



Notice of Administrative Decision

Date: 06/18/2024

To: Steve Yester, syester@therushcompanies.com
Royal Valley Land LLC, 6622 Wollochet Dr Gig Harbor, WA 98335
Trish Walton, twalton@nlolson.com
Interested Parties and Parties of Record

RE: **Permit Number:** 23-00822
Project Name: Royal Valley Preliminary Plat-Minor Amendment
Type of Application: Preliminary Plat Amendment Minor

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit #: 23-00822 Royal Valley Preliminary Plat-Minor Amendment – P PLAT AMEND 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 titled: '*Appeal/Objection of an Administrative Decision*' found on DCD's website, through the Online Permit Application Portal: <https://app.oncamino.com/kitsapcounty/login>.

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

The complete case file is available for review by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777.

CC: Engineer: Matthew Zawlocki, mzawlocki@nlolson.com; Trish Walton, twalton@nlolson.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Jeff Smith
Parks
Navy
DSE
Kitsap Transit
Central Kitsap Fire District
Central Kitsap School District

23-00822, Royal Valley Preliminary Plat
06/18/2024

Water Purveyor: North Perry Water District
Sewer Purveyor: Kitsap County Public Works
Puget Sound Energy
City of Bremerton Planning Director
West Sound Utility District
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
WA Dept of Fish & Wildlife
WA Dept of Transportation/Aviation
WA State Dept of Ecology-Shoreline Planner
WA State Dept of Ecology-SEPA Unit
WA State Dept of Ecology SEPA Register WA
State Dept of Transportation
Interested Parties: Jacie Anunson, woodpeckerhillfarms@gmail.com;
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Administrative Staff Report

Report Date: June 12, 2024

Application Submittal Date: February 22, 2023

Application Complete Date: March 15, 2023

Project Name: Royal Valley Preliminary Plat-Minor Amendment

Type of Application: Type-II Decision

Permit Number: 23-00822

Project Location

388 NE Waaga Way
Poulsbo, WA 98370
Commissioner District 1

Assessor's Account

142501-3-034-2004
142501-3-035-2003
142501-3-038-2001
142501-4-050-2001

Applicant/Owner of Record

Royal Valley LLC
PO Box 2849
Poulsbo, WA 98370-2849

VICINITY MAP



Decision Summary

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

1. Background

The applicant is requesting a Preliminary Plat Minor Amendment to the conditionally approved Royal Valley Preliminary Plat. The purpose of the Minor Amendment is to document minor changes to the approved Royal Valley Preliminary Plat, Permit #20-05572, which includes the reduction to the number of residential lots from 159 to 140, changes to the internal lot, recreation facility and road layout, incorporate the civil site plan from Site Development Activity Permit (SDAP) Large-Subdivision, Permit #22-01031 and implement the Intersection Control Evaluation by re-striping on Central Valley Road per the specific traffic mitigation.

The Hearing Examiner approved the plat with a recommendation with conditions of approval on October 1, 2021, to subdivide approximately 46 acres into 159

lots with 20 tracts for single-family homes (Permit #20-05572). The preliminary approved residential lots are located within two of the five of the contiguous legal parcels comprising the Royal Valley property. The proposal includes supporting utilities, vehicular access with road frontage improvements, stormwater facilities, open space, recreation facilities and critical area buffers.

2. Project Request

The request is for preliminary plat minor amendment to the approved Royal Valley Preliminary Plat Amendment, as provided in Section KCC 16.40.040 Amendment to Approved Preliminary Subdivisions.

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 January 29, 2021. A Mitigated Determination of Nonsignificance (MDNS) was issued on September 9, 2021. SEPA noted the following information/SEPA mitigation conditions:

STORMWATER

1. Stormwater runoff will be generated from rooftops, driveways and right of way improvements, and will be collected, provided water quality treatment where appropriate, and conveyed to eight stormwater detention ponds. The ponds will outlet to existing drainage courses, mimicking the predeveloped state. The project currently proposes eight detention ponds for water quantity control, and Filterra devices for water quality control. The proposal will be conditioned for stormwater quality and quantity controls pursuant to Kitsap County Code Title 12 Stormwater Drainage.

CRITICAL AREAS

1. The proposal includes 10 jurisdictional wetlands of which six (6) are Category III and four (4) are Category IV. Surface waters include a tributary to Hoot Creek, Crouch

- Creek, Nadean Creek and Royal Valley Creek, all of which are Type F. Other regulated features on-site include discharge from a stormwater pond to a Type N stream whose confluence is to Crouch Creek. An updated Critical Areas Assessment and Buffer Mitigation Plan was prepared by BGE Environmental (August 9, 2021). The project proposes buffer averaging to a single wetland (Wetland J). A conceptual mitigation plan applies wetland buffer averaging as well as buffer enhancement to a degraded area on-site within Hoot Creek Watershed. The details and recommendation of the mitigation actions will be provided in a Final Royal Valley Plat Mitigation Plan to support development plans consistent with Kitsap County Code Title 19.
2. The project proposes redevelopment of a stormwater pond known as Insanity Lake and applies an exemption criterion pursuant to Kitsap County Code 19.100.125(E) as normal and routine maintenance or repair of existing utility structures. Redevelopment includes mitigation to the receiving water through restoration of channel morphology, installation of habitat elements, and buffer enhancement to the ponds overflow termed Insanity Lake Creek.
 3. Future development is anticipated on adjacent parcels (Parcels 3 and 5) and will require further analysis and environmental review. Mitigation sequencing will be required at that time. These future development areas include pasture wetlands, Type F waters, and their associated buffers. The Wetland Mitigation Plan prepared by BGE proposes a 25% buffer reduction to a Type N/F water outside of the Plat Boundary allowing for the construction of the sanitary sewer pump station that is required to serve the current Plat and future development phases.
 4. The proposal will be conditioned to follow KCC Chapters 19.200, KCC 19.300 and KCC 19.700.

HISTORIC AND CULTURAL PRESERVATION

5. If an archaeological resource or site is found during construction, activity must be halted, and the State Historical Preservation Officer must be notified (Phone # 360-586-3065) and be requested to provide recommendations on how to proceed. The Suquamish Tribe and Kitsap County SEPA Official or SEPA Coordinator must also be notified. A Cultural Resources Inadvertent Discovery Plan will be required prior to any ground disturbance.

TRANSPORTATION

1. If interior roads are to be public, they shall be designed to Kitsap County Road standards for local road designation at 25 mph.
2. A Traffic Impact Analysis (TIA) prepared by SCJ, and updated April 2021, was submitted for the subject plat with provisions for additional development of the adjacent Future Development Areas of Royal Valley (referred to in the TIA as Phase 1b).
3. The applicant is responsible for coordinating any required frontage and access improvements with Washington State Department of Transportation (WSDOT) along SR 303. Final WSDOT approval shall be provided to Kitsap County Public Works prior to issuance of a Site Development Activity Permit.

4. At the request of WSDOT, an Intersection Control Evaluation (ICE) regarding mitigation at the westbound offramp of SR 303 at Central Valley Road NE was prepared by the applicant for WSDOT review. If offsite intersection improvements are required, selected improvements will be required to be complete as a condition of final plat approval.
5. As included in the WSDOT Plan for Approval, the project construction will include a continuous 5-foot wide (minimum) accommodation for bicycle use on the north side of SR 303. In addition, the applicant will include east-west non-motorized facilities within the future phases of the overall Royal Valley project as the development expands easterly from the current plat boundary that is located on the western margin of the developable land. These facilities will include separated bicycle lanes/sidewalks and/or multi-modal pathways.
6. The project borders access to NE Paulson Road which is designed for a rural level of service. NE Paulson Road will be limited to access for emergency vehicles only.
7. The project will be subject to traffic impact fees pursuant to Kitsap County Code Chapter 4.100 – “Impact Fees”.

The SEPA appeal period expired September 9, 2021. No appeals were filed; therefore, the SEPA determination is final. Staff issued a SEPA Addendum dated, May 29, 2024, to address reduced impacts associated with the minor amendment.

4. Physical Characteristics

The subject property is located on the north side of SR-303 on the corner of Central Valley Rd NE and SR-303. The site is vacant and includes forest and pastureland within the Plat boundaries. An existing, man-made drainage pond is in the southeast corner, which drains to a Type F water within the confluence of Crouch Creek. The site has buildable areas throughout except along the eastern and western boundaries where critical areas and their buffers are located. In the development areas of Parcels 3 and 4 through which access and utilities are being extended to the Plat, there are approximately 6 small to medium structures, utilities and parking areas associated an existing mobile home, the farm, a former golf driving range and Espresso stand. The site has varying topography, with elevations ranging from 80 to 157 feet. The steepest slopes of 45% are located just west of the existing site access. Vegetation on site includes mature forests of Douglas Fir, Western Red Cedar, Western Hemlock, Bigleaf Maple, other species, and various native understory. There are 10 jurisdictional wetlands are identified as well as 4 surface waters; 1) Tributary to Hoot Creek, 2) Crouch Creek, 3) Nadean Creek, and 4) Royal Valley Creek which are Type F streams. A geotechnical engineering report by GeoResources, LLC dated July 2020 and Critical Area Assessment by BGE Environmental, LLC dated July 2020 and later updated on August 9, 2021, were included in the project application, and provided detailed descriptions of the parcels, as summarized below.

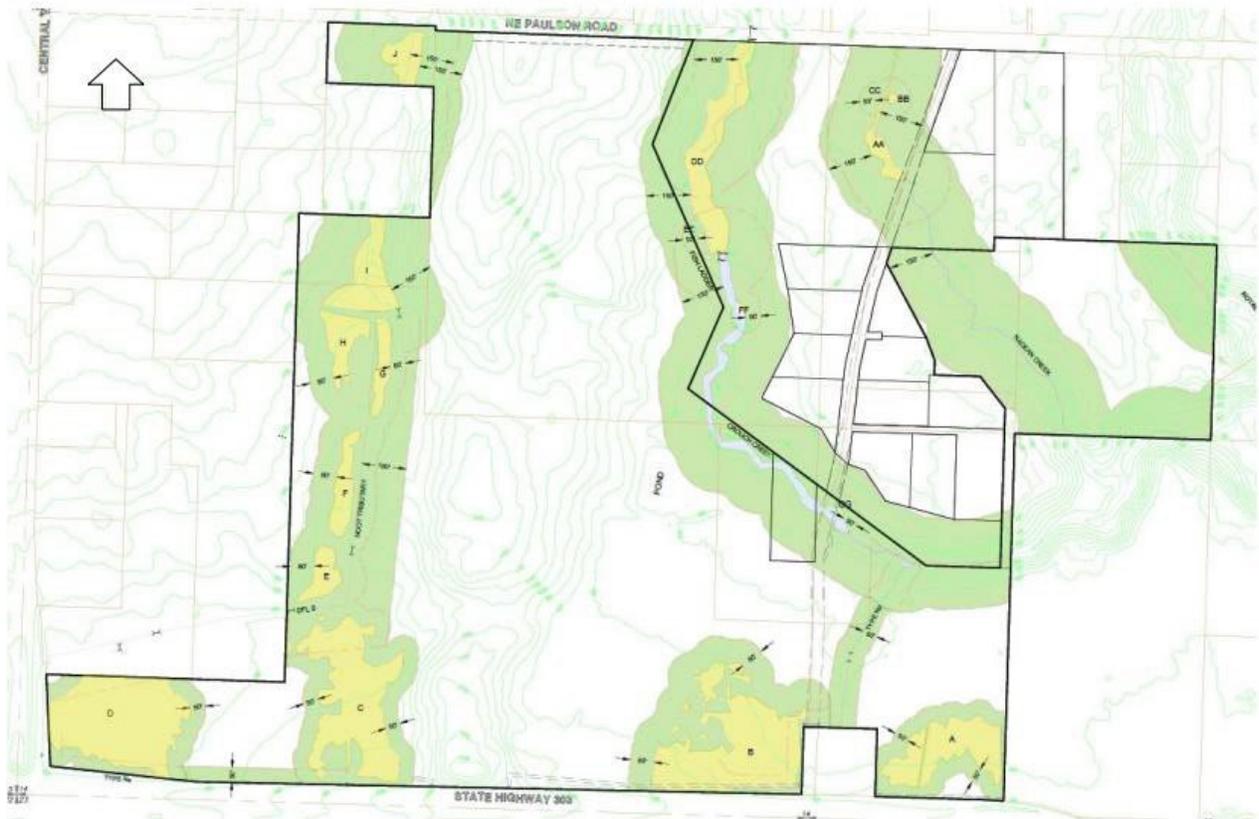


Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban Low Density Residential Zone: Urban Cluster Residential (UCR)	Standard	Proposed
Minimum Density	5 units/acre	140 lots
Maximum Density	9 units/acre	3.45 DU/Acre (Gross) 8.95 DU/Acre (Net)
Minimum Lot Size	2,400 sf	Lot size range between 2,700 and 6,900 sf
Maximum Lot Size	9,000 sf	NA
Minimum Lot Width	40'	NA
Minimum Lot Depth	60'	NA
Maximum Height	35'	<35'
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes:

KCC 17.420.060 Footnote #25. For new building permit applications for residential dwelling units on

vacant lots over eighteen thousand square feet located in urban low residential (ULR) and urban cluster residential (UCR) zones, the maximum lot size shall not exceed nine thousand square feet. This restriction shall not apply if:

- a. The net developable area of the existing parcel is less than eighteen thousand square feet or
- b. The project application will meet minimum density requirements as established by this chapter.

Staff Comment: Minimum Density is calculated using net density (based on net developable acreage) and gross density is based aggregate lot area. The proposed density is consistent with original preliminary plat approval.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front	10 feet, for single-family	To be reviewed with individual building permits
Side	5 feet If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances	To be reviewed with individual building permits
Side	5 feet If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances	To be reviewed with individual building permits
Rear	5 feet If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances	To be reviewed with individual building permits

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Right of Way (NE Waaga Way) Single-family residence Undeveloped Land Church (Peninsula Bible Fellowship)	Rural Residential (RR)
South	Right of Way (NE Waaga Way) Single-family residence Undeveloped Land Church (Peninsula Bible Fellowship)	Urban Restricted (UR) Urban Low (UL)
East	Undeveloped land Single-family residences Public Utility (North Perry Water	Urban Cluster Residential (UCR)
West	Agriculture Single-family residence Convenience	Rural Residential (RR) Rural Commercial (RCO)

	Store Public (Kitsap Conservation District)	
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Table 4 - Public Utilities and Services

	Provider
Water	North Perry Avenue Water District
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District #400

5. Access

The primary access to the development site is proposed from State Route 303 (NE Waaga Way) with a WSDOT functional classification of “Other Freeway Expressway” with controlled access and is maintained right-of-way by the Washington State Department of Transportation (WSDOT). Consistent with KCC Title 11 Road Standards, all newly created lots are proposed to be accessed by new internal access roads. A secondary access was approved for use by emergency vehicles from NE Paulson Road.

6. Site Design

The proposal includes 140 new residential lots, with associated stormwater management facilities, utilities, interior roads, access, and open space network. The access road from State Route 303 (NE Waaga Way) indicates provisions for connector road extensions to serve the future development areas to the east. Proposal includes a lift station in a location at the low point of the property, adjacent to the existing 24” public sewer main. (See the attached site plan.)

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 June 30, 2016, and as amended April 27, 2020.

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

See goals and polices from previous Preliminary Plat Staff Report, dated September 1, 2021.

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 11	Road Standards
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 19.200	Wetlands
Chapter 19.300	Wildlife Habitat Conservation Areas
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>
Administrative CUP Application	February 22, 2023
Environmental (SEPA) Checklist	March 21, 2023
Critical Area Assessment	February 22, 2023
Preliminary Plat Amendment Site Plan	February 22, 2023
Revised Storm Drainage Report	February 22, 2023
Plat Amendment Project Narrative	February 22, 2023
Final Buffer Mitigation Plan	February 7, 2022
 <u>Staff Communication</u>	 <u>Dated</u>
Preliminary Plat Staff Report	September 2, 2021
Dev. Services & Engineering Memo	May 7, 2024

9. Public Outreach and Comments

The County received several written comments from interested parties for the Royal Valley preliminary plat. The concerns included were about project impacts to traffic, stormwater, and the need to protect the existing rural character of property along NE Paulson Road.

Ken Olcott commented mostly commented on traffic impacts, location of emergency access from NE Paulson Road and whether a 50-foot buffer would be adequate to maintain rural character.

Brent and Patti Yeik commented on storm drainage issues.

Jason Caldwell had concerns about traffic and safety impacts.

Marsha Masters commented on impacts associated with traffic, density, and rural character.

Marian Wiggins noted vehicle speed and traffic safety.

Pursuant to KCC Title 21 Land use and Development Procedures, The Department gave property public notice for the Preliminary Plat, Minor Amendment 800 feet around the subject property. There has been public input on developments but not on this project permit. The Department did receive agency comments from the Department of Ecology

notifying the county/applicant that there is a dump site near to property, Department Archology Historic Preservation and WSDOT on traffic mitigation.

10. Analysis

a. Planning/Zoning

The preliminary plat is zoned Urban Cluster Residential (UCR) with a comprehensive plan designation of Urban Low Density Residential (ULDR). The intent of the zone is for areas that are characterized by large contiguous parcels under single ownership capable of development as a single, unified project. Also provide clustering at urban densities while simultaneously providing a high-level protection of critical areas. (e.g., Wetlands, streams, critical aquifer recharge areas and wildlife habitat areas.) The intent of the UCR zone is to foster a pattern of interconnected system of pedestrian and bicycle trails and facilities linking residential neighborhoods with open spaces recreational areas transportation corridors, etc. The zone allows for single-family detached, attached, multi-family dwellings. The project is vested to Urban Low Residential development standards, and setbacks at the time of approval, pursuant to KCC 21.04.105 Vesting (December 8, 2020).

The original preliminary subdivision was reviewed for consistency with KCC 16.04 General Provisions, specifically KCC 16.04.120 Phased Development and KCC 16.24 Land Segregation Standards. The preliminary plat met standards and was conditioned to meet all applicable standards in KCC Chapter 16.04, including 16.04.080 General Requirements and 16.04.120 Phased Development.

Per KCC 16.40.040, Preliminary subdivision Minor Amendments are classified as Type II applications under Chapter 21.04, which requires a decision by the Department or by the Director. In providing a recommendation, the Director shall review the application to ascertain if it conforms to the following requirements (staff comments included and italicized analysis).

b. Lighting

Urban residential plats generally include illumination of internal roadways. Pursuant to KCC 11.40 Street Lighting, street lighting is required at intersections where private roads intersect with County right-of-way. The developer is responsible for installing the street lighting at intersections during plat construction. Lighting will be maintained by the County. If desired, the developer and/or Homeowners Association (HOA) may install the internal street lighting. The individual property owners are billed through the local water purveyor (Silverdale Water District). The HOA is responsible for lighting maintenance. No lighting is proposed currently. Any proposed exterior lighting will be reviewed at the time of SDAP submittal and is subject to KCC Title 17 and KCC Title 19, if applicable

Staff Comment: At the time of the preliminary plat, lighting is not required to be shown on the plans and no lighting is proposed at this time. Any proposed exterior lighting will be reviewed at the time of SDAP submittal and is subject to KCC Title 17 and KCC Title 19, as applicable.

c. Off-Street Parking

The preliminary Plat was reviewed for consistency with KCC 17.490 Off-street Parking and Loading and 16.24.040.D Off-Street Parking. Pursuant to KCC 17.490.030, the proposal requires 350 total parking stalls (398 stalls provided on individual lots, plus 0.5 stalls per unit (or 70 stalls) provided on street or set aside. Any fractional parking space shall be rounded up to the nearest whole number (KCC 17.490.010). The applicant proposes 2 stalls on each lot and at least 93 stalls on street parking stalls distributed throughout the subdivision. On street parking stalls are shown and numbered on the submitted landscape plan.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single-Family (attached or detached)	During land division, 2 per unit + 0.5 per unit on street or set aside.	280 + 70 on-street or set aside = 398	280 provided on individual lots +93 provided on-street.
Total 140		350	398

d. Signage

Pursuant to KCC 17.510.100, Subdivision signs are permitted at entrances with landscaping. All stand-alone monument signs will be subject to a separate sign permit.

Staff Comment: Currently, no signage is proposed. A separate Kitsap County sign permit is required for all signs unless it is determined an exempt sign pursuant to KCC 17.510.050.

e. Landscaping

Pursuant to KCC 16.24.F Urban Standards-landscape requirements, KCC 17.420.037, KCC 17.500 Landscaping, landscaping is required at entrances and street trees planted along roadways and on individual lots at construction or for individual units prior to certificate of occupancy.

The northerly boundary of the subdivision abuts the Rural Residential (RR) zone. Along the northerly property boundary, new landscaping is proposed to comply with this standard. Per KCC 17.500.027.B.2, a solid screening buffer measuring twenty-five to fifty feet of sight-obscuring, screening vegetation is required for the portion of the residential subdivisions abutting a rural zone along NE Paulson Road. Existing native vegetation and critical area buffers are proposed to be retained to meet this requirement to provide additional screening.

Per KCC 17.500.027.B.3, a solid screening buffer is required around the perimeter of storm drainage facilities, to provide sight-obscuring screening from adjacent properties and/or roadways.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	NA	NA
Required Buffer(s) 17.500.025		
North	25-50', sight obscuring	50' buffer
South	NA	NA
East	NA	NA
West	25-50', sight obscuring	Provided through existing vegetation and critical area buffers*
Street Trees	Yes	Provided

Staff Comment: At the time of SDAP submittal, the applicant will be required to demonstrate consistency with the Condition of Approval No. 7 and 8 for sight-obscuring screening buffers and screening of storm drainage facilities.

f. Frontage Improvements

Consistent with Comprehensive Plan polices, KCC 16.04.080 General Requirements, KCC 17.420.037 Single Family Design Standards and KCC Title 11 Kitsap County Road Standards, the preliminary plat is required to include frontage improvements along internal roadways for curb, gutter, and sidewalks. The proposal includes off-site improvements to SR-303, including sidewalks, curbs, along the entire property frontage. The interior plat roads also include frontage improvements, designed, and constructed in accordance with Kitsap County Road Standards, if public roads; or in accordance with Kitsap County Code 16.24.040 Urban Standards if private roads. (See Condition #44)

g. Design Districts/Requirements

The subject site is not within any recognized design district.

h. Development Engineering/Stormwater

N.L. Olson and Associates, Inc., prepared a revised Preliminary Storm Drainage Analysis for the applicant, dated February 17, 2022. Stormwater runoff from approximately 25% of the site currently discharges to the west into a tributary of Hoot Creek, with runoff from the remaining area of the site discharging to the east toward Crouch Creek. The proposed stormwater improvements include a system of pipes and catch basins to convey runoff to bioretention cells (with underdrains) that will collect stormwater runoff from roads and driveways. Runoff from rooftops will be routed directly to the detention ponds where practical. Development Engineering has reviewed the land use proposal and finds the concept supportable in its approach to civil site development, based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans

accepted for review February 22, 2023, and as revised by additional materials accepted for review January 18, 2024, to Kitsap County Development Services and Engineering. Development Engineering has provided numerous conditions of approval, found in section 13.c of this report. (*See Conditions #16-30*)

i. Environmental

The property was a mix of agriculture, commercial, passive recreation, and undeveloped mixed mature forest. The agricultural landscape is dominated with prior converted wetlands. The fields have perimeter ditching and natural streams are historically manipulated to control hydrology for active pasture. Crop rotations and livestock have been managed within the homestead since the early 1900's.

The tract bound by Nadean Creek and Royal Valley Creek is one of the prominent areas of the property that is relatively undisturbed. This area of the property consists of significant mature trees and open understory. Paths are well established under the canopy. Three surface waters are located to the parcel. They include Crouch Creek, Nadean Creek, and Royal Valley Creek. These Type F waters are bound to forested ravines to the top-of-slope. Crouch Creek is mostly natural within the ravine on-site. These Type F waters are bound to forested ravines to the top-of-slope. A tributary of Hoot Creek is located along the western boundary of the site has been manipulated from the agricultural use, ditched to intercept drainage from the surrounding fields.

BGE Environmental, LLC (BGE), prepared a Critical Area Assessment, dated July 30, 2020, which identified 10 jurisdictional wetlands (Wetlands A through J) in the project area; the development area includes both the subject property as well as the three parcels to the south, which have been identified for potential future development and would contain access and utility improvements necessary to serve the proposed subdivision.

- **Off-site Wetlands:** The wetland consultant identified four offsite wetlands (Wetlands DD through GG) within 250 feet of the project boundary. BGE determined that Wetlands A, C, D, and G are Category IV wetlands requiring 50-foot protective wetland buffers; Wetlands B, E, F, and H are Category III wetlands requiring 80-foot protective buffers; Wetlands I and J are Category III wetlands requiring 150-foot wetland buffers; offsite Wetlands EE, FF, and GG are Category IV wetlands requiring 50-foot wetland buffers; and offsite Wetland DD is a Category III wetland requiring a 150-foot wetland buffer. A portion of Wetland F and the entirety of Wetlands G, H, I, and J are located along the western boundary of the subject property. Offsite wetlands DD through GG are located to the east of the property's eastern boundary line and have protective buffers that extend onto the property. Wetlands A through E, and the remaining portion of Wetland F, are located on the parcels immediately to the south of the subject property.
- **Type F waterbodies:** BGE identified three Type F waterbodies requiring 150-foot protective buffers on the property, which include Crouch Creek along the eastern boundary of the property, a tributary to Hoot Creek along the western boundary of the property, and Insanity Lake Creek, which consists of the overflow from an existing stormwater pond at the southeast corner of the property. In addition, BGE

identified a Type F/Type N waterbody requiring 150-foot and 50-foot protective buffers in the eastern portion of the parcels to the south of the property.

- **Surface Waters:** Six surface waters were identified within the investigation area. Five of the surface waters are Type F throughout the project area. One is a Type Ns for most of its stream reach until it approaches Crouch Creek becoming a Type F prior to entering the ravine. Type N waters have a standard buffer width of 50 ft. Type F waters have a standard buffer width of 150 ft (Table 19.300.315 (KCC)).

The project area and vicinity critical area buffers are listed below for high intensity land use. Critical area buffers are measured horizontally from the wetland edge or stream bank-full width. For stream in ravines with sides ten feet or greater in height, the buffer width shall be the minimum buffer required from the stream type, or a buffer width that extends twenty-five feet beyond the top-of-slope, whichever is greater. Building setbacks for geologically hazardous areas may still apply if determined necessary. A 15-ft building or impervious surface setback is required from the edge of any critical area buffer. The setback is required to be identified on a site plan. Buffers will be required to be located within separate tracts and remain as undisturbed or enhanced vegetation areas for protecting the integrity, function, and value of the critical area habitat and/or species use. Project area and vicinity critical area buffers are listed below for high intensity land use.

PROJECT SPECIFIC & VICINITY CRITICAL AREA	CATEGORY RATING	STANDARD BUFFER WIDTH
WETLAND A	IV	50 FT
WETLAND B	III	80 FT
WETLAND C	IV	50 FT
WETLAND D	IV	50 FT
WETLAND E	III	80 FT
WETLAND F	III	80 FT
WETLAND G	IV	50 FT
WETLAND H	III	80 FT
WETLAND I	III	150 FT
WETLAND J	III	150 FT
WETLAND DD	III	150 FT
WETLAND EE	IV	50 FT
WETLAND FF	IV	50 FT
WETLAND GG	IV	50 FT
TRIBUTARY HOOT CREEK	-	150 FT
CROUCH CREEK	-	150 FT
INSANITY LAKE CREEK	-	150 FT
TYPE N/TYPE F WATER	-	50 FT / 150 FT
NADEAN CREEK	-	150 FT
ROYAL VALLEY CREEK	-	150 FT

Geologically Hazardous Areas.

The project was reviewed for consistency with KCC 19.400 Geologically Hazardous Areas. A geotechnical engineering report by GeoResources, LLC dated July 2020 and August 14, 2023, was prepared for the property. Portions of the site include slopes greater than 15 % and are listed as having a “slight” to “severe” erosion hazard when exposed by the NRCS soils map. The upper central portion of the site (area of proposed development) generally slopes down to the east and west at approximately 5 to 30 %. Steeper slopes of about 35 to 55% are mapped near the NE Waaga Way-road cut. The steep slopes along Crouch Creek in the eastern portion of the site slope down to the Creek at about 55 to 85% with about 10’ to 20’ of vertical relief. The slopes along Crouch Creek are mapped as a “moderate” shallow landslide hazard area. As stated above, portions of the site are steeper than 33% have vertical heights on the order of 10 to 25’.

Per the 2015 IBC, these slopes should have a minimum setback of 4 to 9 feet from the top of the slope and a setback of 5' to 13' applied to the toe of the slopes. The geotechnical engineering anticipates that much of the northern portion of the site will be regraded to provide level building lots. It is anticipated that in some areas critical area buffers will exceed requirements for geologic hazard setbacks.

Critical Area Buffer Mitigation Plan: The project biologist determined that the proposed development would result in impacts to the buffers associated with Wetland J, Insanity Lake Creek, and the Type F/Type N waterbody on the parcel to the southeast. BGE prepared a preliminary Critical Area Buffer Mitigation Plan addressing these proposed impacts, dated August 9, 2021, and a Final Mitigation Plan, dated February 7, 2022.

The applicant proposes to reduce a portion of the Wetland J buffer by 25%, from 150 feet to 112.5 feet, to accommodate construction of a stormwater pond at the northeast corner of the property, as permitted under the buffer averaging provisions of KCC 19.200.220.B.1. The direct buffer impacts are 9,421 *sf* and include the removal of forty (40) mature conifers. To mitigate for these impacts, the applicant would voluntarily establish and enhance 55,513 *sf* of buffer area to the riparian complex of the Hoot tributary. The total mitigation includes temporary impacts 7,111 *sf* and voluntary enhancement. The development will be required to implement the mitigation plan for up to 5 years monitoring period with performance bonds with the bonds release after monitoring period. The mitigation goal is to enhance 72,170 *sf* of wetland degraded wetland buffer.

The applicant also proposes to reduce the buffer associated with the Type F/Type N waterbody on the parcel to the southeast by 25% to accommodate construction of an offsite pump station and stormwater pond that would serve the proposed subdivision, as permitted under KCC 19.200.220.B.2. The proposed reduction would impact 46,545 *sf* of buffer area, and to mitigate for this impact, the applicant would enhance the remaining buffer area associated with the Type F/Type N waterbody. In addition, the Applicant proposes to redevelop the existing Insanity Lake stormwater pond at the southeast corner of the property, which would result in impacts to the Insanity Lake Creek buffer. County staff determined that the proposed restoration activity would be exempt from requirements of the County critical areas ordinance under KCC 19.100.125.E, which provides an exemption for normal and routine maintenance or repair of existing utility structures. The proposed redevelopment of the stormwater pond would include channel restoration, installation of habitat elements, and buffer enhancements. Exhibit 6; Exhibits 17 through 21; Exhibit 32, Staff Report, pages 3 through 5, 31, and 32.

j. Access, Traffic and Roads

Preliminary subdivision applications are subject to the provisions for access, traffic, and roads in Kitsap County Code Chapters 16.40, 16.04, and 16.24, as discussed above. Kitsap County Public Works Traffic Division and WSDOT reviewed and approved the proposal. The applicant submitted a Traffic Impact Analysis, dated January 5, 2022, with mitigation measures for compliance with applicable codes. Later the applicant prepared

an Intersection Control Evaluation plan. The developer, Kitsap County and WSDOT entered into a MOU, dated October 11, 2022, to provide an agreement for project phasing and coordinate traffic mitigation for 159 residential lots. The project was conditioned through traffic mitigation to restricting left turn-out traffic from the subdivision and improving apportionment of Central Valley Road NW at the SR-303 westbound off-ramp intersection.

In addition to restricting left turn movement on SR-303, Kitsap County and WSDOT agreed upon under a separate permit for traffic mitigation by constructing a connection with Central Valley Road NE. It was recognized that the WSDOT fish barrier removal was planned for the Central Valley Road NW and SR-303 Interchange in 2025-2027 would remove the required improvements at the intersection and it agreed upon to not be the preferred mitigation. Consistent with SEPA determination, for mitigation the applicant will restripe the existing northbound left turn lane serving NW Bucklin Ct as a two-way left-turn lane, provide median storage for the eastbound left-turn movement, and continue to provide space for northbound left-turns at NW Bucklin Ct. (*See SEPA Conditions*)

k. Fire Safety

Fire protection including fire hydrants, water supplies for firefighting and emergency vehicle access shall be provided shall be provided per KCC Title 14 Kitsap Building and Fire Code. (List Fire Stations) The Kitsap County Fire Marshal's Office has reviewed the preliminary plat and approved the application with recommended conditions of approval for access. (Projects that exceed 1000 ADT see Condition 55). The project includes vehicular access to NE Paulson Road, which is only limited to emergency vehicles only. (*See Condition #58*)

l. Solid Waste

Individual homes within the subdivision are proposed to be served by Waste Management for solid waste collection. During the SDAP review process, solid waste collection service will be verified by the County. (*See Conditions #52*)

m. Water/Sewer

Public water (North Perry Water District) is proposed to serve the development. The applicant has submitted a non-binding water availability letter, demonstrating that there are adequate water resources to serve the proposed development. At the time of site development activity permit submittal, the applicant shall submit a binding water availability letter from the water purveyor. Consistent with Footnote KCC 17.410.050.A(5) the project will provide an urban level of service for sanitary sewer. Kitsap County Public Sewer is proposed to serve the development. The sewer utility has agreed to review of the lift station design independently from the SDAP and assist with project timeline. Any risk associated with moving forward with site utility installation without Lift Station approval will be upon the applicant group. Kitsap County Public Works Sewer Division has reviewed and approved the proposal with two conditions (*Condition 50 and 53*).

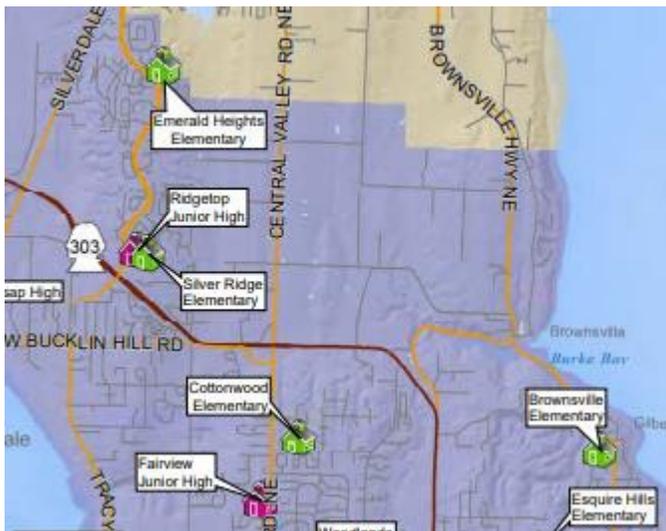
n. Kitsap Public Health District

The Kitsap Public Health District reviewed and approved the proposal with the condition that Sewered Building Clearances shall be submitted at the time of building permit submittal.

o. Schools

The Royal Valley Plat is located on the north side of SR-303, and within the Central Kitsap School District. The property is served by Brownsville Elementary School, Ridgetop Middle School, and Olympic High School. This is subject to change if boundary changes are made by the district to balance enrollment between schools. The County collects \$1455.66 for School Impact fees per unit to improve compacity.

The school district and developer has not determined the best location for a bus stop yet for students living within the development. The district has stated the best alternative would be for the bus stop to be entirely located outside the plat and accessed by the west bound travel lane located on SR-303/Waaga Way but not neighborhood roads. Because the plat is accessed from NE Waaga Way/SR-303 a request for input was made to WSDOT Olympic Regional office for the potential location of the bus stop. The State would prefer school buses travel into the development rather than doing a merge/diverge across travel lanes and bike lane. Route. The goal is for the location to be determined prior to completion of Area 2 of the plat.



p. Public Transit

Land segregations shall provide for transit stops, shelters and/or space for said stops or shelters, as deemed necessary. Kitsap Transit recommends coordinating with Kitsap Transit and WSDOT, Olympic Region office to add a new ADA compliant bus stop on the northbound side of SR-303, just after the signal with Brownsville Highway. To the maximum extent possible, the transit stop shall be accessible from Royal Valley development for persons with disabilities. Examples include a sidewalk or shared use path. The location of the accessible access will be determined by the project applicant, Kitsap Transit in consultation with WSDOT.

q. Nonmotorized Facilities

The State Highway SR-303/NE Waaga Way is not a Kitsap County-maintained Road and development is guided by WSDOT as discussed previously in this report. Based on previous meetings it is the department's understanding that WSDOT does not desire sidewalks or pedestrian crossings at this section of SR 303 due to safety, maintenance, and other concerns. In coordination with Kitsap County Public Works, Traffic Division, it was determined that sidewalks would not be required along NE Paulson Rd due to the road classification (rural level of service), intent of access off NE Paulson Road is for emergency access only and in keeping with the character of the abutting rural zones.

r. Recreation

The applicant submitted a preliminary revised landscape plan which included a revised layout of the proposed recreational open space facilities that demonstrate feasibility and general compliance. The required ratio used was 390 sf of recreational open space per unit is required. For 140 units, that is 54,600 sf of required open space. For convenience of review, the applicant provided a summary of all open space tracts. Several tracts are designated as active or passive recreation space meeting the standard per unit. Per KCC 16.24.040.H.2 Recreational facilities are to be places in designated open space tracts and required to be dedicated to a homeowner's association or other acceptable origination to provide continues maintenance of the open space recreational tract.

s. Homeowners Association

Per KCC 16.04.080, the Preliminary Plat will be conditioned for the Homeowners Association (HOA) to take over ownership for management of the plat open space, any private roads, storm drainage facilities and applicable utilities. Washington State updated laws governing HOA's for maintaining a cash reserve RCW 64.90.545). (See Condition # 64)

t. Historic Cultural Resources Preservation

See finding in Notice of HE Decision for more information. (See Condition# 61).

11. 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 Conditional Use Permit.

Revision to the Hearing Examiner's Decision and Recommendation

Kitsap County Code 16.40.040 Amendment to Approved Preliminary Subdivisions, provides standards for Major and Minor approved Preliminary Plat Amendments. The Department determined that the request is a minor plat amendment, which is reviewed pursuant to KCC 21.040.060 Land Use and Development Procedures as an administrative Type-II decision.

12. 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:

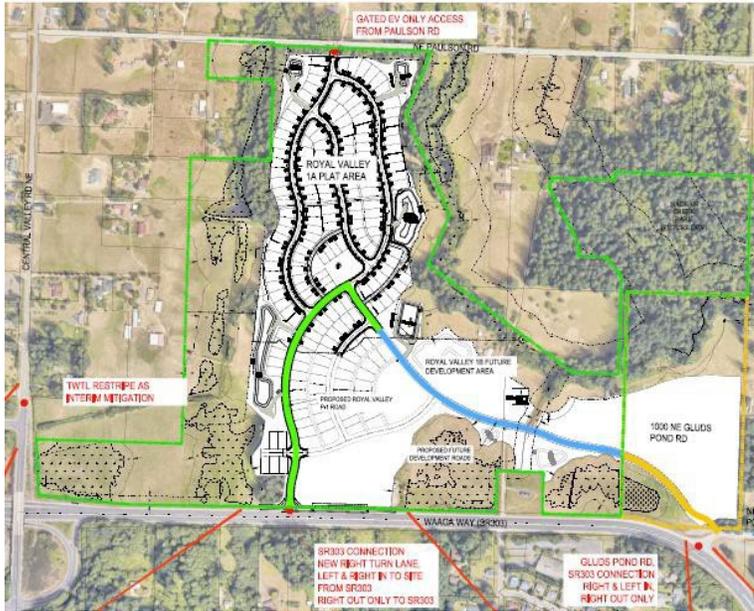
KCC 16.40.040.B.2 Amendment to approved Preliminary Subdivisions Minor Amendment
Staff Evaluation of Decision Criteria:

- a. **The proposal does not result in significant adverse 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.**

Applicant Response: The proposal does not increase impacts to the subdivision or surrounding property. In addition to being within the same parcel / development area boundaries as the approved Preliminary Plat the following characteristics of the design are still true:

- Access to the development is directly from State Route 303 (NE Waaga Way) to be constructed under agreement with WSDOT (Date of Agreement (dated October 11, 2022) according to an approved design and all newly created lots are proposed to be accessed by new interior access roads.
- There is a secondary emergency vehicle access only to Paulson Road, a county right-of-way.
- Access and utility extensions to the plat involve the three additional parcels of Royal Valley also in the Urban Cluster Residential (UCR) zone (142501-3-036-2002, 142501-3-037-2001 and 142501-4-050- 2001) which were identified as Future Development Areas and included in the approved Mass Grading SDAP.
- The project is being served by public water (North Perry Water) and public sewer (Kitsap County) via a gravity flow system to a proposed sewer lift station.
- Stormwater is proposed to be captured, collected, and treated in stormwater ponds in the same general locations around the development with similar basins.

Summary of Changes



Staff Comment: Staff agrees that the request is for only minor revisions to the approved preliminary plat, dated October 1, 2021, with minor reduction of lots, and minor changes to the plat configuration. The request will not result in additional significant impacts within the subdivision and to surrounding properties. The applicant stated that minor changes to the original plat were based on public input and the need to adjust the project more to the contours of the site adjacent to the critical areas.

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

Applicant Response: All general findings of the analysis in Section 10 of the Staff Report recommending approval of the Preliminary Plat hold true with the amended proposal. The amendment remains compliant with specific UCR zoning requirements:

DEVELOPMENT STANDARD	UCR ZONE REQUIREMENT	APPROVED PPLAT	CURRENT (SDAP)	PROJECT COMPLIANCE AS AMENDED
Maximum Density	9 DU / Gross Acre	159 = 3.45	140 = 3.04	Number of lots is less than maximum density
Minimum Density	5 DU / Net Acre	159 = 8.95	140 = 8.57	Number of lots is greater than minimum density
Minimum Lot Size	2400 sf	3,404 sf	3,466 sf	All lots exceed the minimum standard.
Maximum Lot Size	9000 sf	8,880 sf	6,780 sf	All lots are below 9,000 sf.
Minimum Lot Width	40 feet	40 feet	40 feet	The minimum lot width is 40 feet.
Minimum Lot Depth	60 feet	64 feet	72 feet	The minimum lot depth exceeds 60 feet.
Maximum Height	35 feet	<= 35 feet	<= 35 feet	Homes will not exceed 35 feet in height.
Minimum Parking / Lot	2 + 0.5 set aside	318+80 = 398	280+93 = 373	Exceeds the minimum requirement of 210.
Minimum Landscaping	15% of site	~ 39%	~ 39%	Exceeds minimum requirement
Minimum Recreation Area	390 SF per Lot	1.45	1.34 ac	Exceeds the minimum requirement of 1.25 ac

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: There is no change in use (single family lots).

Staff Comment: No changes to the type of housing are proposed within Area-1 of the preliminary subdivision.

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

Applicant Response: The proposal will fall within the scope of the original approval and complies with the intent of the conditions originally imposed. Modifications to the proposed development are minor.

Staff Comment: The minor plat amendment reduces the number of units and is consistent with the intent of the Hearing Examiner's decision and is not proposing to significantly change the preliminary plat 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 perimeter boundary is the same as the original plat.

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

- f. The proposal does not increase residential density by greater than ten percent, provided the density requirements of the zone are maintained.**

Applicant Response: The proposal does not increase residential density by greater than ten percent and meets density requirements.

Staff Comment: Through the minor amendment, the applicant is not requesting to increase density, but decrease the number of residential lots from 159 to 140 as approved by the Hearing Examiner. The request 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 proposal did not increase the intensity of housing types; all lots are intended for 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 ten percent.**

Applicant Response: There were no reductions in any perimeter buffer or critical area buffer impacts beyond what was approved with the Preliminary Plat.

Staff Comment: The amendment does not reduce the proposed critical area buffers and recreational open space as approved by the Hearing Examiner's decision.

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

Applicant Response: There was no increase in the number of access points. There is one primary access on SR-303 which is unchanged. The Emergency Vehicle Access connection to Poulson Drive shifted about 50-feet west to achieve site distance. A future road and utility connection to the east was described in the Preliminary Plat application and recognized by conditions of Preliminary Plat approval (to include non-motorized facilities).

Staff Comment: The design for access and frontage improvements on SR-303 as approved by WSDOT is unchanged.

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

Applicant Response: No setbacks were reduced.

Staff Comment: The required setbacks will not be reduced by this minor 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 were required or are proposed on Paulson Road.

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

13. Decision

Based upon the analysis above and the decision criteria found in KCC 16.40.040.A, the Department of Community Development recommends that the Type -II request for Royal Valley Preliminary Plat-Minor Amendment be **approved**, subject to the following **##** conditions:

- a. Planning/Zoning**

1. In accordance with KCC 16.04.120, any future development plans may be proposed in conjunction with an SDAP or a separate land use application. If a phased development is proposed, a phasing plan shall be prepared in accordance with Kitsap County Codes.
2. All required permits shall be obtained prior to commencement of land clearing, construction, and/or occupancy.
3. The decision set forth herein is based upon representations made and exhibits contained in the project application (20-05572). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review.
4. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approval granted and is a continuing requirement of such approval. By accepting this approval, the Applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the Applicant agrees to promptly bring such development or activities into compliance.
5. The names of the interior roads in this land segregation shall be approved by Community Development prior to final subdivision approval.
6. All potential private roads, 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.
7. A final landscaping plan that meets the standards of Chapter 17.500 KCC is required to be submitted with the SDAP.
8. The landscaping separation required by KCC 17.500.027.B for lots 22-26 is proposed to be located within existing vegetation and critical area buffers to the west. If necessary, the director may require additional screening or fencing with the SDAP pursuant to KCC 17.500.027.
9. Pursuant to KCC 17.420.030(C), artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one-foot candle of illumination leaves the property boundaries. Lighting on individual single-family lots is exempt from this standard. Proposed lighting plans shall be included at the time of SDAP submittal.
10. Prior to erecting any sign, a separate Kitsap County sign permit is required for all signs unless it is determined an exempt sign pursuant to KCC 17.510.050. The proposed sign shall conform to all applicable standards of Kitsap County's Sign Code (Chapter 17.510 KCC).

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

b. Environmental

12. Adhere to the critical area and historical/cultural preservation conditions noted in the SEPA MDNS issued on August 27, 2021.
13. The Final Royal Valley Plat Mitigation Plan shall be submitted as part of the SDAP.

c. Development Engineering

GENERAL

14. 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.
15. 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.

STORMWATER

16. Adherence to the stormwater condition noted in the SEPA MDNS issued on August 27, 2021.
17. 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 SDAP from Development Services and Engineering.
18. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Plat application was deemed complete, December 7, 2020. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.
19. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Services and Engineering for review and approval with the SDAP. 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.

20. Any off-site project improvements within Kitsap County jurisdiction that creates additional impervious surface such as lane widening, sidewalk or shoulder installation, or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Plat application was deemed complete, December 7, 2020.
21. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall.
22. The project proponent shall be responsible for installing any necessary off-site drainage improvements associated with required improvements to State Route (SR) 303. Procurement of any permits or easements necessary to install off-site improvements shall be the responsibility of the project proponent.
23. The site plan indicates that greater than one acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.
24. Per WAC 173-175, the construction of pond berms that will impound a volume of ten acre-feet or more of water requires review and approval by the Department of Ecology. This approval must be completed prior to issuance of the SDAP.
25. All retention facilities shall be a minimum of 200 feet from any slope steeper than 30 percent. 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.
26. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final plat. Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall drainage facilities shall be mitigated in accordance with Kitsap County Code Title 12 and may require an SDAP.
27. 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. This Plat is subject to all elements of the recorded Declaration of Covenant Conditions and Restrictions (CC&R's).
 - e. 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
28. The Final Plat shall include notes regarding drainage easements, appropriate conveyance language, and access rights thereto, depending on final design. The specific notes will be determined during review of the Final Plat permit application.
29. 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 him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.
30. If the project proposal is modified from that shown on the submitted site plan accepted for review December 9, 2020, Development Services and Engineering will require additional review and potentially new conditions.

d. Traffic and Roads

31. The Final Plat application materials shall include a definitive statement identifying the roads constructed for access to the plat and the interior plat roads as private or public roads.
32. Public roads shall not exceed 12 percent grade or less depending on the road classification per Kitsap County Road Standards.
33. The interior roads of the proposed plat shall be designed and constructed in accordance with Chapter 11.22 KCC and the Kitsap County Road Standards for a local access road or an approved higher standard. If the roads are to be public, the right-of-way shall be dedicated to Kitsap County on the face of the Final Plat.
34. The following shall appear on the face of the Final Plat, under the heading Conditions:
- a. All lots shall access from interior roads only.
 - b. 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 law areas.
- c. Road approach permits shall be obtained prior to commencement of work on an individual lot.
 - d. Vehicular access to NE Paulson Road is limited to emergency vehicles only.
35. 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.
 36. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
 37. Development Services and Engineering reserves the right to require that covenants be recorded to address special maintenance requirements related to landscaping within existing and proposed right of way, depending on final design.
 38. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on NE Paulson Road. The cross-sections should show existing and proposed pavement, shoulders, ditches, and slopes. The cross-sections should also depict centerline of pavement and right-of-way, the right-of-way lines, and easements.
 39. The Site Development Activity Permit shall include plans for construction of the road approach at the intersection of the plat emergency vehicle access road and NE Paulson Road. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 KCC, and shall be constructed with gates, bollards or other moveable barrier as approved by the Kitsap County Fire Marshal and Central Kitsap Fire and Rescue.
 40. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
 41. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of the plat emergency vehicle access road and NE Paulson Road. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.
 42. All work, equipment and materials for traffic signal and street lighting installations shall meet and be in compliance with all requirements of the Kitsap County Road Standards, Project Contract Provisions of Plans and Specifications accepted for construction by Kitsap County, Manual on Uniform Traffic Control Devices (MUTCD), National Electrical Manufacturer's Association (NEMA), National Electrical Code (NEC), Washington State Department of Transportation (WSDOT)

- Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).
43. Before SDAP acceptance, the Applicant shall submit a set of drawings to the Washington State Department of Transportation for review. The Applicant shall notify Development Services and Engineering in writing when the plans have been submitted to WSDOT. Development Services and Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT, prior to SDAP issuance lies with the property owner.
 44. Adhere to the condition for coordinating frontage and access improvements along SR 303 with WSDOT noted in the SEPA MDNS issued on August 26, 2021.
 45. Prior to issuance of the Site Development Activity Permit for plat improvements, an executed agreement for construction of the plat access, and for the SR 303 frontage improvements required by WSDOT, shall be provided to Kitsap County Department of Community Development as evidence of final WSDOT approval of these improvements prior to SDAP issuance. SR 303 frontage improvements shall include a minimum 5-foot-wide continuous accommodation for bicycle use on the north side of SR 303. Construction of the plat access and required SR 303 frontage improvements shall occur concurrently with the Site Development Activity Permit construction and shall be completed prior to requesting final inspection of the Site Development Activity Permit.
 46. Adhere to the condition for completing offsite intersection improvements per WSDOT noted in the SEPA MDNS issued on August 26, 2021.
 47. The Applicant shall include east-west non-motorized facilities within the future phases of the overall Royal Valley project as the development expands easterly. These facilities shall include separated bicycle lanes/sidewalks and/or multi-modal pathways.
 48. 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.
 49. A Final Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
 50. All proposed 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.
 51. Sewer Availability Agreement account(s) must be kept current and in good standing through permit approval.

52. At the time of SDAP submittal, the Applicant shall submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works - Sewer Utility Division Standards and Regulations.
53. Prior to issuance of the Site Development Activity Permit for plat improvements, an executed agreement specific to intersection improvements (including the intersection control alternative selected) at the westbound offramp of SR 303 at Central Valley Road, shall be provided to Kitsap County Department of Community Development as documentation of final WSDOT approval of these improvements. The improvements shall be substantially complete prior to requesting final inspection of the Site Development Activity Permit.
54. At the time of site development activity permit submittal, the Applicant shall submit a binding water availability letter from the water purveyor.
55. This project includes the construction of rock walls or other retaining facilities that either exceed four feet in height or sustain a surcharge. A separate building permit with an engineered design is required for such walls. This note shall be placed on the face of the final construction drawings.
56. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9 of the Kitsap County Stormwater Drainage Manual.
57. A Hydraulic Project Approval (HPA) may be required for the pond outfalls. 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.
58. 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 Fire apparatus access roads are required and must be maintained in accordance with IFC 503 Amended by Kitsap County Code. Any proposed revision to these roads must be submitted to, reviewed, and approved by the Kitsap County Fire Marshal's Office. Access roads shall comply with the following:
 - Unobstructed width of 20 feet and height of 13 feet 6 inches.
 - Shall be designed and maintained to support a 60,000-pound fire apparatus and be provided with an all-weather driving surface.
 - Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.
 - 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.
 - Road shall not be more than 12% grade.
59. A minimum of two access points, separated by no less than half the diagonal of the property or area served, shall be required for developments that generate

more than 1,000 ADT unless other mitigating measures are approved by the County Fire Marshal.

60. Water line size and location, fire hydrants, fire department connections, and externally accessed riser rooms 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 Findings, Conclusions, and Decision Kitsap County Hearing Examiner Royal Valley Preliminary Plat, No. 20-05572 Page 28 of 28 Kitsap County Fire Marshal's office prior to the approval of any building permits.
61. The minimum fire flow requirements for one- and two-family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.
62. Prior to site disturbing activity through an approved and issued SDAP, the project shall demonstrate compliance with the recommendations provided in the letter by Department of Archaeology and Historic Preservation (DAHP) dated September 9, 2021, or, alternatively, shall provide the County with confirmation from DAHP that its recommendation for a professional archaeological survey of the project area may be waived or modified.

New Conditions

63. The applicant is responsible for coordinating any required frontage and access improvements with Washington State Department of Transportation (WSDOT) along SR 303. Final WSDOT approval shall be provided to Kitsap County Public Works prior to issuance of a Site Development Activity Permit.
64. Land segregations of five or more lots within a UGA that propose roads and/or storm water facilities to be privately maintained shall form a homeowners' association, (HOA) registered with the state of Washington. Conditions, covenants, and restrictions (CCR) document shall address, at a minimum, ownership of and maintenance responsibilities for any private roads, any private storm water facilities, recreation facilities, open space (protect critical areas).

Report prepared by:



Jeff Smith, Staff Planner / Project Lead

June 7, 2024

Date

Report approved by:



Katharine Shaffer, Planning Supervisor

June 7, 2024

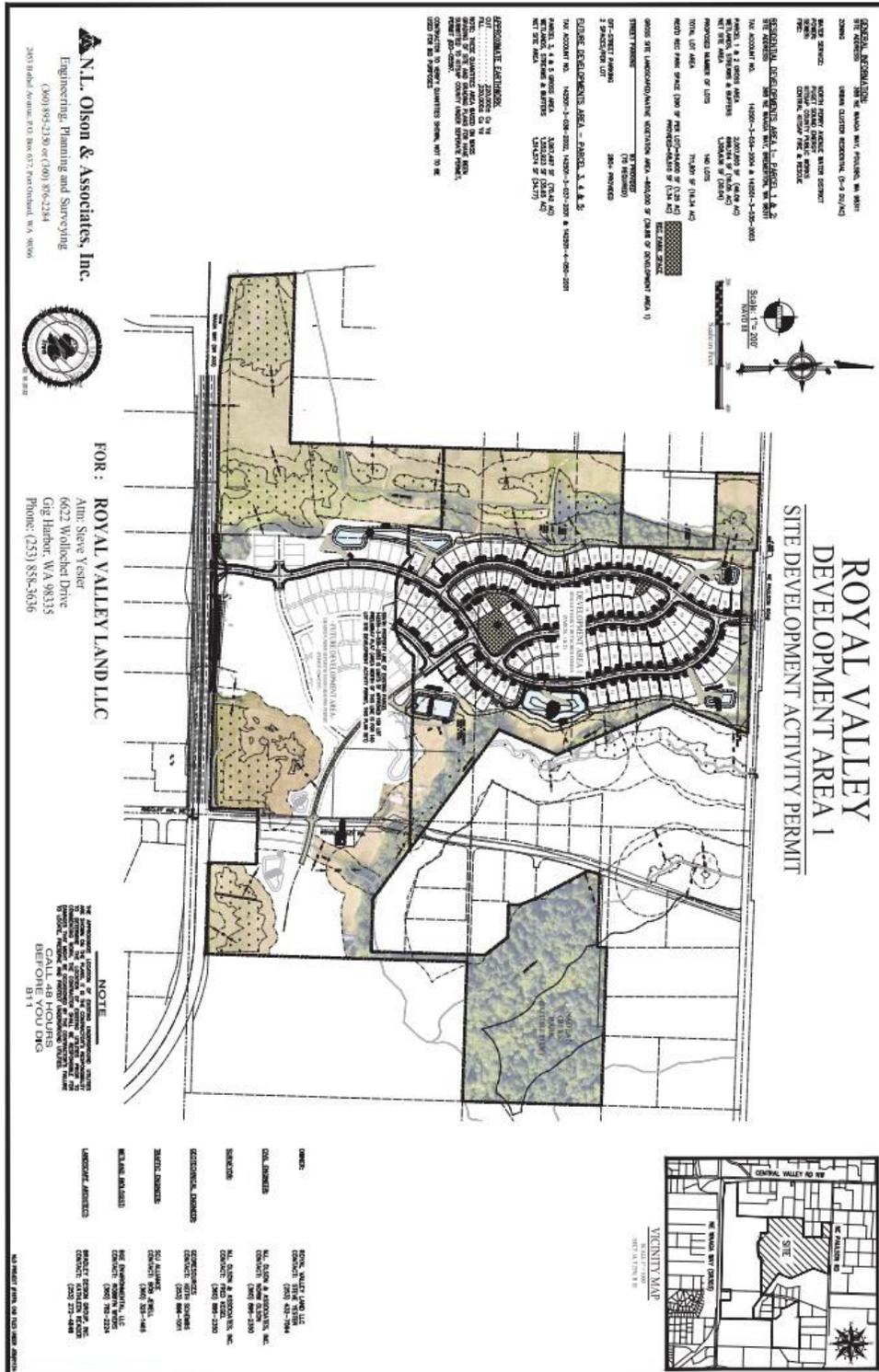
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Attachments:

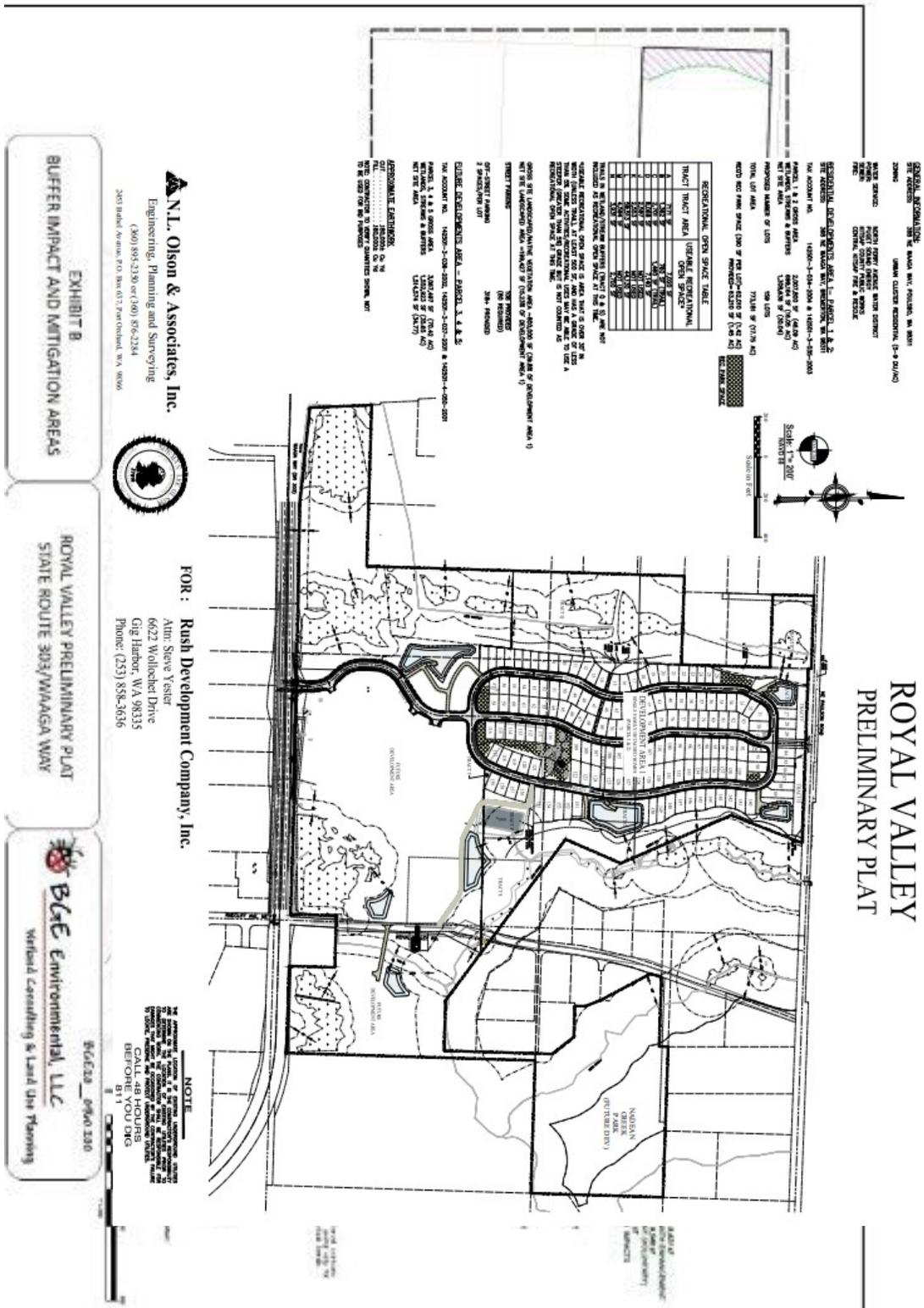
Attachment A –Site Plan Amendments
Attachment B – Original Preliminary Plat
Attachment B – Buffer Impact and Mitigation Plan
Attachment B – Central Valley Traffic Mitigation Plan
Attachment C – Zoning Map

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98335
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Engineer: Matthew Zawlocki, mzawlocki@nlolson.com; Trish Walton,
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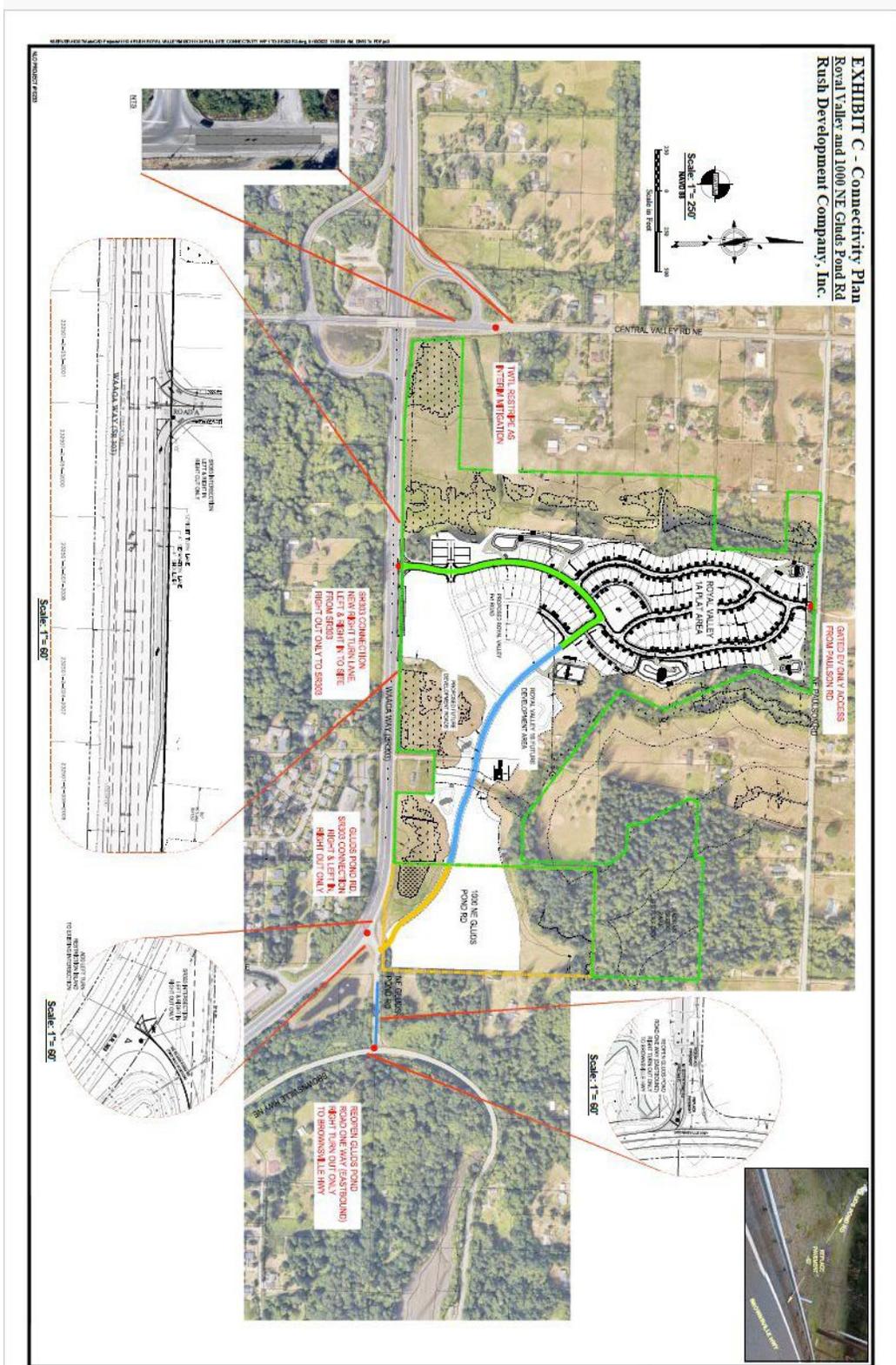
Site Plan

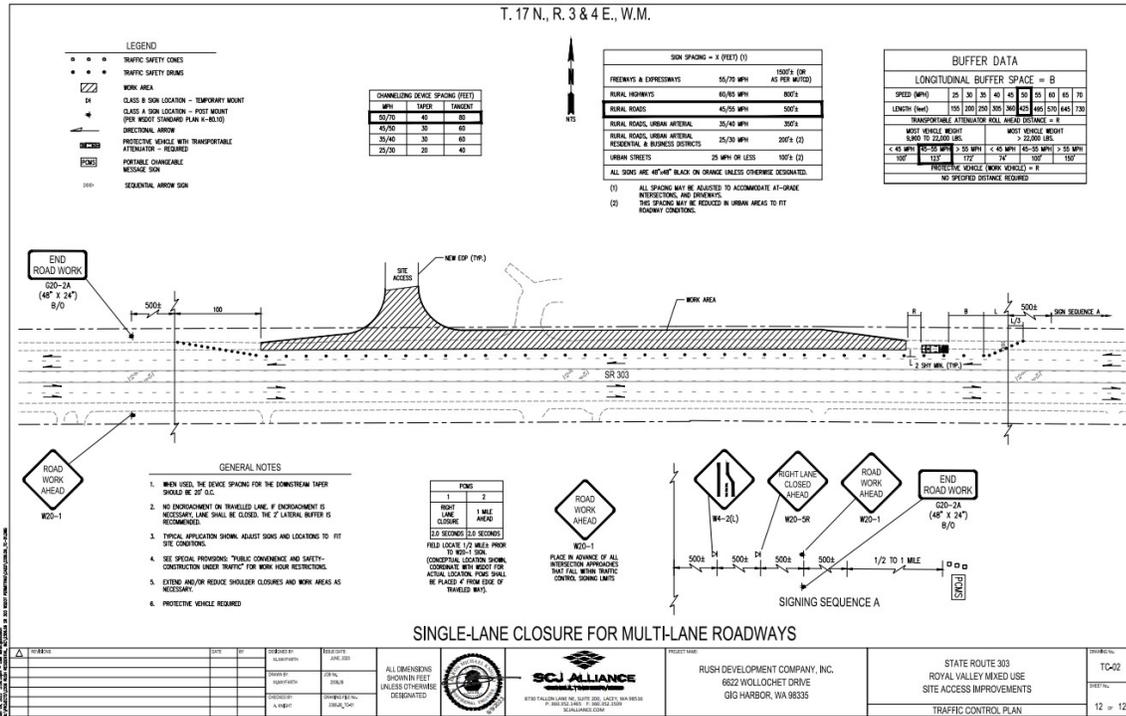


Original Preliminary Plat



Central Valley Traffic Mitigation Plan





Zoning Map

