



REVISED - Notice of Administrative Decision

Date: 11/01/2021

To: DISNEY & ASSOCIATES INC, bob@disneyandassociates.net
Westsound Engineering Inc: andrew@wsengineering.com
craig@wsengineering.com
Interested Parties and Parties of Record

RE: Permit Number: 20-04451
Project Name: Disney & Associates Inc. - LL #420 Large Lot Subdivision
Type of Application: Large Lot Subdivision - Preliminary

The Kitsap County Department of Community Development has **APPROVED** the land use application for **20-04451 Disney & Associates Inc. - LL #420 Large Lot Subdivision – Large Lot Subdivision - Preliminary**, subject to the conditions outlined in this Notice and included Staff Report.

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <https://www.cognitofirms.com/KitsapCounty1/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

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

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

CC: Interested Parties:
Larryhagwell@yahoo.com
Janellbly@hotmail.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Peggy Bakalarski
DCD File # 20-04451



Kitsap County Department of Community Development

November 1, 2021

Disney & Associates Inc.
5706 Bethel Rd SE STE 100
Port Orchard, WA 98367

Bob@disneyandassociates.net

RE: Large Lot Subdivision # 420
Permit No. 20-04451
Tax Account No. 052201-3-028-2006

REVISED – TO ADD CORRECT FIRE MARSHAL CONDITIONS

Dear Applicant:

This is to inform you that the above-referenced large lot subdivision has been granted preliminary approval.

This decision is in compliance with Kitsap County Code 21.04 Land Use and Development Procedures. All applicable criteria have been met for preliminary large lot subdivision in accordance with Kitsap County Code Title 16.52 large lot subdivision.

The Department has further determined that the land segregation as it is presented in the preliminary large lot subdivision, received 10/07/2020 by the Department of Community Development, conforms or will conform subject to conditions set forth in this letter, to the following:

1. Kitsap County Code Title 17 Zoning;
2. Kitsap County Code Title 12 Storm Water Drainage;
3. Kitsap County Comprehensive Plan and subarea plans;
4. Kitsap County Critical Areas Ordinance;
5. And all other elements of the Kitsap County Code that pertain to this land segregation.

Approval is subject to the following conditions:

LAND USE

1. Adhere to all elements and requirements set forth in Kitsap County Code 16.52.
2. The following condition shall be added to the face of the final large lot subdivision: Building permits issued on a lot in this large lot subdivision may be subject to impact fees pursuant to Kitsap County Code.
3. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.

4. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
5. The decision set forth herein is based upon representations made and exhibits contained in the project application (20-04451). 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.
6. 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.
7. A 25-ft native vegetation buffer is required along the perimeter of the large lot subdivision, as indicated on the preliminary plans. If the required native vegetation buffer, as it exists, is void of native vegetation, plantings of native species will be required to create or recreate the buffer.

SURVEY

1. At the time of submittal of the final large lot subdivision a title certificate, current to within 30 days, is required. Please note or delineate on the face of the final large lot subdivision all pertinent special exception items in Schedule "B" of the title certificate.
2. Proof of rights of use of the easement shown as providing access to the subject property shall be submitted with the Final Plat application materials.
3. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
4. A Road Maintenance Agreement will be required for the access easements shown on the face of the plat. This may be in the form of a note on the face of the Final Plat that addresses ownership and maintenance responsibilities of the access easement, or in the form of a Road Maintenance Agreement document to be recorded separately and referenced on the face of the Final Plat.

STORMWATER

1. 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.
2. 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.

3. 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 (Site Development Activity Permit 21-02275 for construction of the access road and one residence is currently under review).
4. Stormwater quantity control, quality treatment, and erosion and sedimentation control, as required for the lot development, shall be designed in accordance with **Kitsap County Code Title 12** effective at the time the Preliminary Large Lot Subdivision application was deemed complete, October 8, 2020. If lot development meets the thresholds for engineered drainage design, 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 Building Permit Application.
5. The available impervious area for each lot shall be determined by subtracting the impervious area created by road construction, then dividing the remaining allowable impervious area between the lots created. Information shall be provided in a table as shown below.

Total Site Area	877,734 square feet
Allowable Impervious Area	43,887 square feet
Less Impervious Area for Road	
Available Impervious Area, Lot 1	
Available Impervious Area, Lot 2	
Available Impervious Area, Lot 3	
Available Impervious Area, Lot 4	

6. The following note shall be added to the face of the Final Large Lot Plat, at the Impervious Area table: If any proposed impervious area exceeds the allowable square footage as designated per the table, then an engineered Site Development Activity Permit (SDAP) will be required for that lot.
7. 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.
8. The following shall be added to the face of the Final Plat, under the heading Notes and Restrictions:

- a. Maintenance of roof and yard drains and appurtenances shall be the responsibility of the individual homeowners.
 - b. All runoff from roof and yard drains must be directed so as not to adversely affect adjacent properties.
 - c. All lots are obligated to accept road drainage at the natural locations after the grading of streets is complete.
 - d. No owner or occupant may obstruct or re-channel the drainage flows after location and installation of drainage swales, storm sewers or storm drains. It is expressly understood that any alteration of the water flow shall be completed only after approval by Kitsap County Department of Community Development.
9. The following shall be added to the face of the Final Plat, under the heading Conditions:
- a. At the time of building permit application and/or any additional road construction or site work, the property owner shall comply with Kitsap County Code Title 12 effective at the time the Preliminary Large Lot Subdivision Application was deemed complete, October 8, 2020.
 - b. 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.
10. If the project proposal is modified from that shown on the submitted site plan accepted for review April 1, 2021, Development Services and Engineering will require additional review and potentially new conditions.

TRAFFIC

1. 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.
2. The following shall appear on the face of the Final Plat, under the heading Conditions:
 - a. All interior roads shall remain private.
 - b. All lots shall access from interior roads only.
 - c. 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.
3. 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. In addition, Development Services and Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
4. Access roads shall be cleared, grubbed, graded and surfaced. The driving surface may be graveled, paved or use LID surfacing techniques; when paved,

permeable pavement shall be used where feasible, in accordance with the Kitsap County Stormwater Design Manual.

5. For any land segregation that proposes to connect to an existing county right-of-way and will either impact the level of service, safety, or operational efficiency thereof or is otherwise required to improve the existing right-of-way, one of the following will be required:
 - a. The property owner must construct the improvements necessary to mitigate the impacts of the land segregation in accordance with the Kitsap County Road Standards; or
 - b. The property owner must pay its proportionate share of the necessary improvements prior to recording of the final plat. This option is only applicable if the improvements are identified in the county's Transportation Improvement Plan; or
 - c. The property owner must execute a legally binding agreement, in a form acceptable to the director, in which the property owner agrees to participate without protest in any local improvement district, local utility improvement district, road improvement district, transportation benefit district, or other similar entity formed for the construction of improvements that include those necessitated by the land segregation, and further agrees to sign any petition for the formation thereof and payment of subsequent fees or charges. Such agreement may be signed by the director on behalf of Kitsap County, must be recorded with the auditor and must be binding on all heirs, assigns, transferees, donees and successors in interest. Nothing in this section shall be construed to limit the ability of the property owner to challenge the amount of any assessment.
6. Wicks End Lane SW is a paved county right-of-way. Per 16.24.050.A(1)(a) When accessing paved county right-of-way, the project approach shall be paved, per Chapter 4 of the Kitsap County Road Standards, as now or hereafter amended.
7. 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. The need for and scope of bonding will be determined at that time.

SOLID WASTE

1. Prior to SDAP approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at pnwcmsservices@wm.com or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>

ENVIRONMENTAL

1. A Kitsap County Timber Harvest Permit will be required if greater than 5000 board feet of merchantable timber is harvested for the proposal.
2. A 225-foot native vegetation buffer must be maintained along the delineated

wetland boundary 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.

3. Permit approval subject to chapter 19.300.315 of Kitsap County Code, which states that buffers or setbacks shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes. Refuse shall not be placed in buffers.
4. The subject site is within a mapped Geologically Hazardous Area (Seismic High Hazard Area). A geotechnical report is required should any development occur within 200-ft of this critical area. The geotechnical report shall confirm the site is suitable for the proposed development and addresses any fill or grading that has occurred on the subject parcel (KCC 19.400.435(B)(2)).
5. As of January 19, 2018, new permit-exempt wells in this watershed are capped at 950 gallons of water per day (GPD) per connection for domestic use as the maximum annual average (350 GPD during drought) and subject to a \$500 fee per chapter 90.94 RCW.
6. The following condition shall be added to the face of the Final Plat: Individual homes within the subdivision may withdraw a maximum annual average of 950 GPD (350 GPD during drought) under chapter 90.94 RCW, and the entire subdivision is restricted to no more than 5,000 for all domestic use for all the homes in the project, and irrigation of no more than 1/2 acre of lawn or non-commercial garden, collectively, in the subdivision.

FIRE MARSHAL

1. Please include the following on 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.

HEALTH DISTRICT

1. Building Site Application will be required prior to building permit issuance.

Preliminary approval of this large lot subdivision will automatically expire five (5) years from the date of this letter. However, upon written request to the Department of Community Development by the original applicant and the current owner(s) of the subject property, at least thirty (30) days prior to expiration, a six (6) month extension may be granted.

Preparation of the final large lot subdivision shall be done in accordance with Kitsap County Code 16.52. All applicable conditions of preliminary approval must be addressed with the submittal of final large lot subdivision application. Submittals that do not address all conditions will be considered incomplete and returned without review. All of the above relevant conditions and any/all building setbacks and buffers established as conditions of approval must appear on the final large lot subdivision.

20-04451 Disney & Associates Preliminary Approval Letter
November 1, 2021

If you have any questions or comments regarding this letter, please feel free to contact **Peggy Bakalarski** for Survey matters; **Candy Vickery** for Stormwater and Traffic matters; **Scott Diener** for Land Use/Environmental matters; **Greg Gentile** for Fire Marshal matters; all of whom can be reached at (360) 337-5777. Please **contact Kerrie Yanda** for Health District matters at (360) 337-5285.

Sincerely,



Peggy Bakalarski, Project Lead



Samantha Long, Development Services and Engineering
Supervisor

Cc: Surveyor: Craig@wsengineering.com
Interested parties of record: Larryhagwell@yahoo.com
Janellbly@hotmail.com