



***REVISED* Notice of Administrative Decision**

Date: 2/9/2022

To: Alaska Avenue Vista, LLC, PO BOX 1014 PORT ORCHARD, WA 98366
Diane Nelson, permits@coredesigninc.com
Gina Brooks, grb@coredesigninc.com
Interested Parties and Parties of Record

RE: **Permit Number:** 20-06191
Project Name: Alaska Avenue Vista Minor Amendment
Type of Application: Preliminary Plat Amendment - Minor

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit 20-06191: Alaska Avenue Vista Minor Amendment – Application Preliminary Plat Amendment - Minor, 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:
Alan Searle
Karen Nencetti
Cornelius Kucius
Carol Trenham
Carol Leininger
Bill & Clare Rinne

Permit 20-06191, Alaska Avenue Vista Minor Amendment
2/9/2022

Tom Juvik
Jana Wardell
Joshua Kalib Hone
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Jeff Smith
Parks
Navy
DSE
Kitsap Transit
South Kitsap Fire District
South Kitsap School District
Puget Sound Energy
Water Purveyor
Sewer Purveyor
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
WA Dept of Fish & Wildlife
WA State Dept of Ecology-SEPA



REVISED Administrative Staff Report

Report Date: February 3, 2022

Application Submittal Date: December 30, 2020

Application Complete Date: January 29, 2021

Project Name: Alaska Avenue Vista Minor Amendment

Type of Application: Preliminary Plat Amendment - Minor

Permit Number: 20-06191

Project Location

1745 Alaska Ave E.

Port Orchard, WA 98366

Commissioner District #2

Assessor's Account

212402-4-015-2006

Applicant/Owner of Record

Alaska Avenue Vista, LLC

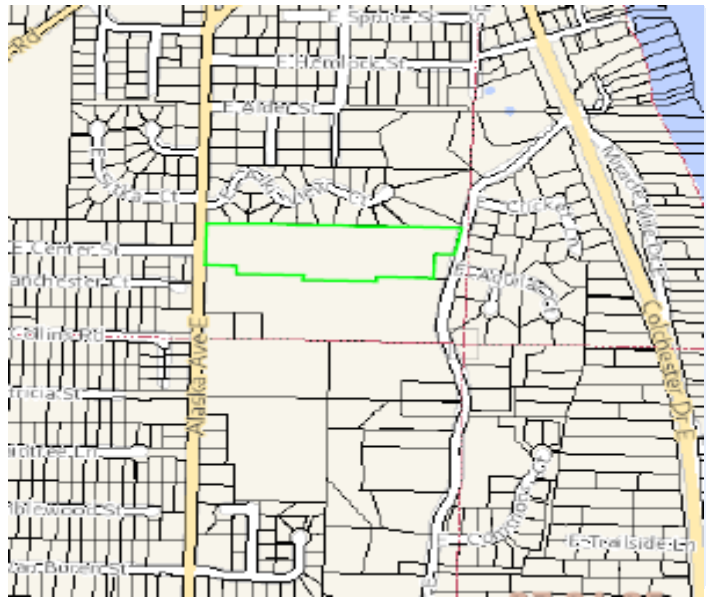
1950 Pottery Avenue

Port Orchard, WA 98366

Decision Summary

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

VICINITY MAP



1. Background

The original request for the Golbeck Preliminary Plat (14-01614) was to subdivide a 7.85-acre parcel into 15 residential lots. The property is zoned Manchester Village Low Residential. Pursuant to 17.382.090 KCC Dimensions Table, the minimum lot size is 21,780 square feet. As allowed by code (10,890 sq. ft.) the applicant is proposing clustering with a minimum lot size of 10,950 square feet to 13,715 square feet with detached single-family homes. The project was to include an undeveloped 0.27-acre tract, which is equal to 40 % of the lot area to be used for open space. The preliminary plat includes associated improvements, public access road, stormwater facilities, and utilities to serve individual lots.

2. Project Request

The applicant is requesting a Minor Amendment to the Hearing Examiner decision dated, February 11, 2015. The proposed amendment is to decrease the number of proposed lots from 15 to 13 and increases open space due to increased geotechnical setbacks and field

surveyed top of slope. The proposed road (27-foot wide road section) provides for vehicular/emergency access (20-foot width) and parking (7-foot width) as required for emergency access and road design standards for parking width. The road section for the preliminary approved plans did not provide for emergency access with the 22-foot wide road section as the road was intended to provide for parking as well. The design for the storm system has been designed per the 2010 KCSWM and 2005 DOE Manual which are the same standards the preliminary plat was designed under.

3. 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 February 2, 2021. A Mitigated Determination of Nonsignificance (MDNS) was issued on October 13, 2014 for the preliminary plat. SEPA noted the following information/SEPA mitigation conditions have been imposed.

SEPA Comments: The SEPA comment period previously occurred concurrent with the Notice of Application dated July 16, 2014. There were several public comments received by neighbors concerned with the erosion and landslide history of the site.

CONDITIONS:

1. The proposal will be conditioned for Stormwater control pursuant to KCC Title 12 (Stormwater Management).
2. Due to the presence of steep slopes on the property and the existing water conveyance through open ditches on the site, the proposal will be conditioned to follow all recommendations of the geotechnical report per KCC Title 19.400 and KCC 19.700.

MITIGATION MEASURES:

1. The Stormwater design plans to detain and infiltrate Stormwater through new Stormwater techniques consistent with County Code. Should the designs change upon future permitting or phasing of the Site Development Activity Permit (Final Plat

designs) a revised MDNS may be issued by the SEPA responsible Official.

The SEPA appeal period expired October 27, 2014. No appeals were filed; therefore, the SEPA determination is final. The current request falls below the threshold for the 2014 SEPA Determination and therefore no further action is required.

4. Physical Characteristics

The subject property is rectangle shaped, and 8.13 acres in size. The development site slopes from the west to the east from Alaska Avenue down to Puget Drive, with slopes ranging from 6 to 25 percent with small areas with steeper slopes. A ravine and stream are located near the center of the lower half of the property, which was formed from upstream runoff. The stream is classified as a non-fish stream that is tributary to Duncan Creek a fish stream. The site vegetated with second growth stands of trees, and understory with an existing residence that has access off Alaska Avenue E. The County has a sewer line and easement that crosses the property at mid-point above the ravine.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Local Area of More Intensive Rural Development (LAMIRD) Zone: Manchester Village Low Residentials (MVLIR)	Standard	Proposed
Minimum Density	NA	13
Maximum Density	2 (7.85 acres x 2 = (16)	
Minimum Lot Size	21,780 sf., 10,890 sf clustering	10,900 sf
Maximum Lot Size	NA	12,480 sf
Minimum Lot Width	60'	70'
Minimum Lot Depth	60'	176'
Maximum Height	28'	2 stories, <28'
Maximum Impervious Surface Coverage	50%	40%
Maximum Lot Coverage	73,230 sf	58,584 sf

Applicable footnotes: KCC 17.420.060.A #14 Within the view protection overlay, ten maximum height for buildings and new vegetation shall be twenty-eight feet.

Staff Comment: Requirements for build height, lot coverage and zoning setbacks, will be included on the face of the plat and the requirements will be verified during building permit review.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front	20'	20'
Side	5'	5'
Side	5'	5'
Rear	5'	5'

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Recorded 24 lot plat called East View Estates.	Manchester Village Residential (MVR)
South	Single-family residence	Manchester Village Low Residential (MVLRL)
East	Recorded 17 lot Plat of Woodland Terrace	MVLR
West	Single-family residences	MVR

Table 4 - Public Utilities and Services

	Provider
Water	Manchester Water District
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	South Kitsap Fire & Rescue
School	South Kitsap School District #402

5. Access

The subject property receives access from Alaska Avenue E., which has a rural road classification major collector. Alaska Avenue E. includes two 11-foot lanes and 3 to 5-foot paved shoulders. The applicant is proposing 2 private road tracts with sidewalks, vertical curbs and on street parking. The roadway has a T-turnaround above the ravine. The private road is a minimum of 20 feet within a 23/35-foot roadway tract.

6. Site Design

The proposed minor amendment to the Preliminary approved Ridgeline Plat was reviewed for consistency with requirements pursuant to Chapter 16.04.040 Amendments to approved Preliminary Subdivisions. The preliminary plat was required to comply with subdivision standards for utilities, roads, sidewalks, landscaping and recreation facilities.

7. 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 August 2012.

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

See the original Staff Report for goals and policies.

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

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 16	Land Division and Development
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 19	Critical Areas Ordinance
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Questionnaire -Subdivisions Amendment	December 31, 2020
Project Narrative	December 31, 2020
Environmental (SEPA) Checklist	December 31, 2020
Geological Report	December 31, 2020
Preliminary Plat Site Plan	December 31, 2020
Revised Drainage Plans	July 14, 2021
 <u>Staff Communication</u>	 <u>Dated</u>
Dev. Services & Engineering Memo	July 13, 2021

9. Public Outreach and Comments

Pursuant to KCC Title 21, Land Use, and Development Procedures, the Department gave proper public notice for the minor preliminary plat amendment. To date, the Department has not received public comments on the current proposal (See list of interested parties in Notice of Decision).

The following is a summary of issues the Department received from the public for the 2014

request for the preliminary plat:

1. Removal of vegetation will leave the hillside vulnerable to flooding and a landslide.
2. Vegetation of removal will impact restoration of Duncan Creek.
3. Larger lot size will prevent the removal of more trees.
4. Clearing will have negative impacts on Eastview Estates.
5. Site clearing will potentially impact the root zone of the greenbelt in the Eastview Estates.
6. Clustering of lots should not create non-conforming lots.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
NA		

Issue Ref. No.	Issue	Staff Response
NA		

10. Analysis

a. Planning/Zoning

The proposed Alaska Avenue Vista Preliminary Plat was originally reviewed for consistency with requirements pursuant to Chapter 16.24 Land Segregation Standards, and Chapter 16.40 Subdivisions. The intent of Manchester Village Low Residential zone is to apply the designation to areas within Manchester Village where historic plating has resulted in a variety of rural densities. The development pattern is due to changing zoning and lack of available services. The average size of current developed lots is half an acre (21,780 sf) and acknowledge existing smaller lots .25 of an acre.

b. Lighting

Pursuant to KCC 11.40 Street Lighting, street lighting at the intersection where private roads intersect with County right-of-way is required.

c. Off-Street Parking

Consistent with KCC 17.490 the proposal includes on street and off-street parking. The applicant is proposing 26 off-street parking spaces in driveways and 11 on-street parking space. Per 17.490.020, the County calculates the required number of spaces in the driveway and not within individual residential garages. During review of individual building permits for the homes, the location and number of off-street parking spaces will be verified.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single-Family Residential	2 per unit + 0.5 per unit on street or set aside	26 + 7 on-street or set aside =	26 + 11 on-street or set aside
Total		33	37

d. Signage

Pursuant to KCC 17.510. Sign Code the applicant can apply for signage near the entrance of the subdivision during or after construction. Signage is not proposed at this time. To be consistent with 17.510.060.M Conditionally Exempt signs - Real Estate Signage Program, when the final plat is recorded to establish the subdivision and lots are for sale, all signage will be required.

e. Landscaping

The previous Minder Meadows Plat decision included provisions for streetscape landscaping along roadways and by entrance signs. Street trees were required all along roadways at an interval of 25 to 30 feet, with coordination with the location of lot driveways.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	NA	NA
Required Buffer(s) 17.500.025		
North		
South		
East		
West		
Street Trees	Yes	Alaska Avenue E. and internal roadway

f. Frontage Improvements

Consistent with Kitsap County Road Standards and the Comprehensive Plan policies, the preliminary plat does not require frontage improvement along Alaska Avenue E., but only frontage improvements internal to the plat along the private roadway. The interior roads are proposed to be private with curb and gutter. A sidewalk is proposed on the

north side of the west-east road. The applicant is proposing 27-foot wide roadway section for vehicular /emergency access (minimum 20 feet wide) and 7-foot width for on street parking for the west-east road. The north-south road is 20 feet wide.

g. Design Districts/Requirements

Manchester Design Standards Analysis

h. Development Engineering/Stormwater

Runoff from approximately 36 acres of developed area single-family residences flows through the site. The stormwater improvements proposed for the project are a series of catch basins and conveyance pipes, conveying all rooftop and other impervious surface runoff to a wet/detention vault, providing water quality and quantity control, with a release at predeveloped rates in an over the slope conveyance system.

Revisions proposed under this amendment include a reduction in the proposed lot count, from 15 to 13 lots for single-family residential use; an increase in open space area; the elimination of infiltration as proposed stormwater mitigation; a revision in width of the interior private road sections on the north-south road is revised from 22' to 20' and the east-west road is revised from 22' to 27'.

Development Engineering has reviewed the stormwater element of the project and issued a preliminary approval on July 13, 2021. Conditions of approval shown below are from the Hearing Examiner Decision, File No. 150122-003, dated February 5, 2015 (HE Decision), and retain the condition numbering from that document. Disposition of each condition is noted; new conditions are appended at the end of this Memorandum.

i. Environmental

Approximately 60% of the north and northwest portion of the property is located within a Category I Aquifer Recharge Area (1 to 5-year travel time). Lower portion of the site identifies permeable soils with a Category II Aquifer Recharge. The Kitsap County Soil Survey identifies Dystric Xerorthents, deep and Harstine Gravelly Loam, which are deep and moderately deep respectively. Both soils units are well drained. The single-family residential plat is not considered a significant potential threat to groundwater contamination per KCC Table 19.600.620 Activities with Potential Threat to Groundwater.

Kitsap County Resource maps show the property to have a Moderate Geologic Hazard overlay (15 to 30% slopes). Consistent with KCC 19.400 Geologic Hazard Areas, the applicant and Kitsap County Public Works prepared geotechnical reports to analyze potential risk to from geologic hazards (Exhibits 2 and 8). Pursuant to KCC 19.400.415(C)(2), the minimum building and impervious surface setback of 40 feet from top of slope. The 40 feet includes 25-foot native vegetation buffer and 15-foot construction setback. The buffer was reduced as allowed based on a site specific determine in the report per KCC per KCC Sections 19.400.410(B) and (D)(1). Special

consideration was given to stormwater improvement to collect storm drainage and conveyance downhill to protect slope stability consistent with KCC 19.700 Special Reports. Mitigation will be implemented through the Site Development Activity Permit and individual Building Permits.

j. Access, Traffic and Roads

The subject property receives access from Alaska Avenue E. that is classified rural road, which is of several roads providing access at rural level of service to the Manchester Community. The interior road is proposed to be private local access road with curb, gutter, and sidewalk constructed on the north side of the road.

k. Fire Safety

The Fire Marshal has reviewed the proposal and conditioned. Fire flow verification and adequate fire apparatus access for emergency responders are required and will be reviewed through the Site Development Activity Permit.

l. Solid Waste

Individual property owners will be responsible for solid waste collection. Waste Management approval is required for solid waste service for the plat.

m. Water/Sewer

The single-family homes within the plat will be served by Manchester Water District for water service. Manchester Water District is the water purveyor for drinking water for the Manchester Village LAMIRD. The project will connect into a water distribution line located within Alaska Avenue E. The applicant has received a non-binding letter of water availability form from the District.

Kitsap County Public Works is the sewer purveyor for the Manchester Village for processing wastewater. Wastewater will flow by gravity into the existing sewer line that runs across the property. The applicant has entered into Sewer Availability Agreement with the County, dated April 5, 2014. Development Engineering has reviewed the wastewater element of the project and issued a preliminary

n. Kitsap Public Health District

Kitsap Public Health District has reviewed the proposal and does not have concerns with the request.

Staff Evaluation of Decision Criteria:

1. Review Authority

The Director has review authority for this Minor Amendment to Preliminary Plat application under KCC, Sections 16.40.040 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny an Administrative Land Use Permit.

2. Findings

Written Findings: A proposed minor subdivision amendment may be approved if the Director makes written findings that all the following are satisfied. If one or more are not satisfied, the application must proceed as a major amendment. Criteria, which must be met, are outlined in Kitsap County Code 16.40.040, Items 1, and 2a through j. Preliminary Plat Amendment. The following are staff findings that address the criteria for the minor amendment:

- a. **The proposal does not result in significant impacts to the subdivision or the surrounding property. Impacts may include, but are not limited to, storm water, traffic, open space, landscaping, screening, on-street or set-aside parking, or noise.**

Staff Comment: The applicant is proposing only minor changes with the reduction of lots, addition to open space and adjustment to the roadway for fire access. The request should not result in significant impacts within the subdivision and to surrounding properties.

- b. **The proposal satisfies the applicable general requirements of this title.**

Staff Comment: The request is consistent with the goals and policies of the comprehensive plan, compatible with surrounding uses, and will not be detrimental to the health, safety, or welfare with the neighborhood.

- c. **The proposal does not result in a change of use.**

Applicant Response: This proposal does not change the proposed 'use.

- d. **The proposal falls within the scope of the original approval and complies with the intent of the conditions originally imposed.**

Applicant Response: The proposed amendment falls within the scope of the original approval. Some of the conditions though, may no longer apply. For instance, infiltration is no longer proposed.

Staff Comment: The minor plat amendment is consistent with the intent of the Hearing Examiner's decision, dated September 5, 2019, and is not proposing a change to the conditions of approval.

- e. **The proposal does not change the perimeter boundary of the original plat, or the boundary of any phases within the original plat.**

Applicant Response: The project boundary does not revise with this amendment.

Staff Comment: The applicant is not proposing to expand the perimeter boundaries of the single-family development.

- f. The proposal does not increase residential density by greater than 10%, provided the density requirements of the zone are maintained consistent with the zone.**

Applicant Response: The number of lots has decreased with this amendment.

Staff Comment: The applicant is only reducing the number of residential by two lots approved through the preliminary land approval and is consistent with the above requirement.

- g. The proposal does not increase the intensity of housing types; for example, from detached single-family to attached one- and two-family dwellings.**

Applicant Response: The housing type remains detached single family.

Staff Comment: The housing within the plat will remain detached single-family dwellings.

- h. The proposal does not reduce the designated perimeter buffers, recreation or open space areas by more than 10%.**

Staff Comments: The minor amendment does not reduce the required above areas conditioned through the Hearing Examiner's decision.

- i. The proposal does not reduce or increase the number of access points or significantly alter the location of the access points.**

Applicant Response: One access from Alaska Avenue E. remains the only access to the project as previously approved.

Staff Comment: The proposed minor amendment to the preliminary plat will not alter the plat access.

- j. The proposal does not reduce required setbacks; and**

Applicant Response: Setbacks from the steep slope increased. All other setbacks are as previously approved.

Staff Comment: The required setbacks will not be reduced by this amendment and are vested to the project approval. The policy is to require building setbacks on the face of the final plat.

k. The proposal does not reduce any street frontage improvements (e.g., sidewalks, curb/gutter, and bicycle lanes).

Applicant Response: No frontage improvements are proposed as previously approved with the approved preliminary plat.

Staff Comment: The minor amendment does not change the frontage improvements conditioned by the previous approval.

11. Review Authority

The Director has review authority for this Administrative Preliminary Plat Minor Amendment application under KCC, Sections 17.540.020 and 21.04.100. The Director may approve, approve with conditions, or deny an Administrative Conditional Use Permit.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 16 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

13. Decision

Based upon the analysis above and the decision criteria found in KCC Titles 16 and 21, the Department of Community Development recommends that the (Permit Type II) request for Alaska Avenue Vista Minor Amendment be **approved**, subject to the following 72 conditions:

a. Planning/Zoning

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

2. All Building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.
3. A Final Landscape Plan will be required to be submitted consistent with KCC 17.385 Landscaping, during civil site plan review, which depicts natural vegetation, planting plan and irrigation plan.
4. Street Trees (2 to 2.5') shall be planted on individual lots along all the interior roadways at approximately 80 to 100 feet spacing prior to Certificate of Occupancy of individual residential units. A plant schedule, planting plan and staking detail with the Final Landscape Plan will be subject to approval by the Department prior to SDAP approval.
5. Include a note on the face of the plat showing setbacks for the Manchester Village Low Residential Zone.
6. ~~At the time of the submittal of the SDAP for construction of the plat, submit a wetland mitigation report per 19.200.250 and 19.700 Special Reports by the applicant's wetland consultant, signed, and notarized by the Department.~~ **Environmental Staff made a request to the Hearing Examiner to delete condition.**
7. ~~As part of the wetland avoidance and mitigation plan the applicant will be required to remove the wastewater and/or storm drainage lines and relocate lines outside the wetland and buffer.~~ **Condition #7 Deleted - Environmental Staff made a request to the Hearing Examiner to delete condition.**
8. Prior to the plat transferring to the Homeowner's Association (HOA), the developer will be responsible for irrigation and maintenance of all landscaping to ensure survival up to two years. The developer or the HOA should maintain all landscaping consistent with the Tree Care Industry Association standard practices.
9. Pursuant to KCC Section 21.04.110 Timeline and Duration of Approval, Kitsap County's land use approval for the is valid for a period of up to five (5) years from the decision date of the preliminary plat consistent with RCW 58.17.140 and 170.
10. Land use approval is limited to the uses proposed by the applicant on the recommended site plan and the SEPA Environmental Determination dated October 13, 2014. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the Kitsap County Code
11. The decision set forth herein is based upon representations made and exhibits

contained in the project application. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County.

12. 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.
13. Any violation of the conditions of approval shall be grounds to initiate revocation of this Plat.

b. Development Engineering

General

19. 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.
20. 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.
21. The information provided demonstrates this proposal is a *Major Development* as defined in Kitsap County Code Title 12, and as such will require a Site Development Activity Permit (SDAP) from DSE.
22. 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 Subdivision application was deemed complete (June 10, 2014). 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. **Condition #22, HE Decision is REVISED to clarify the permit application that determines the project vesting to Kitsap County Code Title 12. Revised Condition 22:**
23. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Title 12 effective at the time the original Preliminary Subdivision application was deemed complete, June 10, 2014. 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.

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

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

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

25. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall.
26. 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.
27. ~~The Washington State Department of Ecology may require registration of the infiltration trench as an Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.~~ **Condition #27, HE Decision is DELETED because the Preliminary Plat Amendment does not include infiltration.**
28. ~~The design of the infiltration facilities will be accordance with Section 7.3.4 of the Kitsap County Stormwater Design Manual (KCSDM).~~ **Condition #28, HE Decision is DELETED because the Preliminary Plat Amendment does not include infiltration.**
29. ~~The infiltration facilities shall remain offline until the drainage areas are stabilized, and the water quality treatment facility is adequately established.~~ **Condition #29, HE Decision is DELETED because the Preliminary Plat Amendment does not include infiltration.**
30. ~~During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to DSE.~~ **Condition #29, HE Decision is DELETED because the Preliminary Plat Amendment does not include infiltration.**
31. All retention facilities shall be a minimum of 200 feet from any slope steeper than

- 30%. This distance may be reduced based on a geotechnical engineering report. That analysis will be prepared by a Civil Engineer licensed in the State of Washington, knowledgeable in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.
32. This project includes the construction of a detention vault, which requires a building permit issued by the Department of Community Development. A Structural Engineer, registered in the State of Washington, shall prepare the construction drawings. In addition, a geotechnical engineering analysis of the vault design is required. That analysis will be prepared by a Civil Engineer licensed in the State of Washington, knowledgeable in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.
33. ~~Individual on-site infiltration systems may be used instead of a secondary drainage system and will be required on lots that cannot be directed to the secondary system. A secondary drainage system may be used on lots where infiltration is not feasible. Prior to final plan acceptance the design engineer shall provide either a design of the individual infiltration systems or the secondary system(s) serving each lot. The engineer shall submit a detailed site and grading plan showing the location and design of those proposed stormwater infiltration systems to DSE with the SDAP submittal. Maintenance of these systems will be the responsibility of the homeowner. Condition #32 is DELETED because the Preliminary Plat Amendment does not include infiltration.~~
34. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits 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 them 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. The impervious area per lot accounted for in the overall drainage facilities installed shall be shown on the face of the final plat and accepted construction plans. 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.

c. Environmental

37. Due to the presence of steep slopes on the property and the existing water conveyance through open ditches on the site, the proposal will be conditioned to follow all recommendations of the geotechnical report per KCC Title 19.400 and KCC 19.700.

d. Traffic and Roads

38. Apply 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.
39. The following note shall appear on the face of the final plat map. All interior roads shall remain private.
40. 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.
41. The hammerhead shall be designed to accommodate a SU design vehicle. The wheel path of the design vehicle shall remain within the paved area for all required movements.
42. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
43. 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, DSE reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
44. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on Alaska Avenue E. 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.
45. The intersection of Road A and East Center Street shall align at time of final design submittal. **Condition #43, HE Decision remains and is unchanged.**
46. The intersection of Road A and Alaska Avenue E shall conform to the Kitsap County

Road Standards. The minimum face of curb line radii required is 35 feet.

47. 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.
48. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
49. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Alaska Avenue E and the site access. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.
50. All work, equipment & 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, MUTCD Manual on Uniform Traffic Control Devices, NEMA National Electrical Manufacturer's Association, NEC National Electrical Code, WSDOT Standard Specifications & Standard Plans, and the Occupational Safety & Health Administration (OSHA).
51. 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.

e. Survey

52. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
53. 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.
54. 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.
55. 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.
56. 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.

f. Wastewater

57. Kitsap County sanitary sewer is available for the project. Applicant needs to submit an "Application to Construct Sanitary Sewer."
58. Kitsap County sanitary sewer is available for the project. Applicant needs to submit a complete set of sewer plans, profiles, and specifications designed in accordance with KCPW - Wastewater Division Standards and Regulations.

g. Fire Safety

59. The applicant is required adhere to all applicable requirements of the Kitsap County Fire Marshal's Office, including the following.
60. 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.
61. Fire apparatus access roads are required and must be maintained. Any proposed revision to these roads must be submitted to, reviewed, and approved by the Kitsap County Fire Marshal's Office. IFC 503 Amended by Kitsap County. 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. 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.
 - e. Road shall not be more than 12% grade.
62. When submitting for the SDAP, please show driveway access for lots 6, 7, 8, and 13.
63. Two or more homes accessing a road shall require that the access road be a minimum 20-foot unobstructed width.
64. The minimum fire flow requirements for one- and two-family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.
65. Water line size, location, and the location of fire hydrants must be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's office prior

to the approval of any building permits.

h. Solid Waste

66. 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.

i. OTHER

67. Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit.

68. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 11.4.4.

69. A Hydraulic Project Approval (HPA) may be required for the proposed outfall. 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.

NEW CONDITIONS

70. The required Site Development Activity Permit plans shall depict the interior sidewalk transitioning to asphalt shoulder at Alaska Avenue right of way. **Condition ADDED for clarity regarding road design.**

j. Kitsap Public Health District

71. Non-binding water and sewer availability letters are required for final plat approval.

72. At the time of building permit application, Sewered building clearances with binding water and sewer letters will be required for each property parcel.

Report prepared by:



Jeff Smith, Staff Planner / Project Lead

8/23/2021

Date

Report approved by:



Scott Diener, Department Manager/ Supervisor

8/23/2021
Date

Attachments:

Attachment A – Site Plan

Attachment B – Kitsap County Utility Map

Attachment C – Zoning Map

CC: AVENUE VISTA LLC, PO BOX 1014PORT ORCHARD WA, 98366-0077

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