



Notice of Administrative Decision

Date: 01/16/2025

To: Tillotson Jeffrey J & Kathryn M, jeff@lightpress.tv
Authorized Agents: Shoreline Solutions, Leann McDonald, leannm@me.com ;
Rhonda Peacock, shorelinesolutionswa@gmail.com

RE: **Permit Number:** 23-03363
Project Name: TILLOTSON - Substantial Shoreline Development
Type of Application: SSDP

The Kitsap County Department of Community Development has **APPROVED** the land use application for **23-03363 TILLOTSON - Substantial Shoreline Development**, **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: Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Steve Heacock, sheacock@kitsap.gov
Navy
DSE
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
Skokomish Tribe
WA Dept of Fish & Wildlife

23-03363, TILLOTSON - Substantial Shoreline Development
01/16/2025

WA Dept of Fish and Wildlife
WA Dept of Transportation
Dept of Archaeological Historic Preservation
WA Dept of Natural Resources
WA State Dept of Ecology-SEPA
WA State Dept of Ecology-Wetland Review



Administrative Staff Report

Report Date: 1/10/2024

Application Submittal Date: 07/17/2023

Application Complete Date: 08/15/2023

Project Name: Tillotson Cable Tram

Type of Application: Shoreline Substantial Development Permit (SSDP)

Permit Number: 23-03363

Project Location

17866 ANGELINE AVENUE SOUTH NE
Suquamish, WA 98392
Commissioner District #1 (North)

Assessor's Account

4355-001-013-0204

Applicant/Owner of Record

Jeffrey & Kathryn Tillotson
17866 Angeline Avenue South NE
Suquamish, WA 98392

Decision Summary

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

VICINITY MAP



1. Background

The subject site is located in unincorporated north Kitsap County, within the Suquamish LAMIRD and within the Shoreline Residential shoreline environment designation. The existing home is located at the bottom of a bluff, and currently accessed from an upslope parking area via stairs. Trams are not considered a normal appurtenance of a single-family residence, and an approved shoreline substantial development permit is required per KCC 22.500.

2. Project Request

The applicant proposes to construct a new Accumar Tram consisting of a 92 square foot upper landing platform, 58 feet of track, and a 30 square feet of lower landing deck.

3. SEPA (State Environmental Policy Act)

The project is SEPA Exempt under KCC 18.04 State Environmental Policy Act.

4. Physical Characteristics

The site is an irregularly shaped parcel approximately 0.31 acres in size. The northern portion of the property consists of a steep slope. Local walkways, wood steps, and short walls exist within the slope system. At the bottom of the slope, the site flattens toward the shoreline. The site is developed with a residence between the bottom of the slope. The remainder of the property is undeveloped and vegetated with various grasses, bushes and trees.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Development (LAMRID) Type I Zone: Suquamish Village Commercial	Standard	Proposed
Minimum Density	NA	NA
Maximum Density	NA	
Minimum Lot Size	4500 sf.	NA, existing
Maximum Lot Size	NA	NA, existing
Minimum Lot Width	50 feet	NA, existing
Minimum Lot Depth	90 feet	NA, existing
Maximum Height	30 feet, Maximum of 2 habitable floors	NA, existing
Maximum Impervious Surface Coverage	40%	NA No impervious surfaces are added.
Maximum Lot Coverage	NA	NA

Staff Comment: No changes to the lot configuration, size, density, or impervious surface coverage are proposed.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (North)	Minimum 20 feet	(Within easement)
Side (East)	Minimum 5 feet	5 feet
Side (West)	Minimum 5 feet	>5 feet
Rear (South)	85-ft Shoreline Buffer, plus 15-ft building setback	>100 feet

Staff Comment: The tram and rail system are proposed to be constructed within the front setback area, with portions extending onto the neighboring property to the north. The tram is located in the easement area and is effectively similar to a driveway in use and is not a structural impediment.

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residence	Suquamish Village Low Residential (SVLR)
South	Shoreline	NA
East	Single-family residence	Suquamish Village Low Residential (SVLR)
West	Single-family residence	Suquamish Village Low Residential (SVLR)

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

5. Access

The site is accessed via Angeline Avenue South NE, a County maintained right of way, which connects to a private access easement that extends across parcel 4355-001-013-0105 to the subject site. The proposed tram system is located within the existing access easement.

6. Site Design

The proposal replaces stairs with a tram that serve an existing single family residence on the southeastern portion of the site at the toe of a large slope.

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

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

Chapter 3- Environment, incorporates by reference the goals and policies of the Kitsap County Shoreline Master Program.

Land Use Policy 51: Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.

Policy SH-1. Protect and conserve shoreline areas that are ecologically intact and minimally developed or degraded. Develop incentives and regulations for privately owned shorelines that will protect and conserve these areas while allowing reasonable and appropriate development.

Policy SH-2. Recognize that nearly all shorelines, even substantially developed or degraded areas, retain important ecological functions.

Policy SH-4. Permitted uses and developments should be designed and conducted in a manner that protects the current ecological condition and prevents or mitigates adverse impacts. Mitigation measures shall be applied in the following sequence of steps listed in order of priority:

1. Avoid the impact altogether by not taking a certain action or parts of an action.
2. Minimize impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.
3. Rectify the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reduce or eliminate the impact over time by preservation and maintenance operations.
5. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments, including utilization of the in-lieu fee process where appropriate; and
6. Monitor the impact and the mitigation projects and take appropriate corrective measures.

Policy SH-7. In assessing the potential for new uses and developments to impact ecological functions and processes, the following should be considered:

1. On-site and off-site impacts.
2. Immediate and long-term impacts.
3. Cumulative impacts, from both current and reasonably foreseeable future actions, resulting from the project; and
4. Any mitigation measures or beneficial effects of established regulatory programs to offset impacts.

Policy SH-8. Critical areas in the shoreline jurisdiction shall be protected in a manner that results in no net loss to shoreline ecological functions. Pursuant to RCW 36.70A.030(5), critical areas include:

1. Wetlands.
2. Frequently flooded areas.
3. Fish and wildlife habitat conservation areas.
4. Geologically hazardous areas.
5. Critical aquifer recharge areas.

Policy SH-9. Preserve native plant communities on marine, river, lake, and wetland shorelines to maintain shoreline ecological functions and processes, development along the shoreline should result in minimal direct, indirect, or cumulative impacts. This includes:

1. Keeping overhanging vegetation intact along the shoreline edge to provide shading and other ecological functions.
2. Preserving established areas of native plants and minimizing clearing and grading near bluff edges and other erosion or landslide-prone areas in order to maintain slope stability and prevent excess surface erosion and stormwater runoff.
3. Designing and placing structures and associated development in areas that avoid disturbance of established native plants, especially trees and shrubs; and
4. Removal of noxious weeds in accordance with WAC 16-750-020.

Policy SH-10. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat. When shoreline uses or modifications require a planting plan, maintaining native plant communities, replacing noxious weeds, and avoiding installation of ornamental plants are preferred. Nonnative vegetation requiring use of fertilizers, herbicides/pesticides, or summer watering is discouraged.

Policy SH-21. Give preference to water-dependent uses and single-family residential uses that are consistent with preservation of shoreline ecological functions and processes. Secondary preference should be given to water-related, and water-enjoyment uses. Non-water-oriented uses should be limited to those locations where the above-described uses are inappropriate or where non-water-oriented uses demonstrably contribute to the objectives of the Act. For use preference within shorelines of statewide significance, see Section 22.300.145(B).

Policy SH-23. Through appropriate site planning and use of the most current, accurate and complete scientific and technical information available, shoreline use, and development should be located and designed to avoid the need for shoreline stabilization or actions that would result in a net loss of shoreline ecological functions.

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 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Title 19	Critical Areas Ordinance
Chapter 21.04	Land Use and Development Procedures
Title 22	Shoreline Master Program

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
JARPA	August 15, 2023
Environmental (SEPA) Checklist	August 15, 2023
Construction Plans and Elevations	August 15, 2023
Site Plan	August 15, 2023
Geological Report	August 15, 2023
Project Narrative	August 15, 2023
Innocent Purchaser Exception	February 28, 2024
 <u>Staff Communication</u>	 <u>Dated</u>
Dev. Services & Engineering Memo	February 2, 2024

9. Public Outreach and Comments

The Notice of Application and SEPA Comment Period were published on 9/25/2023. No comments were received through the SEPA comment period, which ended 10/09/2023. The SEPA decision is considered final.

10. Analysis

a. Planning/Zoning

The proposal is within the Rural Residential zone and the Shoreline Residential Shoreline designation. The tram structure and track meet the minimum 5-foot side yard setback; however, both proposed landings encroach into the side yard setback area. Per KCC 17.420.060.A.48, landing places or outside stairways may extend up to twenty-four inches into any required side or rear yards. The project has been conditioned to meet this requirement (Condition 1).

The Boundary Line Adjust performed in 2011 to create this parcel was not legal relative to plat alteration requirements in Title 16 of Kitsap County Code. A development permit may be issued for a lot divided in violation of state law or KCC Title 16 if the applicant can meet the Innocent Purchaser criteria in KCC 16.04.160.B. The Department finds that the applicant meets the following criteria:

The applicant purchased the lot, tract or parcel for value; and

The applicant did not know and could not have known by the exercise of care which a reasonable purchaser would have used in purchasing the land, that the lot, tract or parcel had been part of a larger lot, tract or parcel divided in violation of state law or this title.

b. Lighting

Lighting was not analyzed as part of this proposal and is not required.

c. Off-Street Parking

Parking requirements are not applicable to this proposal. No parking is proposed to be added or removed.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Total	3 spaces	2 spaces	2 existing spaces

d. Signage

Not applicable. Signage is not proposed and is not required.

e. Landscaping

The project is outside of the required shoreline buffer area. No additional landscaping is proposed or required.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	N/A	N/A
Required Buffer(s) 17.500.025		
North	N/A	N/A
South	N/A	N/A
East	N/A	N/A
West	N/A	N/A
Street Trees	N/A	N/A

f. Frontage Improvements

Not applicable. Frontage improvements are neither proposed nor required as part of this project.

g. Design Districts/Requirements

The project is within the Suquamish Village Low Residential (SVLR) zoning designation and special provisions per 17.360D.030 apply. The project complies or is conditioned to comply with these provisions.

h. Development Engineering/Stormwater

Development Engineering has reviewed and approved the project, as proposed. Stormwater review will occur at time of building permit.

i. Environmental

Per KCC Trams may be permitted in the shoreline jurisdiction, subject to the permitting requirements of Chapter [22.500](#). Trams are not considered appurtenances under this section. They are prohibited in the aquatic and natural shoreline environment designations. The project parcel includes a shoreline residential jurisdiction which includes an 85-foot standard buffer requirement.

The following development standards apply:

1. Tram landings may not exceed one hundred square feet each (within the shoreline buffer). The tram is located outside of the required buffer.
2. The width of a clearing for a tram shall be a maximum of five feet on either side of the tram, with a maximum clearing corridor of fifteen feet.
3. The installation of a tram shall be limited only to geologically hazardous areas as defined in Chapter [19.400](#) and subject to “special studies” as outlined in Section [22.700.120](#).
4. Mitigation sequencing must be used to avoid, minimize, and compensate for any impacts; enhancement of shoreline buffer vegetation will be required. See Section [22.700.140](#), Shoreline mitigation plan, for guidance on minimum submittal requirements.

The proposal meets the above standards. The proposal is also outside of the maximum 85-foot buffer requirement for the shoreline designation and the geotechnical report is provided to address geological hazards. The applicant also submitted email correspondence with the Suquamish Tribe indicating no anticipated issues with cultural resources.

j. Access, Traffic and Roads

The site is accessed via a shared access easement that extends through the adjacent parcel to the north. The proposed development is within the easement area. No impacts to traffic or roads are anticipated.

k. Fire Safety

The Kitsap County Fire Marshal's office has reviewed and approved the project with no conditions.

l. Solid Waste

The proposal does not impact solid waste service.

m. Water/Sewer

Proposed work is on the east side of the property and does not propose to interfere with shown side sewer facilities on the west side of the property or the sewer main along the southeast side of the property. Applicant is required to complete an 811 Call before you dig request to ensure there are not undocumented sewer lines in the work vicinity.

n. Kitsap Public Health District

No comment at this time. Review will occur at time of building permit.

11. Review Authority

The Director has review authority for this Shoreline Substantial Development Permit application under KCC 21.04.100. The Director may approve, approve with conditions, or deny this application.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 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.
5. The proposal is consistent with policies, standards, and development regulations of the Shoreline Master Program, Title 22.

13. Decision

Based upon the analysis above and the decision criteria found in KCC 22.500, the Department of Community Development recommends that the Shoreline Substantial Development Permit for the Tillotson Tram be **approved**, subject to the following seven (7) conditions:

a. Planning/Zoning

1. The proposed landings shall extend no more than twenty-four inches into the required 5-foot side setback.
2. Per KCC 17.360D.030.C, no grading in excess of twenty-five cubic yards of earth may occur unless a site development activity permit (SDAP) is first obtained.

b. Development Engineering

No conditions required at this time but will be reviewed at time of building permit.

c. Environmental and Shoreline

3. The project shall follow the recommendations of the submitted geotechnical report dated July 29, 2022.
4. The applicant shall complete a 811 "Call Before You Dig" request prior to any work being performed.
5. Tram landings may not exceed one hundred square feet each (within the shoreline buffer). The tram is located outside of the required buffer.
6. The width of a clearing for a tram shall be a maximum of five feet on either side of the tram, with a maximum clearing corridor of fifteen feet.
7. The installation of a tram shall be limited only to geologically hazardous areas as defined in Chapter 19.400 and subject to "special studies" as outlined in Section 22.700.120.

Report prepared by:



Steve Heacock
Name, Staff Planner/Project Lead

1/10/2025
Date

Report approved by:



Darren Gurnee
Name, Department Manager/Supervisor

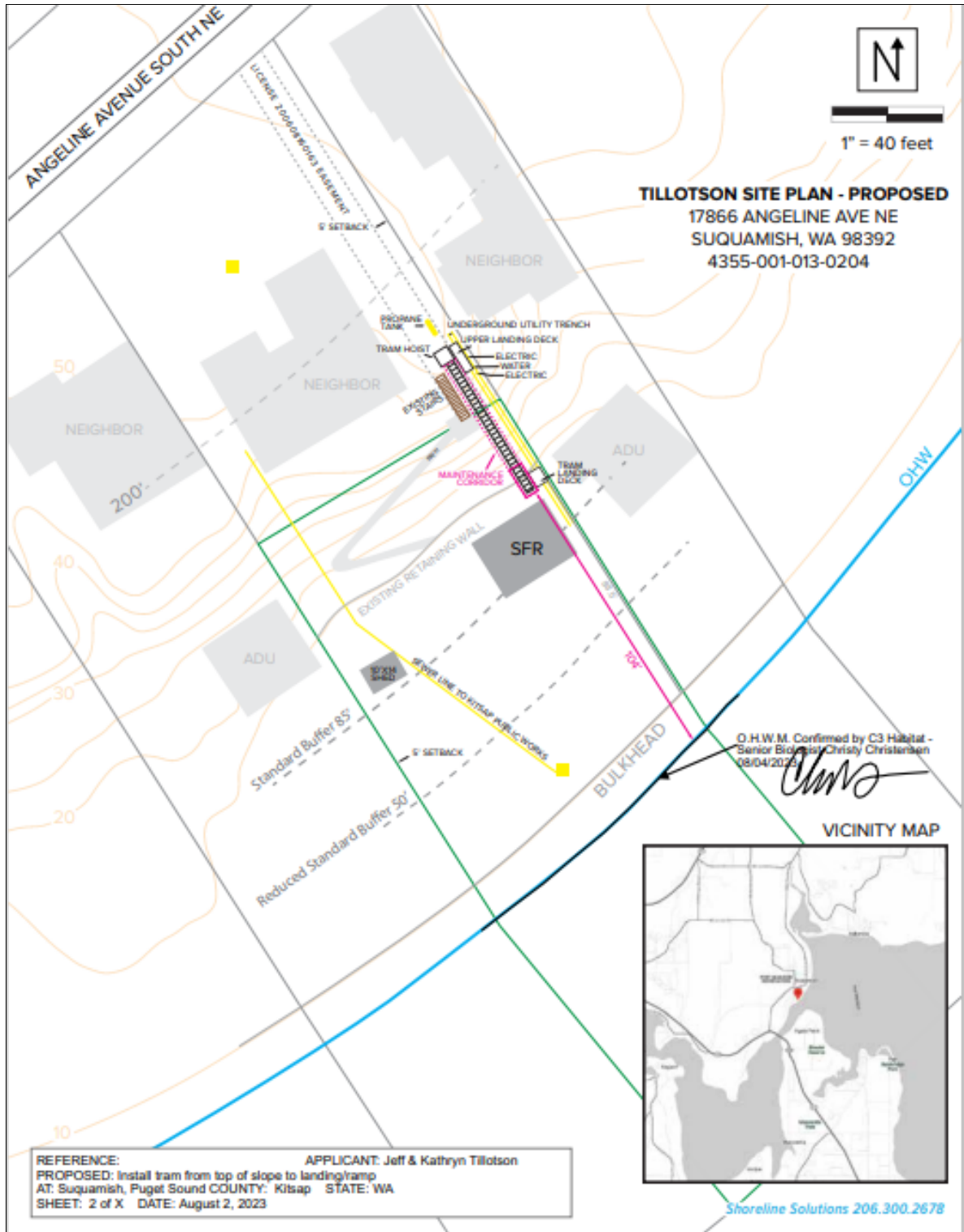
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Date

Attachments:

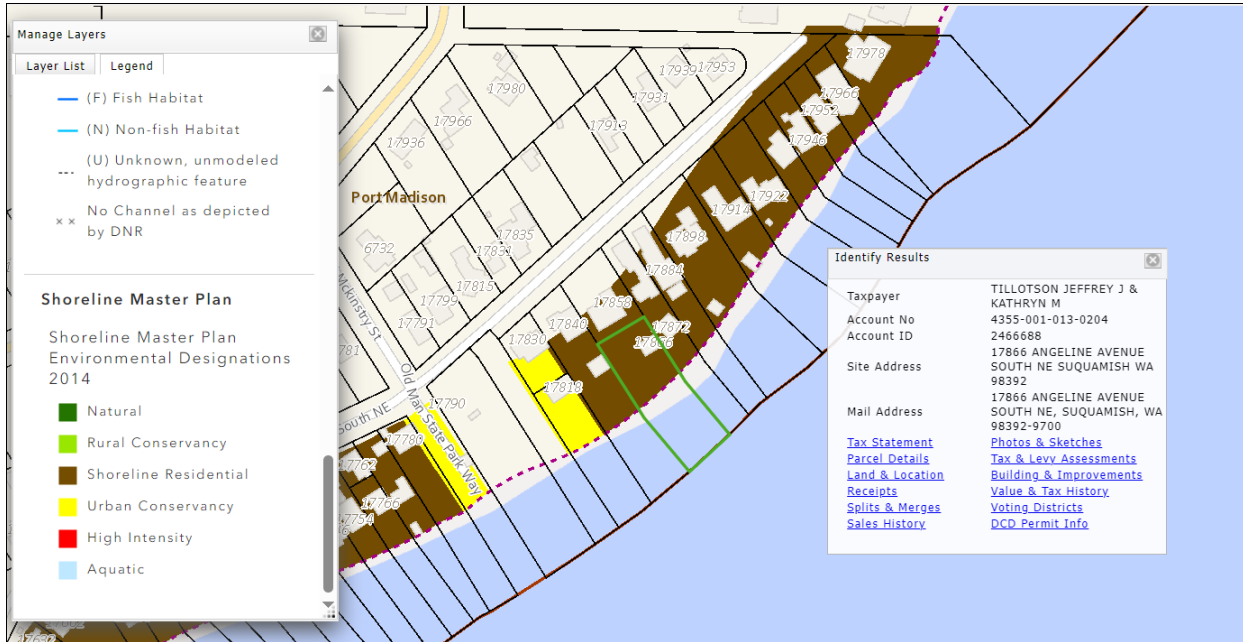
Attachment B – Shoreline Designation Map

Attachment C – Zoning Map (Required)

CC: Jeffrey and Kathryn Tillotson jeff@lightpress.tv
Leann McDonald/Shoreline Solutions leannm@me.com
Rhonda Peacock/Shoreline Solutions shorelinesolutionswa@gmail.com
Interested Parties: None
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Steve Heacock



Attachment B, Shoreline Designation



Attachment C, Zoning Designation

