



Rafe Wysham  
Director

## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

*To enable the development of quality, affordable, structurally safe and environmentally sound communities.*

### Notice of **\*CORRECTED\*** Hearing Examiner Decision

03/12/2026

To: Interested Parties and Parties of Record

RE: Project Name: IVES MILL - Preliminary Plat  
Applicant: KITSAP COUNTY CONSOLIDATED HOUSING AUTHORITY  
2244 NW BUCKLIN HILL RD  
SILVERDALE, WA 98383  
Application: PPLAT  
Permit Number: 23-02854

The Kitsap County Hearing Examiner has issued a **\*CORRECTED\*** decision for the **APPROVED** land use application for **Permit 23-02854: IVES MILL - Preliminary Plat – PPLAT, subject to the conditions outlined in this Notice and included Decision**. The correction is due to a scrivener's error in the originally noticed document.

**THE DECISION OF THE HEARING EXAMINER IS FINAL, UNLESS TIMELY APPEALED, AS PROVIDED UNDER WASHINGTON LAW.**

The applicant is encouraged to review the Kitsap County Office of Hearing Examiner Rules of Procedure found at:

<https://www.kitsap.gov/dcd/HEDocs/HE-Rules-for-Kitsap-County.pdf>.

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](mailto:help@kitsap1.com) or (360) 337-5777.

CC:

Applicant/Owner: Kitsap County Consolidated Housing Authority;

[brownm@kccha.org](mailto:brownm@kccha.org)

Owner: Wayne D & Lynn M Dicken, [wdicken8@hotmail.com](mailto:wdicken8@hotmail.com)

Authorized Agent: Trish Walton, [twalton@nlolson.com](mailto:twalton@nlolson.com)

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(360) 337-5777 | [www.kitsap.gov/dcd](http://www.kitsap.gov/dcd)

Engineer: Matthew Zawlocki, [mzawlocki@nlolson.com](mailto:mzawlocki@nlolson.com)

Other: Housing Kitsap, [naid@housingkitsap.org](mailto:naid@housingkitsap.org)

Interested Parties:

Nicholas Bond - City of Port Orchard, [nbond@portorchardwa.gov](mailto:nbond@portorchardwa.gov)

Rebecca Stone, [bollman.rebecca@gmail.com](mailto:bollman.rebecca@gmail.com)

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Prosecutor's Office

Assessor's Office

DCD

Kitsap Sun

Point No Point Treaty Council

Suquamish Tribe

Skokomish Tribe

Port Gamble S'Klallam Tribe

Squaxin Island Tribe

Puyallup Tribe

Dept of Archaeological Historic Preservation

WA Dept of Natural Resources

WA Dept of Fish & Wildlife

WA State Dept of Ecology-SEPA

WA State Dept of Transportation

Health District

Public Works

Parks

Navy

DE & PEP

Kitsap Transit

South Kitsap Fire District

South Kitsap School District

Puget Sound Energy

City of Port Orchard Planning Director

Water Purveyor: West Sound Utility District

Sewer Purveyor: West Sound Utility District

WA State Dept of Ecology-Wetland Review

WA State Dept of Ecology-Shoreline Review

Puget Sound Clean Air Agency

DCD

Cascade Natural Gas

WA Department of Health

**BEFORE THE HEARING EXAMINER  
FOR KITSAP COUNTY**

In the Matter of the Application of

Hearing Examiner File No.:  
**23-02854**

**KITSAP COUNTY CONSOLIDATED  
HOUSING AUTHORITY,**

Ives Mill Preliminary Plat (PPLAT)

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND DECISION**

for Approval of a Preliminary Plat.

**Introduction**

Kitsap County Consolidated Housing Authority proposes to subdivide approximately 8.44 acres of a single parcel into 49 detached, single-family lots ranging from about 2,800-4,800 square feet in size. The request includes open space, parks, and recreational amenities, including a recreational trail. The proposed Ives Mill Road Preliminary Plat was reviewed for consistency with requirements pursuant to KCC 17.420.037 Single-family Subdivision/Design Standards, Chapter 16.24 Land Segregation Standards and other applicable sections of the Kitsap County Code.

**1. FINDINGS OF FACT**

**1.1 Project Name: Ives Mill preliminary Plat**

**Proposal.** The request is for approval of a Preliminary Plat to subdivide the 8.44-acre parcel into 49 single-family residential lots.

**Applicant/Owner of Record**

Kitsap County Consolidated Housing Authority  
2244 NW Bucklin Hill Road  
Silverdale, WA 98383

**Location**

5400 block Bethel Road SE,  
Port Orchard, WA 98383  
Commissioner District 2

**Assessor's Account #**

112301-1-003-2000

**1.2 Hearing.** An open record public hearing was held February 12, 2026. A hybrid hearing (participation in person at the Kitsap County Commissioners' Chambers at 619 Division Street, Port Orchard, WA or virtually via Zoom) was held.

**1.3 Hearing Testimony.** No public testimony was provided. At the hearing, the Department of Community Development ("DCD"), through Jeff Smith, described the project and staff recommendations. DCD found the proposal consistent with requirements, and recommended approval with conditions. The Applicant representative provided comment.

**1.4 Administrative Record.** The Examiner admitted Exhibits 1-26, as listed in the Exhibit List. Exhibits included the Staff Report, application materials, the preliminary plat, documentation of agency consultation, technical analysis, public notice documents, and a DCD Power Point presentation.

**1.5 Notice.** Hearing and application notice was provided consistent with KCC requirements. KCC 21.04.080, .210.

**1.6 SEPA.** DCD issued a Mitigated Determination of Non-Significance ("MDNS"). No appeal was filed. The MDNS identified required mitigation. Conditions identified in the staff report include:

1. Project shall follow Stormwater controls and provisions in Title 12.
2. Project shall follow Title 19 Critical Area Ordinance. Project shall follow the recommendations in the Geotechnical Engineering Report consistent KCC 19.400 prepared by Georesources dated, February 4, 2021. The project shall follow recommendations by the habitat biologist for the delineated stream buffers per KCC 19.300, Critical Areas Report, dated August 13, 2021, and verified July 2024.
3. The project will be conditioned to follow KCC Title 17 and is specifically guided to follow KCC 17.420.037 Single-Family development Standards.

The proposal was reviewed under the 2016 Kitsap County Comprehensive Plan as amended. The project is conditioned to follow minimum road standards for off-site transportation improvements: Transportation Goal 2. Maintain, preserve and operate the County's multi-modal transportation infrastructure in a State of Good Repair and Operation. Transportation Policy 2.3 Emphasize maintenance, operations, and preservation of arterial and collector classified facilities. The following Conditions listed below, are required pursuant to SEPA Substantive Authority under KCC 18.04.200.D.3.

1. Frontage improvements are required as follows:

Bethel Road SE: Full frontage improvements are required along the entire property frontage.

SE Ives Mill Road: Improvements are required only from Bethel Road SE to the project's point of site access (i.e., to the entrance of the internal plat road system).

2. The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.

3. Any work within the County right-of-way requires a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process, or Building Permit process, if a SDAP is not required. The need for and scope of bonding will be determined at that time.

**1.7 Written Public Comment.** No public comment was received.

**1.8 Agency Comment.** The Suquamish Tribe and Washington Department of Fish and Wildlife (“WDFW”) commented on the size of the stream buffers for the portion that is Type-F. The City of Port Orchard commented on the traffic impact analysis and requested additional analysis on other intersections within the city north and west of the development.

**1.9 Zoning/Plan Designations.** The permit application vested to land use regulations in place (per KCC 21.04.150 Vesting) prior to March 28, 2025, when the zoning and comprehensive plan designation changed from Urban Low Residential to Urban High Intensity Commercial. The Preliminary Plat application is classified as a Type III quasi-judicial review per KCC 21.04.080 with the Hearing Examiner as the review authority per the vested regulations.

The Plan designation is Urban Low Density Residential and the zoning is Urban Low Residential. This zone is designed to:

[R]ecognize, maintain, and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner.

KCC 17.200.010.

**1.10 Zoning Code Sizing/Density Requirements.** The Urban Low Residential zone provides for minimum/maximum densities of 5-9 dwelling units per acre, which equates to 21-73 units for this project site. KCC 17.110.213 (minimum density calculation based on net developable acreage); KCC 17.110.212 (maximum density calculation based on gross acreage). At 49 units, the plat complies. Lot sizing requirements are also met.

**Table 1 - Comprehensive Plan Designation and Zoning**

Comprehensive Plan: Urban Low Residential Zone: Urban Low Residential	Standard	Proposed
Minimum Density	5 (4.11 acres of net developable acreage x 5 = 20.55 or 21 required units)	49 units (5.8 du/ac)
Maximum Density	9 (8.11 acres x 9 = 72.99 or 73 maximum units)	
Minimum Lot Size	2,400	2,800 sf
Maximum Lot Size	9,000 sf	5,218 sf
Minimum Lot Width	40'	40'
Minimum Lot Depth	60'	70'
Maximum Height	35 feet	1-2 stories, <35 feet
Maximum Impervious Surface Coverage	NA	~174,750 or 49%
Maximum Lot Coverage	NA	NA

**1.11 Physical Characteristics.** The subject property is 8.44 acres in size located at the corner of Bethel Road SE and SE Ives Mill Road in unincorporated Port Orchard, and includes these characteristics:

- The project site is vacant and predominately forested by Douglas fir with vegetation that also includes cedar, hemlock, alder, huckleberry and salal.
- The property is rectangle shaped running east and west the length of SE Mill Road. The topography slopes down from the west to east into a low area across the eastern quarter of the property, then slopes back up toward Bethel Road. The steepest slope on the property is up to 30%.
- The east side of the property contains a Type-F stream that drains into a concrete pipe. The site discharges to Blackjack Creek west of SR-16 approximately 0.9 miles downstream of the site, thence to Sinclair Inlet, Puget Sound.
- The soils identified on site are Indianola sandy loam (15 to 30% slopes). The soils are characterized as being deep, somewhat excessively drained soil located on broad uplands. The property also contains Norma fine sandy loam, that are deep poorly drained located on long, narrow stream bottoms on till plain depressions on uplands.

**1.12 Critical Areas.** The project is reviewed for consistency with KCC Title 19 Critical Areas Ordinance. If critical areas are present, the project is reviewed for consistency with requirements for wetlands, fish and wildlife habitat Areas, geologically hazardous areas and aquifer recharge areas. The existing conditions include moderate slopes towards a stream ravine with a Type-F stream with a portion in a concrete pipe on east side, and an area 180 feet south side of the site on separate properties includes a National Wetland Inventory overlay

Wetlands and Streams.

Streams are regulated pursuant to KCC 19.300 Wildlife Habitat Conservation Areas Critical Areas Ordinance. A building or impervious surface setback of 15 feet from the edge of any stream buffer is required per KCC 19.300.315.E. A critical areas report was prepared by Ecological Land Services, dated September 12, 2021, and later a follow-up ELS Critical Areas Verification, dated July 24, 2024, to see if onsite conditions have changed. The consultant collected data through six test plots to determine if wetlands were present.

Surface Water.

A portion of the project site includes a stream. The identified stream is unmapped and drains across 1/3 of the property where its outlets from a buried concrete pipe. Kitsap County Utilities mapping identifies the pipe as privately maintained. It is connected to a storm drainage conveyance from Bethel Road SE to the north. Consultants believe the stream drains to a wetland to the south. The stream channel averages 8' wide, and with a stream gradient of 0.025% the stream meets the criteria for a Type-F stream requiring a 150' buffer. The proposed single-family development is classified as moderate intensity. The project proposal also includes a trail through a portion of 150-foot stream buffer. At the time of SDAP, the pedestrian trail in the stream buffer will be subject to special use review per KCC 19.100.145 and KCC 19.315.I Trails and Related Facilities. At the time of the SDAP, the project will be conditioned to install a split trail fence along the edge of the 150-foot stream buffer.

The Washington State Departments of Fish and Wildlife (“WDFW”) commented on the proposal. Exhibit 17. WDFW recommended following the current Kitsap County Code and requiring the full 200-footbuffer for type F streams. *Id.* However, the proposal vested to an earlier version of the code (See e.g. Exhibit 26), and the appropriate buffer of the Type-F stream is 150 feet per vested code.

Geological Hazard Areas.

The Kitsap County resource maps identify a Geological Hazard Moderate Erosion Hazard on approximately the east half of the property and a small ribbon of hydric soils on the east side located along the south of the property.

Aquifer Recharge Areas.

Kitsap County resource mapping shows the property is located within Category I Critical Aquifer Recharge Area on the east half and the remaining property to the west is within Category II Critical Aquifer Recharge Area. The mapping shows onsite permeable soils associated with Critical Aquifer Recharge Area per KCC 16.600.610. Pursuant to KCC 16.600.620, activities with a potential threat to groundwater, the proposed subdivision land use is not listed as a potential threat to groundwater contamination and does not require a hydrogeological report.

**1.13 Access and Transportation.** Access to and from the proposed plat would be achieved by way of SE Ives Mills Road at Bethel Road SE. SE Ives Road has a functional classification as unmaintained local access road and Bethel Road SE has a functional classification as a County maintained minor arterial with a posted speed limit of 40 mph near the site. Based on Kitsap County’s Road Standards, a 40-mph posted speed limit would require a

sightline for left and right-turn movements for motorists departing SE Ives Mills Road.

As noted above, the City of Port Orchard commented on the traffic Impact analysis and requested additional analysis on other intersections within the city north and west of the development. The traffic impact analysis focused on LOS at SE Ives Mill and Bethel Road SE and SE Sedgwick Road and Bethel Road SE.

The staff report contained an error concerning required frontage improvements along SE Ives Mill Road. This was corrected at hearing and Condition 50 reflects the corrected requirement.

**1.14 Parking.** The plat was reviewed for consistency with KCC 17.490, Off-street Parking and Loading, and is consistent with requirements. The proposal includes on-street and off-street parking. The applicant is proposing 25 on street parallel parking spaces. In addition, 98 parking spaces are proposed within the project area. Based on recent amendments to the Growth Management Act, parking within garages is allowed to be used to count towards meeting parking demand.

**1.15 Central Mailboxes/Urban Plats.** Consistent with KCC 16.24.040, Urban Standards 1.C (d.), where clustered mailboxes are proposed, the mailboxes must meet the clear zone requirements.

**1.16 Landscaping.** Landscaping is required at entrances and street trees planted by the developer along streets or on individual lots at construction or for individual units prior to certificate of occupancy. The applicant will be required to submit a landscape plan with the Site Development Activity Permit application showing landscaping around the storm drainage facility for screening, per KCC 17.500.027, and street trees, the recreation facilities, and natural vegetation to be retained per KCC 17.420.037. (See Conditions of approval 3, 4, 8, 13, 45, 48 and 47). The applicant is proposing a variety of street trees, e.g., Norway Sunset Maple, Princess Diana Service Berry to Golden Rain Trees with a caliper size 1.5". Per KCC 17.500.030.C and D, the minimum caliper size is 2" caliper, generally 25 to 35 feet.

**1.17 Signage.** The Applicant may apply for signage near the entrance of the subdivision during or after construction, although signage is not now proposed. When the final plat is recorded, all signage must follow code requirements.

**1.18 Lighting/Urban Plats.** The developer is responsible for installing lighting at the County's intersection and conveying the lights to the County. If desired, the developer and or Homeowners Association (HOA) may install the internal street lighting. The individual property owners would be billed through the West Sound Utility District, with the HOA responsible for maintenance.

**1.19 Stormwater.** The proposed stormwater facilities include an infiltration facility and detention pond for stormwater quantity control, and bio pods for stormwater quality control. The proposed development includes frontage improvements along SE Ives Mill Road and Bethel Road SE. Engineering has reviewed the land use proposal and found the concept supportable in

its approach to civil site development.

**1.20 Water and Sewer Service.** The project requires an urban level of service for water and sewer service. The applicant has provided documentation that the water service is available from West Sound Utility District for water and sanitary sewer.

West Sound Utility District has an existing 12-inch water main located on the east side of Bethel Road that will be extended approximately 1,200 feet to the project site. Water mains for the site will be extended along the proposed roads to provide water service and fire hydrants.

There is an existing 8-inch gravity sanitary sewer located approximately 1100 feet north of the project. This line connects to the West Sound Utility District's pump station that was built for the Fred Meyer Store. Gravity sewers will be extended from this line and into the project to serve the proposed lots.

**1.21 Utility and Public Services.**

- **Water:** West Sound Utility District
- **Power:** Puget Sound Energy
- **Sewer:** Kitsap County Public Works
- **Police:** Kitsap County Sheriff
- **Fire:** South Kitsap Fire and Rescue
- **Schools:** South Kitsap School District #402

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

**1.23 Fire Protection.** The Fire Marshal has reviewed the project and conditions are included (Conditions 63 and 64. Fire flow verification and adequate fire apparatus access for emergency responders are required and will be reviewed through the Site Development Activity Permit ("SDAP").

**1.24 Schools/Safe Walking Conditions.** The project will be served by South Kitsap School District, and students will most likely be bused to the nearest schools which include Hidden Creek Elementary School on Converse Avenue SE, John Sedwick or Marcus Whitman Middle School, and South Kitsap High School located east and north of the project within the Port Orchard area. The Department has not received comments from South Kitsap School District on bus access and circulation on the preliminary plat. South Kitsap School District was notified of the pending preliminary plat. If applicable, the School District may comment on busing and location of bus stops within the plat at the time of SDAP. Sidewalks will follow County standards, including ADA and width requirements.

**1.25 Open Space.** The preliminary plat will include recreational open space amenities consistent with subdivision standards. *See* § 1.28 above.

**1.26 Phasing.** The project is currently proposed to be developed in a single phase.

**1.27 Design District.** The project is located outside of designated Kitsap County design districts.

**1.28 Urban Standards – KCC 16.24.040.** These requirements are met.

- Access. *See* above, including § 1.13.
- Public Transit. The Kitsap Transit regional bus schedule indicates that transit service is provided within walking distance of the subject site.
- Non-Motorized Facilities. Sidewalks are required and will be constructed consistent with code. *See* § 1.13.
- Parking. *See* § 1.14.
- Fire Protection. *See* § 1.23.
- Landscaping. *See* § 1.16.
- Utilities - Water and Sewer. *See* §§ 1.19, 1.20, and 1.21. The project is served with water and sewer, and by Puget Sound Energy.
- Recreation. The preliminary plat will include recreational open space amenities consistent with subdivision standards. Recreation space requirements for the plat are 390 square feet of active open space per lot, with grades less than or equal to 5%. The minimum area of active open space for this development is equal to  $390 \times 49 = 19,110$  square feet. The project provided 21,150 square feet. but should have good visibility with approximately half of the homes and meets dimensional requirements of no less than 30' in width. The applicant is also proposing a pedestrian path to extend though the stream buffer.

**1.29 Land Segregations with Critical Areas – KCC 16.24.080.** Critical areas have been evaluated through technical analysis prepared by qualified professionals and agency and tribal consultation. Code requirements, including buffers and setbacks, are met.

**1.30 Adequate Facilities and Improvements - KCC 16.04.080.** Appropriate provisions for facilities and improvements have been made consistent with KCC 16.04.080, to ensure the plat serves the public interest.

- Code/Plan Consistency. The project, as conditioned, follows the Comprehensive Plan and County Code, which provide for attractive urban development adequately supported by urban facilities and services.

- Access. County transportation requirements and plat conditions ensure access requirements are met. *See* § 1.13.
- Safe Walking Conditions. *See* §§ 1.13 and 1.24; sidewalks will be constructed to ensure safe walking conditions.
- Lot Configuration. Lots are not irregular and run at right angles to the street face. The plat does not include unusually long or oddly shaped blocks.
- Homeowners Association. The project has been conditioned to form a HOA with the Final Plat Application.

**1.31 Single-Family Subdivision – KCC 17.420.037.** The plat meets these requirements.

- Sidewalk Requirements. *See* §§ 1.13 and 1.24.
- Public Streets and Connectivity Requirements. *See* §1.13.
- Utilities Connectivity Requirements. Utilities are adequately connected.
- Landscaping Requirements. *See* § 1.16.
- Off-Street Parking. *See* § 1.14.

**1.32 Conditions/Staff Report.** The Staff Report's proposed conditions are necessary to ensure code requirements are met and to achieve consistency with the above findings. The Applicant confirmed there were no objections or concerns with these conditions. Except as the Decision revises it, the Staff Report is incorporated as supplemental findings.

## 2. CONCLUSIONS OF LAW

**2.1** The Hearing Examiner reviews Preliminary Plat applications for consistency with Single-Family Subdivision/Development Standards and platting requirements.<sup>1</sup> These requirements include zoning and platting provisions in Titles 16 and 17, including KCC 16.04.080, KCC 16.24.040, KCC 16.24.080, and KCC 17.420.037. These regulations require that plats meet sizing and related requirements (*i.e.*, density, height, setbacks, and landscaping), protect critical areas, and be adequately served with necessary infrastructure and services (*i.e.*, stormwater facilities, sewage, water supply, transportation facilities, recreational facilities, and schools).

**2.2** The zoning code authorizes the residential use at the densities proposed. As the findings address, and assuming the below conditions are complied with, the proposal meets all

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<sup>1</sup> KCC 21.04.100.

platting requirements, including lot size and infrastructure requirements. Conditions are imposed to ensure these requirements are complied with.

**2.3** Conditions are imposed to ensure County transportation, stormwater, and water/sewer service requirements are complied with. The proposal, as conditioned, and as the findings address, includes provisions to address impacts on drainage; roads, including adequate access and safe walking conditions; water supplies; sanitary waste; fire protection; landscaping; and other supporting public and private facilities and improvements.

**2.4** As mitigated and proposed, the project follows Comprehensive Plan policies providing for attractively designed urban development adequately supported by urban facilities and services.

**2.5** Given project consistency with requirements and policies, the Hearing Examiner concludes it should be approved.

## **DECISION**

The Hearing Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves the requested Preliminary Plat, provided these conditions are adhered to:

### **Planning/Zoning**

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. All building permits on proposed, newly created lots will be subject to impact fees pursuant to Kitsap County Code.
3. A Final Landscape Plan will be required to be submitted with the Site Development Activity Permit (SDAP), consistent with Kitsap County Code 17.500 Landscaping, during civil site plan review, which depicts natural vegetation, and the planting and irrigation plan. The tree retention plan shall be included with the SDAP.
4. Street trees shall be planted along the access driveway and on individual lots at approximately 25' spacing. A final landscape plan will be subject to approval by the Department prior to SDAP approval. Trees on individual lots are required to be installed prior to the Certificate of Occupancy of individual residential units.
5. A note on the face of the plat shall show building setbacks for the proposed lots as conditioned per the plat approval.
6. The maximum height of all proposed structures is 35' in height.

7. All proposed signs, design, and location (including exempt signs) shall comply with Kitsap County Code 17.510 and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
8. Prior to plat transferring to the Homeowner's Association (HOA), the developer will be responsible for irrigation and maintenance of all landscaping to ensure survival for up to two years. The developer or the HOA shall maintain all landscaping consistent with the Tree Care Industry Association standard practices.
9. Pursuant to KCC Section 21.04.110 Timeline and Duration of Approval, Kitsap County's land use approval for the preliminary plat is valid for a period of up to five (5) years from the decision date of the preliminary plat consistent with RCW 58.17.140 and .170.
10. The decision set forth herein is based upon representations made and exhibits contained in the project application (23-02854). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
11. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
12. Any violation of the conditions of approval shall be grounds to initiate revocation of this Plat.
13. A recreational open space plan shall be submitted to the department and reviewed and approved with the Site Development Activity Permit (SDAP). Said plan shall show dimensions, finished grade, equipment, landscaping and improvements to demonstrate that the requirements of this subsection are met.
14. Recreation facilities shall be placed in a designated recreational open space tract and shall be dedicated to a homeowners' association or other acceptable organization, to provide continued maintenance of the recreational open space tract.
15. Prior to final plat land segregations of five or lots that propose roads, recreational facilities, open space and/or storm water facilities shall form a homeowner's association. A Homeowner's Association and/or Protective Covenants, Conditions and Restrictions shall be established prior to final approval to ensure the perpetual maintenance of any private roads, storm drainage facilities, recreational facilities and common Open Space. Further, conditions shall be placed within the Protective Covenants. Washington State Legislature

adopted updated HOA rules through the Washington Common Interest Ownership Act March 6, 2018, effective July 1, 2018. The revised rules clarify and impose requirements operating budgets and maintaining cash reserves. (See 16.04.080.E for possible revisions)

## **Development Engineering**

### GENERAL

16. 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.
17. 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

18. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12, and as such will require a Full Drainage Site Development Activity Permit (SDAP) from Development Engineering.
19. 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 SDAP (or Building Permit if no SDAP required) application is deemed fully complete. 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 Code in effect at the time of SDAP application or Building Permit if an SDAP is not required.
20. Any project that includes offsite improvements that create additional hard surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12.
21. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. This permit is required prior to issuance of SDAP.
22. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as an Underground Injection Control (UIC) well in accordance with the

Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.

23. The application indicates that a significant quantity of grading material will be exported from the site. Prior to issuing the SDAP an approved fill site(s) must be identified.
  - a. Any fill site receiving 150 cubic yards or more of material must obtain an SDAP.
  - b. Fill sites receiving 5,000 cubic yards or more, or located within a critical area, must have an engineered SDAP.
  - c. For any fill site receiving less than 150 cubic yards, the SDAP holder shall submit to Kitsap County Department of Community Development load slips indicating the location of the receiving site and the quantity of material received by said site.
24. The application indicates that a significant quantity of grading material will be imported to and/or exported from the site. Typically, this means five or more trucks entering/leaving the site per hour. Because of this a vehicle wheel wash must be included as an element of the siltation erosion control plan.
25. The design of the infiltration facilities shall be in accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual.
26. The infiltration facilities shall remain offline until the drainage areas are stabilized, and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over infiltration facilities. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.
27. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection(s) to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report(s), properly stamped and sealed to Development Engineering.
28. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final plat, along with the following note: 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 a Site Development Activity Permit.
29. 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 Declaration of Covenant Conditions and Restrictions (CC&R's) recorded under Auditor File Number #####
  - 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.
30. The following condition shall be added to the face of the Final Plat: At the time of submitting a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.
31. Prior to recording the Final Plat, soil amendment is required over all disturbed areas within Tracts that are not covered by hard surface; provided that in the event completion of a Recreational Tract has been bonded, soil amendment shall be completed prior to expiration of the bond covering that work.
32. All publicly maintained drainage systems outside public dedicated right of way shall be located either in a tract dedicated to Kitsap County or in an easement, granted to Kitsap County, for ingress, egress, operations and maintenance of the stormwater facilities contained therein.
33. The Final Plat shall include the following under the heading Easements:
- a. All storm sewer easements are granted to Kitsap County for operations and maintenance of storm drainage facilities.
  - b. A permanent storm drainage easement is granted to Kitsap County for the purpose of operation and maintenance of storm drainage facilities on and across Tracts B and D.
34. Upon completion of the storm drainage facilities, the developer will be required to post a two year maintenance bond for the facility. The developer will be responsible for providing regular and adequate maintenance during this two-year period and supportive maintenance records. At the end of this time, the County will inspect the system and, when the facility is acceptable and 80% of the homes have been completed, the County will take over maintenance and operation of the system. Wording to this effect must appear on the plat and in the covenants before final recording. Areas proposed to be maintained by the County that are not in the right-of-way must be shown as a separate tract/s or drainage easement/s with Kitsap County being designated as the grantee.
35. Prior to recording the Final Plat, all work associated with the required Site Development Activity Permit shall be completed, including approval of all required inspections, and submittal of all engineer's certifications or other documentation required by the Site Development Activity Permit.

36. If the project proposal is modified from that shown on the site plan approved for this permit application, Development Engineering will require additional review and potentially new conditions.

### **Environmental**

37. Due to the presence of steep slopes on the property and grading of subsurface materials, the proposal is required to follow all recommendations of the geotechnical report per KCC Title 19.400 and KCC 19.700.
38. At the time of SDAP review, the pedestrian trail will be subject to special use review per KCC 19.100.145 and KCC 19.315.I Trails and Related Facilities.
39. A Kitsap County Timber Harvest Permit will be required if greater than 5,000 board feet of merchantable timber is harvested for the proposal issued with SDAP.
40. Prior to occupancy, the common boundary between the Stream buffer and the adjacent land shall be permanently identified with critical area buffer signs. A total of four Critical Area Ordinance (CAO) signs shall be placed along the designated boundary spaced approximately 50 feet apart, visual from sign to sign. Signs must be attached to existing trees with diameter breast height greater than 4 inches. Alternative methods include 4x4 posts, metal posts or split rail fencing.
41. Signs are provided at issuance and installation of the signs is required prior to final inspection and Certificate of Occupancy (CO).

### **Traffic and Roads**

42. At building permit application, submit Kitsap County Public Works Form 1601 for issuance of a concurrency certificate, as required by Kitsap County Code 20.04.030, Transportation Concurrency.
43. Prior to recording the Final Plat, vehicular access shall be constructed to provide access to all proposed lots.
44. Public roads shall not exceed 12% grade or less depending on the road classification per Kitsap County Road Standards.
45. The interior roads of the proposed plat shall be designed and constructed in accordance with Kitsap County Code 11.22 and the Kitsap County Road Standards for a local access road or an approved higher standard. Roads shall be publicly maintained and the right-of-way dedicated to Kitsap County as proposed.
46. 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 lawn areas.
47. 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.
48. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
49. The property owners shall be responsible for maintenance of all landscaping within the existing and proposed right-of-way including any structures other than roadway, storm drainage facilities, and traffic signage. Maintenance shall include, but not be limited to, mowing of lawn areas. A note to this effect shall appear on the accepted construction plans. In addition, Development Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
50. Frontage improvements are required along the entire property frontage on Bethel Road SE. Improvements along SE Ives Mill Road are required from Bethel Road SE to the project's site access point and shall consist of travel lanes, vertical curb, gutter, and sidewalk consistent with Kitsap County Road Standards.
51. Frontage improvements are required on the interior plat roads and shall consist of 10-foot-wide travel lanes, vertical curb, gutter and 5-foot sidewalks.
52. SE Ives Mill Rd/Interior plat roads shall be constructed to current County standards and deeded as public right-of-way.
53. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on existing fronting roads where access is proposed. The cross-sections shall show existing and proposed pavement, shoulders, ditches and slopes. The cross-sections shall also depict centerline of pavement and right-of-way, the right-of-way lines, and easements.
54. The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.
55. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.

56. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process, or Building Permit process, if a SDAP is not required. The need for and scope of bonding will be determined at that time.

SURVEY

57. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
58. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easement shall be provided on each side of private road tracts.
59. All potential park areas, common open space, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance responsibility shall be addressed on the face of the final plat, as well as in the CCRs.
60. A category III covenant for the unmaintained County right-of-way will need to be recorded prior to final plat approval.

OTHER

61. 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.
62. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9 of the Kitsap County Stormwater Drainage Manual.

**Fire Safety**

63. No parking signs designed and installed per Kitsap County Code Title 14 are required for this project.
64. Fire flow in the amount of 500 gpm for 30 minutes is required for this project. Fire flow letter from the water district is required to be provided at time of SDAP submittal. If fire-flow cannot be provided the structures are required to have a fire suppression system.

**Solid Waste**

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

**Kitsap Public Health District**

66. The applicant has received water and sewer availability from West Sound Utility District. The district has requested Sewered building clearance prior to building permit issuance.

Entered February 18, 2026

/s/Ryan Vancil  
Kitsap County Hearing Examiner  
Ryan Vancil

**Concerning Further Review and Valuation Notices**

NOTE: It is the responsibility of the person seeking to appeal a Hearing Examiner decision to consult Code sections and other appropriate sources, to determine applicable rights and responsibilities.

Pursuant to KCC 21.4.100 and KCC 21.04.110, this preliminary plat decision is a final land use decision of Kitsap County and may be appealed to superior court within 21 days as governed by the Washington State Land Use Petition Act, Chapter 36.70C RCW.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.