none"> • Front, 10-20 feet • Side, 5-10 feet • Rear, 10-20 feet • Steep Slopes 	Reviewed with Building Permit

1.11 Physical Characteristics. The 93.31 acre site contains three rectangular parcels descending south to north at 5-10% gradients, with these characteristics:

- The 17-acre north parcel includes a ravine in the center with gradients ranging from 40-100%. Two Type-N stream segments connect to an off-site Type-F stream to the east.
- The 37.5-acre east parcel contains a steep slope, which begins in the south east corner and extends south off site at a 30% gradient.
- The 38.5-acre west parcel was clear cut before 1993, and has regrown with Douglas fir, forest underbrush, and other tree types. Seven Category IV wetlands and a Type N stream are present.

1.12 Critical Areas. The Washington State Departments of Ecology, Natural Resources, and Fish and Wildlife visited the site. Ecology visited with the Department to confirm wetland boundaries. Additional wetlands and a flowing watercourse were found, so the Department conducted a subsequent stream-typing site visit with WDFW and DNR to evaluate the stream. All agencies present concurred the watercourse was not a regulated stream, and DNR issued a follow-up summary memo. The Tribe and WDFW requested further inspection, so the Applicant met with them onsite. WDFW changed course, concluding a Type Ns stream was present. Rather than object, the Applicant revised the plat to locate all lots outside a 50 foot stream buffer per Ch. 19.300 KCC.

⁸ Exhibit 98.

⁹ KCC 17.110.213 (minimum density calculation based on net developable acreage); KCC 17.110.212 (maximum density calculation based on gross acreage); Exhibit 28 (Staff Report), pp. 3-4.

¹⁰ KCC 17.420.060(A)(25).

These critical areas (*see* Exhibit 51) were evaluated through reports addressing the on-site wetlands and streams (Exhibits 5 and 37), and steep slopes (Exhibits 7 and 36). Seven Category IV on-site wetlands are protected, but are exempt, so do not require buffering though building setbacks are required.¹¹

A Type-F stream is located off-site. Two Type-Ns stream segments are on-site which connect to the off-site stream.¹² As measured from ravine tops, streams require minimum 25-foot buffers. The Type-F stream requires a 150-foot buffer¹³ An additional watercourse, an ephemeral stream on the plat's west side, will have a 50-foot buffer.¹⁴ The plat includes these buffers without buffer averaging.¹⁵

Geotechnical analysis evaluated the moderate and steep slopes on the site and provided recommendations for site development.¹⁶ All recommendations will be followed. A limited area is within a Category II Critical Aquifer Recharge Area (Exhibit 52), but the use is not identified as a potential threat to groundwater quality so further analysis is not required.¹⁷ Critical areas requirements are met.

1.13 Access and Transportation. Five new access points off NW Eldorado Blvd will be constructed. NW Eldorado Blvd will be realigned and built to local sub-collector standards. Sidewalks, curbs, and gutters will be added to both sides of NW Eldorado Blvd along the project frontage (*See* Condition 62). Interior roads with frontage improvements, and individuals driveways, will provide direct access to individual lots (See condition 63). The Applicant will pay a proportionate share of intersection and signal improvements at Newberry Hill Road/NW Eldorado Boulevard, as the traffic impact analysis details (Exhibit 28). On connectivity:

- Eldorado provides north-south connectivity. Plat Road A aligns with NW Rydan Ct across Eldorado Blvd. Plat Roads I and G align with each other.
- Plat Roads C and J do not align. Public Works Traffic Division found these road segments are adequately off-set and provide site distance consistent with Kitsap County Road Standards.
- Outside plat boundaries, expanding the public road system is infeasible due to existing development patterns, topography, and abutting critical areas.¹⁸

WSDOT provided comments on impacts to roads within their jurisdiction.¹⁹ Conditions 43 and 44 ensure comments are addressed at Site Development Activity Permit submittal.

¹¹ Exhibit 80 (revised Staff Report), pp. 41-42.

¹² Exhibits 5 and 37.

¹³ KCC 19.300.315.

¹⁴ Exhibit 80 (revised Staff Report), p. 43.

¹⁵ Exhibit 80 (revised Staff Report), p. 42; Exhibits 40-42, and 74.

¹⁶ Ch. 19.400 KCC; Exhibits 7 and 36; Exhibit 80 (revised Staff Report), p. 44.

¹⁷ KCC 19.600.620; Exhibit 80 (revised Staff Report), pp. 44-45.

¹⁸ Exhibits 50 and 51; Exhibit 80 (revised Staff Report), p. 25.

¹⁹ Exhibit 25.

Plat roads are within separate tracts, and Condition 54 provides for private road standard compliance, while Conditions 55 and 56 provide for public road improvements to meet Kitsap County Road Standards.

1.14 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.²⁰ The required 1,250 spaces are provided.²¹ DCD calculates the required number of spaces in the driveway and not within individual residential garages.²²

1.15 Central Mailboxes/Urban Plats. Clustered mailboxes are not proposed. Should that change, sidewalks must meet clear zone requirements (*See* Condition 12).²³

1.16 Landscaping. Entrance landscaping and street trees are required.²⁴ At least 15% of the site must be landscaped²⁵ and a solid screen buffer 25-50 feet in width must surround residential plats abutting a rural zone.²⁶ Also, a solid screening buffer is required around the storm drainage facility perimeter.²⁷ The Applicant submitted a preliminary landscape plan.²⁸ These requirements are met, with about 18% of the site landscaped, perimeter screening, and street trees along NW El Dorado Blvd and all interior access roads. The final landscape plan will be submitted with the SDAP to confirm compliance (*See* Conditions 14 and 15).

1.17 Signage. The Applicant may apply for signage near the entrance of the subdivision during or after construction,²⁹ although signage is not now proposed. When the final plat is recorded, all signage must follow code requirements.

1.18 Lighting/Urban Plats. No lighting is proposed. Should this change, lighting requirements for exterior lighting must be met.³⁰

1.19 Stormwater. Stormwater runoff will be captured and conveyed to three on-site storm retention ponds.³¹ Where feasible and as needed to maintain wetland hydrology, runoff will be discharged to the wetland areas. Final engineered drainage plans will be submitted with the Site Development Activity Permit application and reviewed for Title 12 consistency. The Applicant elaborated on stormwater management at the hearing, noting that stormwater issues for downstream properties is expected to be improved due to project infrastructure.

²⁰ KCC 17.490.030.

²¹ Exhibit 80 (revised Staff Report), p. 38; Exhibit 74 (landscape plan shows numbered stalls).

²² KCC 17.490.030.

²³ KCC 16.24.040(C)(1)(d).

²⁴ KCC 16.24.040(F); Ch. 17.500 KCC.

²⁵ KCC 17.500.025.

²⁶ KCC 17.500.027(B)(2).

²⁷ KCC 17.500.027(B)(3).

²⁸ Exhibit 74.

²⁹ Ch. 17.510 KCC.

³⁰ KCC 17.420.030(C), Ch. 11.40 KCC.

³¹ Exhibits 74 and 76.

1.20 Water and Sewer Service. Silverdale Water District will provide water.³² Kitsap County Public Works will provide sewer.³³ Kitsap County Public Works noted Sewer Availability Agreement fees must be current (Conditions 79 and 80). Kitsap County Public Health District noted Sewered Building Clearances shall be submitted with the building permit application (Condition 82). Utility easements are shown on the plat (Exhibit 74).

1.21 Utility and Public Services.

- **Water:** Silverdale Water District
- **Power:** Puget Sound Energy
- **Sewer:** Kitsap County Public Works
- **Police:** Kitsap County Sheriff
- **Fire:** Central Kitsap Fire and Rescue
- **Schools:** Central Kitsap School District

1.22 Solid Waste. Waste Management will provide service. Coordination with the vendor is required (Condition 81).

1.23 Fire Protection. The Fire Marshal has reviewed the project and conditions are included (Conditions 75-78). Fire flow verification and adequate fire apparatus access for emergency responders are required and will be reviewed through the SDAP.

1.24 Schools/Safe Walking Conditions. Notice was provided to the Central Kitsap School District. Any comments received will be considered during SDAP review. School impact fees are required.³⁴ Silverdale Elementary is over two-miles away. Klahowya Secondary School is about one-mile away but the walking route from the site is about three miles away. The plat will provide safe walkways along interior roads and the existing road fronting the site. The Applicant is providing walkways/trails throughout the plat.³⁵ Trails connect at various points to the paved sidewalk system, creating a cohesive pedestrian network. Sidewalks will follow County standards, including ADA and width requirements. *See* Condition 11.

1.25 Open Space. 1.47 million square feet of open space is provided, with trails and recreational features within the open space tracts.³⁶ 390 square feet per lot of recreational open space is required, or 195,000 square feet. The plat provides 195,873 square feet.

1.26 Phasing. The plat will be built in four phases. A phasing plan will be submitted with the Site Development Activity Permit. Conditions 9 and 10 address code compliance.

1.27 Design District. The project is within the Silverdale Sub-Area Plan, but not a designated design district.

³² Exhibit 19.

³³ Exhibit 15.

³⁴ Title 4 KCC; KCC 4.110.220.

³⁵ Exhibit 74.

³⁶ Exhibit 74 (landscape plan depicts); Exhibit 80 (revised Staff Report), p. 8.

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

- Access. *See* above, including § 1.13.
- Public Transit. Two bus stops along El Dorado Boulevard, as Kitsap Transit has agreed to are provided.³⁷ Exact location will be later determined. Condition 13 addresses this issue.
- Non-Motorized Facilities. Sidewalks are required and will be constructed consistent with code. *See* § 1.13.
- Parking. *See* § 1.14.
- Fire Protection. *See* § 1.23.
- Landscaping. *See* § 1.16.
- Utilities - Water and Sewer. *See* §§ 1.19 , 1.20, and 1.21. The project is served with water and sewer, and by Puget Sound Energy.
- Recreation. The plat will include recreational open space amenities consistent with subdivision standards (500 units x 390 square feet = 195,000 square feet of recreation facilities).³⁸ The Applicant is proposing 195,873 square feet of recreation area in separate tracts, maintenance is required, and the tracts must meet dimensional/locational requirements. Compliance will be confirmed with the SDAP (Condition 14).³⁹ Impact fees will be paid consistent with code.⁴⁰

1.29 Land Segregations with Critical Areas – KCC 16.24.080. Critical areas have been evaluated through technical analysis prepared by qualified professionals and extensive agency and tribal consultation. Code requirements, including buffers and setbacks, are met.

1.30 Adequate Facilities and Improvements - KCC 16.04.080. Appropriate provisions for facilities and improvements have been made consistent with KCC 16.04.080, to ensure the plat serves the public interest.

- 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.

³⁷ Exhibit 25.

³⁸ KCC 16.24.040(H).

³⁹ Exhibit 80 (revised Staff Report), pp. 36-37; Exhibit 74 (landscape plan).

⁴⁰ KCC 4.110.210.

- Access. County transportation requirements and plat conditions ensure access requirements are met. *See* § 1.13.
- Safe Walking Conditions. *See* §§ 1.13 and 1.24; sidewalks will be constructed to ensure safe walking conditions.
- Lot Configuration. Lots are not irregular and run at right angles to the street face. The plat does not include unusually long or oddly shaped blocks.
- Homeowners Association. Conditions require property owner maintenance of certain plat conditions. Although an HOA may take responsibility for such work, such associations can be dissolved. Whether or not an HOA takes on these responsibilities, they remain with the ultimate property owners.

1.31 Single-Family Subdivision – KCC 17.420.037. The plat meets these requirements.

- Sidewalk Requirements. *See* §§ 1.13 and 1.24.
- Public Streets and Connectivity Requirements. *See* §1.13.
- Utilities Connectivity Requirements. Utilities are adequately connected.
- Landscaping Requirements. *See* § 1.16.
- Off-Street Parking. *See* § 1.14.

1.32 Conditions/Staff Report. The Staff Report's proposed conditions are necessary to ensure code requirements are met and to achieve consistency with the above findings. The Applicant confirmed there were no objections or concerns with these conditions. Except as the Decision revises it, the Staff Report is incorporated.

2. CONCLUSIONS OF LAW

2.1 The Hearing Examiner reviews Preliminary Plat applications for consistency with Single-Family Subdivision/Development Standards and platting requirements.⁴¹ These requirements include zoning and platting provisions in Titles 16 and 17, including KCC 16.04.080, KCC 16.24.040, KCC 16.24.080, and KCC 17.420.037. These regulations require that plats meet sizing and related requirements (*i.e.*, density, height, setbacks, and landscaping), protect critical areas, and be adequately served with necessary infrastructure and services (*i.e.*, stormwater facilities, sewage, water supply, transportation facilities, recreational facilities, and schools).

⁴¹ KCC 21.04.100.

2.2 The zoning code authorizes the 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 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 waste; fire protection; landscaping; and other supporting public and private facilities and improvements.

2.4 As mitigated and proposed, the project follows 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 required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
3. The decision set forth herein is based upon representations made and exhibits contained in the project application (20-01380). 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.
4. 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.
5. The names of the roads in this land segregation shall be approved by

Community Development prior to final subdivision approval.

6. 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.

7. 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.

8. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easement shall be provided on each side of private road tracts.

9. A phasing plan shall be submitted with the SDAP application that clearly sets forth the density proposed for each phase, and identifies each amenity, including infrastructure, traffic mitigation, parks, open space, etc., proposed for each phase.

a. If phasing is proposed after the administrative decision on the SDAP, the applicant is required to meet with department staff to ensure that both the applicant and department staff have a clear understanding of the details of the proposed phasing. Fees shall be assessed at the hourly rates set forth at Title 21. A phasing plan shall be submitted as an addendum to the SDAP and department staff shall provide to the applicant written documentation regarding the phasing schedule, installation of required amenities and bonding requirements.

10. The first phase submitted for final plat approval must be submitted prior to the expiration of the preliminary plat, and each subsequent phase shall be submitted within three years of the date of final approval of the previous phase. No subsequent phase may be submitted until the preceding phase is finally approved or bonding is increased to two hundred percent of the cost to complete the preceding phase.

11. Sidewalk design shall be consistent with all applicable standards, including but not limited to Kitsap County Road Standards, shall apply the Americans with Disabilities Act (ADA) standards for sidewalk ramps at all intersections, pedestrian crossings and transit stops and shall be a minimum of five feet wide.

12. Where clustered mailboxes are proposed or required at the entrance and/or within the development, sidewalks shall be widened to meet required horizontal and vertical clear zones.

13. The applicant shall provide two bus stop facilities at a final location determined by Kitsap Transit. Prior to Phase 1 SDAP approval, documentation that the transit stop locations and design meet Kitsap Transit needs is required.

14. A final landscape plan shall be submitted with each phase, prior to SDAP approval. The plan shall comply with KCC 17.500. Specifically,

- Per KCC 17.500.025, a minimum of fifteen percent of the total site area shall be landscaped.
- Per KCC 17.500.027.B.2, a solid screening buffer measuring twenty-five to fifty feet of sight-obscuring, screening vegetation is required around residential subdivisions abutting a rural zone.
- Per KCC 17.500.027.B.3, a solid screening buffer is required around the perimeter of storm drainage facilities, to provide sight-obscuring screening from adjacent properties and/or roadways.
- The final landscape plan shall include a final open space plan showing all recreational open space facilities, consistent with KCC 16.24.040.

15. A solid screening buffer measuring twenty-five to fifty feet of sight-obscuring, screening vegetation is required around all outer boundaries of the project that abut a rural zone.

16. Any proposed exterior lighting shall be included at the time of SDAP application and shall conform to applicable standards in KCC Title 17 and KCC Title 19.

Development Engineering

17. 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.

18. 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.

19. 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 Services and Engineering.

20. 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 Preliminary Plat application was deemed complete, May 6, 2020. 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.

21. Per Kitsap County Stormwater Design Manual, Vol. II, Chapter 4.7 Downstream Analysis, the Site Development Activity Permit shall include a Level 2 Downstream Analysis, based on evidence of excessive downstream runoff concerns. The Level 2 Downstream Analysis shall provide a rough quantitative analysis to define and evaluate proposed mitigation.

22. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall(s).

23. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Services and Engineering for review and approval. The phasing plan shall, as a minimum, address the following items:

a) Timetables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase.

b) The extent of drainage improvements to be installed during the various phases.

24. Any project that includes off-site improvements that create additional impervious surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Plat application was deemed complete, May 6, 2020.

25. 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/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.

26. Per WAC 173-175, the construction of pond berms that will impound a volume of ten acre-feet or more of water requires review and approval by the Department of Ecology. This approval must be completed prior to issuance of the SDAP.

27. 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.

28. The application indicates that a significant quantity of grading material will be exported from the site. Typically, this means five or more trucks leaving the site per hour.

29. Some of the proposed lots cannot connect to the proposed primary conveyance system. Basic dispersion methods shall be used as a first priority for the individual lots, where feasible and as needed to maintain wetland hydrology.

30. Some of the proposed lots cannot connect to the proposed primary conveyance system. Infiltration methods shall be used as a second priority for the individual lots, where feasible. The Site Development Activity Permit shall include the required subsurface investigations/infiltration testing to demonstrate infiltration infeasibility, per Kitsap County Stormwater Design Manual, Vol. II, Chapter 5.3.2.

31. Prior to final plan acceptance the design engineer shall provide a design of the individual dispersal systems for each lot utilizing such a system, the individual infiltration systems for each lot utilizing such a system, or the secondary system(s) serving each lot. Maintenance of these systems will be the responsibility of the homeowner.

32. All publicly maintained drainage systems outside public dedicated right of way, if any, shall be located either in a tract dedicated to Kitsap County or in an easement, granted to Kitsap County, for ingress, egress, operations and maintenance of the stormwater facilities contained therein.

33. Upon completion of the public storm drainage and public road 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.

34. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of the Site Development Activity Permit for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.

35. Kitsap County will not be responsible for any damage to any private roads, tracts, and/or easement areas that may occur during routine maintenance activities and that in Kitsap County's judgment occur, in whole or in part, because of any

construction materials or techniques, or any maintenance materials or techniques. This includes, but is not limited to, damage to pavement or vegetated areas caused by maintenance trucks.

36. 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.

37. 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.

38. The impervious area per lot accounted for in the overall drainage facilities installed, separated by rooftop area and driveway area, 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.

39. If the project proposal is modified from that shown on the submitted site plan dated April 6, 2021, Development Services and Engineering will require additional review and potentially new conditions.

40. If 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. This note shall be placed on the face of the final construction drawings.

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

42. When phasing is proposed with the SDAP, conditions regarding the phasing schedule, installation of required amenities and bonding requirements shall be included in the SDAP administrative decision.

43. Before SDAP acceptance, the applicant shall submit a set of drawings to the Washington State Department of Transportation for review. The applicant shall notify Development Services and Engineering in writing when the plans have been submitted to WSDOT. Development Services and Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT lies with the property owner.

44. Final plan approval will require documentation of WSDOT approval for impacts to and any required mitigation on any associated WSDOT right-of-way. WSDOT point of contact is Dale Severson at (360) 357-2736:

Washington State Department of Transportation
Olympic Region Development Services Attn: Dale Severson PO Box 47440
Olympia, WA 98504-7440

Environmental

45. The project shall follow all recommendations of the Preliminary Geotechnical Engineering Investigation, dated March of 2020, and the revised report titled, Grade Separation Letter, dated November of 2020. Should phased construction of Site Development Activity permits for the plat development exceed 5 years from the date of the specific reports, a revised geotechnical report and or geotechnical addendum may be required.

46. The project shall follow all recommendations of the Critical Area Report by Ecological Land Services, dated September 2019, and the revised report dated November 2020. Should off site wetlands or Priority 1 species be found within 225 feet of the proximity of the proposed plat (within the maximum identified wetland buffer), a revised report and analysis shall be required. Should development phases exceed 5-years from the date of the associated Critical Area reports, a revised report or addendum may be required.

47. If an archaeological resource or site is found during construction, activity must be halted, and the State Historical Preservation Officer must be notified (Phone # 360-586-3065) and be requested to provide recommendations on how to proceed. The Suquamish Tribe and Kitsap County SEPA Official or SEPA Coordinator must also be notified.

48. As the wetlands on site are identified as non-regulated Class 4 wetlands and no wetland buffer is required, non-clearing areas have been identified on the plat site plans to reduce wetland impacts. Wetland encroachments must not cross into the delineated wetland boundary as depicted on the approved site.

49. Vegetation buffer shall be retained along the perimeter of the stream as depicted on the approved site plan. In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer. Stream buffers associated with slopes shall include a 25 foot top of slope buffer.

50. A Kitsap County Timber Harvest Permit will be required if greater than 5000 board feet of merchantable timber is harvested for the proposal.

51. A Hydraulic Project Approval (HPA) may be required for the proposed outfall(s). Prior to SDAP approval, the applicant shall submit an approved HPA from the Washington State Department of Fish and Wildlife (WDFW) or documentation from WDFW specifying that an HPA is not required.

Traffic and Roads

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

53. A note shall be placed on the face of the final plat indicating whether interior plat roads are public or private roads; if the interior plat roads include both public and private roads, the note shall clearly identify by road name which are public roads and which are private roads.

54. Private roads shall be designed and constructed in accordance with Kitsap County Code 16.24.040 Urban Standards.

55. If public roads are proposed, roads shall not exceed 12% grade or less depending on the road classification per Kitsap County Road Standards.

56. If public roads are proposed, roads shall be designed and constructed in accordance with Kitsap County Code 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.

57. 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.

58. All rights of access for adjoining properties currently in existence shall be preserved and documented on the face of the final plat. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP acceptance.

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

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

61. 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.

62. Frontage improvements are required along all subject parcels, where parcels abut Eldorado Boulevard NW and shall consist of 13-foot travel lanes, vertical curb, gutter, and 5-foot sidewalks. Sidewalks adjacent to the roadway are required along all property frontage. Sidewalks may be separated from road with landscape buffer strips. Separate curb ramps for each direction of pedestrian travel shall be provided at public intersections.

63. Frontage improvements are required on the interior plat roads. Interior plat roads proposed to be public roads shall be designed and constructed in accordance with the design criteria for a local road, as outlined in the Kitsap County Road Standards; interior plat roads proposed to be private roads shall be designed and constructed in accordance with Kitsap County Code 16.24.040 Urban Standards.

64. Realignment of NW Eldorado Boulevard shall meet Kitsap County Road Standards for local sub-collector with a design speed of 25 mph.

65. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on Eldorado Boulevard NW. 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.

66. 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 Kitsap County Code. Existing approaches may need to be improved to meet current standards.

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

68. The developer's engineer shall certify that there is adequate entering sight distance at the intersections of Eldorado Boulevard NW and Road A; Eldorado Boulevard NW and Road C; Eldorado Boulevard NW and Road E; Eldorado Boulevard NW and Road G; Eldorado Boulevard NW and Road I; and Eldorado Boulevard NW and Road J. 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.

69. 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).

70. The Site Development Activity Permit application shall include a technical deviation request for pavement excavation and trenching on Eldorado Boulevard NW. Per Kitsap County Road Standards, Section 7.6: A five-year moratorium on pavement excavation and trenching shall be enforced following the completion of a new road or road overlay. This requirement restricts all road trenching except in the event of an emergency repair or if all trenching is outside of the paved area. Eldorado Boulevard NW was resurfaced on 9/2/2016 and is subject to this moratorium.

71. Prior to completion of the first phase of development, the applicants shall pay a proportionate share of the total project (44.5%), as identified by Gibson Traffic Consultants in the TIA Update 8-31-2020, for intersection improvements at Newberry Hill Road and Eldorado Boulevard. Intersection improvements at Newberry Hill Road and Eldorado Boulevard shall be to Kitsap County Road Standards.

72. Prior to completion of the first phase of development, the applicants shall pay a proportionate share (13.15%) of the signal improvements as identified by Gibson Traffic Consultants in the TIA Update 8-31-2020, for Newberry Hill Road at Provost Road.

73. Prior to completion of this permit with the Department of Community Development, 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 Site Development Activity Permit (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.

74. Line of sight easements will be required at Eldorado Boulevard and Road G, Road E, Road J and Road C. Landscaping within sight triangles shall not obscure drivers line of sight.

Fire Safety

75. Fire protection including fire hydrants, water supplies for firefighting and emergency vehicle access shall be provided in accordance with Title 14, the Kitsap County Building and Fire Code, and other applicable ordinances.

76. A 20-foot unobstructed access road is required for dwellings here and after constructed on lots created by this land division. IFC 503 Amended by Kitsap County Code

77. Fire apparatus access roads are required and must be maintained in

accordance with IFC 503 Amended by Kitsap County Code. Any proposed revision to these roads must be submitted to, reviewed and approved by the Kitsap County Fire Marshal's Office. Access roads shall comply with the following:

- a) Unobstructed width of 20 feet and height of 13 feet 6 inches.
- b) Shall be designed and maintained to support a 60,000 pound fire apparatus and be provided with an all weather driving surface.
- c) Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.
- d) Inside turning radius shall be a minimum of 25 feet.
- e) Access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the structure as measured by an approved route around the exterior of the structure or facility.
- f) Road shall not be more than 12% grade.

78. Water line size, location, and 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. If fire flow is not available, the following note shall be added to the face of the plat: "Automatic fire sprinklers, as approved by the Kitsap County Fire Marshal, shall be installed throughout homes here and after constructed on lots created by this land division".

Wastewater/Solid Waste

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

80. Sewer Availability Agreement account(s) must be kept current and in good standing through permit approval date.

81. 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 their requirements for this project have been met.

Kitsap Public Health District

82. Prior to building permit approval, the applicant shall submit an approved Building Clearance application from the Kitsap Public Health District.

Absent a timely appeal or grant of reconsideration, this Decision is final.⁴²

DECISION entered July 1, 2021.



Kitsap County Hearing Examiner
Susan Elizabeth Drummond

⁴² Ch. 36.70C RCW (providing requirements for appeal within 21 days to superior court); HE Rule 1.9.1.