

Olhava Master Plan Revised SEPA Mitigation and Conditions of Approval

SEPA MITIGATION:

A. Natural Environment Plant and Animal Habitats

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-1 through III-12 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goal 3 and Open Space and Conservation Goals 1 and 2 of the Land Use Element; Open Space Policy 7 in the Land Use Element; Goals 1, 2, and 3 of the Natural Systems Element and Hydrology Policies 2 and 7, Biological Resource Policies 3, 5, 6, 7, 9, and 11, Natural Resource Policies 3, 4, and 7, Goals 1 and 2 of the Park and Open Space Element and Park and Open Space Policies 69-74 of the Poulsbo Comprehensive Plan; PMC Chapter 16.04 and codes and standards adopted therein; and Sections 16.04.210 and 16.04.240; PMC Chapter 16.20; PMC 18.32.040; PMC 18.32.090; PMC Chapter 18.55; RCW 43.21C.010; RCW 43.21C.020.

1. The wetlands are identified by the Wiltermood Associates wetland delineation report dated February 22, 1991. Wetland "F" is not considered a true wetland and shall be eliminated. The equivalent area shall be added to wetlands "C" and "D" at a ratio of 2:1.
2. Wetland "B" will be eliminated indirectly by loss of its supporting drainage basin and will be replaced on the Olhava site at a ratio of 2:1.
3. Wetlands "A", "C" and "D" shall have 50 feet wide buffers. Wetland "E" shall have a 100 feet wide buffer.
4. Street-side landscaping shall utilize native species to further mitigate impacts to wildlife habitat.
5. A forest practices permit shall be required for the harvest of timber associated with the project.
6. As stated in Section 404 of the Clean Water Act a Section 404 permit shall be required for the following development activities:
 - a. The addition of material, including deposition of dredged material or excavated soils, or excavation in wetland areas. These activities can include filling, grading, mechanized land clearing, ditching, channelization, and other excavation activities that destroy or degrade waters such as streams or wetlands.

b. The placement of piling when such placement has or will have the effect of a discharge of fill material in the waters of streams or wetlands.

7. Existing tree stands shall be preserved whenever possible, as determined by the City Forester or other applicable official, through the use of small rockeries in cut areas and tree wells in fill areas. The City Forester shall determine that these tree protection devices will not encroach native tree canopy spread or root systems.

8. Native vegetation and ground covers in preserved tree stand areas shall be retained in their natural state with some routine maintenance enhancements. Native trees, as required by the City Forester, shall be reintroduced through street tree planting schemes with native trees, understory trees, and ground cover placement.

9. Native vegetation placed during post construction phasing shall be sufficiently irrigated to become established through proposed drip irrigation system.

Unique Species

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-8 through III-10 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goal 3 and Open Space and Conservation Goals 1 and 2 of the Land Use Element; Open Space Policy 7 in the Land Use Element; Goals 1, 2, and 3 of the Natural Systems Element and Hydrology Policies 2 and 7, Biological Resource Policies 3, 5, 6, 7, 9, and 11, Natural Resource Policies 3, 4, and 7, Goals 1 and 2 of the Park and Open Space Element and Park and Open Space Policies 69-74 of the Poulsbo Comprehensive Plan; PMC Chapter 16.04 and codes and standards adopted therein; and Sections 16.04.210 and 16.04.240; PMC Chapter 16.20; PMC 18.21.050; PMC 18.22.050; PMC 18.32.040; PMC 18.32.090; PMC Chapter 18.55, and Section 18.55.070; RCW 43.21C.010; RCW 43.21C.020.

10. Each subsequent application for permits submitted to the City Planning Department for review and approval shall be subject to the requirements of the City's Critical Area Ordinance in effect at the time of that application.

11. Landscaping plans for any portion of the proposed project shall include indigenous species.

12. Greenbelt, landscaped parkways and other public or quasi-public areas shall be planted with indigenous plant species.

13. Each subsequent application for site plan review and/or preliminary plat shall require a tree survey, subject to the review of the City Forester, to identify which trees are to be preserved. Tree surveys do not need to be done in areas which will be cleared for roads and highway access areas(except where sensitive, endangered, or threatened species of trees are actually found), but will be required for the remainder of the property, including but not limited to areas where

building footprints are to be located and areas which will be cut or filled more than one foot above or below grade. The cost of this review shall be paid for by the project proponent.

Fish and Wildlife Migration Routes

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-8 through III-10 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goal 3 and Open Space and Conservation Goals 1 and 2 of the Land Use Element; Open Space Policy 7 in the Land Use Element; Goals 1, 2, and 3 of the Natural Systems Element and Hydrology Policies 2 and 7, Biological Resource Policies 3, 5, 6, 7, 9, and 11, Natural Resource Policies 3, 4, and 7, Goals 1 and 2 of the Park and Open Space Element and Park and Open Space Policies 69-74 of the Poulsbo Comprehensive Plan; PMC Chapter 16.04 and codes and standards adopted therein; and Sections 16.04.210 and 16.04.240; PMC Chapter 16.20; PMC 18.32.040; PMC 18.32.090; PMC Chapter 18.55, and Section 18.55.070; RCW 43.21C.010; RCW 43.21C.020.

14. Critical areas shall be bordered by setbacks and natural buffers as required by the City's Critical Area Ordinance in effect at the time of site plan/preliminary plat application.

15. Sensitive areas, including the final wetland remediation, shall be designated on the official maps of the City. These areas shall be protected in order to serve as migratory lands or feeding grounds.

Surface Water and Runoff Absorption

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-11 and III-12 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are Goals 1, 2, and 3 of the Natural Systems Element and Hydrology Policies 4, 6, 7, 9, 10, 11, 12, 15, and 16, Biological Resource Policies 1, 4, 5, and 6, and 11, Natural Resource Policies 3, 4, and 7, Goals 1 and 2 of the Park and Open Space Element and Park and Open Space Policies 69-74, the Capital Facilities Element Goal, and Capital Facilities Policies 3, 4, 6, 7, 11, and 20 of the Poulsbo Comprehensive Plan; PMC Chapter 15.35; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC Chapter 16.20; PMC 18.32.040; PMC 18.32.090; PMC Chapter 18.55, and Section 18.55.070; RCW 43.21C.010; RCW 43.21C.020.

16. Surface water management facilities shall be in conformance with or in excess of the following:

- a. State Department of Ecology Storm Water Management Manual for the Puget Sound Basin;

- b. Kitsap County Stormwater Design Manual;
- c. Liberty Bay/Miller Bay Watershed Action Plan;
- d. Federal Clean Water Act, sections 401 404;
- e. State Water Quality Standards;
- f. State Hydraulics Code;
- g. City of Poulsbo Municipal Code.
- h. City of Poulsbo drainage ordinance.

17. Erosion and sedimentation control shall consist of:

- a. Sediment trapping through the use of sediment ponds, fences and traps as well as soil stabilization using vegetation planting, plastic covering, and an early application of gravel as a base on areas to be paved. All exposed areas shall be stabilized and revegetated immediately upon the completion of grading.
- b. Setbacks, critical areas and their buffers, trees, and drainage courses shall be clearly marked to protect those areas from development. Critical areas and their buffers, trees to be retained, and natural drainage courses shall be protected from construction by fencing or other positive means as determined by the City Engineer. All temporary, construction-related sedimentation control and erosion mitigation measures shall be in place prior to clearing and grading activities.
- c. Adjacent properties shall be protected from sedimentation during construction activities. This will be done through the installation of perimeter controls such as barriers, filters, dikes, or sediment basins.
- d. Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion by using roughened soil surfaces as opposed to smooth surface on slopes. Interceptors shall be constructed at the top of long steep slopes which have significant drainage areas above the slope. Diversions or terraces may also be used to reduce slope length. Concentrated stormwater will not be allowed to flow down cut or fill slopes unless contained within adequate channel or pipe slope drain.
- e. All temporary on-site conveyance channels shall be designed, constructed and stabilized to prevent erosion from the expected velocity of flow from a 2-year, 24-hour frequency storm for the developed condition. Stabilization and revegetation, adequate to prevent erosion of outlets, adjacent stream banks, slopes, and downstream reaches, shall be provided at the outlets of all conveyance systems.

g. All storm drain inlets made operable during construction shall be protected so that stormwater runoff shall not enter the system without first being filtered or otherwise treated to remove sediment.

h. For underground utility construction, the length of trench excavation in advance of pipe laying shall be kept to a minimum and in no case shall exceed 150 feet unless approved by the City Engineer; excavated material shall be placed on the uphill side of trenches subject to the approval of the City Engineer; and trench dewatering devices shall discharge into a sediment trap or sediment pond.

i. Wherever construction vehicle access routes intersect paved roads, provisions must be made to minimize the transport of sediment onto the paved road. If sediment is transported onto a paved road surface, the roads shall be cleaned thoroughly at the end of each day. Sediment shall be removed from roads by shoveling or sweeping and be transported to a controlled sediment disposal area. Street washing shall occur after sedimentation is removed in this manner if deemed necessary by the City Engineer.

j. All temporary and permanent erosion and sediment control mitigation measures shall be maintained and repaired, as required by the City Engineer, to assure continued performance of their intended function.

k. All temporary erosion and sedimentation control mitigation measures shall be removed within 30 days after final site stabilization is achieved or after the temporary measures are no longer needed, whichever is later.

l. All pollutants other than sediment that occur on-site during construction shall be handled and disposed of in a manner that does not cause contamination of stormwater.

m. Herbicide spraying near streams and in culverts near areas that drain into such streams shall be prohibited.

n. A wetland mitigation plan shall be approved by the City before construction.

o. The City Engineer shall determine other means to prevent erosion which may include on-site catch basins or siltation basins, and energy absorbing devices. If required, these devices shall be in place prior to grading permit issuance.

p. No groundcover or trees shall be removed which are within 25 feet of the annual high water mark of creeks, streams, and other shoreline areas or within 15 feet of the top of the bank.

q. Mechanical equipment shall not operate within 25 feet of the annual high water mark of creeks, streams, and other shoreline areas or within 15 feet of the top of the bank.

Groundwater

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-26 through III-30 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goal 3 and General Land Use Policies 2 and 6 in the Land Use Element; Goals 1, 2, and 3 of the Natural Systems Element and Hydrology Policies 4, 6, 9, 11, 12, 15, and 16, Natural Resource Policy 3, the Capital Facilities Element Goal, and Capital Facilities Policies 3, 7, 11, 26, 28, 31, 34, 35, and 40 of the Poulsbo Comprehensive Plan; PMC Chapter 15.35; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

18. All construction equipment used on the project site shall be maintained in proper working order. Any and all fluid leaks from said vehicles shall be cleaned up and the vehicles repaired immediately.

19. No private wells, including irrigation, shall be allowed on any portion of the subject property. All domestic, commercial, industrial and public school uses shall connect to the City's water system.

20. All uses and structures requiring sanitary sewage disposal shall be connected to the City's sanitary sewage system. No septic or other private system shall be permitted.

Public water supplies

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-30 through III-32 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goal 3 and General Land Use Policies 2 and 6 in the Land Use Element; the Capital Facilities Element Goal, and Capital Facilities Policies 3, 6, 7, 11, 35, 37, and 40 of the Poulsbo Comprehensive Plan; PMC Chapter 15.35; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

21. Multi-family, commercial and business park as well as the Olympic College structures shall be constructed with automatic sprinkler systems as reviewed and approved by the Poulsbo Fire Department.

22. Prior to the initiation of any combustible construction in phase "b", the project proponent shall construct a water tank with sufficient storage capacity to meet the standards and requirements of the City and Kitsap PUD, to provide the equivalent of 2,000 gpm fire flow for a three hour duration in excess of the domestic demand.

23. Prior to the initiation of phase "f" or its equivalent, Kitsap PUD will have secured additional water rights to allow it to enter into an Amended Interlocal Agreement with the City of Poulsbo. No additional development shall be allowed without the implementation of this mitigation measure.

24. Prior to the initiation of phase "f" or its equivalent, the City and Kitsap PUD will have entered into an Amended Interlocal Agreement to provide 1,000 gpm. No additional development shall be allowed without the implementation of this mitigation measure.

Air Quality

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-33 through III-38 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are PMC Chapter 15.35; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

NOTE: Condition 30 is both an air quality and transportation measure and is identified and supported by those impacts and policies set forth under Transportation below.

25. Vegetative ground cover shall be restored as soon as construction activities have been completed per phase.

26. Trucks that haul dirt, sand or soil off site shall be covered or shall maintain at least 24 inches of free board.

27. Construction sites shall be adequately watered by the developer to reduce fugitive dust.

28. The developer shall plant tree windbreaks utilizing non-invasive species, or preserve natural buffers on the windward perimeter of construction projects, where feasible as determined by the City.

29. The developer shall insure that construction equipment is properly tuned and maintained.

30. All individual project proposals shall be reviewed for conformance with the City's Commute Trip Reduction Ordinance. All affected employers shall implement the required commute trip reduction measures of the ordinance.

B. The Built Environment

Aesthetics

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-38 through III-45 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goals 1 and 3, Residential Land Use Goal 1, Open Space and Conservation Goals 1 and 2, General Land Use Policies 5 and 9, Residential Policies 1, 3, 6, and 7, and Open Space Policies 4 and 7 in the Land Use Element; Goal 1 of the Park and Open Space Element and Park and Open Space Policies 15, 30, and 74 of the Poulsbo Comprehensive Plan; PMC Chapter 15.35; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; PMC Chapter 18.55; RCW 43.21C.010; RCW 43.21C.020.

31. All 50 feet wide buffer areas around the perimeter of the proposed project shall be planted primarily with evergreen trees which meet the minimum requirements of the City of Poulsbo Zoning Ordinance: minimum 6 feet in height at time of planting. In the case of the west property line, where there is Medium Density residential, the buffer shall be a minimum of 100 feet wide, unless the City approves an alternative buffer enhancement program of plantings, berms, fences, walls or a combination of such measures to maintain compatibility of structures and use areas with adjacent residential developments and planned land uses.

32. For the commercial land uses which occur immediately adjacent to the State Route 3 right-of-way along the southeastern boundary of the northerly acreage, no building shall be sited closer than 75 feet from the property line.

33. Along the southern boundary of the multiple family area on the west side of the northerly parcel (Planning area 9) and the western boundary of the primary commercial area (Planning area 4), which abuts land planned for residential use, a minimum 50 feet wide vegetative buffer shall be planted primarily with evergreen trees which meet the City of Poulsbo's requirements for a minimum of 6 feet high at time of planting.

34. Should the conceptual grading plan be altered significantly in any portion of the proposed project, visual impact analysis of the affected area shall be conducted by a qualified expert, to be selected by the City at the expense of the applicant, as part of individual site plan reviews for specific projects.

35. In conformance with the intent of the City of Poulsbo Comprehensive Plan, the applicant shall develop design guidelines, to be approved by the City, for street furniture, signage, and public areas which reflect the Scandinavian theme. These design guidelines shall be implemented with each Phase Plan of the project.

Commercial Need and Economic Analysis

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-45 through III-69 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goals 1, 2, and 3, the Commercial Land Use Goal, General Land Use Policies 5 and 6, Commercial Policies 1 and 2 in the Land Use Element; Economic

Development Goals 1 and 2 and Economic Development Policies 1, 6, 7, 8, and 18; the Capital Facilities Element Goal and Capital Facilities Policies 3, 6, and 11 of the Poulsbo Comprehensive Plan; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

36. The City and project proponents shall make every effort to develop the project within the phasing plan proposed in the Master Plan, in order to help the City balance costs and revenues. Should the phasing plan be altered substantially from that contained in the Master Plan, the project proponent shall submit economic analysis demonstrating whether the altered phasing plan will have an impact on the cost/revenue balance shown in the Master Plan EIS.

Fire and Emergency Services

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-45 through III-69 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are the Capital Facilities Element Goal and Capital Facilities Policies 3, 6, 7, 11, 35, 37, and 58-61 of the Poulsbo Comprehensive Plan; PMC Chapter 15.35; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 15.04; PMC Chapter 15.12; PMC Chapter 15.14; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

37. Prior to any development approval associated with Phase "a", the applicant shall fund a needs assessment to be conducted by or under the oversight of the City in order to determine the best means of providing fire and emergency services to the Olhava property and vicinity in order to mitigate the fire service and response time impacts of the proposal. The needs assessment shall include an evaluation of providing service from the City's main fire station (Station 71) and whether the Clear Creek Station (Station 74) can or should be manned in a reasonable manner with a full-time engine company as a means of ensuring mitigation of the fire impacts of the project. If the study determines that the Clear Creek Station can be so manned and will provide the best means of ensuring adequate fire protection to the Olhava property and vicinity, then the Station must be manned prior to occupancy of any structures in the northerly 174 acres of the Olhava property. If the study concludes that the Clear Creek Station cannot be so manned or is not the best means of ensuring fire protection to the Olhava property and vicinity, then the study shall evaluate alternative mitigation measures, including but not limited to the potential for a new fire station, in order to ensure that the impacts of the Olhava Master Plan Project on fire and emergency services are adequately mitigated and development permits for the remaining phases of the Master Plan Project may be properly conditioned.

38. The project proponent shall provide required fire flows and storage, and shall provide plans for same to Kitsap PUD for review and approval prior to the start of construction on phase b. Kitsap PUD's storage facility shall be sufficient to meet the project's needs. Additions and modifications to the booster pump, if required by Kitsap PUD, shall be at the project proponent's expense.

39. All structures in the Olympic College, multi-family, commercial, and business park districts shall be constructed to include automatic fire suppression/sprinkler systems, in conformance with the Uniform Fire Code. Plans for all fire suppression/sprinkler systems shall be submitted to the Fire Department and City Building Department for review and approval prior to issuance of building permits.

40. In the event that a variance to height limit is requested for any structure in excess of 30 feet, the Poulsbo Fire Department shall determine applicability of Ordinance 84-22 on a case-by-case basis. In the event all, or portions of Ordinance 84-22 are evoked by the Fire Department, the purchase price and specifications of the required equipment shall be negotiated between the project proponent, the City, Fire District 18 and any other project proponent whose approvals include variances in excess of 30 feet.

Capital Facilities-Drainage

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-73 through III-86 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are Hydrology Policies 4, 6, 9, 11, 12, 15, and 16, Natural Resource Policy 3, the Capital Facilities Element Goal, and Capital Facilities Policies 3, 4, 6, 7, 11, and 20 of the Poulsbo Comprehensive Plan; PMC Chapter 15.35; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC Chapter 16.20; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

41. All temporary and permanent erosion and sediment control mitigation measures shall be maintained and repaired as needed to assure continued performance of their intended function. The applicant shall be responsible for maintenance of all constructed drainage facilities for at least two "wet" seasons, after the completion of each phase, after which the City, upon inspection, may accept maintenance responsibility. The City is not obligated to accept maintenance responsibility.

42. When a substantial development proposal within the Olhava Master Plan area is considered for approval, the City shall identify and require the construction of all capital facilities needed to meet the build-out requirements of the applicable phase, in order to avoid the under-sizing and reconstruction of facilities at a later time.

43. Improvements required may include, but are not limited to, improvements necessary to maintain the integrity of drainage ways such as check dams, silt fences, straw bales, soil stabilization through revegetation, plastic covering, and an early application of gravel as a base on areas to be paved.

44. During phased review, the City Engineer shall require further analysis of the proposed drainage design, as appropriate, in order to ensure that adequate measures are in place to protect downstream properties and the surrounding area. Consultant fees for the additional review

and analysis shall be paid in advance by the project proponent.

Capital Facilities- Sanitary Sewage

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-86 through III-93 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goals 1 and 3 and General Land Use Policy 6 in the Land Use Element, the Capital Facilities Element Goal, and Capital Facilities Policies 3, 4, 5, 6, 7, 11, 26, 27, 28 and 31 of the Poulsbo Comprehensive Plan; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

45. Other than phase "a", no phase of the Olhava Master Plan shall be granted building permits unless construction of the required improvements in the City's and County's conveyance systems and at the wastewater treatment plant are underway. No occupancy permits shall be issued until said improvements are complete, accepted by the appropriate jurisdiction and in operation.

46. The City's proposed capital improvement program (CIP), contained in the updated City Comprehensive Sewer Plan, if approved and implemented, will create additional capacity within the City's wastewater conveyance system to ensure adequate capacity for the Olhava Master Plan project or any alternative approved by the City. The County's proposed CIP, when implemented, will create additional capacity within key conveyance facilities and the central treatment plant to ensure adequate capacity for all phases of the Olhava Master Plan project or any alternative approved by the City. Should the City's or County's proposed CIP not be approved or be delayed, key components of the system would have insufficient capacity to accommodate the initial development of the project (phase "b"). Mitigation could include delaying the project until those improvements are completed, or early implementation by the developer at their expense, with reimbursement through the implementation of a latecomers' agreement, or utilize other financing mechanisms which may be available.

47. No structure within the proposed project will be permitted to install a private sanitation system. All structures shall be connected to the City's sewer system.

Traffic, Circulation and Transit

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-93 through III-118 of the FEIS and Technical Appendices to DEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goals 1 and 3 and General Land Use Policies 5, 6, and 7 in the Land Use Element, the Transportation Element Goal and Transportation Policies 1, 3, 4, 5, 8, 9, 12, 17, 21, 26, and 27, the Capital Facilities Element Goal, and Capital Facilities Policies 3, 4, 5, 6, 7, and 50-53 of the Poulsbo Comprehensive Plan; PMC Chapter 10.20; PMC Chapter 12.02

and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

48. The Olhava Master Plan shall contribute a proportionate share of all projects identified in the EIS (Table III-47) and any other mitigation measures proposed by Gibson Traffic Consultants in their traffic study and subsequent amendments, as well as mitigation required by the Washington State Department of Transportation in their September 6 and October 15, 1996 letters.

49. All improvements required by WSDOT to provide access to the proposed project from the SR-3/SR-305 interchange shall be completed during phases "a" and "b". Construction of the interchange in phase "b" shall have commenced prior to the issuance of building permits. No occupancy permits shall be issued until the improvements are complete and accepted by WSDOT.

50. Prior to the issuance of a grading permit for phase "a", the project proponent shall provide the City Engineer, for review and approval, with a comprehensive schedule of on-site roadway improvements, by phase. The City Engineer will then determine which off-site traffic improvements will be required by phase and the project share of the improvements costs (EIS, Table III-47). Building permits shall not be issued until all improvements required for that phase have been completed, bonded or are under construction, or the appropriate mitigation fee has been paid. If a building permit has been issued while required road improvements are still under construction, no occupancy permits shall be issued until the improvements have been completed or otherwise determined sufficient by the City Engineer.

51. The first application for development approval within any phase shall trigger a review of needed traffic improvements, both on-site and off-site, for the entire phase. The project proponent shall be required to construct the improvements on-site and to deposit the fair share dollar amount for the entire improvement if off-site. The City shall retain the authority to require the developer to construct off-site improvements.

52. After the development of phase "b", each subsequent phase application shall be accompanied by a phase-specific traffic and circulation report which clearly demonstrates that the uses proposed within the phase shall not exceed any of the assumptions made in the original traffic report's established impacts. The traffic and circulation report shall be reviewed and approved by the Planning Director and City Engineer, and submitted to the approving body as part of the project review process. Should the warranted improvements include improvements to County roadways, the applicant shall also be required to receive approval from the Kitsap County Department of Public Works.

53. Should any phase plan traffic and circulation report show that the original assumptions will be exceeded by more than 10%, either for that phase or cumulatively, a new traffic study encompassing all unbuilt phases shall be prepared, and new mitigation measures (both on and off-site) prepared to mitigate any additional impacts.

54. Prior to the issuance of any grading permit, within WSDOT right-of-way, the project proponent shall receive final design approval from the Olympic Service Center of the Washington State Department of Transportation for the access break from SR-3 to the proposed project.

55. The project proponent shall develop transit route plans with Kitsap Transit which allow for bus stops and associated shelters throughout the project, and link the project to appropriate destinations as ridership demand dictates. The plans shall include a transit turnaround at Olympic College as previously negotiated with the College. The plans shall be finalized prior to the completion of phase "b" and shall determine general route areas and guidelines for actual route locations in future phase planning. Implementation of the routes and stop locations shall be associated with actual building development and shall be dependent on funds available and ridership demand for those routes as determined by Kitsap Transit.

56. The project proponent shall pay its fair share of the cost of acquiring and constructing park-and-ride spaces resulting from demand created by the Olhava project. Kitsap Transit in consultation with the City shall determine new park-and-ride demand and location needed resulting from each phase of the Olhava project consistent with the City Zoning Ordinance.

57. All individual project proposals shall be reviewed for conformance with the City's Commute Trip Reduction Ordinance. All affected employers (generally employers with 100 or more employees) shall implement the required measures of the Ordinance.

58. No individual project within the Olhava Master Plan shall be designed to obstruct or otherwise impede the trail and buffer system depicted in the Master Plan document. The trail system within the vegetative buffers shall be developed as each planning area develops and shall be constructed to the standards provided in the City of Poulsbo Zoning Ordinance.

59. Class II bike lanes shall be provided along the entire length of the frontage road, from Finn Hill to Parnell Place (Street "A" and "D"). Class III bike lanes shall be provided on the entry drive, main access to multi-family residential and major loop road in the single family residential developments in the southerly acreage.

Noise

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-118 through III-120 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goals 1 and 3 and General Land Use Policy 5 in the Land Use Element of the Poulsbo Comprehensive Plan; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 15.32; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC Chapter 16.16; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

60. All construction activity shall be undertaken between the hours specified in the City of Poulsbo Municipal Code, as amended, except in the case of an emergency, in which case the hours of operation shall be determined by the City Engineer.

61. All construction equipment shall be fitted with well maintained functional mufflers.

62. To the greatest extent possible, earth moving and hauling routes shall be located away from adjacent residential properties. Said routes shall be approved by the City Engineer prior to the issuance of grading permits.

63. As part of phased review, the Planning Director shall determine whether special noise attenuation measures are required. This determination may involve consulting the expertise of a specialist to be paid for by the applicant. These measures, including berms and walls if necessary, shall be required in order to ensure compliance with maximum permissible noise standards established by the City and State of Washington.

64. Any use proposed on the project site which the City determines would represent an on-going significant noise source shall be required to perform on-site noise monitoring and noise modeling prior to the review and approval of the specific use.

65. Should any sensitive receptor be proposed for the project site adjacent to the SR-3 right-of-way, the applicant shall be required to perform on-site noise monitoring and noise modeling prior to the review and approval of the specific use.

66. During construction, the provisions of WAC 173-60-060 shall apply.

Light and Glare

Impacts Identified: The impacts which require the mitigation measures set forth in this Section are identified on pages III-120 through III-123 of the FEIS.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goals 1 and 3 and General Land Use Policy 5 in the Land Use Element of the Poulsbo Comprehensive Plan; PMC Chapter 12.02 and standards adopted therein; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

67. To prevent glare, all exterior lighting shall be shielded to illuminate only the area directly under it.

68. Light posts located in parking lots shall not be taller than surrounding structures, and in no case shall light posts exceed 30 feet in height. Lighting affixed to the outside of structures shall not be located above 30 feet from the surrounding grade.

69. Other than signage and other surfaces installed by public agencies (including the City and the Department of Transportation) reflective surfaces shall not be permitted adjacent to project or off-site roadways.

70. Lighting systems designed for safety and security shall meet the requirements of the Energy Code.

71. All primary streets should be adequately illuminated to provide for the safety and comfort of vehicular and pedestrian movement.

72. Metal halide lighting shall be used in areas prone to glare, since metal halide lighting minimizes spillage to adjoining properties.

73. To prevent glare, light fixture intensities above 75 degrees from the light post or within 15 degrees of horizontal shall be restricted.

74. The alignment of light fixtures shall be positioned in a consistent and recognizable pattern creating unobstructed views which reinforce the direction of circulation patterns, and clearly mark the locations of intersections.

75. To create a safer environment, limiting possible crime occurrences, intersection, bus stops, steps, service and employee areas, enclosed corridors and alleyways shall be illuminated appropriately.

Schools

Impacts Identified: The Responsible Official determined that the project would not have a probable, significant, adverse impact on schools if the following agreed upon condition was met.

SEPA Policies: The SEPA policies which support the mitigation measures set forth in this Section are General Land Use Goals 1 and 3, General Land Use Policy 5, and Public School Policy 1 in the Land Use Element, the Capital Facility Element Goal and Capital Facilities Policies 16 and 17 of the Poulsbo Comprehensive Plan; PMC Chapter 16.04; and Sections 16.04.210 and 16.04.240; PMC 18.32.040; PMC 18.32.090; RCW 43.21C.010; RCW 43.21C.020.

76. The project proponent shall work with the North Kitsap School District to reach agreement on impact mitigation fees. The impact fees shall be paid prior to the issuance of building permits.

CONDITIONS OF APPROVAL: Planning Department

77. Phase review and approval will require the provision of adequate on-site Recreational Vehicle storage pursuant to City standards unless the CC&Rs prohibit the storage of RV's within the development.

78. The low density residential area shall meet or exceed all development standards including 25 foot front yard setback for garages and 20 foot front yard setback for habitable area.

79. Site plans for subsequent phased review shall show pedestrian walkways and proposed bus stops and passenger shelter locations in addition to other required items.

80. Shared parking shall be encouraged for all commercial and business park developments.

81. The Master Plan shall include a pedestrian walkway connecting the area near buildings B7 and B9 at the north end of "G" Street to the access road to the Olympic College campus.

82. Notwithstanding the requirements in #56 above, applicants for site plan review for commercial development shall coordinate with Kitsap Transit to identify appropriate excess parking spaces, if any, which could be reserved for a "Park and Ride" facility. Should further development of the project require the use of the excess parking spaces in order to meet City standards, Kitsap Transit will relocate the facility.

83. Day care homes shall not be prohibited pursuant to state law and all other use constrictions shall be compatible with Federal Housing Act and its amendments.

84. All phase/project review shall be conducted consistent with the provisions of "Type II" permit under Title 19 of the PMC. However, a phase plan will be considered to have changed substantially if specific plans for a particular phase propose a deviation of more than 15% in the square footage, height or other dimensions of the structures shown in the Master Plan for that phase and the phases which are already developed. If that comparison indicates that the anticipated traffic counts for the project as it is actually developing exceed those assumed in the Master Plan by more than 15%, the proposed phase plan shall be submitted to the Planning Commission and City Council for review and approval. This review shall be conducted consistent with the provisions of "Type III" permit under Title 19 of the PMC.

Building and Engineering Department

Grading

85. The grading permit may be restricted as to the limits of any particular site or phase that can be cleared and graded at any one time or during any construction season. Clearing and grading for building sites will be allowed only in connection with building permits for that particular site unless other factors require grading at that location to be accomplished in advance.

ALL UTILITIES Water, Sanitary Sewer, Streets, Storm Sewer (drainage)

86. Land use permit approval shall not waive any requirements of the applicant to provide the City with adequate construction plans for approval and to obtain the appropriate permits. Some of the utilities will also require permits and approvals from the County and/or the State. The applicant is responsible for obtaining all permits and approvals from the County and/or the State;

however, all submittals to the County and/or the State shall be coordinated through the City Engineer.

87. Construction plans for the following shall be reviewed and approved by the City Engineer and Public Works Superintendent prior to issuance of a clearing, grading, or building permit: (a) storm drainage and street improvements; (b) sanitary sewer; (c) water; and (d) interim and permanent on-site erosion control systems. An interim and permanent storm drainage conveyance and enhancement system shall be designed and installed for the whole site, subject to approval of the City Engineer. Any off-site drainage improvements required to serve this project shall be required as determined necessary by the City Engineer and shall be installed by the developer at the developer's expense. A latecomer's agreement shall be a possibility for the developer as determined by the City through the appropriate process for latecomer's agreements. Restrictions of flow from the site shall be considered as an option for mitigation of off-site drainage impacts. Prior to final plat approval, final project construction approval, and/or issuance of any occupancy permit, all required permanent improvements must be installed to City standards, and if applicable, appropriate easements and/or right-of-way shall be dedicated and appropriate maintenance bonds posted.

88. During phased review, the City Engineer shall require the applicant to provide further analysis of the proposed drainage design in order to comply with the City's requirements and to protect downstream properties and the surrounding area. As part of the analysis and drainage design process, the applicant shall study the effects of water mounding and propose or make specific recommendations for mitigation of such effects. As part of the analysis and design process, the applicant will also identify wells which are down gradient from the Olhava Property and which may be affected by the development. The applicant shall devise a monitoring plan to be presented to the City Engineer for approval in order to monitor the wells prior to construction, during construction, and after construction in order to ensure that water quality and quantity are not degraded. The City Engineer will then hire an independent consultant or consultants to review and comment on the adequacy of the analysis and the proposed drainage design, mitigation measures, and monitoring plan. In addition, during phased review, the City Engineer may hire an independent consultant or consultants to review and comment on any or all other utility or other infrastructure plans (sanitary sewer, water, roads/streets) proposed by the applicant. The City Engineer shall require that the applicant make a cash deposit or deposits which will be used to pay for the independent review(s). If any additional funds are required for these reviews, the applicant shall immediately deposit the required amount.

89. The review process required above, and all subsequent construction inspection expenses, shall be paid for at the developer's expense consistent with the Land Use Fee Schedule in effect at the time of construction. In addition, if the City Engineer determines that the magnitude or complexity of the project requires full or part-time on-site inspection in addition to the inspection by City staff, he may contract with a duly qualified inspector or hire additional personnel to provide inspection, testing, or other professional services for the City in connection with the construction. All costs of such services incurred by the City shall be paid by the developer pursuant to Section 3.12 of the Poulsbo Municipal Code which requires payment of a deposit, in advance, for those services.

WATER

90. The City of Poulsbo shall enter into an interlocal agreement between the City and Kitsap Public Utility District #1 for water provision. The applicant shall assist the City in this endeavor.

STREETS

91. Sidewalks shall be installed by the project proponent on Rasmussen Court subject to the review and approval of Kitsap County prior to occupancy permits issuance for phase "B" within the southern parcel of the site.

92. Streets A-D will each include two bicycle lanes constructed by the applicant pursuant to City requirements.

Fire Department:

93. All fire lanes shall be a minimum width of 20 feet.

94. All suppression systems and hydrant locations are subject to approval of the City of Poulsbo Fire Prevention Bureau.

95. Additional information for the purpose of determining fire flow including building footprints, floor area, building materials, sprinkler systems, proposed uses, etc. shall be submitted to the City of Poulsbo Fire Prevention Bureau prior to approval of any utility plans submitted for building permit approval.

Public Works Department:

96. All water line construction, connections and renovation will be in accordance with City standards and as approved by the City Engineer and/or the City Public Works Superintendent.

97. Construction of the sanitary sewer system within the development boundaries will be completed in accordance with City standards and as approved by the City Engineer and/or the City Public Works Superintendent.

98. An interim and permanent storm drainage conveyance and enhancement system shall be designed and installed for the entire site subject to the approval of the City Engineer and/or the City Public Works Superintendent.

99. The project Signage Plan shall be in conformance with the Manual of Traffic Control Devices.

Parks Department

100. The project proponent shall improve and dedicate the eight (8) acre park in the northeast corner of the project site to the City. These improvements shall include clearing, grubbing, and grading for preliminary site drainage subject to the review and approval of the City Engineer. The project proponent shall also hydroseed grass areas within the park subject to the review and approval of the Public Works Superintendent and the Parks and Recreation Director.

Other Conditions:

101. Any reference to 40 and 50 foot tall structures in the Master Plan, and any reference to deviations from the City's continuous roof plane standards, are erroneous. All structures shall meet the height and continuous roof plane requirements of the Poulsbo Zoning Code regardless of any contrary reference in the Master Plan, unless a variance is granted according to the variance process established by the Poulsbo Zoning Code or unless a Master Plan amendment is approved according to the process established for initial adoption of a master plan in PMC Chapter 18.32.

Police Department:

No additional conditions.