



# Kitsap County Department of Community Development

## Hearing Examiner Staff Report and Recommendation

**Report Date:** March 19, 2026      **Application Submittal Date:** 23-05358 – 11/07/2023  
 25-01573 – 04/28/2025  
 25-01579 – 04/25/2025

**Hearing Date:** March 26, 2026      **Application Complete Date:** 23-05358 – 12/20/2023  
 25-01573 – 09/24/2025  
 25-01579 – 09/24/2025

**Project Location:**

32550 HOFFMAN RD NE  
Kingston, WA 98346

**Assessor’s Account #:**

022702-3-054-2000

**Applicant/Owner of Record:**

Over Yonder Limited Partnership  
1816 SW 176th St  
Burien, WA 98166

**Project Name:**

Over Yonder LTD Partnership - SSDP  
Type of Application: Shoreline Substantial  
Development Permit  
Permit Number: 23-05358

Over Yonder LTD Partnership – CUP-  
Shoreline

Type of Application: Shoreline Conditional  
Use Permit  
Permit Number: 25-01573

Over Yonder LTD Partnership – CUP-ADU

Type of Application: Accessory Dwelling  
Unit Conditional Use Permit  
Number: 25-01579

**Vicinity Map:**



**1. Background**

The 2.87 acre site, located outside an Urban Growth Area (UGA) is a developed shoreline site with a permitted replacement Single Family Residence (SFR) currently under construction. The

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

2.87-acre parcel exists in the rural residential zoning designation and the rural conservancy shoreline designation. The project has a Residential Single Family Home Replacement approval under permit 24-00228 with a revision to the Residential Permit under permit 24-00228R to include additions and structural modifications.

**Project Request:**

The applicant requests approval of a Shoreline Substantial Development Permit (SSDP), Shoreline Conditional Use Permit (SCUP), and Conditional Use Permit for an Accessory Dwelling Unit (CUP-ADU) to construct an 898 sf Accessory Dwelling Unit (ADU) within the 200 ft shoreline jurisdiction, yet outside the 130 ft standard shoreline buffer.

**2. SEPA (State Environmental Policy Act):**

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of “major” environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with a revised Notice of Application dated November 12, 2025, which included all three permits for this project.

The SEPA appeal period expired February 2, 2026. No appeals were filed; therefore, the SEPA determination is final.

**3. Physical Characteristics:**

The 2.87 acre parcel is rectangular with a coniferous forest, an area of maintained lawn, and a fenced garden located in the northwest corner. A small man-made landscape pond lies just east of the fenced garden. A single-family residence and garage exist on the eastern end of the property. The driveway to Hoffman Road is located along the northern property boundary and separates the property from a wetland and stream offsite to the north. A high bluff separates the residence from shoreline on the eastern property boundary.

23-05358 Over Yonder Limited Partnership SSDP  
 25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
 25-01579 Over Yonder Limited Partnership CUP-ADU

**Table 1 – Adjacent Land Use and Zoning Designations**

Surrounding Property	Current Land Use	Zoning Designation
North	Single-family residence	Rural Residential
South	Single-family residence	Rural Residential
East	Waterbody	NA
West	Undeveloped	Rural Protection

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

Standard	Existing Rural Residential	Proposed Rural Residential
Min. density (du/acre)	NA	NA
Max. density (du/acre)	1 du/5 acres	NA
Min. lot size	5 acres	NA
Max. lot size	NA	NA
Min. lot width	140 ft	NA
Min. lot depth	140 ft	NA
Max. height (feet)	35 ft	Shall not exceed 35 ft
Max. impervious surface coverage	NA	NA
Max. lot coverage	NA	NA
<b>Setbacks</b>		
Min. front (41)(42)(43)	50	50 ft
Side (42)(43)	20 ft; 5 ft for accessory structures	20 ft
Rear (42)(43)	20 ft; 5 ft for accessory structures	130 ft shoreline buffer + 15 ft building setback

*Staff Comment: The project will use the allowed building setbacks for attached and detached housing in the Rural Residential Zone.*

**Table 3 – Public Utilities and Services**

Surrounding Property	Current Land Use
Water	Public Utility District 1
Power	Puget Sound Energy
Sewer	Septic
Police	North Kitsap Police Department
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District

**4. Access:**

Hoffman Rd NE., a county maintained right of way, provides direct access to the project site. Nearest intersection is Hoffman Rd NE and NE Rose Point Way.

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

## **5. Site Design:**

The parcel is a rectangle with a driveway and orients East to West with the Puget Sound to the East. The property includes a single-family residence and proposes an accessory dwelling unit (ADU) on the eastern end of the property. A single parking space is proposed for the ADU with a walking path connecting the parking pad to the ADU. The proposed ADU, parking space, and walking path will be outside the 130 ft standard shoreline buffer and 15 ft setback with only the ADU located within the 200 ft shoreline jurisdiction.

## **6. Policies and Regulations Applicable to the Subject Proposal:**

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan was adopted December 2024. The following Comprehensive Plan goals and policies are most relevant to this application:

Environment Goal 1. Ecosystems and habitat Protect and enhance the health, resilience, functions, and processes of natural environments and ecosystems, including forest lands, shorelines, freshwater systems, and critical areas to ensure functioning ecosystem services and fish and wildlife habitat are sustained into the future.

- Environment Policy 1.1. Manage development to protect habitats and ecological processes.
- Environment Policy 1.2. Consider the functions and processes of the natural environment in project planning and review.
- Environment Policy 1.3. Protect and restore marine shorelines, riparian areas, wetlands, floodplains, and estuaries.

Environment Goal 4. Natural resources as an asset Formally treat natural environments and ecosystems including forest lands, shorelines, freshwater systems, and critical areas as essential assets that are planned for, managed, and invested in to meet the needs of current and future generations.

Environment Goal 6. Use Best Practices Utilize best practices to protect people, property, and the natural environment.

- Environment Policy 6.2. Employ Best Management Practices to protect the long-term integrity of the natural environment, adjacent land uses, and the productivity of resource lands.

23-05358 Over Yonder Limited Partnership SSDP  
 25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
 25-01579 Over Yonder Limited Partnership CUP-ADU

Environment Policy 6.3. Maintain and enhance long term quality and quantity of water resources.

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 21.04	Land Use and Development Procedures
Title 22	Shoreline Master Program

**7. 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	3/19/2026	
2	Authorization Form	6/24/2022	4/28/2025
3	Cumulative Impact Report Waiver		4/28/2025
4	JARPA	2/28/2025	4/28/2025
5	ADU Floor Plan and Elevations	2/28/2025	4/29/2025
6	Approved Building Site Application (BSA)	1/8/2024	4/29/2025
7	Critical Areas Report	2/3/2023	4/29/2025
8	Drainage Report	4/26/2023	4/29/2025
9	General Information on Project Requirements and Construction Sequence	4/26/2023	4/29/2025
10	Geotechnical Report	9/27/2023	4/29/2025
11	Primary Residence Floor Plans and Elevations	2/28/2025	4/29/2025
12	Stormwater Pollution Prevention Plan Narrative		4/29/2025
13	SEPA Checklist	5/5/2025	5/9/2025
14	Public Comment: Department of Fish and Wildlife	10/24/2025	
15	Public Comment: Department of Ecology	10/31/2025	
16	Revised Notice of Application	11/12/2025	
17	Drainage Plans	4/26/2023	1/20/2026
18	Site Plan	12/26/2025	1/20/2026
19	Stormwater Conditions Memo	1/21/2026	

23-05358 Over Yonder Limited Partnership SSDP  
 25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
 25-01579 Over Yonder Limited Partnership CUP-ADU

20	SEPA Determination	1/23/2026	
21	Notice of Public Hearing	3/11/2026	
22	Certification of Public Notice	3/16/2026	
23	Staff Presentation		
24	Hearing Sign In		

**8. Public Outreach and Comments:**

The Department received comments from the Department of Ecology and Department of Fish and Wildlife. These comments request confirmation that this development will not require future shoreline stabilization and acquire a Hydraulic Project Approval if necessary. The Department conditioned the project to address these comments.

**9. Analysis:**

a. Planning/Zoning:

17.415.015(B) Conditional Use Permit for an Accessory Dwelling Unit.

In order to encourage the provision of affordable housing, an accessory dwelling unit (ADU), detached, located outside an urban growth area shall meet the following criteria:

1. Only one ADU shall be allowed per lot;

*Staff Comment: Only one ADU will be developed on this lot.*

1. Owner of the property must reside in either the primary residence or the ADU;

*Staff Comment: The property owner will reside in the primary residence.*

3. The ADU shall not exceed fifty percent of the square footage of the habitable area of the primary residence or nine hundred square feet, whichever is smaller. Dimensions are determined by interior measurements;

*Staff Comment: The primary residence is approximately 4,035 sf, fifty percent of which is approximately 2,017 sf. The ADU will be 898 sf, which is less than 900 square feet.*

4. The ADU shall be located within one hundred fifty feet of the primary residence or shall be the conversion of an existing detached structure (e.g., garage);

*Staff Comment: The ADU will be located approximately 23 ft from the primary residence, which is less than one hundred fifty feet.*

5. The ADU shall be designed to maintain the appearance of the primary residence;

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

*Staff Comment: The ADU is designed to maintain the appearance of the primary residence, using a similar roof style, siding, orientation of siding, color scheme, and windows. The proposed ADU has been designed to maintain the appearance of the primary residence by maintaining a similar roof peak, roof type and color, window structures, and house color.*

6. All setback requirements for the zone in which the ADU is located shall apply;

*Staff Comment: The primary and accessory structures meet the setback requirements for the Rural Residential zone.*

7. The ADU shall meet the applicable health district standards for water and sewage disposal;

*Staff Comment: Kitsap Public Health District (KPHD) has approved the proposal.*

8. No mobile homes or recreational vehicles shall be allowed as an ADU;

*Staff Comment: The ADU will not be a mobile home nor a recreational vehicle.*

9. An ADU shall use the same side-street entrance as the primary residence and shall provide additional off-street parking; and

*Staff Comment: The ADU will use the same access as the primary residence, off Hoffman Rd NE. The ADU will be supplied with additional off-street parking.*

10. An ADU is not permitted on the same lot where an accessory dwelling unit, attached (ADU-A), exists.

*Staff Comment: There is no attached ADU on the property.*

b. Lighting

Non-project action - not analyzed as part of this proposal.

c. Off-Street Parking

Analyzed above.

d. Signage

Non-project action - not analyzed as part of this proposal.

e. Landscaping

Non-project action - not analyzed as part of this proposal.

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

- f. Frontage Improvements  
Non-project action - not analyzed as part of this proposal.
- g. Design Districts/Requirements  
Non-project action - not analyzed as part of this proposal.
- h. Development Engineering/Stormwater
  - 1. Development Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans accepted for review 1/7/2026 to Kitsap County Development Engineering.
- i. Environmental  
22.500.100(B) Substantial Development Permit.
  - 1. The Act provides that no substantial development shall be undertaken on the shorelines of the state without first obtaining a substantial development permit (SDP).

*Staff Comment: The applicant is applying for a substantial development permit.*

- 2. An SDP shall be classified under Chapter 21.04.

*Staff Comment: The permit is a Type II per KCC 21.04.070.*

- 3. An SDP shall be granted only when the applicant can demonstrate that the proposed development is consistent with the policies and procedures of the Act and this program, as well as criteria in WAC 173-27-150.

*Staff Comment: The project is consistent with Kitsap County's Shoreline Master Program, the RCW and the WAC.*

- 4. The Act provides a limited number of exceptions to the definition of substantial development. Those exceptions are contained in RCW 90.58.030 and are summarized below in subsection (C)(3) of this section, and do not require an SDP. Whether or not a development constitutes a substantial development, all development must comply with the requirements contained in the Act and this program and may require other permits or approvals under this master program. Permits may be issued with limitations or conditions to assure consistency with the Act and this program.

*Staff Comment: The proposal requires an SSDP because it is substantial development. The ADU is compliant with Kitsap County's Shoreline Master Program, the RCW and the WAC, and conditioned to assure consistency with these.*

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

5. All applications for shoreline substantial development permits or permit revisions shall be submitted to the Department of Ecology upon a final decision by local government pursuant to WAC 173-27-130. "Final decision by local government" shall mean the order of ruling, whether it be an approval or denial, that is established after all local administrative appeals related to the permit have concluded or the opportunity to initiate such appeals has lapsed.

*Staff Comment: The project will be submitted to the Department of Ecology upon final decision.*

22.500.100(d) Shoreline Conditional Use Permit.

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 Comment: The project is consistent with the policies of RCW.*

- 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 Comment: The proposed use is on private property and therefore does not interfere with public use of public shorelines. As there are no existing water-dependent uses on the parcel or within the area, it does not conflict with existing 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 Comment: The surrounding area is residential use and the proposed use is residential, therefore it is compatible.*

- 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 Comment: While the property is a shoreline property and development will occur within the 200' of shoreline jurisdiction, there will be no development within or close to the 130' standard shoreline buffer.*

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

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

*Staff Comment: The project presents no hazard or detriment to the public interest. The development is similar to the surrounding development.*

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 Comment: While the property is a shoreline property and development will occur within the 200' of shoreline jurisdiction, there will be no development within or close to the 130' standard shoreline buffer.*

*Geotechnical Engineering report prepared by Aspect Consulting, LLC dated September 27, 2023, concludes that the Site is suitable for the proposed project, provided the recommendations are incorporated into the project design and construction. The report also adds that based off the relative density and composition of the soils at the site and the lack of shallow groundwater, liquefaction is not a design consideration. Based on the observation of the site and subsurface conditions, the erosion hazard at the site is relatively low and can be addressed through standard temporary erosion and sedimentation control (TESC) and best management practices (BMPs) during construction. No evidence of recent landslides (loss of vegetation) on or directly adjacent to the site was observed. The ADU will also be about 30 feet from the top of the slope and located south of the new residence. The residence and ADU will be wood framed above a concrete foundation and should result in loading patterns typical of standard residential structures.*

*The Critical Areas report prepared by Ecological Land Services, dated February 3, 2023, demonstrates that the onsite critical areas reconnaissance revealed that no wetlands were present on the property. The area of mapped hydric soil near the northwest corner was determined to be non-wetland because it lacked positive indicators of hydric soil (due to high matrix colors) and the absence of hydrology or wetland hydrology indicators. The man-made pond was created from non-wetland for the use of landscape amenities, and so does not meet the criteria for a regulated wetland. An offsite wetland and stream were identified to the north of the property during a February 2022 site visit to the adjacent property. The wetland was delineated and categorized, and the ordinary high-water mark of the stream was marked. None of the required buffers from the northern property extend onsite due to the presence of an asphalt driveway just north of the property. The driveway creates a functionally isolated buffer due to the disruption of habitat for the stream and wetland.*

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

j. Access, Traffic, and Roads

1. The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.
2. Any work within the County right-of-way will require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process, or Building Permit process, if a SDAP is not required. The need for and scope of bonding will be determined at that time.

1. Fire Safety

No comment at this time.

2. Solid Waste

No comment at this time.

3. Water/Sewer

No comment at this time.

4. Kitsap Public Health District

No comment at this time.

**10. Review Authority:**

Kitsap County Code (KCC) provides the Hearing Examiner review authority for the Conditional Use Permit for an ADU, the Department of Community Development Director for a Shoreline Substantial Development Permit (SSDP), and the Washington State Department of Ecology for the Shoreline Conditional Use Permit. Each review authority may approve, approve with conditions, or deny each respective permit. 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.

**11. Findings:**

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

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.

## **12. Recommendation:**

Based upon the analysis above and the decision criteria found in KCC , the Department of Community Development approves the 23-05358 - Shoreline Substantial Development Permit, and recommends approval of 25-01573 - Shoreline Conditional Use Permit, and 25-01579 - Accessory Dwelling Unit Conditional Use Permit, subject to the following conditions:

1. Subject to the conditions of the Geotechnical Engineering report prepared by Aspect Consulting, LLC dated September 27, 2023, associated with this permit and on file at the Department of Community Development.
2. Development associated with this permit shall not be used to justify future shoreline stabilization.
3. Subject to the conditions of the Critical Areas report prepared by Ecological Land Services, dated February 3, 2023, associated with this permit and on file at the Department of Community Development.
4. An Inadvertent Discovery Plan must be completed for subsequent permits prior to any ground disturbing actions. In the event that any ground-disturbing or other project related activities associated with this development, or any future development of this site, uncover protected cultural materials (e.g., bones, shell, antler, horn or stone tools), developers and property owners must immediately stop work and notify Kitsap County, the Office of Archaeology & Historic Preservation and affected Indian tribes to comply with the Inadvertent Archaeological and Historic Resources Discovery Plan. (KCC 22.400.130)
5. 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.

Uncovered cultural 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.

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.

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

6. A 130-foot native vegetation buffer must be maintained landward of Ordinary High Water, as depicted on the approved site plan. In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer.
7. Required Minimum Zoning Setbacks-
  - Minimum Front: 50' (East)
  - Minimum Side: 20' (North)
  - Minimum Side: 20' (South)
  - Minimum Rear: 130' shoreline buffer + 15' Building Setback
8. 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.
9. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the SDAP (or Building Permit if no SDAP required) application is deemed fully complete. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Code in effect at the time of SDAP application, or Building Permit if an SDAP is not required.
10. A Hydraulic Project Approval (HPA) permit may be required for work below the ordinary high-water mark or associated with the outfall. Prior to SDAP approval, the applicant shall submit an approved HPA from the Washington Department of Fish and Wildlife (WDFW), or documentation from WDFW specifying that a HPA is not required. Information regarding HPA's can be found at <https://wdfw.wa.gov/licenses/environmental/hpa> or by calling the Aquatic Protection Permitting System at (360) 902-2422.
11. 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.
12. The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.
13. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process, or Building Permit process, if a SDAP is not required. The need for and scope of bonding will be determined at that time.

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

14. 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 Kitsap County Code. 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.
15. A Kitsap County Timber Harvest Permit will be required if greater than 5000 board feet of merchantable timber is harvested for the proposal.
16. The placement of residential development on the property shall be located to make installation of a shore protection structure unnecessary.
17. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
18. The accessory dwelling unit is subject to the payment of impact fees. Impact fees must be paid at time of permit issuance, or if deferred, must be paid prior to final inspection. No certificate of occupancy will be granted until all impact fees are paid.
19. Any proposed modification (not including cosmetic work such as painting, papering and similar finish work), remodel or expansion of the accessory dwelling unit building, regardless of whether a building permit is required, shall be reviewed by the Department of Community Development and granted approval prior to such modification, expansion, construction and/or issuance of a building permit.
20. Only one accessory dwelling unit shall be permitted on the subject property.
21. The owner of the property must reside in either the primary residence or the accessory dwelling unit and only one of the structures may be rented at any one time.
22. The accessory dwelling unit's habitable area shall not exceed 50% of the primary residence or 900 square feet, whichever is smaller. The proposed ADU is 898 square feet.

Any future expansion of the ADU will require a building permit and would have to comply with all code requirements in place at the time of the new building permit application.

23. The accessory dwelling unit shall be located within 150 feet of the primary residence.
24. The accessory dwelling unit shall be designed to maintain the appearance of the primary residence.
25. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
26. No mobile home or recreational vehicle shall be allowed as an accessory dwelling unit.
27. The accessory dwelling unit shall use the same side street entrance as the primary residence and shall provide one additional off-street parking space..

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

28. An accessory living quarters or guest house is not permitted on the same lot unless the accessory dwelling unit is removed and the ALQ or GH complies with all requirements imposed by the Kitsap County Code.
29. A property with a primary residence and an accessory dwelling unit cannot be segregated to create two separate legal lots unless it complies with all subdivision, zoning and density requirements in place at the time of a complete subdivision application.
30. The accessory dwelling unit cannot be sold separately from the primary residence unless it has legally been segregated onto its own lot.

23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

**Report prepared by:**

*Chelsea Nitsch*

02/10/2026

---

Chelsea Nitsch, Senior Planner and Project Lead

Date

**Report approved by:**

**Darren Gurnee**

3/5/2026

---

Darren Gurnee, Planning Supervisor

Date

**CC:**

Applicant/Owner: Over Yonder Limited Partnership, [dlang@atzgroup.com](mailto:dlang@atzgroup.com)

Authorized Agent: Michael Rausch, [mike@johnsonssquared.com](mailto:mike@johnsonssquared.com)

Biologist: Ecological Land Services, [joanne@eco-land.com](mailto:joanne@eco-land.com)

Engineer: Browne Wheeler Engineers Inc, [adam@brownewheeler.com](mailto:adam@brownewheeler.com)

Geologist: Aspect Consulting LLC, [adennison@aspectconsulting.com](mailto:adennison@aspectconsulting.com)

Architect: Johnson Squared Architects, [mike@johnsonssquared.com](mailto:mike@johnsonssquared.com)

Interested Parties: Ellen Camm, [camm.ellen15@gmail.com](mailto:camm.ellen15@gmail.com); Nick Goins, [gogoins@comcast.net](mailto:gogoins@comcast.net);

Brady Green – WDFW, [Brady.Green@dfw.wa.gov](mailto:Brady.Green@dfw.wa.gov); Matthew Evinger – DOE,

[MEVI461@ECY.WA.GOV](mailto:MEVI461@ECY.WA.GOV)

Health District

Public Works

Staff Planner: Chelsea Nitsch

**Attachment A: Site Plan**

**Attachment B: Existing Zoning Designation**

**Attachment C: Critical Areas Map**

**Attachment D: Aerial Imagery**

**Attachment E: Department of Ecology Puget Sound Overview Map 2025**

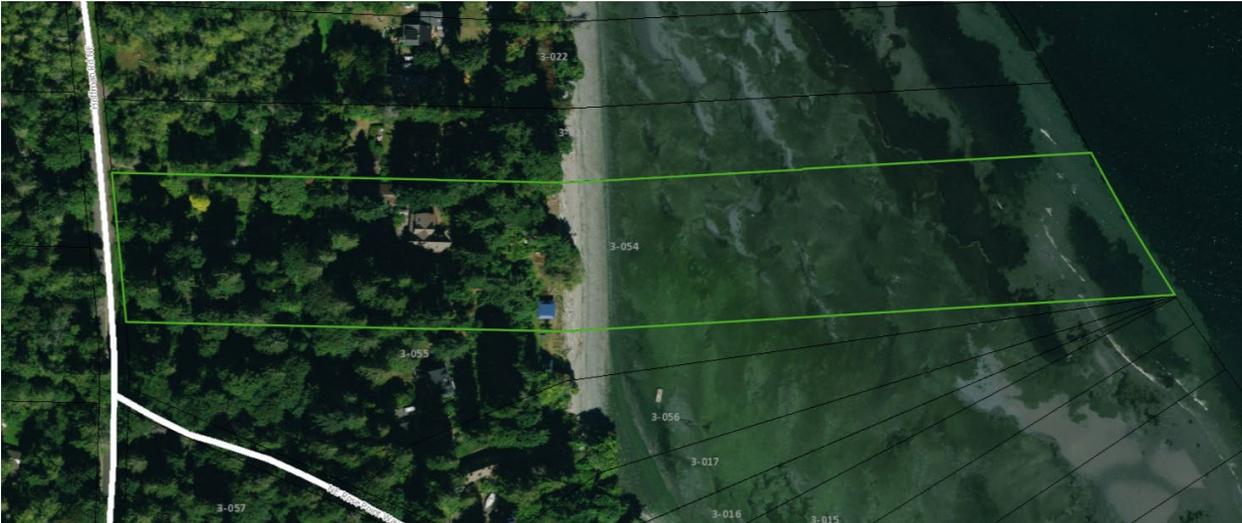
**Attachment F: Department of Ecology Shoreline Photo Viewer 2016/2017**





23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

**Attachment D: Aerial Imagery**



23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

**Attachment E: Department of Ecology Puget Sound Overview Map 2025**



23-05358 Over Yonder Limited Partnership SSDP  
25-01573 Over Yonder Limited Partnership CUP-SHORELINE  
25-01579 Over Yonder Limited Partnership CUP-ADU

**Attachment F: Department of Ecology Shoreline Photo Viewer 2016/2017**

