



Staff Report for the Hearing Examiner

Report Date: February 28, 2018

Hearing Date: March 8, 2018

Application Submittal Date: September 12, 2017

Application Complete Date: September 12, 2017

Permit Number: 17-03777

Project Name: Camp Bow Wow

Type of Application: Conditional Use Permit (CUP)

This staff report was prepared by Meg Sands, Planner, Katharine Shaffer, Environmental Planner, and Candy Vickery, Engineer 1, based on information available up until the time the report was prepared. New information relevant to review of this application may become available prior to the hearing or at the hearing. Staff may wish to change their analysis based upon that new information, and reserves the right to do so.

Proposal Summary:

The Department of Community Development is recommending approval, subject to 32 conditions, of the applicant's request for a Conditional Use Permit for a dog day-care facility, including overnight boarding, training and grooming. Primary hours of operation for dog day-care activities are 7:00 AM to 7:00 PM, Monday through Friday and 8:00 AM to 6:00 PM on Saturday and Sunday. Overnight boarding may occur 24 hours per day, 7 days a week. Dog day-care has the potential to serve a maximum of 125 dogs per day and overnight boarding capacity is up to a maximum of 62 dogs. Dog grooming is proposed during primary hours of operation generally by appointment, but can be by drop-in. The facility will have 4 groomers that could provide grooming services to 20-25 dogs total per day. Dog training is proposed during normal business hours, with a maximum of 2 classes and 5 private training sessions per day. Special events may occur on an occasional basis, which may occur during regular business hours or outside of business hours depending on the event.

According to the Assessor's records, the 5.98 acres parcel is developed with multiple buildings. Camp Bow Wow will occupy a single-story, 6,120 square feet building identified as Building 6, which is currently under construction, Commercial Building Permit 17-02918. The property is zoned Commercial (C) and located at 11800 Clear Creek Road NW in Silverdale. The project will be served by public water from Silverdale Water District and an onsite septic system with a separate holding tank for limited dog waste.

Project Request:

The applicant is requesting a Conditional Use Permit to establish a dog day-care facility as the predominate use and also provide overnight boarding of dogs. The proposal also includes dog training and grooming.

Project Location:

11662 Clear Creek Road NW
Silverdale, WA 98383
Central Kitsap County
Commissioner District 3

Assessor's Account #:

092501-3-041-2002

Applicant:

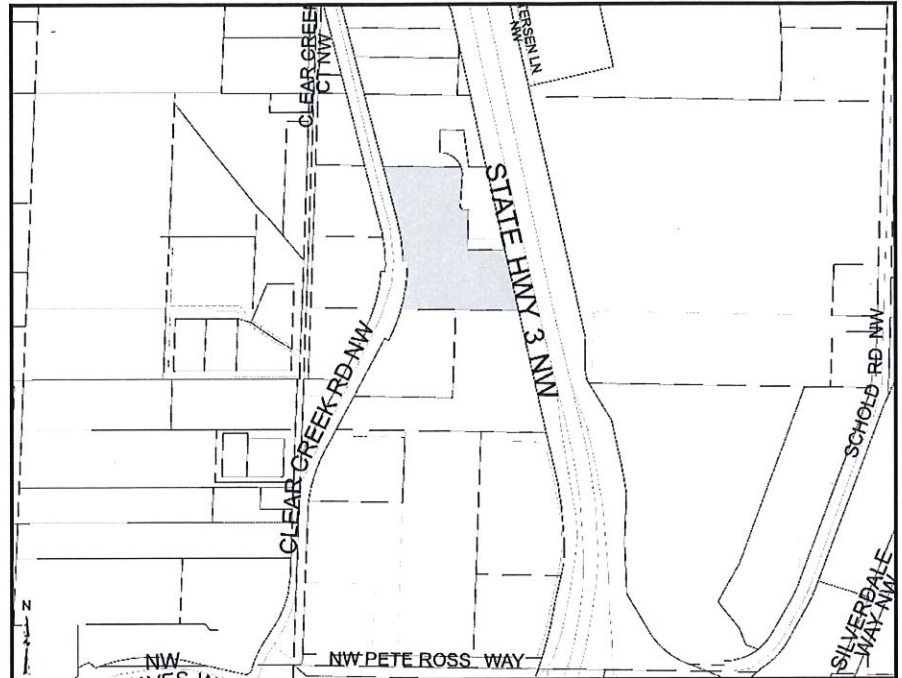
Robin Ellis
 Spot Run, LLC
 10962 Oliana Drive West
 Boise, ID 83709

Project Representative:

William M. Palmer
 W.M. Palmer Consultants
 PO Box 6
 Port Orchard, WA 98366

Owner of Record:

David Kessler
 Clear Creek Property Group LLC
 PO Box 697
 Tracyton, WA 98383

**SEPA (State Environmental Policy Act):**

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

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA comment period previously occurred concurrent with the Notice of Application dated October 4, 2017 (Exhibit 7). A Mitigated Determination of Nonsignificance (MDNS) was issued on January 3, 2018 (Exhibit 17). SEPA noted the following mitigation conditions, which are listed under conditions 19 and 27 at the end of this report:

The proposal will be conditioned for Stormwater Control per Kitsap County Code Title 12 and the recommendations of the April 2016 Soundview Consultants LLC Buffer Restoration, Enhancement Plan and Habitat Management Plan and Technical Memorandum dated November 10, 2017.

The SEPA appeal period expired January 17, 2018. No appeals were filed; therefore, the SEPA determination is final.

Physical Characteristics:

The property is 5.98 acres, but Camp Bow Wow will be located on a relatively small portion of the site on the southwest. The property was previously developed with the Clear Creek Nursery. Camp Bow Wow will occupy Building 6 and a small area around the building. Building 6, is a 6,120-square foot building.

The parcel is developed with various existing buildings, identified as Buildings 2, 3, 4, 5 and 6, and future buildings are planned for construction, Buildings 7 and 8, that will house other businesses and tenants (Exhibit 13). Building 2 is currently occupied by 2 businesses, an auto repair and a flooring business. Building 3 is currently unoccupied and was previously used as a pottery shed; the existing size is 1,435 square feet and plans are to add 3,507 square feet for a total of 4,942 square feet. Building 4 is unoccupied and was previously used as a garage; it is 2,700 square feet. Building 5 is unoccupied and was previously used as a residence; it is 2,700 square feet. Building 1 is located on an adjacent parcel towards the east.

There is a Type F stream known as the west fork of Clear Creek and associated flood zone along the southern boundary and moderate to steep slopes along the western side of the property. The site slopes from the west downward to the east. There is Category II Critical Aquifer Recharge Areas along the west half, a relatively small area on the northeast and a small area in the southeast corner of the property.

There is a mix of trees and shrubs within the stream buffer area along the south property line and along the west property line. There are typical trees and shrubs associated with commercial development along the north property line adjacent to the access drive, along the northeast property line and around existing buildings on the subject property.

Comprehensive Plan Designation and Zoning:

The Comprehensive Plan designation is Urban High Intensity Commercial (Exhibit 21) and the Zoning designation is Commercial (Exhibit 22).

Minimum Density Not applicable because this project doesn't propose any dwelling units
Base/Maximum Density Not applicable because this project doesn't propose any dwelling units

Maximum Height 35 feet
Maximum Impervious Surface Coverage 85%
Maximum Lot Coverage Not Applicable

Setbacks
Minimum Front 20 feet
Maximum Front Not Applicable
Side* 10 feet or 20 feet when abutting a residential zone
Rear* 10 feet or 20 feet when abutting a residential zone

*The subject property does not abut a residential zone.

Surrounding Land Use and Zoning:

There are a variety of land uses and zones in the general area. There is a mix of commercial and industrial uses, recreational opportunities, residential uses and agricultural uses. Zoning is Commercial (C) immediately surrounding the subject property and to the north and south. Zoning to the west and south has some limited Business Center (BC). Further west is Rural Residential (RR). Zoning to the east of State Route 3 is Parks (P).



Zoning Map

Public Utilities and Services:

Water: Silverdale Water District
 Power: Puget Sound Energy
 Sewer: Onsite septic system
 Police: Kitsap County Sheriff
 Fire: Fire Protection District No. 1
 Schools: Central Kitsap School District 401

Policies and Regulations Applicable to the Subject Proposal:

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan
 Adopted June 30, 2016

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

Economic Development

Policy 3

Provide a diverse mix and appropriate range of commercial, industrial and business land uses that will encourage economic activity capable of providing living-wage jobs and reasonably scaled to the needs of the community.

Policy 7

Encourage full utilization and development of industrially and commercially zoned areas.

Policy 8

Promote revitalization within existing developed industrial and commercial areas.

Silverdale Sub Area Plan

Policy 5

In areas where vehicular transportation will continue to be the predominate mode of travel, ensure that access to rights-of-way and site design standards provide for safe and convenient access by the traveling public.

Policy 6

Support design standards that encourage provision of plazas, greens or other informal public meeting spaces with new development and redevelopment.

Policy 7

Preserve and enhance the natural and aesthetic qualities of shoreline areas and riparian creek corridors while allowing reasonable development to meet the needs of property owners.

Policy 11

Facilitate the diversification and growth of the Silverdale area economic base through a range of appropriate commercial land use designations, adequate land supply, improved transportation infrastructure, active business recruitment, and business friendly policies and regulations.

Policy 14

Encourage full use and development of designated commercial and industrial areas prior to expanding those areas. Promote revitalization within existing developed areas to take advantage of the investment in existing buildings and infrastructure.

Policy 16

Provide adequate transportation infrastructure to serve a diverse range of commercial activity including retail, and tourism.

Policy 30

Encourage public/private development of trails as well as public/private maintenance of trails.

Policy 32

Develop and implement an effective transportation concurrency system that provides effective transportation infrastructure to support concurrent land use in growth and development.

Policy 39

Ensure that stormwater facilities provide adequate drainage and minimize flooding while protecting and enhancing the water quality and habitat value of streams, wetlands, lakes and Dyes Inlet.

Policy 40

Coordinate with private solid waste collection services to ensure adequate service capacity for planned growth.

The County's development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Kitsap County Code (KCC)

- Title 7 Animals
- Title 12 Storm Water Drainage
- Title 13 Water and Sewers
- Title 14 Buildings and Construction
- Title 15 Flood Hazard Areas
- Title 17 Zoning
- Title 19 Critical Areas Ordinance

Chapter 18.04 State Environmental Policy Act (SEPA)

Chapter 20.04 Transportation Facilities Concurrency Ordinance

Chapter 21.04 Land Use and Development Procedures

Documents Consulted in the Analysis:

A complete index of exhibits is located in the project file. To date, the index to the record consists of Exhibits 1-30.

Exhibit #	Document	Date or date stamped
14	Building Elevations	12.21.2017
9	Conditional Use Permit Application	12.21.2017
17	Determination of Nonsignificance – Mitigated	01.03.2018
20	DSE Memo	01.30.2018
2	Environmental (SEPA) Checklist	09.12.2017
5	Fish and Wildlife Habitat Assessment Report, Buffer Reduction Plan, FEMA Floodplain ESA Analysis and Habitat Management Plan	04.2016
15	Floor Plan	12.21.2017
11	Franchise Information	12.21.2017
16	Health District Decision	12.13.2017
13	Landscape Plan	12.21.2017
10	Parking Narrative	12.21.2017
8	Project Application	12.21.2017
10	Project Narrative	12.21.2017
13	Site Plan	12.21.2017
12	Stormwater Memo	10.19.2017
18A	Subarea Plan Waaga Way Town Center (WWTC) Guidelines	12.21.2017
18B	Subarea Plan WWTC Narrative	01.22.2018
18C	Subarea Plan WWTC Narrative Update	01.22.2018
19	Soundview Consultants Technical Memorandum	11.10.2017
29	Soundview Consultants Email	02.23.2018
4	Water Availability Letter	09.12.2017

Public Comments:

No public comments received to date.

Analysis:**Land Use and Zoning**

The applicant wishes to establish a dog day-care facility as the predominate use. The facility expects to provide this service for approximately 75 dogs up to a maximum of 125 dogs on a daily basis. The proposal also includes dog training, grooming and ancillary retail sales. The dog

day-care operation will have options to leave a dog for a few hours a day, overnight care or extended care for a week or longer. The boarding area could accommodate up to 62 dogs based on the floor plan (Exhibit 15) and information from the applicant, Robin Ellis; there will be 52 general size "cabins" and 10 "tea-cup size cabins" for very small dogs, with only 1 dog per "cabin". The operation will provide 3 "community play areas" within the building typically arranged into separate areas depending on the size of the dogs to allow socialization and interaction with other dogs, and a separate area will be provided for "tea-cup" size dogs. The 1,100-square foot outdoor play area will be fenced and separated into 3 areas, which allows for dogs to be separated by size. There will be a staff person in charge of approximately 25 dogs. There are typically 10 to 14 employees onsite at any given time, during normal business hours, which is outlined below under the hours heading.

Dog grooming is proposed during primary hours of operation generally by appointment, but if staff is available they can accommodate drop-in grooming requests. The facility will have 4 groomers and each groomer can generally groom up to 6 dogs per day or provide grooming services for up to 20-25 dogs total per day.

Dog training is proposed during normal business hours, with a maximum of 2 classes and 5 private training sessions per day. All training activities take place within the building and outdoor play area.

Retail sales of pet products will be provided but it is an ancillary activity in conjunction with the other services provided and will be relatively minor in scale to the other services provided.

Special events are not specifically planned but may occur on an occasional basis. All event activities will take place within the facility and fenced area. No events will occur outside the facility boundaries. Events may include but are not limited to dog adoption opportunities in conjunction with the Humane Society and community events to raise money for local pet charities.

Camp Bow Wow will be located in Building 6, which was initially constructed as a shell-building under Commercial Building Permit 17 02918 Creekside Business Park - Building #6 Commercial Shell Only. It is a 6,120-square foot building. A new commercial building permit will be required for the tenant to finish the interior and occupy the building.

Per *Kitsap County Code* (KCC) 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones, the use table indicates Use 262 Kennels or pet day-cares requires a Conditional Use Permit in the Commercial (C) zone and is subject to footnote 1. Dog training is not an identified use in Table 17.410.040(B), but in this instance the training is accessory to the primary use of the site for the pet day-care, it is considered Use 200 Accessory use or structure, subject to footnotes 1, 17 and 51. The proposed grooming falls under Use 280 Pet shop – retail and grooming, which is a permitted use in zone C.

KCC 17.410.050 footnote 1 states "Where applicable subject to Section 17.410.060, Provisions applying to special uses." Section 17.410.060 (B)(2) Pets and Exotic Animals. Pets, nontraditional pets and exotic animals are subject to the following conditions:

a. Pets which are kept inside of a primary structure as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number by this title. Other pets, excluding cats, which are kept indoors shall be limited to five;

- b. Pets which are kept outside of the primary structure shall be limited to three per household on lots less than twenty thousand square feet in area, only one of which may be a nontraditional pet; five per household on lots of twenty thousand to thirty-five thousand square feet, only two of which may be nontraditional pets; with an additional two pets per acre of site area over thirty-five thousand square feet up to a limit of twenty; and
- c. No feeding area or structure used to house, confine or feed pets shall be located closer than the minimum yard setbacks for the zone in which they are located. No feeding area or structure used to house, confine or feed nontraditional pets or exotic animals shall be located closer than fifty feet from any residence on adjacent property.

Conditions a and b above do not apply to a commercial business, only to a household. Condition c does apply. Both the building and outdoor activity area to be used for Camp Bow Wow services comply with the setback requirements of the Commercial zone, minimum front = 20 feet, sides and rear = 10 feet, 20 feet when abutting a residential zone, but the subject property does not abut a residential zone. Building setbacks: Front (west side) = over 40 feet and the associated outdoor area is approximately 35 feet at the closest points, Sides (north) = 350 feet (south) = over 180 feet, Rear (east) = 130 feet. Waaga Way Town Center (WWTC) sub-area requirement for maximum front setback = 25 feet does NOT apply in this instance due to existing topography and multiple building locations within the site.

Footnotes 17 and 51 do not apply to this proposal. Footnote 17 Reserved. Footnote 51 states "Storage of shipping containers is prohibited unless allowed as part of a land use permit and/or approval. Placement of storage containers allowed only with an approved temporary permit subject to the provisions of Section 17.105.090(I)." There is no request to use or store a shipping container for the Camp Bow Wow project. The project will be conditioned for no outside storage, which includes shipping containers.

Hours of Operation

The proposed general business hours according to the application is 7:00 AM to 6:00 PM, Sunday to Saturday, and includes 24-hour care (Exhibit 9). The narrative, page 2, lists 6:00 AM to 6:00 PM, and that drop-off and pick-up could occur earlier or later upon special request. It also indicates the facility is staffed 24 hours per day (Exhibit 10). The narrative, page 6, lists 7:00 AM to 7:00 PM Monday through Friday. On Saturday hours will be 8:00 AM to 7:00 PM and Sunday will be 2:00 PM to 5:00 PM and the hours may change at the owner's discretion to allow earlier drop-off or later pick-up depending on the client's needs and the availability of staff. Camp Bow Wow franchise information indicates camp staff are on site from 7:00 AM to 7:00 PM (Exhibit 11).

Hours of operation were discussed with the applicant and one of the franchise owners, Robin Ellis, for clarification by phone 02.26.2018. Hours of day-care services will be 7:00 AM to 7:00 PM, Monday through Friday and 8:00 AM to 6:00 PM on Saturday and Sunday. Staff is physically on site 6:30 AM to 8:00 PM, Monday through Friday and 7:30 AM to 7:00 PM on Saturday and Sunday.

The facility is not staffed 24-hours per day. The animals' activities are monitored by onsite staff during normal business hours and electronically during non-business hours. On-call staff or one of the local owners is available to go to the facility should a situation warrant it. Areas are monitored in such a way that the dog owners can observe their dog(s) throughout the day.

Outdoor play area

The Conditional Use Permit application indicates there will be a fenced outdoor exercise area of about 24,000 square feet (Exhibit 9). The narrative, pages 1-2, indicates the outdoor play areas might utilize 5,000-10,000 square feet, but there's space available to have as much as 20,000 square feet for outdoor exercise areas. The narrative, page 5, indicates the outdoor exercise area will be approximately 20 feet by 55 feet, which is consistent with the site plan (Exhibit 13). Page 5 also references the area could be expanded; however, no information has been provided indicating where this area or areas would be located or accessed.

The potential outdoor play area expansion was discussed with one of the franchise owners, Robin Ellis, on 02.26.2018, and she indicated the only outdoor play area will be the proposed 1,100 square foot fenced area. The project will be conditioned to comply with this and no other outdoor areas may be utilized by the business without further review and approval of the Department of Community Development and the Hearing Examiner.

Silverdale Subarea Plan

The project is located in the Waaga Way Town Center - Silverdale Downtown Design Standards - Chapter 10. In the Project Narrative – Supplement Design Standards Compliance, item 7, first page after page 8 (Exhibit 10), the project representative, William M. Palmer, indicates "Even when requested, the Department of Community Development staff could produce no evidence the Board of County Commissioners ever adopted by ordinance the Silverdale Design Standards that contain the ones applicable to Waaga Way Town Center." The project planner, Meg Sands, to the best of her knowledge never received a request from Mr. Palmer for said document. Ordinance No. 425-2009 Ordinance Amending Portions of the Silverdale Design Standards and Kitsap County Code Title 17 Consolidated Use Tables Relating to the Waaga Way Town Center is the relevant document, refer to Exhibit 30.

Basic site development and design criteria were evaluated under Site Development Activity Permit (SDAP) 16-05423 and Building 6 was further evaluated under Commercial Building Permit 17-02918 Creekside Business Park – Building #6 Commercial Shell Only. Based on the information and plans known at that time the site and Building 6 was found in compliance with the Waaga Way Town Center - Silverdale Downtown Design Standards - Chapter 10. Additional information was requested as part of the Conditional Use Permit to evaluate potential changes to the site based on the proposed outdoor play area size and location(s), how the listed possibility to expand the outdoor play area to 20,000 square feet might alter the site and the indication of changes to the building façade.

Silverdale Design Standards Narrative (Exhibit 18B) was originally submitted as part of Commercial Building Permit 17-02918 and a narrative update dated 01.18.2018 was submitted as part of the CUP (Exhibit 18C); the update indicates under Standard 10.3(E) a plan to add 2 windows to the front façade and move the entry doorway to the northern end of this façade per the attached elevation drawing (exhibit A) but no exhibit A was attached. The floor plans and building elevations in Exhibits 15 and 14, respectively, were relied on to evaluate the proposed changes. The plans don't indicate where the 2 windows are being added. The plans do show the "portico" location is not changing, there is no entry under the portico and no new windows are shown on the plans based on review of the drawings submitted 12.21.2017. There is also no rain protection feature at the entry door. Based upon a site visit 02.24.2018, windows have been added in the location of the previous entry doors located under the portico. This area is located next to boarding "cabins". The windows will be provided with blinds according to the applicant, Robin Ellis. A rain protection feature needs to be added over the entry door to be

consistent with and meet the intent of Standard 10.5.2(H) "Buildings shall integrate awnings, overhangs or other rain protection features when abutting pedestrian amenities."

Based on information from the applicant that there are no plans to expand or use any other areas of the site for outdoor activities other than the planned fenced area on the south side of Building 6 and with the condition for a rain protection feature over the entry door this project will comply with the Silverdale Design Standards.

Access, Roads and Traffic

Access to the site is via Clear Creek Road, a paved county road classifies as an urban minor arterial. There is no direct access to the site from State Highway 3.

Traffic generation for the proposed activity is estimated at 64 average daily trips (ADT).

Fire Flow

Fire flow is required for this project and compliance has previously been demonstrated during review of Site Development Activity Permit 16-05423.

Off-Street Parking

The use is not specifically listed in KCC 17.490 Off-Street Parking and Loading. The most closely related land use listed is retail stores generating relatively little automobile traffic. Retail - low traffic requires 1 parking space per 400 square feet gross floor area or 6,120 square feet/400 square feet = 15.3 or 16 spaces. The predominate activity will be to drop-off and pick-up dogs, which occurs relatively quickly. The narrative, page 6, indicates the proposed average number of dogs will be 75, with the potential for 125 dogs at one time for day-care services. This was also confirmed by the applicant. Grooming services and training sessions will overlap the same timeframe as day-care services. The narrative failed to indicate how many employees will be onsite at any given time, but according to the applicant by phone on 02.26.2018 it will be 10 to 14 employees. The franchise narrative indicates the project needs a minimum of 10 to 15 parking spaces to accommodate client and employee parking. This is in-line and consistent with the determination of parking requirements from the code referenced above. There are 11 parking spaces in front of Building 6 and there are 6 shared spaces in the near vicinity for an overall total of 17 parking spaces. The available parking spaces are expected to be adequate for this project.

Landscaping

A minimum of 15% of the site is required to be landscaped (KCC 17.500.025).

The landscape plan submitted with Site Development Activity Permit (SDAP) 16-05423 complied with the 15% requirement and the landscape plan submitted with this CUP does as well. The only difference between the 2 plans is in the vicinity of Building 6; some existing vegetated areas to remain have been changed to hydroseed because of the need to grade the site on the west side of Building 6 and the addition of the fenced outdoor play area.

Fencing the outdoor play area will help to contain dogs and can help contain some noise. The proposed 8-foot high white vinyl fence will be required to be solid fencing with no openings on the exterior fence; there may be slats and gates on the interior fencing to separate the various dog play areas. A portion of the play area extends into the stream buffer and the exterior area around the fence shall be replanted as buffer mitigation as outlined in more detail under the critical areas heading below.

Landscaping will comply with KCC and Waaga Way Town Center requirements subject to conditions of approval as well as plant installation consistent with the approved landscape plan stamped approved 06.30.2017 in SDAP 16-05423 and Commercial Building Permit 17-02918.

Critical Areas

The west fork of Clear Creek, a Type F stream (fish habitat), and concomitant flood zone is located in the vicinity of the south property line. There was a Fish and Wildlife Habitat Assessment Report, Buffer Reduction Plan, FEMA Floodplain ESA Analysis and Habitat Management Plan prepared by Soundview Consultants dated April 2016 submitted with the application (Exhibit 5). The Report was originally prepared for a Site Development Activity Permit (SDAP) Commercial, Permit #16-05423. With the SDAP there is a type 1 Critical Area Buffer Reduction for the fish bearing stream. The SDAP was issued on July 25, 2017. However, the Report submitted with the SDAP did not address the new buffer impacts of the 400-square foot dog exercise yard out of a total 1,100 square foot yard area proposed with the Camp Bow Wow CUP application. A Technical Memorandum supporting the original report was submitted on December 21, 2017 addressing the addition of the 400-square foot dog exercise yard located within the buffer (Exhibit 19). The Memorandum proposed 10 Oregon grape (*Mahonia aquifolium*) to mitigate the new impacts to the buffer. However, environmental staff felt that Pacific wax myrtle was a better choice. Staff contacted Don Babineau, Environmental Planner/Project Manager, at Soundview Consultants and discussed this option. He was in support of this modification (Exhibit 29). A revised mitigation plan showing the additional buffer plantings will be required with the commercial building permit for Camp Bow Wow. The plantings need to extend around the proposed outdoor play area fence to the east and west. The solid fence shall be sufficient to contain the dogs, but no less than 8 feet in height.

The flood zone designation is AE; AE zones are considered to be at high risk of flooding under the National Flood Insurance Program. Building 6 is located outside of the stream buffer and floodplain. The outdoor activity area is located outside the floodplain.

There is a Category Two Critical Aquifer Recharge Area on a portion of the property. Camp Bow Wow falls within the recharge area. The proposed uses, dog day-care and grooming are not identified as "activities with potential threat to groundwater" at KCC 19.600.620; therefore, a hydrogeological report is not needed for this project. Furthermore, this project will be conditioned to prohibit any "activities with potential threat to groundwater" without additional review and approval by the Kitsap County Department of Community Development.

Water

Public water is provided to the site by the Silverdale Water District.

Sewage Disposal

The Health District requires that all solid dog waste be bagged and disposed of in the trash. Residual dog waste that is hosed down from the facility is the only dog waste to be disposed of in the onsite holding tank. "Residential waste" generated by humans in the facility's toilets are the only wastes to be disposed of in the community septic system.

The outdoor play areas will be surfaced with an "astro turf" type carpet, K9 grass designed for dogs by Forever Lawn, laid over pea gravel according to the narrative (Exhibit 10) or Perfect Turf, laid over 3-inch gravel bed and a 2-inch perforation grid in the product according to the Stormwater Memo (Exhibit 12). The artificial grass will be cleaned of waste by vacuum and bagged consistent with Health District requirements. Indoor areas are to be cleaned in the same way.

Stormwater

The subject property is partially developed. Camp Bow Wow proposes to occupy Building 6 and utilize the associated parking, which are both existing. Project elements and impervious surfaces were evaluated under Site Development Activity Permit (SDAP, Permit #16-05423), which is consistent with the latest revised site plan. The addition of the 1,100-square foot outdoor play area doesn't trigger any new stormwater threshold. Therefore, this project is not subject to any stormwater mitigation. If the project proposal is modified from that shown on the submitted site plan dated December 21, 2017, Development Services and Engineering will require additional review and potentially new conditions.

Solid Waste

The project will be required to have trash receptacle commensurate with the use and 150 square feet of exterior recyclable materials storage area. All receptacles must be screened on at least 3 sides.

The applicant will be required to provide documentation that they comply with the solid waste provider's requirements for solid waste and recycling storage for the proposed use prior to commercial building permit approval.

Signage

No specific signage has been proposed. Signage will be required to comply with KCC 17.510 Sign Code, in effect at the time of a complete sign permit application.

Agency Recommendation

Development Services and Engineering recommends approval with 29 conditions, of that Engineering Review recommends approval with 7 conditions, Environmental Review recommends approval with 4 conditions, and Planning/Zoning recommends approval of this project with 18 conditions. Fire Marshal recommends approval with no conditions. Kitsap Public Health District recommends approval with 3 conditions.

Staff Evaluation of Decision Criteria

1. The Hearing Examiner has review authority for this Conditional Use Permit application under the KCC, Sections 17.550.020, 17.550.030 and 21.04.100.
2. The proposal is consistent with the Comprehensive Plan.
3. The proposal complies with or will comply with requirements of Title 17 Zoning and complies with or will comply with all of the other applicable provisions of the KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
4. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity.
5. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

Recommendation:

Based upon the information above, the Department of Community Development recommends that the Conditional Use Permit request for Camp Bow Wow be **approved**, subject to the following 32 conditions:

Development Services and Engineering

Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. A new commercial building permit shall be required for the tenant to finish the interior and occupy the building.
3. The commercial building permit shall show a rain protection feature over the entry doorway at the north end.
4. A building permit shall be obtained for the 8-foot outdoor play area fence.
5. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
6. The project shall comply with Kitsap County Code Chapter 7.08 Licenses and Licensing Requirements.
7. No outside storage is allowed.
8. Camp Bow Wow activities shall be limited to Building 6 and the fenced outdoor play area.
9. All special event activities shall take place within Building 6 and the fenced outdoor play area.
10. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.
11. Artificial outdoor lighting shall be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with the rural character of the area. Light standards (poles) shall not exceed 20 feet in height.
12. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.510, and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
13. The recipient of any conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of

any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.

14. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
15. The decision set forth herein is based upon representations made and exhibits contained in the project application #17-03777 Camp Bow Wow CUP. 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.
16. 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.
17. This Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within four years of the Notice of Decision date or the resolution of any appeals.
18. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.

Engineering

19. Construction of the proposed building shall conform to the conditions of Site Development Activity Permit #16-05423 and any addendums thereto.
20. If the project proposal is modified from that shown on the submitted site plan dated December 27, 2017, Development Services and Engineering will require additional review and potentially new conditions.
21. 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, and is the mechanism to obtain the Concurrency Certificate.

22. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.
23. The solid waste service provider, Waste Management (360) 674-3166, shall be contacted for information on implementing the service provider's solid waste/recycling storage requirements for the proposed activity. Indicate method of waste disposal on the final plans. Documentation shall be provided by the solid waste/recycling service provider that their requirements for this project have been met. The required information shall be submitted with the commercial building permit application.
24. The building permit application submittal shall show solid waste dumpster location, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Provided area must accommodate a minimum 6-yard dumpster.
25. The building permit application submittal shall show that at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. The required information shall be submitted with the commercial building permit application.

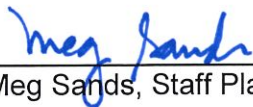
Environmental Review

26. Permit approval subject to chapter 19.150.170 of Kitsap County Code, which states that critical area ordinance (CAO) buffers shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes. Refuse, including dog waste, shall not be placed in buffers.
27. The project shall follow recommendations of Soundview Consultants LLC's Buffer Restoration and Enhancement Plan and Habitat Management Plan dated April 2016, Technical Memorandum dated November 10, 2017 and their email dated February 23, 2018.
28. A revised mitigation plan showing the additional buffer plantings adjacent to the outdoor play area fence shall be submitted with the commercial building permit for Camp Bow Wow. The plantings shall be Pacific wax myrtle, *Myrica californica*. The plantings shall extend around the entire proposed outdoor play area fence.
29. No uses that are identified as "activities with potential threat to groundwater" at Kitsap County Code 19.600.620 shall occur without amending this Conditional Use Permit.

Kitsap Public Health District

30. All solid dog waste shall be bagged and disposed of in the trash.

- 31. Residual dog waste that is hosed down during facility cleaning shall be the only waste to be disposed of in the onsite holding tank.
- 32. Natural waste generated by humans in the facility's toilets shall be the only wastes disposed of in the community septic system.



Meg Sands, Staff Planner

20 FEBRUARY 2018
Date



Shawn Aire, Development Services and Engineering Supervisor

2.28.18
Date

Attachments:

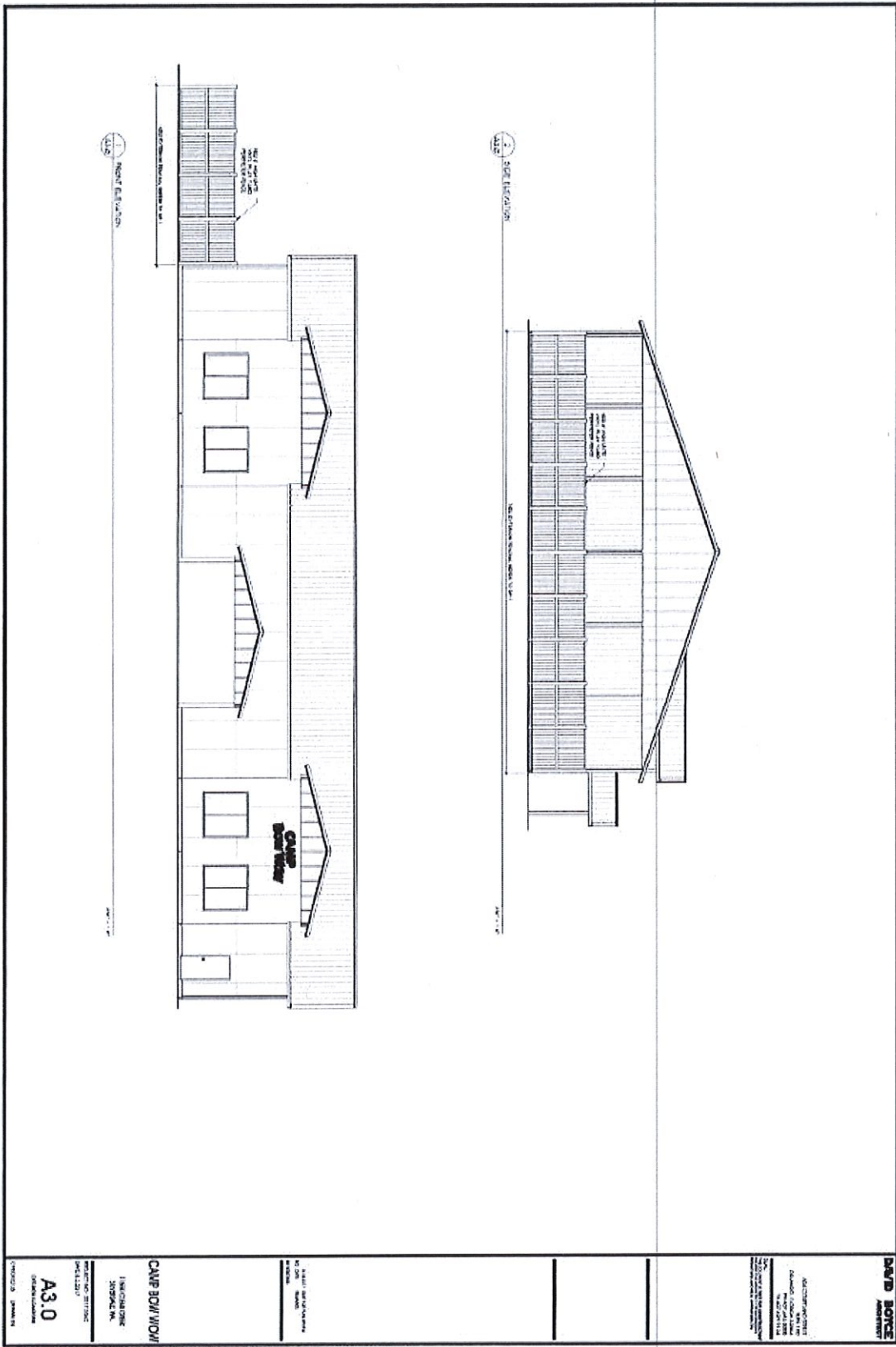
Appendix A – Building 6 Elevation

Appendix B – Site Plan

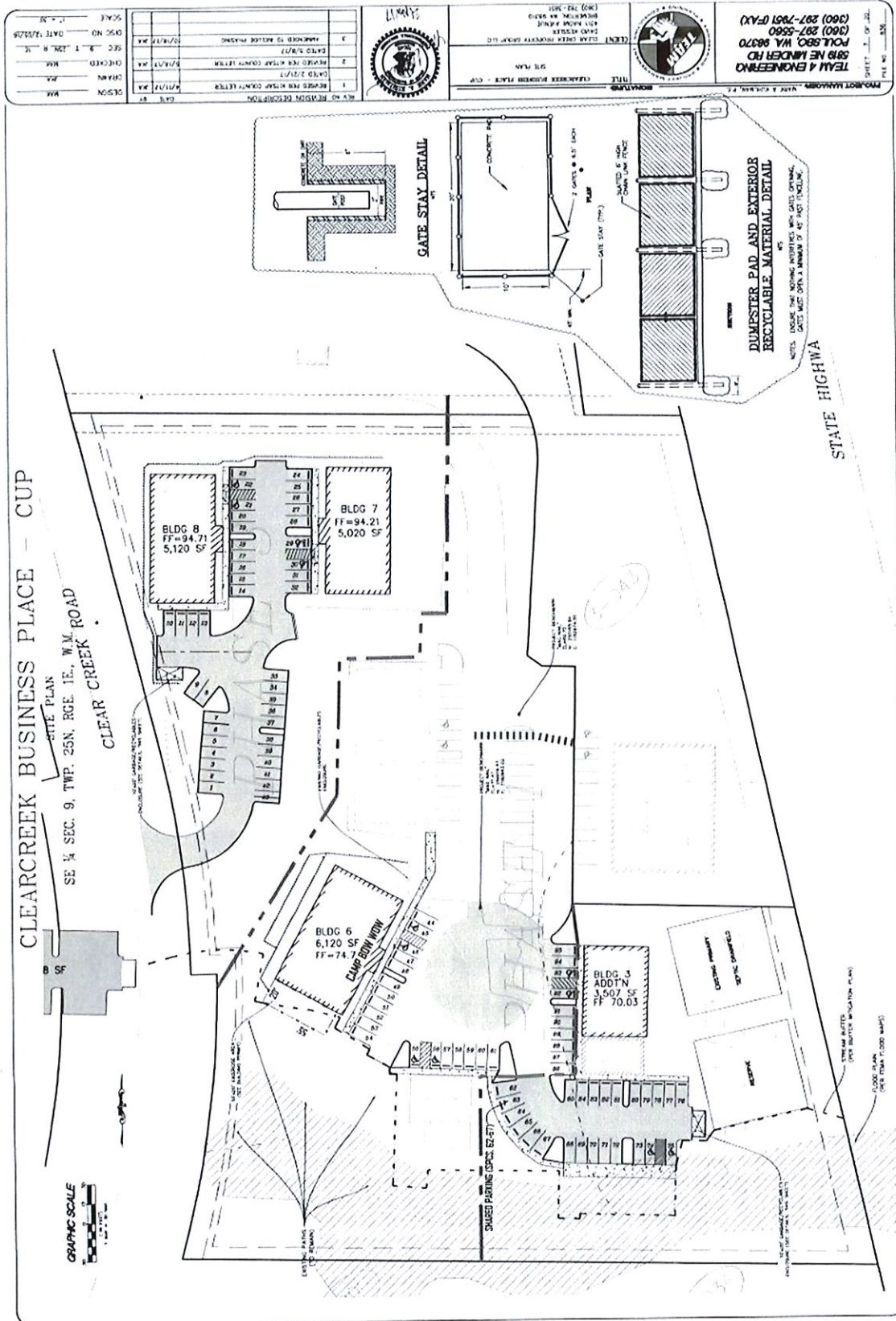
Appendix C – Landscape Plan

CC: Robin Ellis, 35schatzie@gmail.com
David Kessler, entkessler@gmail.com
William M. Palmer, wpconslts@telebyte.net
Interested Parties: none to date
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Meg Sands
DCD File 17-03777

Appendix A Building Elevation



Appendix B
Site Plan



Appendix C Landscape Plan

