



Kitsap County Department of Community Development

Hearing Examiner Staff Report and Recommendation

Report Date: 12/31/2024

Application Submittal Date:
7/9/2023 Preliminary Plat, and
8/15/2023 Shoreline Conditional Use Permit

Hearing Date: 1/8/2024

Application Complete Date:
7/20/2023 PPlat and 8/28/2023 SCUP

Project Name:
Meadowview

Type of Application:
Preliminary Plat (PPlat),
Shoreline Conditional Use
Permit (SCUP)

Permit Number:
23-03239 PPlat
23-03929 SCUP

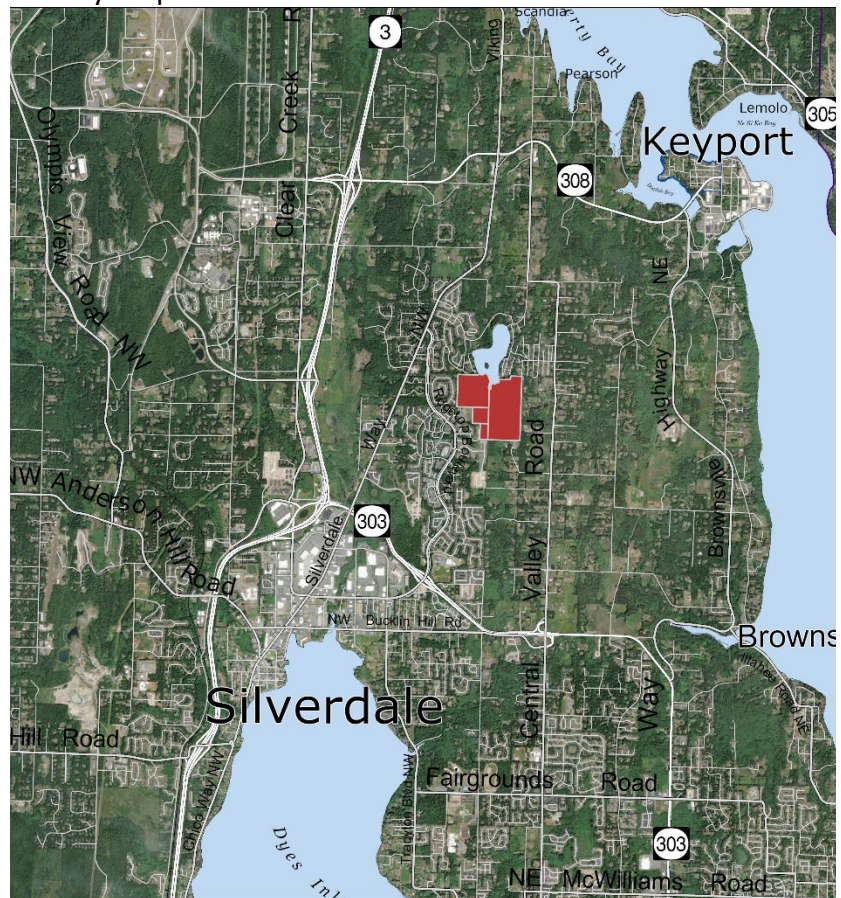
Project Location:
12473, 12497, and 12500
Camp Ct NW
Poulsbo, WA
Commissioner District #1

Assessor's Account #:
102501-2-004-2006
102501-1-016-2004
102501-2-002-2008
102501-2-001-2009

Applicant/Owner of Record:
Sequoia Spring III LLC
8300 Redmond Way, Ste 120
Redmond, WA 98052

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

Vicinity Map:



1. Background

Sequoia Springs III, LLC, intends to entitle a 329-unit detached residential development on 55.29 acres. Camp Court NW, near its intersection with NW Island Lake Road, provides direct vehicular access to the project site. Nine local access public roadways, ten private drives, and three cul-de-sacs provide access to the lots internal to the project site. Garages, driveways, and internal roads provide parking for the project. No parking will be allowed on private drives.

The site generally slopes west down to Island Lake located in the Northeast corner and Barker Creek to the east. Development proximate to steep slopes will be mitigated with rockery and retaining structures. The project proposes stormwater facilities located in the southeast boundary of the project with two detention ponds west of Barker Creek and associated wetlands. The project will extend domestic water utilities from Camp Court NW. A sewer lift station and force main will convey and connect to the City of Bremerton sewer system. The project will pay impact fees for parks, transportation, and schools as required by Kitsap County Code (KCC).

This proposal consists of three undeveloped parcels (total gross area of approximately 55.29 acres). A portion of parcel 102501-1-016-2004 (75.74 acres) will be used for stormwater management and is located just outside the UGA. Facilities located within this parcel will be conditioned for appropriate easements for use, rights, and access. Several structures are pre-existing onsite and are related to the property's prior use as a commercial/recreation resort facility. While camping and outdoor recreation were the primary uses within the facility's location, one mobile home, transient cabins, a clubhouse, livestock stables and other accessory structures exist on the project site.

All existing structures in the urban parcels will be demolished as a result of this proposal, and the recreational/resort facility will continue to operate on the rural parcel to the east. A sanitary sewer easement splits the largest northern parcel down the middle, conveying from south to north towards Camp Court NW. Additional sanitary sewer easements border the project site to the east, including one sanitary sewer easement that continues along the south-southwest boundary of the middle parcel. A water easement also crosses the largest northern parcel, starting from the southern boundary line, meandering downhill to serve the existing commercial/recreation facilities. A stormwater easement exists on the eastern edge of the southernmost parcel in the project site.

2. Project Request

The applicant is requesting approval to subdivide parcels in the Silverdale Urban Growth Area into 329 residential parcels with associated infrastructure and recreational open space.

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 Department used the optional DNS process for this project. An initial SEPA Comment period occurred concurrent with the Notice of Application dated 9/19/2023, revised and published 11/9/2023. The Department issued a Mitigated Determination of Nonsignificance (MDNS) on 9/12/2024. In Kitsap County, an MDNS prompts a separate comment and appeal period beyond those noted in a Notice of Application. SEPA specifically noted the following information/SEPA mitigation conditions imposed on the permit, which are included with the conditions listed at the end of this report:

The SEPA appeal period expired 10/10/2024. Two appeals were filed; therefore, the SEPA determination is pending hearing examiner review.

COMMENTS:

The Department received multiple comments regarding the potential impacts to a Critical Aquifer Recharge Area Type I, impacts to Island Lake and Barker Creek including water quantity, quality, and temperature, and impacts to roads in the immediate vicinity. KCC Sections 19.600.615 and 19.600.620 do not require a hydrogeological study for residential development.

Key conditions of approval and general conditions of approval include:

1. The proposal is conditioned to follow the requirements of KCC Title 12 ‘Stormwater’, Title 19 ‘Critical Areas Ordinance’, and Title 22 ‘Shoreline Master Program’.
2. The proposal is conditioned to follow the requirements of KCC Title 16 ‘Land Division and Development’ and KCC Title 17 ‘Zoning’. This includes applicable buffers to adjacent land uses.
3. The project must comply with conditions of the Geotechnical report associated with this permit and on file at the Department of Community Development, authored by Terra Associates on July 28, 2022.
4. The project must comply with the Critical Areas Report authored by Ecological Land Services (revised 4/17/2024) and Habitat Management Plan authored by Ecological Land Services (revised 4/17/2024).
5. The project must follow recommendations of the Drainage Report (revised 2/23/2024) prepared by Core Design Inc.
6. The project shall include off-site improvements to Camp Court NW (street), and the intersection of Camp Court NW and Island Lake Road, as identified in the Traffic Impact Analysis document. All applicable SDAP and ROW permitting requirements shall apply.
7. The project shall daylight the stream (Barker Creek) up to Island Lake as discussed in the

Habitat Management Plan (HMP) authored by Ecological Land Services on June 26, 2023. This includes design and mitigation plantings to establish the required 150-foot native vegetative buffer and 15-foot building setback associated with a Type F stream.

4. Physical Characteristics

This proposal consists of three undeveloped urban parcels (total gross area of 55.29 acres) and one rural parcel (75.74 acres). Barker creek bisects the heavily wooded project site. The elevation increases 200 feet to the east and west of Barker Creek. The site partially drains directly to Island Lake located north of Barker Creek.

Island Lake is a designated shoreline of the state (Type S water) and the onsite portion of the lake is used for recreational activities including swimming and diving at the north end with a gathering area on the west side of the swimming area. The southern tip of the lake extends south from the main body through a narrow opening over which is a covered bridge. The open meadow area abuts the southern tip. Forest with trails and cabins line the lake front at the north end of the Island Lake Camp. The lake outlets into a pipe at the south end that has a control structure which maintains a consistent water level within the lake. It is also grated, likely to control debris and fish passage from or into the lake. The pipe outlets at the south end of the meadow into Barker Creek. A floodplain is mapped around the south end of Island Lake and does not meet the wetland criteria. It is contained within the 200-foot shoreline jurisdiction and does not extend into the proposed development area.

Soils

In general, soils consist of one to two feet of topsoil overlaying various layers of medium to very dense sand, silty sand, and till-like gravel. These glacial soil layers and others are described within the geotechnical report.

Vegetation

The parcel is naturally vegetated including pines and deciduous trees, under-story brush, grasses, and wetland habitat. Some nature trails exist due to the prior recreational-related land uses. Dominated by douglas fir, western red cedar, black cottonwood, western hemlock, the site also contains sword, deer and wood fern, elder- and salmonberry, Nootka rose and buttercups, and various huckleberry and blackberries.

Wildlife

Near the edge of the urban growth area, wildlife commonly found in the regional area around the project include those species associated with 'urban forest' variety, including insects, gastropods, songbirds, and small mammals (such as squirrels, rodents, rabbits, etc.). No wildlife was observed while on site visits during the feasibility stage, other than songbirds and insects.

Multiple Class IV wetland buffers exist on the eastern parcel, predominantly in the lower elevations near Barker Creek.

Table 1 – Adjacent Land Use and Zoning Designations

Surrounding Property	Current Land Use	Zoning Designation
North	Single-family residence	Urban Low Residential (UL) Rural Residential (RR)
South	Single-family residence	UL RR
East	Single-family residence	RR
West	Single-family residence, Park, School	UL

Table 2 – Density, Dimensions, and Design (KCC 17.420)

Standard Dwelling Unit (du) Acre (ac)	UL (5)(33)	Proposed
Min. density (du/ac) (acres = net developable area)	158 du required (5 du/ac * 31.62 ac)	329 du
Max. density (du/ac) (acres = gross site acreage)	498 du allowed (9 du/ac * 55.29 ac)	
Min. lot size (square feet)	N/A for multifamily; 2,400 sf for single-family	3,227 sf
Max. lot size (square feet)	9,000 sf (25)	8,085sf
Min. lot width (feet)	N/A for multifamily; 40 ft for single-family	40 ft
Min. lot depth (feet)	N/A for multifamily; 60 ft for single-family	60 ft
Max. height (feet) (37)(40)(50)	35 ft	35 ft
Max. impervious surface coverage	N/A	N/A
Max. lot coverage	N/A	N/A
Setbacks (34)(35)(48)		
Min. front (feet) (41)(42)(43)	20 for garage or carport, 10 for habitable area (29)	20 for garage or carport, 10 for habitable area
Max. front (feet)	NA	
Side (feet) (42)(43)	5 ft if on an alley, 10 feet for a garage or carport opening directly onto	5 ft

	the alley or 5 feet in all other instances (29)	
Rear (feet) (42)(43)	10 ft if on an alley, 20 ft for a garage or carport opening directly onto the alley (29)	10 ft

Applicable footnotes:

No applicable footnotes.

Table 3 – Public Utilities and Services

Utility/Service	Provider
Water	Silverdale Water District
Power	Puget Sound Energy
Sewer	Kitsap County Sewer
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District No. 400

5. Access

Camp Court NW, a county-maintained right-of-way, provides direct access to the project site.

6. Site Design

Camp Court NW provides a full access to the project site. Proposed Road A will lead users in a northwest to southeast direction, continuing to curve around the northeast corner of the property. The majority of roads within the development run in a north-south or east-west direction. Since the southernmost end of the project reduces in width in two locations, two cul-de-sacs have been utilized to optimize the limited area. A third cul-de-sac has been placed in the northeastern-most corner near the entrance of the development.

The proposed subdivision provides recreational and open space trails throughout the residential areas. A dedicated transit stop is located central to the residential development areas as well as pedestrian connections up to the project site boundaries where adjacent to Emerald Heights Elementary School and Thackery Place on the southwestern edge.

The urban parcels direct stormwater to dispersion trenches southwest of the Island Lake buffer area and to two large stormwater ponds located east of Barker Creek on the rural parcel.

The project includes a small access point to the eastern parcel to allow continued use of the existing driveway that serves a commercial and recreational resort facility. The project is conditioned to daylight an undergrounded portion of Barker Creek, consistent with the original

project proposal provided by the applicant. Daylighting this portion of Barker Creek requires installation of a culvert/bridge to comply with KCC.

The rural parcel, eastern portion of the project site, will not further subdivide into any additional parcels.

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.

The project is vested to the Comprehensive Plan as it existed in 2023. This means the Kitsap County Comprehensive Plan adopted June 30, 2016, with annual updates through April 2020, applies to this project. The following Comprehensive Plan goals and policies are most relevant to this application:

Land Use Goal 1. Focus current and future planning on infill and redevelopment of existing Urban Growth Areas.

Land Use Policy 2. Support innovative, high quality infill development and redevelopment in existing developed areas within the Urban Growth Areas.

Land Use Policy 3. Address design variations in multifamily building design features and design variety through lot clustering, flexible setback requirements and mixed attached and detached housing types.

Land Use Policy 11. In accordance with Kitsap County Health District and Washington State requirements, require connection to a public sewer system for new or extensively remodeled development located within 200 feet of the public sewer system, and within an urban growth area.

Land Use Goal 2. Promote health in the built environment.

Land Use Policy 12. Review spatial requirements and proximity as considerations when requiring new development to provide connectivity to existing trails, paths and sidewalks and seek locations and means to expand existing trail system.

Land Use Policy 14. Through development standards, encourage urban amenities such as open space, plazas, and pedestrian features in areas of more intensive development within Urban Growth Areas.

Land Use Goal 3. Support more dense residential areas with access to transportation, urban amenities, goods and services, physical activity and healthy foods.

Land Use Policy 16. Promote housing preservation and development in areas that are already well- served by schools, public transportation and commercial facilities, and have adequate infrastructure to support alternative modes of transportation.

Land Use Goal 6. Direct development to designated Urban Growth Areas consistent with projected population growth, Growth Management Act and Countywide Planning Policies while considering development patterns that reduce sprawl, use urban land more efficiently, and that incorporate feasible, innovative and sustainable practices.

Land Use Policy 29. Through application of Growth Management Act goals, increase density in urban areas and limit sprawl in rural lands.

Environment Goal 1. Formally treat natural environments, including forest lands, shorelines, freshwater systems, intact ecosystems, and other critical areas, as an essential asset that is planned for, managed, and invested in to meet the needs of current and future generations.

Environment Policy 5. Support projects that increase air quality, reduce carbon emissions, or reduce climate change impacts.

Environment Policy 21. Support and coordinate voluntary stream, wetland and shoreline restoration and preservation efforts.

Housing, Human Services Goals and Policies

Housing and Human Services Goal 2. Increase affordable housing units and ensure that a broad range of housing types are available.

Housing and Human Services Goal 4. Ensure that all people have fair and equal access to housing and services.

Housing, Human Services Policy 11

Promote fair housing to ensure that all residents of Kitsap County have an equal and fair opportunity to obtain safe and sanitary housing suitable to their needs and financial resources, regardless of race, religion, gender, sexual orientation, age, national origin, family status, income, disability, or other protected class.

Housing, Human Services Policy 12

Identify and remove regulatory barriers and limits access to or the provision of a diverse affordable housing supply.

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

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Title 19	Critical Areas Ordinance
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures
Title 22	Shoreline Master Program

8. Documents Consulted in the Analysis

A complete index of exhibits is located in the project file. To date, the index to the record consists of:

Exhibit #	Document	Dated	Date Received / Accepted
1	Staff Report	12/31/2024	
2	2nd Commitment for Title Insurance 23-03239 (PPLAT)	7/6/2022	7/20/2023
3	Application to Construct Sanitary Sewer 23-03239 (PPLAT)	6/22/2023	7/20/2023
4	Authorization Form 23-03239 (PPLAT)	8/1/2022	7/20/2023
5	Critical Areas Report Addendum 23-03239 (PPLAT)	2/16/2023	7/20/2023
6	Critical Areas Report 23-03239 (PPLAT)	6/26/2023	7/20/2023
7	Engineer’s Affidavit 23-03239 (PPLAT)	6/22/2023	7/20/2023
8	Habitat Management Plan 23-03239 (PPLAT)	6/26/2023	7/20/2023
9	Legal Description		7/20/2023

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	23-03239 (PPLAT)		
10	Lot Areas 23-03239 (PPLAT)		7/20/2023
11	Post-Construction Soil Quality and Depth Worksheet 23-03239 (PPLAT)		7/20/2023
12	Sewer Availability Agreement 23-03239 (PPLAT)	7/25/2022	7/20/2023
13	Storm Drainage Easement for Offsite Parcel 23-03239 (PPLAT)	10/06/2022	7/20/2023
14	Stormwater Worksheet 23-03239 (PPLAT)		7/20/2023
15	Submission PPLAT 23-03239 (PPLAT)	7/11/2023	7/20/2023
16	Traffic Impact Analysis 23-03239 (PPLAT)	7/22/2022	7/20/2023
17	Vicinity Map 23-03239 (PPLAT)		7/20/2023
18	Water Availability Certification 23-03239 (PPLAT)	7/19/2022	7/20/2023
19	Authorization Form 23-03929 (SCUP)	8/1/2022	8/28/2023
20	Concurrency Test 23-03929 (SCUP)		8/28/2023
21	Cumulative Impacts Report 23-03929 (SCUP)		8/28/2023
22	Final Storm Drainage Report 23-03929 (SCUP)	6/27/2023	8/28/2023
23	Geotechnical Report 23-03929 (SCUP)	7/28/2022	8/28/2023
24	Habitat Management Plan 23-03929 (SCUP)	6/26/2023	8/28/2023
25	JARPA 23-03929 (SCUP)	6/26/2023	8/28/2023
26	Project Narrative 23-03929 (SCUP)		8/28/2023
27	SEPA Checklist 23-03929 (SCUP)	6/22/2023	8/28/2023
28	Shoreline East View 23-03929 (SCUP)		8/28/2023
29	Shoreline from Upland 1 23-03929 (SCUP)		8/28/2023
30	Shoreline from Upland 3 23-03929 (SCUP)		8/28/2023

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31	Shoreline Substantial Development Plans 23-03929 (SCUP)		8/28/2023
32	Shoreline West View 23-03929 (SCUP)		8/28/2023
33	Site Plan 23-03929 (SCUP)	6/23/2023	8/28/2023
34	Stormwater Worksheet 23-03929 (SCUP)		8/28/2023
35	Submission SCUP 23-03929 (SCUP)	8/17/2023	8/28/2023
36	Notice of Application	11/9/2023	
37	Preliminary Drainage Report 23-03929 (SCUP)	2/23/2024	3/26/2024
38	Project Narrative 23-03929 (SCUP)		3/26/2024
39	Response to Information Request 23-03929 (SCUP)		3/26/2024
40	SEPA Checklist 23-03929 (SCUP)	3/26/2024	3/26/2024
41	Terra Response to Geotechnical Report 23-03929 (SCUP)	2/29/2024	3/26/2024
42	Meadowview SCUP Plans 23-03929 (SCUP)		4/19/2024
43	Revised Critical Areas Report 23-03929 (SCUP)	4/17/2024	4/19/2024
44	Revised Habitat Management Plan 23-03929 (SCUP)	4/17/2024	4/19/2024
45	Survey Plans 23-03239 (PPLAT)	8/22/2022	4/19/2024
46	Updated Traffic Impact Analysis 23-03239 (PPLAT)	3/20/2024	4/19/2024
47	Water Quality Treatment Memo 23-03239 (PPLAT)	3/22/2024	4/19/2024
48	SEPA Determination	9/12/2024	
49	Applicant Response to Int Party Comment – D Fenton 23-03929 (SCUP)		9/13/2024
50	Civil and Landscape Plans 23-03929 (SCUP)		9/13/2024
51	CORE Response to Information Request 23-03929 (SCUP)	8/5/2024	9/13/2024
52	Final Drainage Report 23-03929 (SCUP)	8/9/2024	9/13/2024
53	Stormwater Pollution Prevention Plan	8/9/2024	9/13/2024

	23-03929 (SCUP)		
54	Public Comments	September 2020 – December 2024	
55	Notice of Public Hearing	12/5/2024	
56	Certification of Public Notice	12/6/2024	
57	Revised Geotechnical Report	6/20/2024	
58	Staff Presentation		
59	Hearing Sign In		

9. Public Outreach and Comments

The Department received over 70 written comments from 41 separate interested parties. Attachment G – Public Comment Matrix organizes the public comments into categories and provides a response to those comments. Exhibit 54, Public Comments, provides the exact comments received by the Department.

10. Analysis

- a. Planning/Zoning

17.550.030 Decision criteria – Conditional use permit.

- A. The hearing examiner may approve, approve with conditions, or deny a hearing examiner conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:
 - 1. The proposal is consistent with the Comprehensive Plan;
 - 2. The proposal complies with applicable requirements of this title;
 - 3. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity; and
 - 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.

Staff Response: The proposal meets the goals and policies of the comprehensive plan and Kitsap County Code. Publicly adopted codes implement the Comprehensive Plan goals and policies, which allow and expect single family residential uses in the Urban Low Residential zoning designation. The project site is immediately adjacent to single family detached residential developments of the same character; however, the project is still conditioned to provide landscaping, buffers, and general design features that will increase compatibility with urban development.

- B. As a condition of approval, the hearing examiner may:

1. Increase requirements in the standards, criteria, or policies established by this title;
 2. Stipulate the exact location as a means of minimizing hazards to life, limb, property damage, erosion, landslides, or traffic;
 3. Require structural features or equipment essential to serve the same purpose set forth in Chapter 17.420;
 4. Include requirements to improve compatibility with other uses permitted in the same zone, protecting them from nuisance generating features in matters of noise, odors, air pollution, wastes, vibration, traffic, physical hazards, and similar matters. The hearing examiner may not, in connection with action on a conditional use permit, reduce the requirements specified by this title as pertaining to any use nor otherwise reduce the requirements of this title in matters for which a variance is the remedy provided;
 5. Assure that the degree of compatibility with the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses, within the general area in which the use is proposed to be located;
 6. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, dust, fumes, vibration, odors, and hazard or public need;
 7. Require the posting of construction and maintenance bonds or other security sufficient to secure to the county the estimated cost of construction and/or installation and maintenance of required improvements; and
 8. Impose any requirement that will protect the public health, safety, and welfare.
- C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the conditional use permit shall be denied.

Staff Response: The Department is requiring compliance with conditions of approval to mitigate impacts from subdividing the site.

16.04.120 Phased development.

- A. Phased development may be proposed in conjunction with a preliminary subdivision application or with a site development activity permit (SDAP) associated with said preliminary subdivision application. When phased development is proposed, a phasing plan shall be submitted with the preliminary subdivision application or the SDAP application that clearly sets forth the density proposed for each phase, and identifies each amenity, including infrastructure, traffic mitigation, parks, open space, etc., proposed for each phase.
- B. Review of the phasing plan shall occur as follows:
 1. When phasing is proposed with the preliminary subdivision application, conditions regarding the phasing schedule, installation of required amenities and bonding requirements shall be included in the staff report to the hearing examiner.

Staff Response: The project proposes three phases of development. Phasing a project is allowed; however, the infrastructure needed to mitigate the project impacts must be completed prior to approval of the first phase.

This includes the offsite traffic improvements to Camp Court NW and Island Lake Road, environmental mitigation measures including the daylighting of Barker Creek, pedestrian connections to Emerald Heights Elementary School and Thackery Place, and installation/protection of required buffers. Existing vegetation can qualify for the required buffers, which means phased clearing could allow installation of buffers in a phased approach. Specifically, fences on the westernmost edges of the project site can proceed with phase 3 if clearing doesn't occur until that time.

16.40.030 Preliminary subdivisions.

Preliminary subdivisions are classified as Type III applications under Chapter [21.04](#). The director shall review the application to ascertain if it conforms to the following requirements:

- A. Chapter [16.04](#), General Provisions;
- B. Chapter [16.24](#), Land Segregation Standards;
- C. The preliminary plat shall consist of the following:
 1. One or more maps, to scale no less than one inch to one hundred feet, which scale shall be shown on the drawing, both graphically and textually; the horizontal and vertical scales for street and utility profiles shall be two hundred feet to the inch and twenty feet to the inch, respectively;
 2. Map signed and sealed by a surveyor registered in the state of Washington;
 3. The name of the proposed subdivision;
 4. North point;
 5. Lots labeled numerically;
 6. The location of existing structures;
 7. The location of existing road approaches;
 8. The location of all existing and proposed roads, rights-of-way, and easements, labeling each of the foregoing by width;
 9. The location of all other existing and proposed easements appurtenant to the property, labeled with dimensions;
 10. The location of all property to be dedicated;
 11. Contour lines of at least five-foot intervals or sufficient intervals to show the topography of the land to be subdivided, referenced to either the United States Coast and Geodetic Survey datum, or other datum acceptable to the county;
 12. A layout of proposed lots, open space tracts, recreation areas, roads, alleys, sidewalks, other pedestrian or bicycle facilities, utility mains and parcels proposed to be dedicated or reserved for public or community school, park, playground or other uses;
 13. Generalized plans of proposed street systems, water distribution systems, sewerage systems, and drainage systems, signed and sealed by a civil engineer, licensed in the state of Washington;

14. The location of all water bodies (including but not limited to lakes, ponds, saltwater shorelines, streams, and wetlands), their associated buffers and construction setbacks, and mapped flood hazard areas;
15. The location of geologically hazardous areas and their associated buffers and construction setbacks. Delineate all slopes thirty percent in grade or greater, and all slopes from fifteen percent to thirty percent in grade where they are rated as areas of “moderate” or “high” geologic hazard pursuant to Section 19.400.410;
16. The location of existing on-site sewage systems, and wells with their protective well radii within and contiguous to the proposal; and
17. In subdivisions proposed to be served by individual or community septic systems, the location of soil log holes together with data regarding soil type and depth;

Staff Response: The project shows the required platting elements and shows the location of all critical areas with the associated vegetative buffers and building setbacks. However, easements and tracts for critical areas and stormwater facilities can be shown in the Final Plat after identification, review, and approval of these in the Site Development Activity Permit (SDAP) at 90% design.

- D. The proposed streets shall align and be coordinated with streets serving adjacent properties;

Staff Response: The proposal aligns the entry Road A with Camp Court NW.

- E. The proposed streets shall be adequate to accommodate anticipated traffic;

Staff Response: The proposed streets meet the future traffic demands identified by the Traffic Impact Analysis (TIA) and comply with the Kitsap County Road Standards.

- F. If road or pedestrian connectivity between the subdivision and adjacent properties is required, all ingress/egress accesses shall be dedicated to the public and developed consistent with Kitsap County Road Standards;

Staff Response: All roads comply with Kitsap County Road Standards. A pedestrian path would extend from rights of way on the project site to Emerald Heights Elementary School and Thackery Place. These pedestrian connections exist within a dedicated easement maintained in perpetuity.

- G. The Kitsap Public Health District shall recommend approval or denial. Said recommendation shall be in writing and shall address:

1. Conformity with current regulations regarding domestic water supply and sewage disposal;
2. Adequacy of lot area, soil type, topographic and drainage characteristics, if proposing a sewage disposal method other than public sewer.
Approval of the preliminary subdivision shall constitute authorization for the subdivider to develop the required facilities and improvements in strict accordance with standards set forth in this title and in accordance with all conditions of approval.

Staff Response: Kitsap Health District approved the project. Silverdale Water District has approved provision of potable water and Kitsap County Public Works Sewer will serve the project site for sewage disposal.

16.24.040 Urban standards.

A. Access.

1. General.

- a. When accessing paved county right-of-way, the project approach shall be paved, per Chapter 4 of the Kitsap County Road Standards, as now or hereafter amended. When adjacent to or accessing Washington State Department of Transportation (WSDOT) right-of-way, WSDOT shall be provided the opportunity to review and comment on the proposed land segregation with respect to access.

Staff Response: The Traffic Impact Analysis (TIA) analyzed impacts to State Route 3 intersections with Kitsap County Rights of Way in response to WSDOT comments. Each intersection maintains acceptable levels of service.

- b. Appropriate drainage facilities to mitigate construction of roads shall be provided and constructed in accordance with Title 12, Storm Water Drainage, as now or hereafter amended.

Staff Response: The Department reviewed the project against, and imposed conditions to comply with KCC Title 12.

- c. When accessing WSDOT right-of-way, the project approach shall meet WSDOT standards and WSDOT storm water requirements shall apply.

Staff Response: The project does not access directly from WSDOT rights of way.

- 2. Private Roads. All private roads within single-family developments proposing more than four lots shall be in the form of separate access tracts and shall be constructed in compliance with the requirements of the fire marshal's office regarding emergency vehicle access. Private roads shall be cleared, grubbed, graded and paved, using permeable pavement where feasible in accordance with the Kitsap County Stormwater Design Manual.

Staff Response: The proposal doesn't include private roads—only public roads and shared driveways.

- 3. Public Rights-of-Way. For land segregations proposing more than four lots, dedication of right-of-way shall be required when a proposed road meets the criteria for classification as an arterial, collector or sub-collector in the KCRS. All road(s) shall be constructed in compliance with adopted Kitsap County Road Standards, as now or hereafter amended.

Staff Response: The proposal intends to dedicate rights of way for all roads labeled within the site plan within Civil and Landscape plan sets. Roads dedicated for public rights of way must be

designed to the Kitsap County Road Standards, which requires no greater than 12% grade. The project conditions of approval require that roads not exceed 12% grades.

4. Shared Driveways. For the purposes of limiting access to county roads or reducing impervious surfaces, a shared driveway may be permitted for accessing up to two lots, where approved by the director. Each owner of the shared driveway shall have an appropriate easement to the use of the driveway. Maintenance responsibilities shall be specified within the recorded easement documents or on the face of the final plat. The maximum width for a shared driveway shall be twenty-four feet.

Staff Response: The proposal identifies dedicated shared driveways as tracts in the Civil and Landscape plan sets. KCC doesn't require shared driveways for all parcels; however, the Department suggests use of shared driveways where possible to reduce the number of curb cuts and increase the potential for on-street parking in the subdivision.

- B. Public Transit Provisions. Land segregations shall provide for transit stops, shelters and/or space for said stops or shelters, as deemed necessary.

Staff Response: The proposal includes a dedicated transit stop centrally located within the development with ADA access.

- C. Nonmotorized Facilities.

1. Pedestrian Sidewalk Requirements.

- a. Sidewalks shall be required on both sides of all public or private streets that meet the criteria for classification as a principal or minor arterial, collector, local sub-collector or local minor road as determined under the Kitsap County Road Standards.
- b. Sidewalks shall be required on a minimum of one side of all public or private streets that meet the criteria for classification as local road, cul-de-sac or very low volume local road as determined under the Kitsap County Road Standards. Sidewalks may be required on both sides based upon site-specific conditions.
- c. Sidewalk design shall be consistent with all applicable standards, including but not limited to Kitsap County Road Standards, shall apply the Americans with Disabilities Act (ADA) standards for sidewalk ramps at all intersections, pedestrian crossings and transit stops and shall be a minimum of five feet wide.
- d. 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.
- e. Rolled curbs and thickened edge asphalt are prohibited, except where the sidewalk is separated from the street by at least five feet.

Staff Response: The proposed public rights of way qualify as local roads. The proposal includes sidewalks on both sides that comply with Kitsap County Road Standards. Conditions of approval require ADA standards for all sidewalks and intersections.

2. Nonmotorized Trail Requirements. All development must be consistent with the Kitsap County Greenways, Bicycle Lane and Mosquito Fleet Trail Plan (Mosquito Fleet Trail Plan), as adopted. Where required by the Mosquito Fleet Trail Plan, a nonmotorized trail shall be provided. The trail shall be designed and built to the Mosquito Fleet Trail Plan standards for the required trail classification. Based upon topographic features, safety or other factors, provision of a trail may reduce the requirement for sidewalks.

Staff Response: Kitsap County Non-Motorized trail plan does not identify the project site as part of the overall plan. However, the proposal includes open space tracts and pedestrian connections throughout the entire site that allow non-motorized access. The conditions of approval specify a durable surface trail with a trail detail to be conditioned by DCD.

3. Multipurpose Facilities. Where required by the Mosquito Fleet Trail Plan, multipurpose facilities, including but not limited to bicycle lanes shall be provided. All bicycle lanes shall be constructed to WSDOT standards at locations required by the Mosquito Fleet Trail Plan.

Staff Response: The project is not within the Mosquito Fleet Trail Plan areas.

D. Off-Street Parking.

1. Projects shall provide off-street parking consistent with the requirements of Chapter [17.490](#). Kitsap County encourages the use of low impact development (LID) techniques that conserve natural areas and minimize development impacts. Deviations from the off-street parking requirements set forth herein may be supported when LID techniques are employed without risk to the traveling public, critical infrastructure or maintenance operations.
2. When calculating the required number of parking spaces, fractional parking space requirements shall be rounded up to the nearest whole number.
3. If the development includes set-aside parking areas, each area shall be limited to no more than ten spaces and shall be distributed throughout the development.

Staff Response: The proposal includes off-street and on-street parking consistent with KCC 17.490 regarding number of parking spaces and design.

- E. Fire Protection. Fire protection including fire hydrants, water supplies for firefighting and emergency vehicle access shall be provided in accordance with Title [14](#), the Kitsap County Building and Fire Code, and other applicable ordinances.

Staff Response: The project must comply with KCC fire codes and other applicable ordinances. This includes proper turn radii for roads, individual sprinkler systems for each residence, maintaining proper sight distances at intersections, and ensuring sufficient turnarounds where appropriate.

F. Landscaping Requirements.

1. Landscaping shall be provided at all entrances to the project development consistent with the landscaping standards of Chapter [17.500](#).

2. Street trees, landscaping and storm water consistent with Titles [12](#) and [17](#) shall be provided along all public and private streets that meet the criteria for classification as a principal or minor arterial, collector or local sub-collector and local access roads as determined by the Kitsap County Road Standards. Street trees shall be located in the road right-of-way or access tract, or the front yards of individual lots or units. Street trees located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits. There shall be at least one tree per every twenty-five feet of road frontage. Trees shall be spaced no further apart than thirty-five feet. Street tree species shall be consistent with the Kitsap County Road Standards (KCRS) and shall be large canopy trees unless otherwise approved by the director for special mitigating circumstances. Maintenance of street trees and landscaping within county right-of-way is the responsibility of the fronting property owner(s).

Staff Response: Landscaping must comply with KCC 17.500. This includes landscaping for the development entrance, street tree requirements, buffer requirements, and compliance with Kitsap County Road Standards. The Department will review detailed planting plans and plant schedules with the required SDAP.

G. Utilities.

1. Water Supply and Sanitary Sewer System. Where an approved public water supply and/or an approved public sewer system is available to the land segregation project, connection thereto may be required upon the recommendation of the health officer or other Kitsap County requirements.

Staff Response: The project will connect to the Silverdale Water District system for potable water and the Kitsap County Sewer System for sewage disposal. Sewer and water availability agreements submitted with the project demonstrate an ability to serve the project site.

Expansion of sewer or water line capacity is not required at this time; however, if requirements for fire flow change, these agreements may require revision in the future; such changes shall be considered a minor amendment to the plat as noted at KCC 21.04.265.

2. Utility Easements. A ten-foot utility easement shall be located along those lot frontages within the land segregation project that abut private and public roads. This easement shall accommodate what is commonly referred to as broadband access.

Staff Response: All public road frontages include a 10-foot utility easement.

3. Utility Connectivity Requirements. Easements for future public utility extensions to abutting properties shall be required as a condition of application approval in cases where the county finds the following:
 - a. Vacant or underutilized land abuts the proposed land segregation or development; and
 - b. The location of said utility easement is reasonable based upon the design needs for future utility infrastructure; and

- c. The establishment of said easement will further the extension of utility infrastructure within the urban growth area; and
- d. The extension of utilities using the easement is foreseeable; and
- e. The establishment of said easement furthers the goals and policies of the Comprehensive Plan.

Staff Response: Parcels immediately adjacent to the project site are not vacant. Therefore 3.a. absolves the project of this requirement.

H. Recreation Requirements.

1. All land segregations (except those segregations proposed as a performance based development) of more than four lots within residential zoning designations or that include residential units and that result in lots of less than eight thousand square feet in size shall provide recreational open space at the following ratios:
 - a. Where developed at a density of nine units or less per acre, three hundred ninety square feet per unit;
 - b. Where developed at a density of greater than nine units per acre, one hundred seventy square feet per unit;
 - c. If calculations result in a fraction, the fraction shall be rounded up to the nearest whole number;
 - d. A project applicant may propose a different standard for meeting these recreational requirements so long as the proposed facilities meet the minimum level of service for recreational facilities as set forth in the Kitsap County Comprehensive Plan.

Staff Response: The proposal includes 329 units at less than 9 dwelling units per acre. This requires 390 square feet per unit, or 128,310 square feet (2.94 acres). The project proposes 10.76 acres of passive and active recreational open space, which meets this requirement.

2. 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.

Staff Response: The project identifies and labels all recreational open space tracts on the urban parcels. Conditions of approval for the project require maintenance via a homeowners' association.

3. Recreational open space tracts shall:
 - a. Be of a grade and surface suitable for recreation improvements and generally have a maximum grade of five percent, unless a steeper grade is acceptable for the activities associated with the amenity;
 - b. Be located on the site of the proposed land segregation;
 - c. Be located within the land segregation in a manner that affords good visibility of the tract from roads, sidewalks and the majority of dwellings;
 - d. Have no dimensions less than thirty feet, except the width of trail segments;

- e. Be at least five hundred square feet in size;
- f. Be located in one designated area, unless it is determined that recreational opportunities would be better served by multiple areas developed with recreation or play facilities; and
- g. Be accessible and convenient for year-round use to all residents within the land segregation.

Staff Response: Recreational open space within the project includes active and passive recreational elements. Pedestrian trail tracts central to the development allow dimensions less than 30 feet. Generally, KCC intends for recreational tracts to serve the entire development. The scale of this development requires tracts throughout the entire 55-acre site to meet the intent of KCC.

- 4. Play equipment, paved sports courts, exercise fitness trails, community gardens with water service, age-appropriate facilities or similar amenities shall be provided within the recreational open space tract. Construction of amenities shall meet the latest industry safety standards.

Staff Response: The proposal includes multiple active recreational open space sites throughout the development. These locations include active recreational equipment and trails to accommodate the general public and not just those within the development.

- 5. 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.

Staff Response: The project requires a SDAP. A recreational open space plan is required as part of the SDAP submittal.

- b. Lighting 17.105.110 Obnoxious things.

In all zones, except as provided for elsewhere in this title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas or radiation which is materially deleterious to surrounding people, properties or uses. Lighting is to be directed away from adjoining properties. Not more than one foot candle of illumination may leave the property boundaries.

Staff Response: The project must comply with KC Road Standards which includes lighting requirements. However, parcel lighting will be conditioned to not exceed 1 candle foot at the edge of the project site. The project must use downcast lighting to reduce glare to parcels with visual access to the project site.

- c. Off-Street Parking

Use Identified in 17.490.030	Standard	Number of Spaces Required	Number of Spaces Provided

<p>Single-Family (attached or detached)</p>	<p>During subdivision, 2 per unit + 0.5 per unit on street or set aside; for historical lots or lots with no standing requirement, 3 per unit.</p> <p>1 additional space for accessory dwelling units or accessory living quarters. Garages are not calculated towards any parking requirement.</p>	<p>329 dwelling units *2 spaces per dwelling unit + 329 dwelling units * .5 = 658 per parcel + 165 on-street = 823 spaces</p>	<p>658 per parcel + 179 on-street = 837 spaces</p>
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d. Signage

The proposal doesn't include signage; however, the project must comply with current KCC Chapter 17.510 which requires sign permits for permanent signage, such as entryway monument signs.

e. Landscaping

KCC 17.420 and 17.500 require 15% landscaping. Native vegetation buffers do not count towards landscaping and must be shown on the site plan (KCC section 17.500.020 G). The Civil and Landscape Plans show a detailed landscaping plan for all landscaped areas on the urban parcels.

The plan does not include or add native vegetation buffers in the 23% landscaping calculation.

KCC Section 17.500.027 Buffer Types – When Required

The director may require different buffer types depending on the proposed use of the site and adjacent zones and/or uses. Vegetation-based LID BMPs may be utilized within buffers as long as the primary purpose of the landscaping or screening buffer is not compromised. These types of buffers shall include:

- A. Partial Screening Buffer. This type of landscaping is intended to provide partial visual separation of uses from streets and between compatible uses in order to soften the appearance of parking areas and building elevations.
 1. Roadside and Setback Area Buffer. Required along existing or planned roads and side and rear property lines within urban growth areas. The planting area shall encompass the required front setback area, and areas adjacent to side and rear property lines.
 2. Separation Buffer. This type of landscaping is intended to create a visual separation that may be less than one hundred percent sight-obscuring between compatible land uses or zones. Required along the perimeters of multifamily

residential, commercial, industrial and public facility development which abut like zones or uses.

- B. Solid Screening Buffer. This type of landscaping is intended to provide a solid sight barrier between totally separate and incompatible land uses such as residential and commercial or industrial uses. It is also intended to provide a sight barrier around outdoor storage yards, service yards, trash receptacles, mechanical and electrical equipment, etc.
 - 1. Required along the perimeters of multi-family residential, commercial, industrial, and public facility development, which abut different uses and/or zones. The buffer shall provide one hundred percent sight-obscuring screening between different uses or zones.
 - 2. Required for residential subdivisions, commercial, industrial, or public facility development abutting a rural zone, a buffer of twenty-five to fifty feet of sight-obscuring, screening vegetation shall be provided. The director may modify this requirement after evaluating the effects of wind-throw or other safety concerns. In the event that the buffer will only contain high-branching trees which allow visibility through the buffer, a row of evergreen trees planted ten feet on center may be required along the highest point of the buffer.
 - 3. Required around the perimeter of storm drainage facilities, with the exception of vegetation-based LID BMPs, to provide sight-obscuring screening from adjacent properties and/or roadways, and consist of:
 - 4. Required around trash receptacles, mechanical and electrical equipment, and other similar above ground items, and consisting of evergreen shrubs adequate to screen a majority of the equipment or item while providing access to the item.

Landscape Buffers	Required	Proposed
North	Separation Buffer	Separation Buffer
East	Solid Screen Buffer	Solid Screen Buffer
West	Separation Buffer	Separation Buffer
South	Separation Buffer	Separation Buffer
Stormwater Facilities	Solid Screen Buffer	Solid Screen Buffer

Staff Response: The project must install buffers that comply with KCC 17.500. The project must install these buffers based on clearing that occurs with each phase. Existing vegetation can qualify for the required buffers, which means phased clearing could allow installation of buffers in a phased approach. Specifically, fences on the westernmost edges of the project site can proceed with phase 3 if clearing doesn't occur until that time.

The SDAP requires a planting plan at a 90% design be shown. This includes a detailed plant schedule with spacing, and implementation that comply with KCC Section 17.500.030 Installation and Maintenance.

The project must use a combination of vegetation and fences to meet the buffer requirements. All stormwater facilities require a solid screen buffer. Due to visual access from adjacent

parcels, and parcels internal to the development, this buffer will require vegetation to meet KCC 17.500.

f. Frontage Improvements

Staff Response: The project must comply with Kitsap County Codes regarding frontage improvements. Roads internal to the project site include full frontage improvements with curb, gutters, sidewalks, landscaping, and a ten-foot utility easement beyond the right of way. The project is constructing roads that meet public works road standards to qualify for dedication as public rights of way.

g. Design Districts/Requirements

Staff Response: The project site is not within a design district.

h. Development Engineering/Stormwater

Staff Response: Adequate vehicular access is proposed via Camp Court NW. The parcel is in near proximity to the following mapped critical areas: Barker Creek, a category III wetland and Island Lake. The proposed stormwater facilities include two detention ponds and five dispersion trenches for stormwater quantity control; and bioretention swales and dead cell storage for stormwater quality control. The proposed development includes developing an internal roadway system following Kitsap County Road Standards and to be turned over to Kitsap County Public Works.

The project will endure a more detailed review with the Site Development Activity Permit at a 90% design submittal.

i. Environmental

Wetlands 19.200.225 Development Standards

D. Land Divisions and Land Use Permits. All proposed divisions of land and land uses (including but not limited to the following: short plats, large lot subdivisions, performance-based developments, conditional use permits, site plan reviews, binding site plans) which include regulated wetlands, shall comply with the following procedures and development standards:

1. The area of a wetland and its buffers may be included in the calculation of minimum lot area for proposed lots, except for the area with permanent open water.

Staff Response: The project does not include wetlands or their associated buffers in lot area calculations.

2. Land division approvals shall be conditioned to require that wetlands and wetland buffers be dedicated as open space tracts, or an easement or covenant encumbering the wetland and wetland buffer. Such dedication, easement or covenant shall be recorded together with the land division and represented on the final plat, short plat or binding site plan, and title.

Staff Response: The conditions of approval require wetlands and their associated buffers be dedicated as open space tracts as depicted in the site plan or as an easement on the final plat for the Barker Creek corridor on the rural parcel.

3. In order to implement the goals and policies of this title, to accommodate innovation, creativity, and design flexibility, and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, the use of the clustered development or similar innovative site planning is strongly encouraged for projects with regulated wetlands on the site.

Staff Response: The project design achieves protection of wetlands and their associated buffers via avoidance.

4. After preliminary approval and prior to final land division approval, the department may require the common boundary between a regulated wetland or associated buffer and the adjacent land be identified using permanent signs and/or fencing. In lieu of signs and/or fencing, alternative methods of wetland and buffer identification may be approved when such methods are determined by the department to provide adequate protection to the wetland and buffer.

Staff Response: The conditions of approval will require signage for wetlands and their associated buffers.

- E. Surface Water Management. Surface water discharges from stormwater facilities or structures may be allowed in wetlands and their buffers when they are in accordance with Title [12](#) (Stormwater Drainage) subject to the provisions of Section [19.100.145](#), Special use review, and this subsection. The discharge shall neither significantly increase nor decrease the rate of flow or hydroperiod, nor decrease the water quality of the wetland. Pretreatment of surface water discharge through biofiltration or other best management practices (BMPs) shall be required.

Staff Response: The project does not directly discharge to wetlands. Dispersion trenches near Island Lake, yet outside of the standard vegetative buffer, implement KCC Title 12. Stormwater facilities on the eastern parcel capture stormwater runoff; however, these include an overflow that allow water to reach Barker Creek and its associated wetlands under high-flow storm event circumstances. These facilities also comply with KCC Title 12 which implements Best Management Practices (BMP) to ensure the project meets requirements for water quality and quantity.

- F. Trails and Trail-Related Facilities. Construction of public and private trails and trail-related facilities, such as benches and viewing platforms, may be allowed in wetlands or wetland buffers pursuant to the following standards:
 1. Trails and related facilities shall, to the extent feasible, be placed on existing road grades, utility corridors, or any other previously disturbed areas.
 2. Trails and related facilities shall be planned to minimize removal of trees, soil disturbance and existing hydrological characteristics, shrubs, snags and important wildlife habitat.

3. Viewing platforms, interpretive centers, benches, picnic areas, and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected wetland. Platforms shall be limited to one hundred square feet in size, unless demonstrated through a wetland mitigation plan that a larger structure will not result in a net loss of wetland functions.
4. Trails and related facilities shall generally be located outside required buffers. Where trails are permitted within buffers they shall be located in the outer twenty-five percent of the buffer, except where wetland crossings or for direct access to viewing areas have been approved by the department.
5. Trails shall generally be limited to pedestrian use unless other more intensive uses, such as bike or horse trails, have been specifically allowed and mitigation has been provided. Trail width shall not exceed five feet unless there is a demonstrated need, subject to review and approval by the department. Trails shall be constructed with pervious materials except where determined infeasible.
6. Regional or public trails and trail-related facilities as identified in the 2013 Kitsap County Non-Motorized Facility Plan (and associated recognized community trails), and as amended, and provided design considerations are made to minimize impacts to critical areas and buffers, shall not be subject to the platform, trail width, or trail material limitations above. Such trails and facilities shall be approved through special use review (Section 19.100.145), unless any underlying permit requires a public hearing.

Staff Response: The Civil and Landscape plans, show trails outside of all required critical area vegetation buffers, including wetlands.

Streams 19.300.315 Development Standards

- D. Stream Crossings. Any private or public road expansion or construction proposed to cross streams classified within this title, shall comply with the following minimum development standards. All other state and local regulations regarding water crossing structures will apply, and the use of the Water Crossing Design Guidelines (WDFW, 2013) or as amended, is encouraged.
 1. Crossings shall not occur in salmonid streams unless no other feasible crossing site exists. For new development proposals, if existing crossings are determined to adversely impact salmon spawning or passage areas, new or upgraded crossings shall be relocated as determined by the Washington State Department of Fish and Wildlife (WDFW).
 2. Bridges or bottomless culverts shall be required for all Type F streams that have salmonid habitat. Other alternatives may be allowed upon submittal of a habitat management plan that demonstrates that other alternatives would not result in significant impacts to the fish and wildlife conservation area, as determined appropriate through the Washington State Department of Fish and Wildlife (WDFW) hydraulic project approval (HPA) process. The plan must demonstrate that salmon habitat will be replaced on a 1:1 ratio.

3. Bridge piers or abutments shall not be placed in either the floodway or between the ordinary high water marks unless no other feasible alternative placement exists or to provide mid-span footings for the purpose of increased floodplain connectivity.
4. Crossings shall not diminish flood carrying capacity.
5. Crossings shall serve multiple properties whenever possible.
6. Where there is no reasonable alternative to providing a culvert, the culvert shall be the minimum length necessary to accommodate the permitted activity.

Staff Response: The project includes two outfalls from the stormwater ponds, of which discharge will eventually reach Barker Creek under certain circumstances. While this significantly reduces impacts to the creek, and doesn't qualify as direct discharge to the creek that would otherwise prompt an Army Corps of Engineering permit, this does impact Barker Creek under certain high-flow storm event circumstances. Daylighting Barker Creek mitigates these impacts. A condition of approval requires the project to maintain systems or structures that maintain lake levels.

An existing culvert allows vehicular access from the urban parcels to an existing camp/resort on the rural parcel. Continued access will require a culvert or bridge that complies with KCC requirements for stream crossings.

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- G. Land Divisions and Land Use Permits. All proposed divisions of land and land uses (subdivisions, short subdivisions, short plats, long and large lot plats, performance-based developments, conditional use permits, site plan reviews, binding site plans) that include fish and wildlife habitat conservation areas shall comply with the following procedures and development standards:
 1. The open water area of lakes, streams, and tidal lands shall not be used in calculating minimum lot area.

Staff Response: These are not included in the calculation of lot area.

2. Land division approvals shall be conditioned so that all required buffers are dedicated as open space tracts, or as an easement or covenant encumbering the buffer. Such dedication, easement or covenant shall be recorded together with the land division and represented on the final plat, short plat or binding site plan, and title.

Staff Response: The conditions of approval require streams and their associated buffers be dedicated as open space tracts as depicted in the site plan or as an easement on the final plat for the Barker Creek corridor on the rural parcel.

3. In order to avoid the creation of nonconforming lots, each new lot shall contain at least one building site that meets the requirements of this title, including buffer requirements for habitat conservation areas. This site shall also have

access and a sewage disposal system location that are suitable for development and does not adversely impact the fish and wildlife conservation area.

Staff Response: Each parcel includes a buildable area that complies with KCC setbacks and served by potable water and sewer facilities that don't impact fish and wildlife conservation areas.

4. After preliminary approval and prior to final land division approval, the department may require that the common boundary between a required buffer and the adjacent lands be identified using permanent signs. In lieu of signs, alternative methods of buffer identification may be approved when such methods are determined by the department to provide adequate protection to the buffer.

Staff Response: The conditions of approval requires signage for streams and their associated buffers.

5. In order to implement the goals and policies of this title; to accommodate innovation, creativity, and design flexibility; and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, the use of the performance-based development process is strongly encouraged for projects within designated fish and wildlife habitat conservation areas.

Staff Response: The project design achieves protection of streams and their associated buffers via avoidance.

Geological Hazards 19.400.435 Development standards

A. Erosion and Landslide Hazard Development Standards.

1. Development activities or actions requiring project permits or clearing shall not be allowed in landslide hazard areas unless a geotechnical report demonstrates that building within a landslide hazard area will provide protection commensurate to being located outside the landslide hazard area and meets the requirements of this section. This may include proposed mitigation measures.
2. Top of Slope Building Setback. All development activities or actions that require project permits or clearing in erosion and landslide hazard areas shall provide native vegetation from the toe of the slope to twenty-five feet beyond the top of slope, with an additional minimum fifteen-foot building and impervious surface setback, unless otherwise allowed through a geologic assessment. The minimum building and setback shall be increased from the top of the slope as follows:
 - a. For high landslide hazard areas, the setback shall be equal to the height of the slope (1:1 horizontal to vertical) plus the greater of one-third of the vertical slope height or twenty-five feet.
 - b. For moderate landslide hazard areas, the setback shall be forty feet from the top of slope.

3. Toe of Slope Building Setback. A geotechnical report may be required based on slope height and stability indicators. Where slope hazard indicators are not identified, the requirements of Chapter 14.04, the Kitsap County Building and Fire Code, will apply.
 4. The department may require a larger native vegetation width than the standard buffer distance as determined above, if any of the following are identified through the geological assessment process:
 - a. The adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse impacts; or
 - b. The area has a severe risk of slope failure or downslope storm water drainage impacts.
 5. The minimum native vegetation width and/or building setback requirement may be decreased if a geotechnical report demonstrates that a lesser distance, through design and engineering solutions, will adequately protect both the proposed development and the erosion or landslide hazard area. The department may decrease the setback when such a setback would result in a greater than 1:1 slope setback.
- B. Seismic Hazard Development Standards.
1. Development activities or actions requiring a project permit occurring within two hundred feet of a “high hazard” seismic hazard area may be allowed with an approved geotechnical report that confirms the site is suitable for the proposed development and addresses any fill or grading that has occurred on the subject parcel.
 2. Development activities or actions requiring a project permit within a seismic hazard area shall be in accordance with Chapter 14.04, the Kitsap County Building and Fire Code.

Staff Response: Significant geological hazards were not found on the site. More information is available in the provided Geotechnical Report prepared by Terra Associates, Inc. The project must comply with recommendations of the Geotechnical Analysis provided for the project. The proposal includes retaining walls and other earth stabilization features throughout the project site. These are not located in the shoreline jurisdiction, wetlands, streams, nor their associated buffers.

These stabilization features allow for the safe development of individual residences, infrastructure, and recreational/open space elements of the proposal. Additional structural engineering may be required for the site based on the SDAP review at a 90% design.

Critical Aquifer Recharge Areas 19.600.615 Development standards

- A. Category I Critical Aquifer Recharge Areas.
1. Land uses identified in Table 19.600.620 are prohibited in Category I critical aquifer recharge areas, unless a waiver is granted by the department.
 2. Requests for waivers for activities listed in Table 19.600.620 shall include a hydrogeological report (see Chapter 19.700, Special Reports) that includes a detailed risk-benefit analysis that considers credible worst-case scenarios. The

hydrogeological report shall evaluate potential impacts of a proposed land use or activity on both groundwater and surface water quality and quantity. The waiver will be evaluated and treated as a special use review (Section 19.100.145) and be reviewed by the department, Kitsap public health, affected tribes, and the affected water purveyors.

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- B. Storm Water. Storm water best management practices shall be accomplished in accordance with Title [12](#).

Staff Comment: KCC Section 19.600.620 (activities table) does not require a hydrogeological report for residential land uses and subdivisions. The project is conditioned to comply with KCC Title 12 and will implement stormwater BMPs.

Shoreline 22.400.105

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- B. Development Standards.

1. All new residential development, including subdivision of land, shall be designed, configured and developed in a manner that ensures no net loss of shoreline ecological function.

Staff Comment: The project site includes residential development and infrastructure located outside of the standard vegetative buffers for the Urban Conservancy shoreline designation. Recreational areas, trails, and viewing platforms provide visual access to the shoreline while keeping the dock in place for access to the water. Clearing and development of trails occurs outside of the 85-foot vegetative buffer.

2. All sewage disposal and water systems shall comply with state and local health regulations including but not limited to Kitsap County board of health Ordinance 2008A-01 for on-site sewage requirements.

Staff Comment: The project must comply with Kitsap Public Health requirements as a condition of approval.

3. New and remodeled residential development and new subdivisions shall be designed, located and constructed so that structural improvements, including bluff walls and other stabilization structures, are not required to protect such structures and uses.

Staff Comment: No walls or protective structures are proposed in the shoreline jurisdiction as part of this subdivision.

4. New over-water residences, including floating homes, are prohibited. Where such homes were permitted or legally established prior to January 1, 2011, they shall be reasonably accommodated to allow improvements associated with life safety matters, property rights and considered a conforming use.

Staff Comment: No overwater homes are proposed as part of this development.

5. Stormwater quality and quantity measures for residential development must comply with current codes.

Staff Comment: The Department confirmed the project meets KCC Title 12 through implementation of BMPs.

6. Flood hazard reduction measures for residential development shall comply with Chapter [19.500](#), as incorporated here by Section [22.400.115](#) (Critical areas), and Section [22.400.150](#) (Flood hazard reduction measures) and shall be designed to prevent net loss of shoreline ecological functions.

Staff Comment: The proposal avoids development in designated flood hazard areas designated on the south edges of Island Lake.

7. New multi-unit residential development, including the subdivision of land for five or more parcels, shall provide for joint or community and/or public access, except where demonstrated to be infeasible due to any of the following:
 - a. Incompatible uses;
 - b. Safety;
 - c. Security;
 - d. Impact to the shoreline environment;
 - e. Constitutional or other legal limitations that may be applicable.

8. In cases where on-site access is infeasible, alternate methods of providing public access shall be considered, such as off-site improvements.

Staff Response: The project provides visual access to the Island Lake shoreline. However, public access to Island Lake exists immediately north at the Kitsap County Island Lake Park. This access combined with the visual access meets the intent of public access per KCC Title 22. Trail and viewing platform improvements occur outside of the 85-foot vegetative buffer, but within the 200-foot shoreline jurisdiction. On-street parking and the pedestrian network provide direct access to these improvements. The Department may ultimately require improvements for direct access to the shoreline; however, public comments express concern regarding additional public access to Island Lake.

9. Lot area shall be calculated using only those lands landward of the OHWM.

Staff Comment: Lot area only includes lands landward of the OHWM demarcated by a professional biologist.

10. Single-family residential uses are a priority use only when developed in a manner consistent with control of pollution and prevention of damage to the natural environment.

Staff Comment: The project site includes residential development and infrastructure located outside of the standard vegetative buffers for the Urban Conservancy shoreline designation. Recreational areas, trails, and viewing platforms provide visual access to the shoreline. Island Lake park, located on the north side of the lake, provides public access which qualifies as offsite access.

22.400.120 D. Trails and Viewing Platforms

D. Other Uses and Modifications in Vegetation Conservation Buffers.

1. In order to accommodate water-oriented uses and modifications within the buffer, the following standards shall apply subject to shoreline permit review unless otherwise exempted:
 - a. Trails. Trails may be permitted but shall be limited to five feet in width, except where demonstrated necessary for a water-dependent use. Trails shall comply with requirements of Title [12](#) (Stormwater Drainage) if applicable. Disturbance to soil, hydrological character, trees, shrubs, snags and important wildlife habitat shall be minimized. Pervious surface materials, such as mulch, organics, raised boardwalks composed of untreated wood or an equivalent, are required. Gravel trails shall be considered impervious surfaces pursuant to Title [12](#). Pervious surfaces shall be utilized except where determined infeasible.
 - i. Trails in vegetation conservation buffers shall be located in the outer twenty-five percent of the buffer, except where necessary for direct access or viewing points.
 - ii. Trails that meet the definition of water-oriented use may be located within shoreline buffers when it can be demonstrated that buffer impacts are limited through mitigation sequencing in accordance with Section [22.400.110\(A\)](#).
 - b. Decks and Viewing Platforms. Decks and viewing platforms may be permitted, but shall be limited to one hundred square feet in size, in order to provide opportunities for small viewing decks or platforms that will not result in a net loss of shoreline ecological function. Applicants shall demonstrate no net loss as part of a shoreline mitigation plan prepared by a qualified professional (Section [22.700.140](#)). Viewing platforms shall not have roofs, except where otherwise permitted through the view blockage standards (Section [22.400.135](#)). Creosote and pentachlorophenol should not be utilized in construction materials for decks, viewing platforms or boardwalks.

Staff Response: All development occurs outside of the 85-foot vegetative buffer required for the Urban Conservancy shoreline jurisdiction. Furthermore, all parcels designated for residential development exist outside of the 200-foot shoreline jurisdiction. The project includes trails, recreational elements, and viewing platforms that provide visual access to island lake.

22.400.130 Historic, archaeological, cultural, scientific and educational resources.

A. Applicability and Other Regulations.

1. This section applies to archaeological and historic resources either recorded by the Department of Archaeology and Historic Preservation, local jurisdictions or applicable tribal databases or predictive models.
2. HASCE sites shall comply with Kitsap County Contract KC 442-07 (Agreement with Department of Archaeology and Historic Preservation), Chapter [25-48](#) WAC (Archaeological Excavation and Removal Permit), Chapter [27.44](#) RCW (Indian Graves and Records), and Chapter [27.53](#) RCW (Archaeological Sites and Resources).

B. Known or Potential HASCE Sites.

1. Tribal historic preservation officers (THPOs) for tribes with jurisdiction will be provided the opportunity to review and comment on all development proposals in the Kitsap County shoreline jurisdiction, both terrestrial and aquatic, in order to ensure all known or potential archaeological sites, traditional cultural properties and traditional cultural landscapes are acknowledged, properly surveyed and adequately protected.
2. If archaeological resources are known in advance, developers and property owners must notify Kitsap County, the Department of Archaeology and Historic Preservation, and applicable tribes.
3. Sites with known or potential archaeological resources, as determined pursuant to the resources listed at the beginning of this section, shall require a site inspection by a professional archaeologist in coordination with the affected tribe(s). The THPO shall be provided the opportunity to evaluate and comment on cultural resources evaluations conducted by the professional archaeologist.
4. Work on sites with identified archaeological resources shall not start until authorized by the Department of Archaeology and Historic Preservation through an archaeological excavation and removal permit, which may condition development permits pursuant to KC 442-07.

C. Discovered HASCE Sites.

1. If archaeological resources are uncovered during excavation, developers and property owners must immediately stop work and notify Kitsap County, the Office of Archaeology and Historic Preservation and affected Indian tribes.
2. Uncovered sites shall require a site inspection by a professional archaeologist in coordination with the affected tribe(s). Tribal historic preservation officers shall be provided the opportunity to evaluate and comment on cultural resources evaluations conducted by the professional archaeologist.
3. Work shall not recommence until authorized by the Office of Archaeology and Historic Preservation through an archaeological excavation and removal permit, which may condition development permits pursuant to KC 442-07.

Staff Response: The project requires coordination with the appropriate agencies and governments that identified potential for archaeological sites. This includes completion of research and a report prior to any land disturbing activities. The applicant completed an initial assessment; however, this will be part of the submittal items for the SDAP.

22.400.145 Public access.

- A. All recreational and public access facilities shall be designed, located and operated in a manner consistent with the purpose of the environment designation in which they are located.
- B. Except as provided in subsections (E) and (F) of this section, substantial developments or conditional uses shall provide public access where any of the following conditions are present:
 1. A development or use will create increased demand for public access to the shoreline.

2. A development or use will interfere with an existing public access way.
 3. New non-water-oriented uses are proposed.
 4. A use or activity will interfere with public use of lands or waters subject to the public trust doctrine.
- C. Shoreline development by public entities, port districts, state agencies, and public utility districts shall include public access measures as part of each shoreline development project, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline environment.
 - D. Ensure that publicly financed or subsidized shoreline erosion control measures do not restrict appropriate public access to the shoreline except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions. See public access provisions of WAC [173-26-221\(4\)](#). Where feasible, incorporate ecological restoration and public access improvements into the project.
 - E. Off-site public access may be allowed where it results in an equal or greater public benefit than on-site public access, or when on-site limitations relating to security, environment, use conflict, intervening improvements, or feasibility are present. Sites on the same water body, or secondarily within the same watershed, are preferred. Where feasible, off-site public access should include both visual and physical elements. Off-site public access may include, but is not limited to, enhancing an adjacent public property (e.g., existing public or recreation access site, road, street, or alley abutting a body of water, or similar) in accordance with county standards; providing, improving or enhancing public access on another property under the control of the applicant/proponent; or another equivalent measure.
 - F. Public access shall not be required for single-family residential development of four or fewer lots.
 - G. Public access shall not be required if an applicant/proponent demonstrates to the satisfaction of the county that one or more of the following conditions apply:
 1. Unavoidable health or safety hazards to the public exist and cannot be prevented by any practical means;
 2. Constitutional or other legal limitations apply;
 3. Inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions;
 4. The cost of providing the access, easement or alternative amenity is unreasonably disproportionate to the total long-term cost of the proposed development;
 5. Adverse environmental impacts to shoreline ecological processes and functions that cannot be mitigated will result from the public access;
 6. Significant undue and unavoidable conflict between any access provisions and the proposed use and/or adjacent uses would occur and cannot be mitigated; or
 7. Adequate public access already exists along the subject shoreline, and there are no gaps or enhancements required to be addressed by the individual shoreline development.

Staff Comment: Public access to Island Lake exists immediately north at the Kitsap County Island Lake Park which at least meets 22.400.145 G.7.

- H. When provisions for public access are required as a condition of project approval, the director shall prepare written findings demonstrating consistency with constitutional and legal practices regarding private property and the principles of nexus and proportionality.
- I. Required public access sites shall be fully developed and available for public use at the time of occupancy of the shoreline development.
- J. Public access provisions shall run with the land and be recorded via a legal instrument such as an easement, or as a dedication on the face of a plat or short plat. Such legal instruments shall be recorded with the county auditor's office prior to the time of building permit approval, occupancy or plat approval, whichever comes first (RCW [58.17.110](#)). Future actions by the applicant's successors in interest or other parties shall not diminish the usefulness or value of required public access areas and associated improvements.
- K. Maintenance of the public access facility over the life of the use or development shall be the responsibility of the owner unless otherwise accepted by a public or nonprofit agency through a formal agreement recorded with the county auditor's office.
- L. The removal of on-site native vegetation shall be limited to the minimum necessary for the recreational or public access development area, such as picnic areas, campsites, selected views, or other permitted structures or facilities.
- M. Preference shall be given to activities that are consistent with approved state and local park plans for water-oriented recreational development, including but not limited to the Kitsap County Comprehensive Plan, Mosquito Fleet Trail Master Plan, Washington State Parks CAMP plans, Kitsap County Non-Motorized Plan, and other agency plans.
- N. Vehicular traffic is prohibited on beaches, bars, spits and streambeds, except for permitted construction and boat launching, or in areas where it can be demonstrated that a historical use has been established.
- O. Public road-ends, tax-title lands and rights-of-way adjacent to shorelines of the state shall be preserved, maintained and enhanced consistent with RCW [36.87.130](#). The Kitsap County "Category 5 right-of-way use permit" process in Section 11.36.060(5)¹ shall be utilized to open shoreline road-ends. Such process shall include notification of abutting property owners, and may include a neighborhood meeting or community council outreach effort in order to solicit and resolve community concerns with regard to specific proposals. The public interest in shoreline access shall be given appropriate consideration during the review process, consistent with the Act. Decisions to approve or deny opening of road-ends may be appealed in accordance with Title [21](#).
- P. Trail access shall be provided to link upland facilities to the beach area where feasible and where impacts to ecological functions can be mitigated.
- Q. When applicable, recreational and public access development shall make adequate provisions for the following. These requirements may be waived for opening of public road-ends, tax title lands, and rights-of-way as described in subsection (O) of this section, except where determined necessary through the public review process:
 - 1. Vehicular parking and pedestrian access;
 - 2. Proper wastewater and solid waste disposal methods;
 - 3. Security and fire protection;

4. The prevention of overflow and trespass onto adjacent properties, including, but not limited to, landscaping, fencing, and posting of property;
 5. Screening of such development from adjacent private property to prevent noise and light impacts; and
 6. Compliance with the Americans with Disabilities Act (ADA), including being barrier-free and accessible for physically disabled uses where feasible.
- R. Shoreline trails and pathways shall be located, designed, and constructed to avoid and minimize bank instability.
- S. Project-specific public access standards are contained in the following shoreline use and modification development standards sections (Chapter [22.600](#)):
1. Barrier structures and other in-stream structures (Section [22.600.120](#)).
 2. Boating facilities (Section [22.600.125](#)).
 3. Commercial development (Section [22.600.130](#)).
 4. Fill (Section [22.600.140](#)).
 5. Industrial development (Section [22.600.150](#)).
 6. Residential development (Section [22.600.170](#)).
 7. Shoreline stabilization (Section [22.600.175](#)).
- 22.500.100

Staff Response: The project provides visual access to the Island Lake shoreline. However, public access to Island Lake exists immediately north at the Kitsap County Island Lake Park. This physical access combined with the visual access meets the intent of public access per KCC Title 22. Trail and viewing platform improvements occur outside of the 85-foot vegetative buffer, but within the 200-foot shoreline jurisdiction. On-street parking and the pedestrian network provide direct access to these improvements. The Department may ultimately require improvements for direct access to the shoreline; however, public comments express concern regarding additional public access to Island Lake.

Chapter 22.500 Permit Provisions, Review and Enforcement

- D. Conditional Use Permits, Including Administrative Conditional Use Permits.
1. The purpose of a CUP is to provide flexibility in authorizing uses in a manner consistent with RCW [90.58.020](#). Accordingly, special conditions may be imposed to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the Act and this program.
 2. CUPs shall be classified as a Type III permit under Chapter [21.04](#). Where administrative CUPs are allowed, they shall be classified as a Type II permit under Chapter [21.04](#). Unless specified otherwise in this program, the CUP criteria apply in addition to the applicable SDP criteria, and shall be combined into a single review process.
 3. Shoreline CUPs shall be granted only after the applicant can demonstrate compliance with WAC [173-27-160](#) and this section as follows:
 - a. That the proposed use is consistent with the policies of RCW [90.58.020](#) and this program;

Staff Response: Single family residential development in an Urban Growth Area is consistent with RCW 90.58.020.

- b. That the proposed use will not interfere with the normal public use of public shorelines and does not conflict with existing water-dependent uses;

Staff Response: The project site is privately-owned and does not provide or conflict with public access or water dependent uses.

- c. That the proposed use of the site and design of the project are compatible with other authorized uses within the area and with uses planned for the area under the Comprehensive Plan and this program;

Staff Response: Surrounding land uses include single family residential development to the north, south, west, and across the shoreline to the northeast. This development complies with the comprehensive plan for parcels with the Urban Low Residential zoning designation.

- d. That the proposed use will not result in significant adverse effects or a net loss to the shoreline ecosystem functions in which it is to be located;

Staff Response: Implementation of the submitted Habitat Management Plans, and avoidance of development in the required standard buffer, result in no net loss of shoreline ecological function.

- e. That the public interest suffers no substantial detrimental effect;

Staff Response: The project complies, or is conditioned to comply, with all elements of Kitsap County Code that render no substantial impact or detrimental affect to the public interest. To the contrary, the project implements the Kitsap County Comprehensive Plan and Washington State Growth Management Act by allowing urban development in a designated Urban Growth Area (UGA).

- f. That consideration has been given to the cumulative impact of additional requests for like actions in the area and shall not result in substantial adverse effects or net loss of shoreline ecosystem functions. For example, if CUPs were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the use preference policies and shall not produce substantial adverse impacts to the shoreline environment. Consideration shall be demonstrated through preparation of a cumulative impacts report, if requested, that substantially conforms to the applicable provisions of Chapter [22.700](#) (Special Reports);

Staff Response: The Habitat Management Plan includes a cumulative impact analysis. This analysis indicates that additional requests that meet Kitsap County Code will not result in net loss of shoreline ecosystem functions. Implementing KCC means the project avoids development in the required shoreline standard buffer.

- g. Other uses which are not classified or set forth in this program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the master program;

Staff Response: Single family residential development is a land use allowed for parcels within the 200-foot shoreline jurisdiction, provided it meets development standards within KCC.

- h. Uses which are specifically prohibited by this master program may not be authorized pursuant to this section.

Staff Response: Single family residential development is an allowed use in the Urban Conservancy shoreline jurisdiction.

- 4. All applications for shoreline CUPs, including administrative CUPs, approved by the county shall be forwarded to Ecology pursuant to WAC [173-27-200](#), for final approval, approval with conditions, or denial. No approval shall be considered final until it has been acted upon by Ecology.

Staff Response: The Department recommends approval of this project to the hearing examiner. The hearing examiner provides deciding authority of the PPlat and SCUP, and the hearing examiner provides a recommendation of approval or denial to Ecology for the Shoreline Conditional Use Permit. For any recommendation of approval, the Department shall submit the recommendation to Ecology.

22.600.105 Use and modifications matrix.

The use and modification matrix requires subdivision in the Urban Conservancy shoreline jurisdiction to comply with 22.600.170 'Residential Development'.

22.600.170 Residential development.

- A. Environment Designations Permit Requirements. Where residential development is proposed in the following designations, the identified permit requirements shall apply:
 - 1. ...
 - 2. Rural conservancy and urban conservancy:
 - a. Primary single-family residences are exempt pursuant to criteria in Section [22.500.100](#)(C).
 - b. SDP if exemption criteria not met.
 - c. CUP for multifamily units, accessory dwelling units and subdivisions.

Staff Response: The project includes a shoreline conditional use permit for the subdivision of a parcel that exists within the Urban Conservancy and Rural Conservancy shoreline jurisdictions.

- B. Development Standards.
 - 1. All new residential development, including subdivision of land, shall be designed, configured and developed in a manner that ensures no net loss of shoreline ecological function.

Staff Response: The project avoids development in the shoreline standard buffer. Furthermore, daylighting Barker Creek and installing a culvert/bridge further mitigates impacts associated with minor stormwater outfall discharge and dispersion trench flowpaths identified in the drainage report.

2. All sewage disposal and water systems shall comply with state and local health regulations including but not limited to Kitsap County board of health Ordinance 2008A-01 for on-site sewage requirements.

Staff Response: The project must comply with Kitsap Public Health requirements as a condition of approval.

3. New and remodeled residential development and new subdivisions shall be designed, located and constructed so that structural improvements, including bluff walls and other stabilization structures, are not required to protect such structures and uses.

Staff Response: No walls or protection structures are proposed in the shoreline jurisdiction as part of this subdivision.

4. New over-water residences, including floating homes, are prohibited. Where such homes were permitted or legally established prior to January 1, 2011, they shall be reasonably accommodated to allow improvements associated with life safety matters, property rights and considered a conforming use.

Staff Response: No overwater homes are proposed as part of this development.

5. Stormwater quality and quantity measures for residential development must comply with current codes.

Staff Response: The project meets KCC Title 12 through design requirements and implementation of BMPs.

6. Flood hazard reduction measures for residential development shall comply with Chapter [19.500](#), as incorporated here by Section [22.400.115](#) (Critical areas), and Section [22.400.150](#) (Flood hazard reduction measures) and shall be designed to prevent net loss of shoreline ecological functions.

Staff Response: The proposal avoids development in designated flood hazard area located on the south edges of Island Lake.

7. New multi-unit residential development, including the subdivision of land for five or more parcels, shall provide for joint or community and/or public access, except where demonstrated to be infeasible due to any of the following:
 - a. Incompatible uses;
 - b. Safety;
 - c. Security;
 - d. Impact to the shoreline environment;
 - e. Constitutional or other legal limitations that may be applicable.
8. In cases where on-site access is infeasible, alternate methods of providing public access shall be considered, such as off-site improvements.

Staff Response: The project provides visual access to the Island Lake shoreline. However, public access to Island Lake exists immediately north at the Kitsap County Island Lake Park. This physical access combined with the visual access meets the intent of public access per KCC Title 22. Trail and viewing platform improvements occur outside of the 85-foot vegetative buffer, but

within the 200-foot shoreline jurisdiction. On-street parking and the pedestrian network provide direct access to these improvements. The Department may ultimately require improvements for direct access to the shoreline; however, public comments express concern regarding additional public access to Island Lake.

9. Lot area shall be calculated using only those lands landward of the OHWM.

Staff Response: Lot area only includes lands landward of the OHWM demarcated by a professional biologist.

10. Single-family residential uses are a priority use only when developed in a manner consistent with control of pollution and prevention of damage to the natural environment.

Staff Response: The project site includes residential development and infrastructure located outside of the standard vegetative buffers for the Urban Conservancy shoreline designation. Recreational areas, trails, and viewing platforms provide visual access to the shoreline. Island Lake park, located on the north side of the lake, provides public access which qualifies as offsite access.

j. Access, Traffic, and Roads

The proposed Meadowview project will have vehicular access via the proposed extension of Camp Court NW which intersects with NW Island Lake Road. Existing local roadways in the project vicinity that will serve the site and provide access to the adjacent arterial street system include Camp Court NW, NW Island Lake Road, NW Gallery Street, and Bennington Drive NW. The proposed roadways will be designed to meet County standards..

k. Fire Safety

Kitsap County Code (KCC) Title 11 requires development to comply with Kitsap County Road Standards Manual, which includes Chapter 4.1.12. This requires a minimum of two access points, separated by no less than half the diagonal of the property or area served for developments that generate more than 1,000 ADT unless the County Fire Marshal approves other mitigating measures. The conditions of approval require installation of sprinkler systems which allows for the development to use a single full access via Camp Court.

l. Solid Waste

The project must comply with codes regulating Kitsap County solid waste. This includes providing vessels for trash removal from each residence that Waste Management will serve.

m. Water/Sewer

Per the water availability letter provided, Silverdale Water District #16 will provide potable water to 344 dwelling units.

Per the sewer availability letter provided, Kitsap County Public Works will provide sanitary sewage disposal for up to 345 dwelling units.

- n. Kitsap Public Health District
Non-project action - not analyzed as part of this proposal due to use of sewer mainline conveyance.

11. Review Authority

The Hearing Examiner has review authority for the project applications under KCC 21.04.100. The Hearing Examiner may approve, approve with conditions, remand, or deny an application(s). The Hearing Examiner may also continue the hearing to allow for additional information necessary to make the proper decision. The powers of the Hearing Examiner are at KCC Chapter 2.10.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Titles 16, 17, 21 and 22 and complies with or will comply with all of the applicable provisions of Kitsap County Code and other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

13. Recommendation

Based upon the analysis above and the decision criteria noted above, the Department of Community Development recommends that the Hearing Examiner **approve** the PPlat and SCUP request, subject to the following conditions:

- A. Planning/Zoning
 1. Review the linked Hearing Examiner decision for final conditions of approval. The Staff Report conditions below are only recommended conditions to the Hearing Examiner and may not be valid.
 2. The decision set forth herein is based upon representations made and exhibits contained in the project application(s). 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.
 3. 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.
4. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.
 5. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
 6. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.
 7. Any and all signage design and location (including exempt signs) shall comply with KCC 17.510, and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
 8. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the KCC. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
 9. This permit application approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within four years of the Notice of Decision date or the resolution of any appeals.
 10. Any violation of the conditions of approval shall be grounds to initiate revocation of permit approval(s).
 11. KPHD will require sewered building clearance prior to building permit issuance. The applicant shall provide either binding water letters or proof of a construction agreement for a main extension prior to sewered building clearance approval.
 12. Artificial outdoor lighting shall be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with surrounding properties.
 13. Provide an irrigation plan at SDAP submittal.
 14. A final landscaping plan is required at SDAP submittal.
 15. All roof-mounted air conditioning or heating equipment, vents, ducts, or other equipment shall not be visible from any abutting lot, or any public street or right-of-way as feasible.
 16. A Construction Agreement must be entered into between the Developer and Silverdale Water District to build an extension of the water system, all the conditions of the agreement must be satisfied, and all charges must be paid.
 17. A Forest Practices Application shall be reviewed and approved by Kitsap County DCD prior to the commencement of any conversion logging of the site. Any proposal to

thin or log existing forested areas outside of the project area are subject to the requirement of a timber harvest conversion option harvest plan with Kitsap County DCD.

18. Building Site Applications will be required prior to building permit issuance.
19. Prior to any logging, clearing, or grading of the site, the applicant shall flag all buffer areas including perimeter buffers, roadway buffers, open space perimeters, and wetland buffers and request an inspection from the DCD. DCD must approve buffer flagging prior to commencement of any on site work.
20. All buffers and open space shall be considered no-cut natural vegetation areas. Any removal of vegetation within the buffer or open space areas shall require prior approval from the DCD. These areas shall be depicted on the face of the plat and marked "Existing Natural Vegetation to Remain".
21. A physical barrier, ie, split rail fence, shall be constructed on all lots which abut open space or buffers. Fencing need not be sight obscuring but should clearly identify the open space/buffer boundary.
22. The final construction drawings shall include detail plans for pedestrian walkways, paths, and road improvements.
23. A Homeowner's Association and protective Covenants, Conditions and Restrictions shall be established prior to final approval to ensure the perpetual maintenance of private roads, storm drainage facilities, recreational facilities and common Open Space. Further, conditions shall be placed within the Protective Covenants, Conditions and Restrictions which prohibit the use of chemical fertilizers and encourage the use of organic fertilizers and the use of native vegetation in the landscaping designs of individual lots. The use of pesticides and herbicides within the plat shall be prohibited unless professionally applied subject to any regulations in effect at the time of application. The Washington State Legislature adopted updated HOA rules through the Washington Common Interest Ownership Act March 6, 2018, that went into effect July 1, 2018.

The revised rules clarify and impose requirements operating budgets and maintaining cash reserves. (See 16.04.080.E for possible revisions.)

24. A Hydraulic Project Approval (HPA) may be required for the drainage features proposed with associated shoreline permit application. 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.
25. The required SDAP shall demonstrate how the project complies with conditions of approval imposed by the associated shoreline permit.
26. The shared-use paths must be shown in an easement dedicated to the public on the Final Plat.
27. 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 associated SDAP.

28. Final plat approval will require all wells be decommissioned by a licensed well driller and the septic tanks abandoned per KPHD code. Sewer and water availability will be required for all lots prior to final plat approval.
29. A stream previously tightlined is still considered a stream via KCC (refers to WA 222-16-030) and requires vegetative buffers with the associated 15-foot building setback. The project shall daylight the stream (Barker Creek) up to Island Lake as discussed in the Habitat Management Plan (HMP) authored by Ecological Land Services on June 26, 2023. This includes design and mitigation plantings to establish the required 150-foot native vegetative buffer and 15-foot building setback.
30. The SDAP review process must confirm that no more, or less, water shall leave the lake as a result of this improvement.
31. Landscaping for the north, west, and southern borders of the project require partial separation buffers consistent with KCC Section 17.500.027 A. A solid fence or combination of semi-solid fence and vegetation must partially screen the development from adjacent urban residential properties.
32. The face of the final plat shall include a note as follows: Fences shall be maintained in perpetuity to comply with the partial separation buffer requirements of the project.
33. The east border and all stormwater facilities require a solid screen buffer consistent with KCC Section 17.500.027 B. The associated SDAP must show detailed plant spacing, schedule, and implementation notes. All installations must comply with KCC Section 17.500.030 Installation and maintenance.
34. Concurrency capacity reservation certificates must be acquired through the Public Works Department.
35. Buffers or setbacks shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes. Refuse shall not be placed in buffers.
36. A 150-foot native vegetation buffer shall be retained along the perimeter of the stream as depicted on the approved site plan and in accordance with the Critical Areas Report authored by Ecological Land Services on February 16, 2023 (Revised 6/26/2023 and 4/17/2024) and Habitat Management Plan authored by Ecological Land Services on June 26, 2023 (Revised on 4/17/2024). In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer.
37. Danger Trees—Minor pruning, removal, or elimination of danger trees in the buffer may be allowed, subject to approval by the DCD. (360)337-5777
38. Bald Eagles—Approval is conditioned for compliance with the Federal Bald and Golden Eagle Protection Act and the National Bald Eagle Management Guidelines. The applicant is responsible for following all federal setbacks, construction windows and obtaining any federal permits as necessary through the US Fish and Wildlife Service.
39. Prior to final inspection and occupancy, the common boundary between the stream/wetland buffer and the adjacent land shall be permanently identified with critical area buffer signs. A total of 45 Critical Area Ordinance (CAO) signs on the western buffer edge and 45 Critical Area Ordinance (CAO) signs on the eastern

- buffer edge 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. Signs may be requested with any inspection prior to final, but not at final inspection. The consulting habitat biologist shall place the signs.
40. Vegetation planting shall occur as specified in the approved mitigation or enhancement plan produced in support of this permit. Planting of native vegetation shall occur within the first dormant season once the permitted project has been constructed and approved. When planting is complete, the applicant shall submit an as-built plan to DCD for approval prior to requesting the final inspection. Any assignment of savings, financial surety or other like security for performance of the buffer mitigation plan shall be released if planting requirements are satisfied upon completion of the site inspection and as-built approval.
- Monitoring and maintenance of the planted area shall be conducted for five years, and extended if necessary, after DCD staff approves planting. Monitoring includes live and dead vegetation counts and records of all maintenance activities. Maintenance activities can be defined as, but are not limited to, removal practices on invasive or nuisance vegetation and watering schedules. Monitoring information shall be summarized in a report with photographs depicting conditions of the vegetation and overall site. Monitoring reports are due to DCD annually. If more than 20 percent of the plantings do not survive within any of the monitoring years, the problem areas shall be replanted, and provided with better maintenance practices to ensure higher plant survival. The construction of the permitted project is subject to inspections by DCD. Extensions of the monitoring period may be required if original conditions are not met. All maintenance and construction must be done in full compliance with KCC, including the Kitsap County Critical Area Ordinance (Title 19 KCC) and Shoreline Master Program (Title 22 KCC). Any corrections, changes or alterations required by DCD Inspector shall be made prior to additional inspections. Any assignment of savings, financial surety or other like security for maintenance of the buffer mitigation plan shall only be released if monitoring requirements are satisfied in the final year of the monitoring term.
- Mitigation Planting Bond. A performance bond, assignment of savings, or other like security has been required by the department in an amount necessary to provide for future site monitoring and possible corrective action required for compensatory mitigation projects (one and one-half times the estimated cost of mitigation). Once the project is completed and a maintenance bond is established, the performance bond will be released. The maintenance bond, as determined by the wetland specialist/habitat biologist, will be released upon success of the project, as determined by the metrics in the mitigation plan, and no earlier than five years after completion of the mitigation project or as otherwise established. If the approved mitigation is not completed or fails to meet its success standards, the property owner must agree to a property access release form, with forfeiture of funds after the specified monitoring period. An 85-foot native vegetation buffer must be maintained landward of Ordinary High Water on parcel 102501-2- 004-2006. A 130-

foot native vegetation buffer must be maintained landward of Ordinary High Water on parcel 102501-1-016-2004. Both are and shall be depicted on the approved site plan for any subsequent permits. In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer.

41. The project shall install a culvert of sufficient size in Barker Creek to allow fish passage and to pass the water flows in a flooded condition.
42. Development shall be subject to the conditions of the geotechnical report associated with this permit and on file at the Department of Community Development, authored by Terra Associates on July 28, 2022.
43. Critical Aquifer Recharge Area.
All development in Kitsap County is subject to conditions of Section 19.600.615 Development Standards and subsection A. Category I Critical Aquifer Recharge Areas:
 1. and uses identified in Table 19.600.620 are prohibited in Category I Critical Aquifer Recharge Areas, unless a waiver is granted by the department; and
 2. Requests for waivers for activities listed in Table 19.600.620 shall include a hydrogeological report (See Chapter 19.700, Special Reports) that includes a detailed risk-benefit analysis that considers credible, worst-case scenarios. The hydrogeological report shall evaluate, where applicable, potential impacts of a proposed land use or activity on both groundwater and surface water quality and quantity. The waiver will be evaluated and treated as a special use review and be reviewed by the department, the health district, affected tribes, and the affected water purveyors.
44. A note on the final plat shall not allow further subdivisions of the parcels after the final plat is approved.
45. Geologic hazards that may impact a parcel shall require a notice to title for each parcel affected.
46. Each parcel in the platted development must purchase and/or renew a Kitsap Transit Orca card, or the equivalent transit authority. This note shall be added to the face of the final plat.
47. Walking trails and pedestrian connections, when not sidewalks, shall be a resilient all-weather surface (see Attachment G: Trail Detail) that requires no (or very nominal) care:
 1. All trail construction shall include standard Clearing Limits as follows:
Brush and branches above 36" above ground level shall be removed to a height of 8' within 3' of trail. All vegetation below 36" height shall be cut back to the width of the trail. Fallen Logs shall be cut flush at the edge of the trail.
 2. Clearing within the designed trail corridor: Remove all roots and organic debris to a depth of 6" prior to importing crushed rock. Establish design cross-slope in subgrade materials, slope or crown as directed. In areas of significant tree roots, excavate ONLY 4" to subgrade and compact. Provide 4" base course and 2" top course per specifications. Roll compact edges of finish path and blend back to adjacent grade. Finish grade path will be flush or slightly elevated/crowned above adjacent surfaces.

3. Import crushed rock following departmental approval of prepared trail bed. Taper edges at a 45-degree angle into the subgrade. Top course shall be flush with finish grade. Provide complete mechanical compaction. Where complete mechanical compaction is impracticable or impossible, compact by hand with appropriate weighted implement.
4. Perform site restoration and re-vegetation immediately upon completion of trail and/or related drainage work or as directed by the Engineer.
48. The project shall include off-site improvements to Camp Court NW, and the intersection of Camp Court NW and Island Lake Road, as identified in the Traffic Impact Analysis document. All applicable SDAP and ROW permitting requirements shall apply.
49. Landscaping is required to conceal all retaining walls throughout the project site.
50. The project shall retain existing trees where possible.
51. The number of road trees shall equal 1 tree per 25 lineal feet of roadway. Street trees shall comply with 17.500, 17.700 Appendix A, and the tree species listed in the Kitsap County Road Standards Appendices.
52. The project shall comply with 17.490 for all parking requirements, including the number of spaces and design of off-street parking. This includes compliance with bicycle parking requirements (17.490.070) and electric vehicle parking requirements (17.490.080). All parking spaces must be located within 300 feet of the use they intend to serve.
53. The project shall supply sidewalks to connect all parking spaces to the sidewalk network or to community facilities they serve.
54. The project must provide durable trail access, using construction details noted earlier, to Thackery Place, Emerald Heights Elementary School, and throughout the openspace tracts. These trails must be maintained by the Homeowners Association.
55. The project shall incorporate a public transit access location, as depicted on the site plans, centrally located and ADA accessible to anyone within this development.

Development Engineering

GENERAL

56. 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.
57. 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

58. 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 Engineering.

59. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Engineering for review and approval. The phasing plan shall, as a minimum, address the following items: Time tables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase; and the extent of drainage improvements to be installed during the various phases.
60. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with KCC Title 12 effective at the time the SDAP 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.
61. Any project that includes off-site 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.
62. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Alyssa Brewer at 564-669-4922, email alyssa.brewer@ecy.wa.gov. This permit is required prior to issuance of the SDAP. Processing time for NPDES permit is a minimum of 37 days.
63. 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.
64. 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.
 - Any fill site receiving 150 cubic yards or more of material must obtain an SDAP.
 - Fill sites receiving 5,000 cubic yards or more, or located within a critical area, must have an engineered SDAP.
 - 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.
65. 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.
66. All retention facilities shall be a minimum of 200 feet from any slope steeper than 30%. This distance may be reduced based on a geotechnical engineering report. That analysis shall be prepared by a Civil Engineer licensed in the State of Washington,

knowledgeable in the practice of soils engineering and mechanics. The analysis shall address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities shall be designed following the recommendations of the geotechnical analysis.

67. 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.
68. The following shall be added to the face of the Final Plat, under the heading Notes and Restrictions:
 - Maintenance of roof and yard drains and appurtenances shall be the responsibility of the individual homeowners.
 - All runoff from roof and yard drains must be directed so as not to adversely affect adjacent properties.
 - All lots are obligated to accept road drainage at the natural locations after the grading of streets is complete.
 - 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.
69. The Final Plat shall include the following under the heading Easements:
 - All storm sewer easements are granted to Kitsap County for operations and maintenance of storm drainage facilities.
 - A permanent storm drainage easement is granted to Kitsap County for the purpose of operation and maintenance of storm drainage facilities on and across all Tracts.
70. The following condition shall be added to the face of the Final Plat: At the time of submittal of a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.
71. 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.
72. 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.
73. 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.

74. 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.

TRAFFIC AND ROADS

75. 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.
76. Prior to recording the Final Plat, vehicular access shall be constructed to provide access to all proposed lots.
77. Public roads shall not exceed 12% grade or less depending on the road classification per Kitsap County Road Standards.
78. 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.
79. The interior roads of the proposed plat shall be designed and constructed in accordance with Fire Marshal standards for emergency vehicular access.
80. The following shall appear on the face of the Final Plat, under the heading Conditions:
- All lots shall access from interior roads only.
 - 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.
 - 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.
81. The developer shall request that the Board of Kitsap County Commissioners transfer tax title lands into the Kitsap County road system as indicated on the preliminary plat, and said lands shall have been transferred prior to construction plan acceptance.
82. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
83. 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.
84. Interior plat roads shall be constructed to current County standards and deeded as public right-of-way.
 85. 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.
 86. The Site Development Activity Permit 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.
 87. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
 88. The developer's engineer shall certify that there is adequate entering sight distance at all project intersections with County rights of way or State rights of way. 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 for County rights of way and shall meet WSDOT standards for state rights of way. The certification shall also note necessary measures to correct and maintain the minimum sight triangle. The required information shall be submitted with the SDAP, or with the commercial building permit application if a SDAP is not required.
 89. 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).
 90. 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.
- SURVEY
91. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.

- 92. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten-foot widths for utility easements shall be provided on each side of private road tracts.
- 93. 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.
PUBLIC WORKS SEWER
- 94. Kitsap County sanitary sewer is available for the project. The applicant needs to submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works - Sewer Utility Division Standards and Regulations.
- 95. A Sewer Availability Agreement account(s) must be kept current and in good standing through the approval date for this permit.
SOLID WASTE
- 96. Prior to SDAP approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at pnwcmsservices@wm.com or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>
OTHER
- 97. 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.
- 98. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9 of the Kitsap County Stormwater Drainage Manual.

B. Fire Safety

- 99. Fire apparatus access shall be clear and unobstructed at all times during construction.
- 100. Plans have been redlined for hydrant relocation. Final plan shall reflect changes.

Report prepared by



Darren Gurnee, Planning Supervisor and Project Lead

12/27/2024

Date

Report approved by



Scott Diener, Planning Manager

12/27/2024

Date

Staff Report: 23-03239 PPlat and 23-03929 SCUP - Meadowview

Attachment A: Project Site Plan
Attachment B: Zoning Map
Attachment C: Aerial Imagery
Attachment D: Critical Areas Map
Attachment E: Shoreline Designation Map
Attachment F: Existing Conditions Map
Attachment G: Trail Detail
Attachment H: Public Comment Matrix

CC:

Applicant: Core Design, Inc, permits@coredesigninc.com; Sequoia Spring III LLC, max@bluefern.com

Owner: Paulus, Ben - Blue Fern, ben@bluefern.com

Engineer: Heavrin, Holli, HHeavrin@coredesigninc.com

Surveyor: Core Design, Inc, permits@coredesigninc.com

Project Representative: Anna Drumheller, anna@bluefern.com

Kitsap County Public Works Dept., MS-26

Kitsap County Health District, MS-30

DCD Staff Planner: Darren Gurnee

Parks

Navy

DSE

Kitsap Transit

Central Kitsap Fire District

North Kitsap Fire District

Central Kitsap School District

North Kitsap School District

Puget Sound Energy

Water Purveyor – Silverdale Water District

Sewer Purveyor – Kitsap County Public Works

Point No Point Treaty Council

Suquamish Tribe

Skokomish 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-SEPA

WA State Dept of Ecology-Wetland Review

WA State Dept of Transportation
Dept of Archaeological Historic Preservation
WA Dept of Natural Resources

Interested Parties:

Adkins, Garret, garret.s.adkins@gmail.com; Allpress, Cindy, cindyallpress@gmail.com;
Barker, Laurie, laurlu220@gmail.com; Bay, Jasmine, jazzbay@gmail.com; Bieber, Peter,
Railhead1956@yahoo.com; Cappeto, Rocco, rcappeto@comcast.net; CENTER JOHN J &
TONI T, jjcenter59@gmail.com; Clark, Chris, chris@cotni.org; Crawford, Joe,
flyjdc@aol.com; DAHP - Jolivette, Stephanie, stephanie.jolivette@dahp.wa.gov; DELESBORE
LUCI S, itsluci@yahoo.com; Evinger, Matthew - Dept of Ecology Shoreline,
Matthew.Evinger@ecy.wa.gov, MEVI461@ECY.WA.GOV; Fenton, Donald,
dlfent@yahoo.com; Fry, Chris, afrymail@mac.com; Fry, Paul, Frydad22@gmail.com;
Goyette, John, j102156@aol.com; GULLA WAYNE R, wrgulla@earthlink.com; Hayman,
Doug, seattleguitarman@hotmail.com; IZZARD NOAH D & LAURA LYNN, pdstar12@aol.com;
Jeri and Jeffery Stockdale, j5stockda@netscape.net; KAYLOR JUDITH A,
jakaylor@wavecable.com; KELLY, JACKIE, jkelly@wavecable.com; Lax, Joe,
joelax@wavecable.com; LINDSY A INGRAM & THOMAS WILLIAMS, lindsytom@gmail.com;
Malcom, Rod - Suquamish Tribe, rmalcom@suquamish.nsn.us; MCCRACKEN RICHARD &
ROSE, mccrarose1961@gmail.com; McGuire, Debbie & Dan, drmcguire92007@yahoo.com;
McReynolds, David, dave_mcreynolds@yahoo.com; McReynolds, Diane,
dianenorris@yahoo.com; MCREYNOLDS, DIANE & DAVE, dianenorris@yahoo.com; MITTET
KAREN JENSINE, karenmittet@yahoo.com; MORSE DAVID & NINA,
dmorse@wavecable.com; NICHOLS ELIZABETH, dbnichols@centurytel.net; OLEARY
TERRENCE O & OLEARY MAR IACRISTINA, toleary@gmail.com; OTREMBIA BRADLEY T &
MARNI M, marni_42086@yahoo.com; OTTO JANA L, j_otto@wavecable.com; PETERSON
STEVEN & CYNTHIA, speterson@bandwagon.net; PULICI KATHLEEN,
kpulici@embarqmail.com; Schmitt, Mike, seaguy1954@gmail.com; SELVIDGE RONALD,
rselvidge22@gmail.com; SHORETT DAVID, dshorett@comcast.net; SHOUDY MICHAEL S &
COLEEN E, mshoudy@wavecable.com; Shoudy, Coleen, ceshoudy@gmail.com; Telegin,
Bryan (Attorney, Telegin Law), bryan@teleginlaw.com; Williams, Leslie,
law9111@comcast.net; WSDOT - Larson, Andy, andrew.larson@wsdot.wa.gov;
MCREYNOLDS DAVID, 15885 VINCENT RD NW POULSBO, WA 98370; Phillips, Gus, 12851
Cedar Ave NW POULSBO, WA 98370; SCHRUHL DARYL R & MARIE L, 8984 NELS NELSON RD
NW BREMERTON, WA 98311; STEVEN & DEBORAH VOYCE, 12903 IRONWOOD AVE NW
POULSBO, WA 98370; Trask, Kimberly, 12955 Lake View Ave Nw POULSBO, WA 98370;
WADLOW TOMMY R & KATHLEEN P, 1233 NW ISLAND LAKE RD POUSLBO, WA 98370;
Wales, Joann, 12735 Plateau Cir NW SILVERDALE, WA 98383; ZAHM PAMELA, 12727
PLATEAU CIR NW SILVERDALE, WA 98383

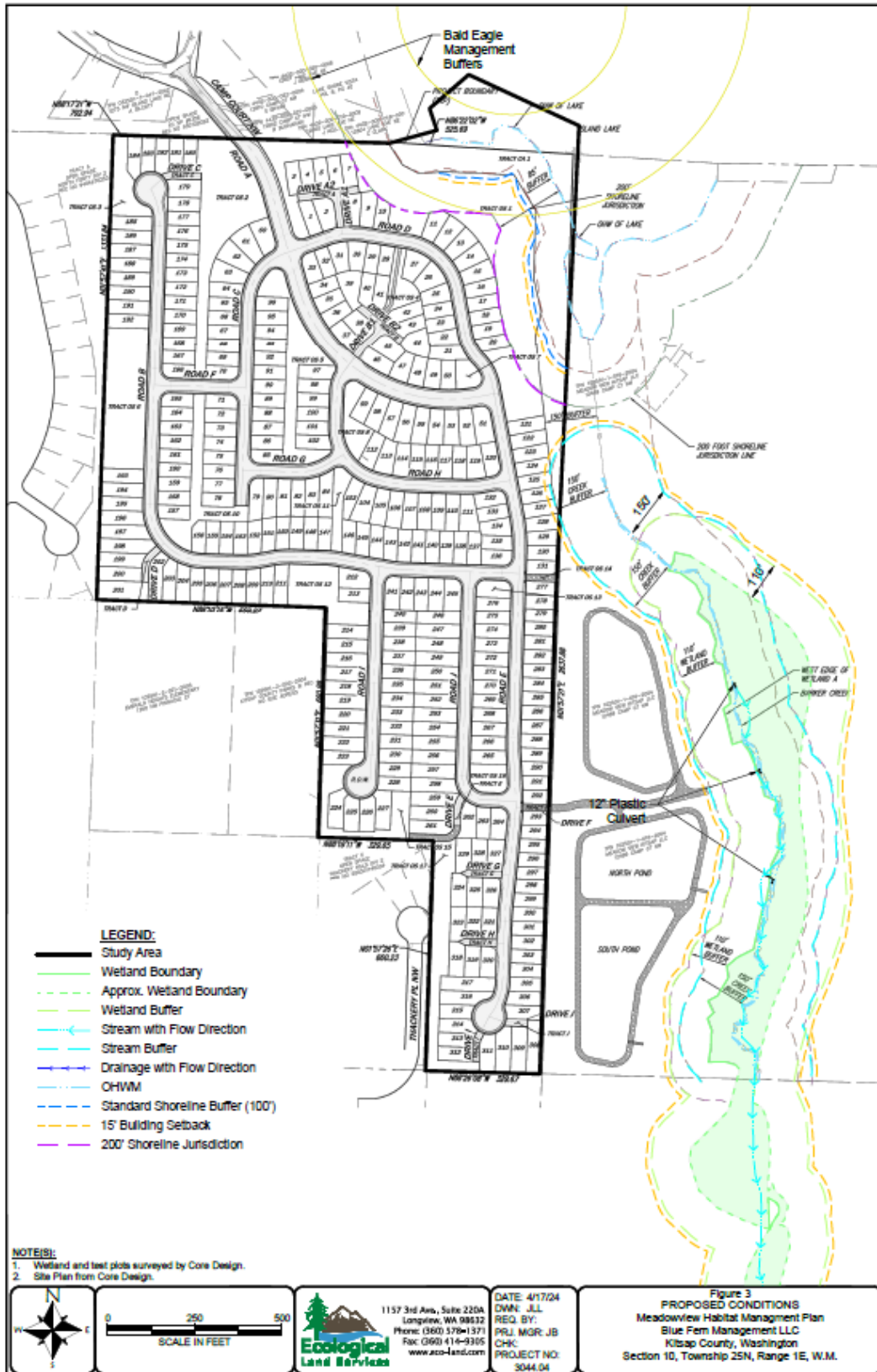
SEPA Appellants:

Anna Drumheller - Blue Fern, anna@bluefern.com; Branley, Michelle,
michelle@bluefern.com; Kolouskova, Duana (Attorney, Johns Monroe Mitsunaga

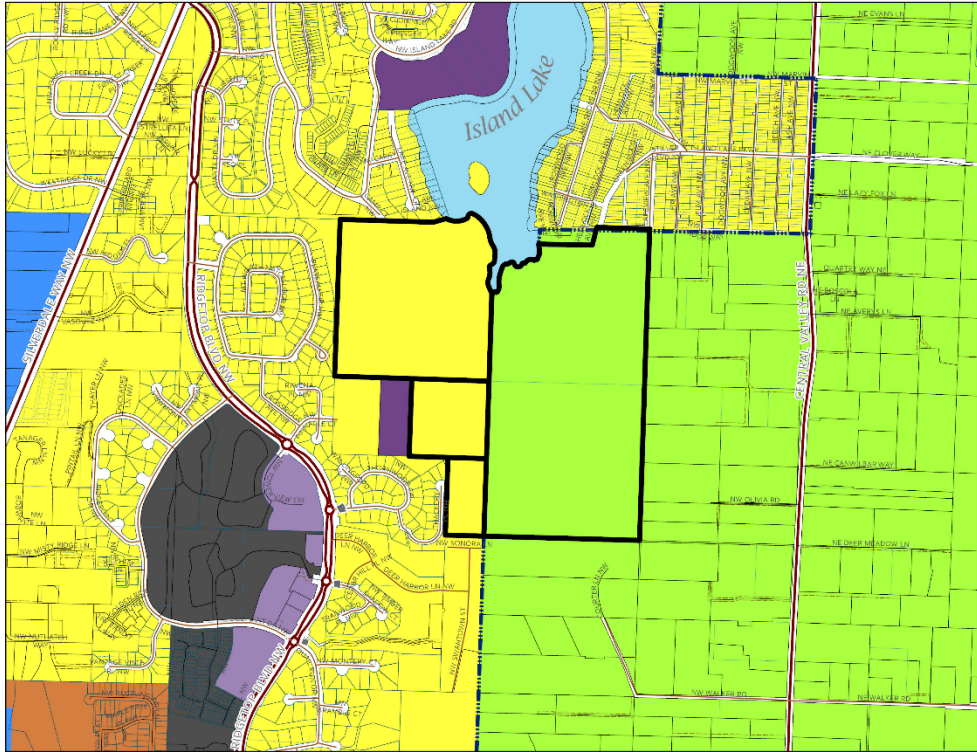
Staff Report: 23-03239 PPlat and 23-03929 SCUP - Meadowview

Koloušková, PLLC), kolouskova@jmmklaw.com; Durland, Peter - (Attorney, Johns Monroe Mitsunaga Koloušková, PLLC), durland@jmmklaw.com; David Shorett, dshorett@comcast.net; Donald Fenton, dlfent@yahoo.com; Friends of Island Lake, NO CONTACT INFORMATION PROVIDED; Telegin, Bryan (Attorney, Telegin Law), bryan@teleginlaw.com

Attachment A: Project Site Plan



Attachment B: Zoning Map



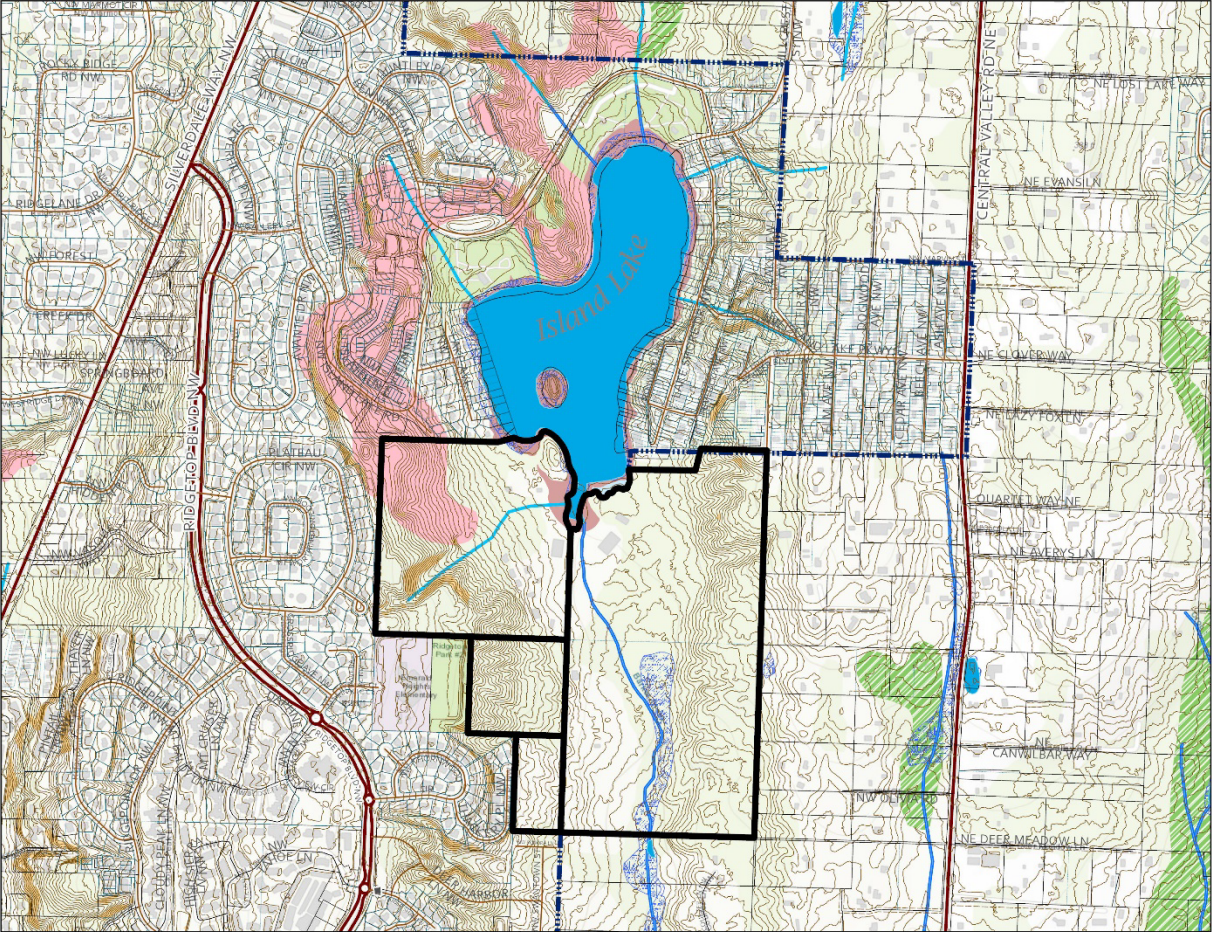
Attachment C: Aerial Imagery



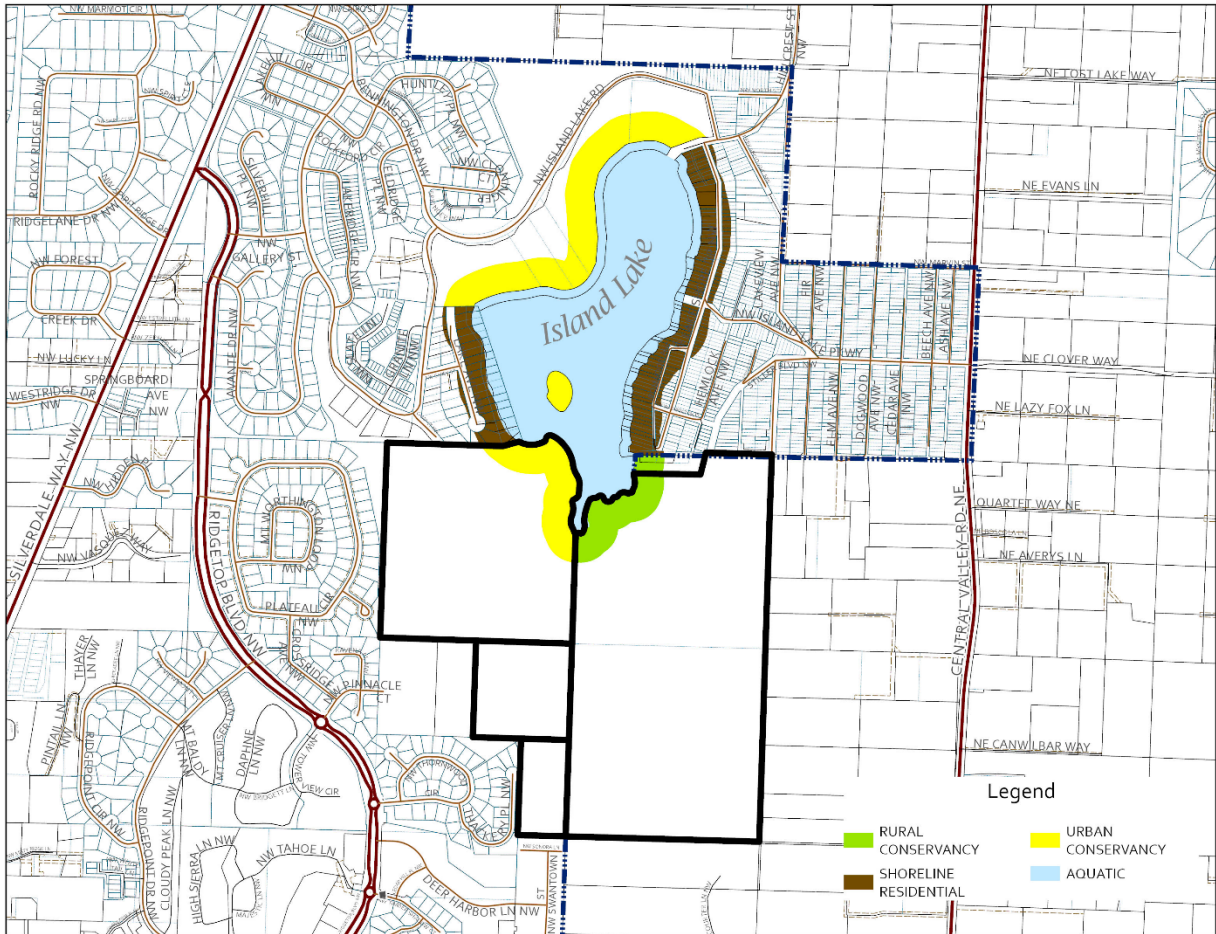
*** This map is not a substitute for field survey ***

1,000 ft

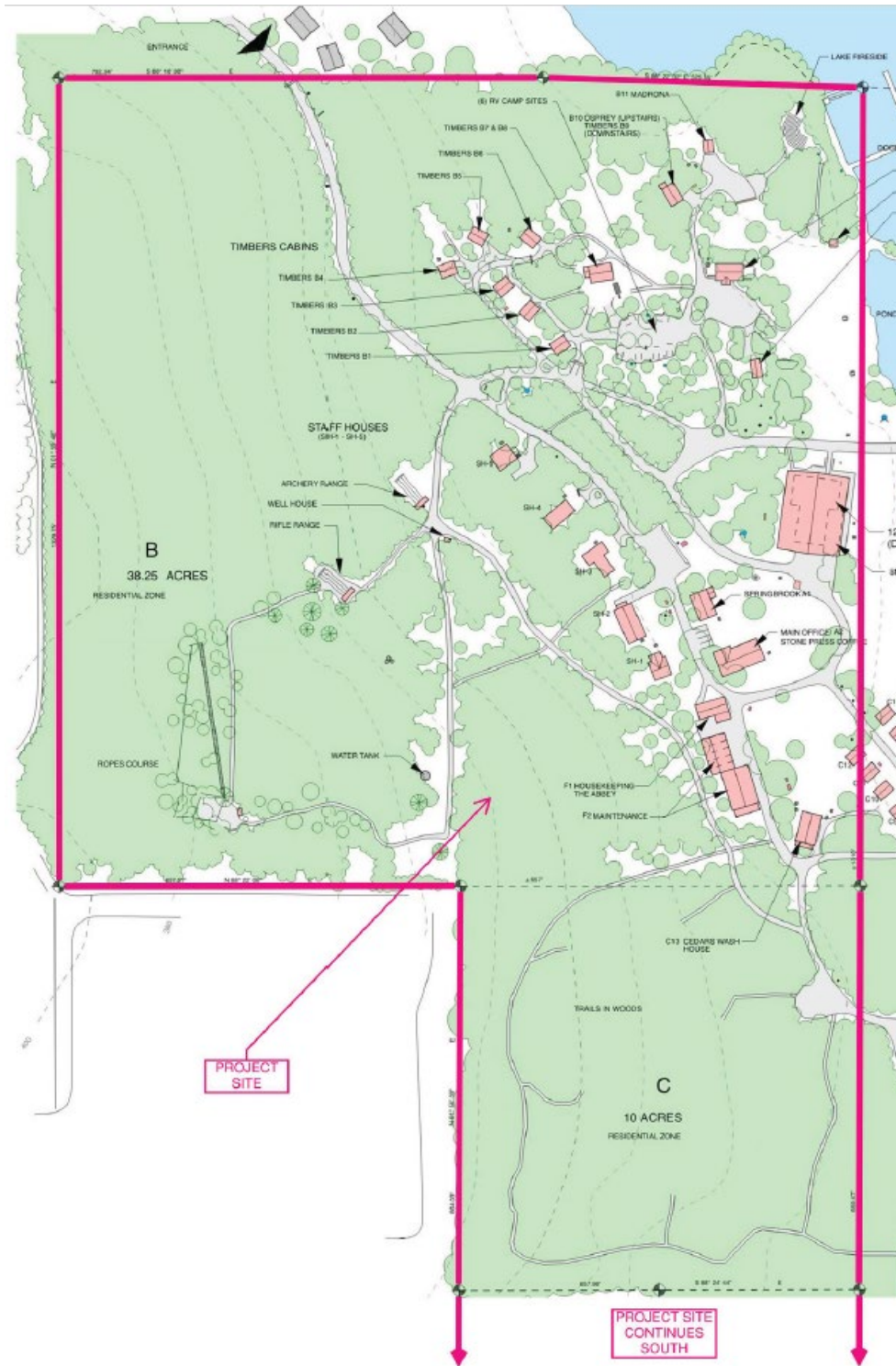
Attachment D: Critical Areas Map



Attachment E: Shoreline Designations Map



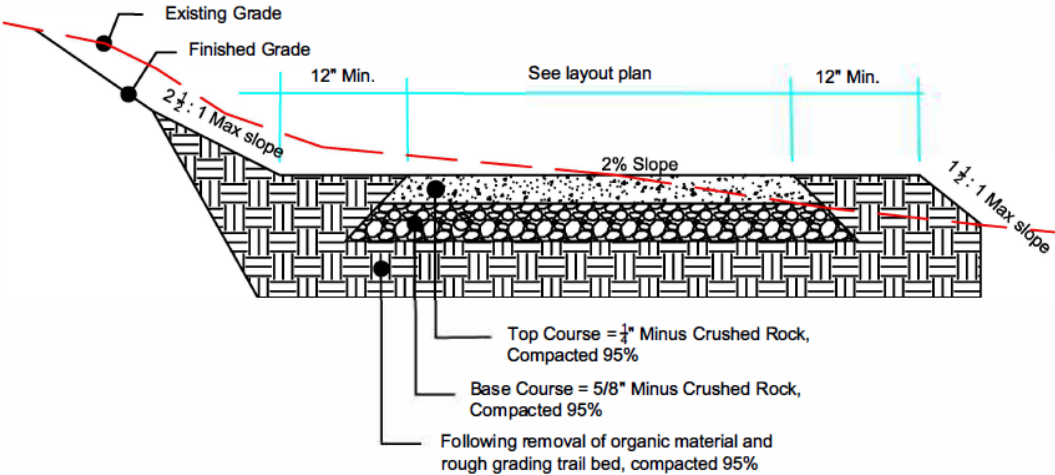
Attachment F: Existing Conditions





Kitsap County Department of Community Development

Attachment G: Trail Detail



General Notes:

- 1.) All trail construction shall include standard Clearing Limits as follows:
Brush and branches above 36" above ground level shall be removed to a height of 8' within 3' of trail. All vegetation below 36" height shall be cut back to the width of the trail. Fallen Logs shall be cut flush at the edge of the trail.
- 2.) Clearing within the designed trail corridor: Remove all roots and organic debris to a depth of 6" prior to importing crushed rock. Establish design cross-slope in subgrade materials, slope or crown as directed. In areas of significant tree roots, excavate ONLY 4" to subgrade and compact. Provide 4" base course and 2" top course per specifications. Roll compact edges of finish path and blend back to adjacent grade. Finish grade path will be flush or slightly elevated/crowned above adjacent surfaces.
- 3.) Import crushed rock following departmental approval of prepared trail bed. Taper edges at a 45-degree angle into the subgrade. Top course shall be flush with finish grade. Provide complete mechanical compaction. Where complete mechanical compaction is impracticable or impossible, compact by hand with appropriate weighted implement.
- 4.) Perform site restoration and re-vegetation immediately upon completion of trail and/or related drainage work or as directed by the Engineer.

CRUSHED GRAVEL PAVING DETAIL



PUBLIC COMMENT MATRIX: SUMMARY AND RESPONSE		
Topic #	Issue description and code reference	Response to Comment
1.	<p>Lack of notice</p> <ul style="list-style-type: none"> • Didn't receive the Notice of Application 	DCD noticed per KCC Title 21
2.	<p>SEPA determination</p> <ul style="list-style-type: none"> • The project should require an Environmental Impact Statement. 	<p>KCC requires vegetative buffers for shorelines, streams, and wetlands. The project complies with required buffers and associated building setbacks.</p> <p>A programmatic Environmental Impact Statement (EIS) associated with the 2016 Comprehensive Plan, and Determination of Non-Significance (DNS) for the Kitsap County Code (KCC) Title 19 Critical Areas Ordinance and Title 22 Shoreline Master Program code updates, analyzed potential impacts. These analyses determined that development compliant with these codes will mitigate potential impacts to critical areas and avoid the SEPA threshold of significant adverse impact. This project complies with KCC; therefore, potential impacts to critical areas and shorelines are mitigated through the conditions of approval for this project.</p> <p>Specific codified and enforceable mitigation will successfully reduce impacts to a non-significant level.</p>
3.	<p>Quality of life</p> <ul style="list-style-type: none"> • Will reduce quality of life for neighbors. 	DCD understands apprehension regarding change in our communities. Communities often perceive undeveloped large urban, heavily wooded, vacant parcels as rural. However, starting in the 1990's the adopted Kitsap County Comprehensive Plan (Comp Plan) designated these parcels for urban residential development. This project is immediately adjacent to the same type of residential development to the North, West, and South, which informs on a natural progression of development. KCC implements the Comp Plan goals and policies, which frequently reference quality of life as important to preserve in Kitsap County. Projects that comply with KCC implement the Comp Plan while considering impacts to quality of life.
4.	<p>Wildlife impacts</p> <ul style="list-style-type: none"> • Will negatively affect wildlife. 	KCC implements Comp Plan goals and policies to reduce wildlife impacts. Projects that comply with KCC implement the Comp Plan while mitigating impacts, such as to wildlife—often by encouraging denser development in Urban Growth Areas to reduce rural-to-urban expansion. This growth pattern helps to reduce ecosystem fragmentation at a countywide level.



PUBLIC COMMENT MATRIX: SUMMARY AND RESPONSE

Topic #	Issue description and code reference	Response to Comment
5.	<p>Area is not suitable for housing</p> <ul style="list-style-type: none">Do not approve the development. This is an area that should not be converted to housing.	<p>Kitsap County Code Chapter 17.410 allows a mix of residential product types ranging from single family residences to multiple family developments or mobile home/rv/tiny home parks. Other uses allowed in the Urban Low Residential zoning designation include limited commercial uses, institutional uses, recreational land uses, and storage facilities in conjunction with residential developments.</p> <p>Per KCC Section 17.200.010 the purpose of the Urban Low Residential zoning designation reads:</p> <p>The intent of this zone is to recognize, 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.</p>



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Topic #	Issue description and code reference	Response to Comment
6.	<p>Stormwater</p> <ul style="list-style-type: none">• Clearcutting and roadbuilding will add sediment to Island Lake.• Chemicals from roof runoff go into dispersion trenches located in the shoreline buffer.	<p>Forestry is an allowed use for the zoning designation. Clearing the property for conversion to residential or harvesting trees for lumber both require stormwater protections for the lake. Regardless of development, clearing can occur on the project site and remain compliant with KCC.</p> <p>DCD is unsure of what chemicals or scale of roof runoff the author is referring to. However, dispersion trenches with vegetated flow paths implement BMP's identified in KCC and treat water before it reaches the shoreline.</p>



PUBLIC COMMENT MATRIX: SUMMARY AND RESPONSE

Topic #	Issue description and code reference	Response to Comment
7.	<p>Stream Impacts</p> <ul style="list-style-type: none"> Loss of forest canopy will increase water temperatures of stormwater runoff. The project should include oil separators before stormwater enters the Detention Ponds to adequately protect Barker Creek and its associated wetlands from stormwater pollution. There is nothing to show what the adverse impacts from the Meadow View development will be upon flow, water quality, water temperature, spawning habitat and sustainability of the salmon runs. Why is there a 50 foot buffer for a type F creek? Tributary on the NW parcel not reflected in the project design or analytical documents. The undergrounded portion of Barker Creek should not be daylighted. 	<p>KCC Title 19 and Title 22 require undisturbed natural vegetative buffers, which allows for tree growth and ultimately shading of wetlands and or streams.</p> <p>KCC requires oil separators for projects (eg, commercial parking lots) that generate a significant number of Average Daily Trips (ADT) or where parking surfaces drain directly into a critical area or shoreline (eg, roads immediately adjacent to a tideland). Stormwater facilities capture and treat water from the project site or road before it enters a critical area. In this instance, however, oil separators are not required and the project meets KCC requirements.</p> <p>The project review evaluates impacts on an issue-by-issue and land features basis. While the project evaluation may not satisfy all concerned, it meets the requirements of code to consider these elements. Engineering, traffic, geotechnical, and wetlands/habitat biologist reports help to condition the project on top of KCC requirements.</p> <p>KCC requires a 150-foot vegetative buffer and 15-foot building setback from Barker creek as reflected in the Critical Area Report and Habitat Management Plan. These reports discuss the stream typing efforts of a stream ID team. This team visited the site and determined the drainage channel on the Northwest parcel is not a stream.</p> <p>Comprehensive Plan Environment Policy 21 notes Kitsap County should support and coordinate voluntary stream, wetland and shoreline restoration and preservation efforts. This comprehensive plan policy directly supports the requirement to restore this Barker Creek segment back to a daylighted stream with a vegetative buffer. The man-made feature to maintain the Island Lake water levels will remain in place.</p>
8.	<p>Noise and air pollution</p> <ul style="list-style-type: none"> Construction produces noise and air pollution. 	<p>The Department conditioned the project to implement Best Management Practices during construction to minimize pollution sources. However, as with typical buildings construction, certain construction noises are inevitable.</p>
9.	<p>Traffic Impact Analysis (TIA)</p> <ul style="list-style-type: none"> WSDOT would like to see a scoping memo for this project, to determine if it will be impacting the signals at SR 3/ Ridgetop Blvd., SR 3/Silverdale Way or SR 3/Waaga Way. 	<p>The traffic impact analysis responded to this request by adding analysis of the referenced intersections. The revised TIA indicates minimal impacts to SR 3 intersections with Ridgetop Blvd, Silverdale Way, and Waaga Way.</p>



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Topic #	Issue description and code reference	Response to Comment
10.	<p>Sewage pump station</p> <ul style="list-style-type: none"> Was consideration given to impacts from a Sewage Pump Station serving 329 units and its location within close proximity to the 50-foot buffer and well within the required 150 foot buffer for a Type F stream? 	<p>The sewer pump station is located outside the required critical area buffers and building setbacks.</p>
11.	<p>Shoreline</p> <ul style="list-style-type: none"> Island Lake Ordinary High Water Mark (OHWM) and meander line incorrectly mapped in the Habitat Management Plan. What allows a disturbance of the 85-foot shoreline buffer for these drainage systems? Would construction and operation of the drainage systems result in the removal of any trees in the buffer zone? What would justify such removal? What is the width and depth proposed for these systems? Reducing the shoreline setback from 200 feet to 85 feet requires a variance. 	<p>Kitap County requires a qualified biologist to establish an Ordinary High Water Mark (OHWM). Joanne Bartlett of Ecological Land Services, a professional biologist, prepared the Critical Areas Report and Habitat Management Plan. The Department requested additional investigation and confirmation of the OHWM after the Department received the first comments of concern regarding this issue. This further analysis confirmed an exact location of the OHWM reflected in the Revised HMP dated 4/17/2024.</p> <p>The Habitat Management Plan addresses temporary impacts to buffers and mitigation to ensure no net loss of ecological function.</p> <p>The project doesn't reduce the shoreline setbacks. The shoreline jurisdiction extends 200 feet from the OWHM. However, KCC requires an 85-foot vegetative buffer for the urban shoreline designation. Subdivision of a parcel included in a shoreline jurisdiction requires the Shoreline Conditional Use Permit review but allows the plat to extend down to the standard buffer. The buffer areas must be placed in a tract or easement to comply with KCC Titles 19 and 22. Depth and width of the proposed dispersion trenches must comply with KC stormwater codes.</p>
12.	<p>Greenbelts and Tree Retention</p> <ul style="list-style-type: none"> The project should include more greenbelts and less pavement. Tree removal at the project's edge will damage offsite trees adjacent to the project site. 	<p>The North, West, and Southern borders of the project require partial separation buffers consistent with Kitsap County Code. A solid fence or combination of semi solid fence and vegetation must partially screen the development from adjacent urban residential properties.</p> <p>The East border and all stormwater facilities require a solid screen buffer consistent with KCC.</p>



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Topic #	Issue description and code reference	Response to Comment
13.	<p>Access, ingress and egress</p> <ul style="list-style-type: none"> The project should still require two full access points. A road blockage on Camp Court doesn't allow emergency services to address fires or medical emergencies external to the structures. Camp Court and Island Lake Road should be improved to include sidewalks and lights for safe pedestrian and bike traffic. The lack of a sidewalks on this stretch is something the neighborhood has recognized for a long time as a safety concern for this development. Safety risk regarding children waiting for school buses on roads without shoulders, sidewalks, or bus shelters. 	<p>KCC requires two full access points for ingress and egress unless the County Fire Marshal approves mitigation measures to allow one full access. However, the Fire Marshal reduced the number to one provided each home includes sprinklers for fire protection.</p> <p>Additional pedestrian features connects the project and adjacent neighborhoods to Emerald Elementary School and Thackery Place. This combined with a dedicated Kitsap Transit location central to the project site contributes to mitigation of traffic impacts. This also meets the 'safe routes-to-schools' and transit stop locations required by KCC.</p> <p>The project requires frontage improvements on Camp Court NW and on Island Lake Road from Camp Court to Lakeridge Court. These frontage improvements must comply with KCC including the provision of curb, gutters, and sidewalks that meet specific dimensional standards. This will provide safe waiting areas on sidewalks for school bus stops.</p>
14.	<p>Cumulative traffic</p> <ul style="list-style-type: none"> The Department should review the cumulative traffic impacts of this project and other projects like Royal Valley LLC. 	<p>KCC requires a traffic impact analysis to consider impacts to levels of service from the project. Kitsap County Public Works reviewed and approved the traffic impact analysis methodology to determine levels of service.</p> <p>The Environmental Impact Statement for the Kitsap County Comprehensive Plan, and KCC pertaining to traffic, account for expected levels of service based on growth projections associated with zoning designations. This addresses the cumulative impact to infrastructure and allows the County to determine whether road segments and intersections may need improvement in the future. KCC doesn't require traffic impact analysis to review cumulative impacts of speculative projects.</p>
15.	<p>Specific traffic</p> <ul style="list-style-type: none"> The project will negatively impact Lakeview Avenue Central Valley Road by adding more traffic. More analysis is needed or don't allow this access. 	<p>The applicant revised the project design to remove the eastern access, which removes most of the impacts to these roads when compared to the original design.</p>



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Topic #	Issue description and code reference	Response to Comment
16.	<p>Support for daylighting Barker Creek</p> <ul style="list-style-type: none"> Support for daylighting Barker Creek since it restores a fish bearing stream to its natural state. 	Noted
17.	<p>Opposition to daylighting Barker Creek.</p> <ul style="list-style-type: none"> The applicant doesn't own the rural parcel and can't guarantee an easement can be secured. Will increase water temperatures of the stream and impact salmon. May impact the lake level which is already an issue from the past. 	<p>Daylighting streams implements Comprehensive Plan Environment Policy 21. <i>Support and coordinate voluntary stream, wetland and shoreline restoration and preservation efforts.</i></p> <p>The original proposal volunteers to daylight Barker Creek to mitigate impacts from a new road constructed over the creek. The proposal identifies continued use of a driveway over Barker Creek.</p> <p>The project includes two outfalls from the stormwater ponds, of which discharge will eventually reach Barker Creek, depending on storm characteristics. While the ponds themselves significantly reduces impacts to the creek—not qualifying as a direct discharge to the creek that prompts an Army Corps of Engineering permit—there will be occasional and temporary impacts to Barker Creek (again depending on storm event intensity and duration). Nonetheless, daylighting Barker Creek helps to mitigate these impacts.</p> <p>Daylighting the creek will revert the stream to its predevelopment nature, which is shown to be an effective way to return salmon.</p> <p>Conditions of approval will require this restoration ensure the integrity of systems maintaining the lake level and new stream integrity. This condition of approval will be confirmed during the SDAP review process, and subsequent performance requirements and inspections will affirm function</p>



<p>18.</p>	<ul style="list-style-type: none"> The critical areas report and plan set both reference a shoreline buffer reduction, and the plan set proposes clearing, grading, and construction within shoreline jurisdiction and in the standard buffer, including in a forested area. However, the habitat management plan's no net loss analysis states there will be no shoreline impacts; it references a standard shoreline buffer and states the project will avoid shoreline jurisdiction entirely. If the applicant proposes shoreline impacts, the proposal should include a more detailed assessment of the shoreline's existing conditions and ecological functions; the proposal's potential impacts to those functions; and mitigation sequencing per KCC 22.400.110.A, beginning with avoidance of impacts. The plan set and the critical areas report propose a shoreline buffer reduction for Island Lake, citing Kitsap County Code 22.400.120.B.2. However, this code section also says applicants seeking buffer reduction must demonstrate need and must address the mitigation sequencing outlined in KCC 22.400.110.A and the variance requirements of KCC 22.500.100.E. The application does not appear to demonstrate the need for buffer reduction or to address mitigation sequencing or the variance requirements. The cumulative impacts analysis, like the habitat management plan, does not appear to incorporate the proposed actions in shoreline jurisdiction and thus does not address the potential for similar shoreline impacts from future development. 	<p>The project will have temporary impacts to vegetative buffers, which KCC allows. The Habitat Management Plan addresses temporary impacts to buffers and mitigation to ensure no net loss of ecological function.</p> <p>Kitsap County requires a qualified biologist to establish an Ordinary High Water Mark (OHWM). Joanne Bartlett of Ecological Land Services, a professional biologist, prepared the Critical Areas Report and Habitat Management Plan. The Department requested additional investigation and confirmation of the OHWM after the Department received the first comments of concern regarding this issue. This further analysis confirmed an exact location of the OHWM reflected in the Revised HMP dated 4/17/2024.</p> <p>The project doesn't reduce the shoreline setbacks. The shoreline jurisdiction extends 200 feet from the OHWM. However, KCC requires an 85-foot vegetative buffer for the urban shoreline designation. Subdivision of a parcel included in a shoreline jurisdiction requires the Shoreline Conditional Use Permit review but allows the plat to extend down to the standard buffer. The buffer areas must be placed in a tract or easement to comply with KCC Titles 19 and 22.</p> <p>Development or proposed actions that comply with KC will keep development outside of the required standard buffers and address potential water quality and quantity impacts to the shoreline. This addresses the cumulative impacts that may be associated with urban residential development in the shoreline jurisdiction.</p> <p>The proposal keeps the dock in it's current state. The project doesn't propose future dock use. The existing dock and lake facilities located on the Parks property on the north shore provides public access to the lake.</p> <p>The project provides visual access to the Island Lake shoreline. Public access to Island Lake exists immediately north at the Kitsap County Island Lake Park which at least meets 22.400.145 G.7. This physical access combined with the visual access meets the intent of public access per KCC Title 22. Trail and viewing platform improvements occur outside of the 85-foot vegetative buffer, but within the 200-foot shoreline jurisdiction. On-street parking and the pedestrian network provide direct access to these improvements. The Department may ultimately require improvements for direct access to the shoreline; however, public comments express concern regarding additional public access to Island Lake.</p> <p>The project must comply with KC 17.500 which requires the use of Low Impact Development (LID) strategies.</p>
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	<ul style="list-style-type: none"> The dock shown in the CAR and HMP is not readily visible in the plan set. What is the plan for the dock? KCC 22.600.170.B.7 and KCC 200.400.145.B require this proposal to provide public access to the shoreline unless demonstrated to be infeasible. The plan set shows a split-rail fence that appears to impede direct access to the water. If public access to the area waterward of the fence is not feasible, the proposal should demonstrate why. Would the proposed recreational amenities be open to the general public, or only to the residents of the proposed development? KCC 22.200.120.C.5 calls for the use of low-impact development methods wherever feasible. The proposal should address this. In summary, more information is needed to fully evaluate the proposal for compliance with the SMP and Ecology’s conditional use criteria. 	<p>The Staff Report analyzes and responds to both the KCC Title 17 and KCC Title 22 Conditional Use Permit criteria.</p>
19.	<ul style="list-style-type: none"> Critical Aquifer Recharge Area (CARA) impervious surfaces and potential runoff of oils, fertilizer, and other neighborhood chemicals will impact Island Lake, Barker Creek, and the aquifer. The project should wait until the Island Lake aquifer report contracted by Silverdale Water with Robinson and Noble is issued. 	<p>KCC does not require a hydrogeological study for residential development. Silverdale Water District, the agency responsible for approving development requests for district water availability to DCD, provided a letter of water service without a condition to wait for an aquifer report. Typically, Silverdale Water requires analysis for a commercial project that might use chemicals of concern to water tables (eg, petro-chemicals and an auto-service business).</p> <p>The project meets KCC stormwater codes which address water quantity and quality in relation to the hydraulic properties of the site.</p>



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20.	<ul style="list-style-type: none"> Lack of attention to detail in the submittal items. 	A Preliminary Plat (PPlat) and Shoreline Conditional Use Permit (SCUP) involve review of documents/plans at a 60% design level. These land use permit processes review the concepts of a proposal against KCC and provide general conditions of approval. If approved, the next-required Site Development Activity Permit (SDAP) reviews a project at a 90%+ design level.
21.	<ul style="list-style-type: none"> Sewer pump stations shouldn't be allowed in a vegetative buffer. Sewage spills or equipment failure will pollute the lake and creek. 	The sewer pump station is located outside of all required vegetative buffers for critical areas and shorelines.
22.	<ul style="list-style-type: none"> Open space and recreational facilities should be moved away from the shoreline. 	Reducing public access to shoreline conflicts with KCC Title 22 'Shoreline Master Program' as well as state requirements in the Shoreline Management Act
23.	<ul style="list-style-type: none"> The development relies on a road with an urban level of services traversing through a rural parcel 	The applicant revised the project to remove the full access to Lakeview Ct, northeast of the project site.
24.	<ul style="list-style-type: none"> Developer is trying to re-zone the Rural Residential parcel located immediately east of the project site. 	A re-zone application requires a Site Specific Amendment to the Comprehensive Plan. This application must demonstrate consistency with the Comprehensive Plan goals and policies. DCD reviews these applications independently. DCD cannot speculate on an action that does not have a formal application for review.
25.	<ul style="list-style-type: none"> An archaeological survey should be conducted prior to ground disturbing activities. 	Conditions of approval require this archaeological survey.
26.	<ul style="list-style-type: none"> Where is off-site fill coming from if needed for the project. 	The Department requires an applicant to identify an approved fill source to confirm that fill is free of pollutants and will meet the requirements for the purpose of the fill. For example, structural fill requires a different composition compared to backfill for a wall.
27.	<ul style="list-style-type: none"> The project will impact an eagle's nest on the site. 	This permit is conditioned for compliance with the Federal Bald and Golden Eagle Protection Act and the National Bald Eagle Management Guidelines. The applicant is responsible for following all federal setbacks, construction windows and obtaining any federal permits as necessary through the US Fish and Wildlife Service.
28.	<ul style="list-style-type: none"> Recreational use impacts to Island Lake not analyzed. Increases public access to the lake. 	KCC Title 22 Shoreline Master Program and the State Shoreline Management Act intend to provide public access to the shoreline when possible while preserving vegetative buffer areas. The requirements in KCC Title 22 expect recreational uses for which the code is prescriptive and proactively mitigates potential impacts to access.



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29.	<ul style="list-style-type: none"> 6PPD chemical from tires kills fish, the project should treat stormwater to remove this chemical. 	<p>Source control BMPs, to generally keep larger pieces of tire out of the storm system, can be managed with street sweeping, catch basin cleaning and storm drain cleaning. The roads within the site are proposed to be public right of way, therefore they would fall under maintenance of the county and would therefore be properly and routinely maintained. For any private roadways within the development, the source controls noted above will be added to the operations and maintenance manual of the site and will be required to be followed.</p> <p>Flow Control BMPs to address 6PDD and 6PDD-q will be implemented as well. Per the DOE one of the most effective methods is the use of a detention pond, specifically with dead storage. The particles are dense so this is effective to mitigate the macroscopic particles. The project site as designed is implementing this strategy.</p> <p>Additionally, Runoff Treatment BMPs to address 6PDD and 6PDD-q will be implemented. The most effective method per the DOE manual is the use of a bioretention soil media. As a way to address concerns of 6PDD and 6PDD-q, the applicant is voluntarily adding bioretention swales to provide a secondary layer of water quality treatment of all onsite stormwater, prior to its release to Barker Creek. This additional water quality step will mitigate the microscopic particles of the toxin, while the flow control BMP mitigates the macroscopic. In combination, the water quality method provided greatly exceeds that of the requirements of the KCSDM and addresses source control and protection of Barker Creek.</p> <p>There is no chemical treatment yet identified for suitably treating the offending toxins.</p>
30.	<ul style="list-style-type: none"> No affordable housing provided. 	<p>Kitsap County Code does not require affordable housing for residential developments, but notes housing of all ranges and types are needed.</p>
31.	<ul style="list-style-type: none"> How is the transportation impact fee of \$4,229.84 spent? Road widening, sidewalk, bike paths, lights, intersections? 	<p>The Kitsap County Board of County Commissioners and Department of Public Works identify projects that using impact fee funding. These projects can include all of the elements listed in the question. The fees are meant to provide a means to take care of transportation capital costs, facilities, and impacts as a result of increased development.</p>



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32.	<ul style="list-style-type: none"> The project should not include a road that crosses the creek. 	The applicant removed the road on the rural parcel after the County Fire Marshal approved sprinklers as an appropriate mitigation measure to allow a single point of full access. However, the Department is requiring daylighting of the stream and installation of a properly-sized culvert or bridge where the existing driveway is used for the commercial camp access. Road or driveway crossings must comply with KCC Title 19 and design features which mitigate direct impacts to the stream.
33.	<ul style="list-style-type: none"> Demolition of the existing septic systems should be planned out. 	Demolition or septic system removal must meet KCC and Kitsap Public Health codes for said removal.
34.	<ul style="list-style-type: none"> The project should use more than just silt fencing. Past projects saw this fencing fail and add turbidity to Island Lake and Barker Creek. 	The project must implement Best Management Practices (BMP) to control erosion. BMP's, when properly implemented (confirmed by inspectors), will mitigate impacts associated with erosion. Silt fencing is one of a menu of BMP options and can be used in conjunction with other methods (eg, double fencing, straw waddles).
35.	<ul style="list-style-type: none"> The project introduces an Urban Level of Service on rural parcels via stormwater ponds. 	The stormwater ponds do not serve the rural parcels; therefore, the project meets the RCW regarding urban levels of service in rural areas.
36.	<ul style="list-style-type: none"> Northern boundary line incorrectly shown. 	Licensed surveyors reviewed the project to confirm proper legal descriptions and compliance with KCC regarding necessary information on Preliminary Plat Civil Engineering plan sets. The boundary line show is correct.
37.	Geotechnical Report <ul style="list-style-type: none"> Test pit locations not identified in the figures. 	The geotechnical report lists, and identifies on a map, multiple test pit locations consistent with methodology identified in KCC Title 19. The project must follow the recommendations of the geotechnical report, which evaluations test pit results, as a condition of approval.