



**BEFORE THE HEARING EXAMINER
FOR THE
CITY OF POULSBO**

**FINDINGS, CONCLUSIONS AND DECISION
APPROVING
“SANDSTONE RIDGE”
PLANNED RESIDENTIAL DEVELOPMENT AND
PRELIMINARY PLAT APPLICATIONS**

APPLICANT: ENTITLE FUND FOUR, LLC,
OWNER: JKM HOLDINGS, LLC
AGENT: CRAIG STEEPY
VICE PRESIDENT, JK MONARCH
612 HARRISON STREET, SUITE 100
P.O. BOX 188
SUMNER, WA 98390

LOCATION/TAX PARCEL NUMBER: THE PROPOSED PLAT WILL BE LOCATED ON A VACANT AND UNADDRESSED 18+ ACRE PROPERTY, CURRENTLY ASSIGNED KITSAP COUNTY PARCEL NUMBER 132601-4-008-2004, WEST OF LANGAUNET LANE RIGHT-OF-WAY ALIGNMENT, IN THE NORTHWEST CORNER AREA FORMED BY AN EAST-WEST SEGMENT OF NOLL ROAD TO THE SOUTH AND A NORTH-SOUTH SEGMENT OF NOLL ROAD ON THE EAST SIDE.

APPLICATIONS: TO DEVELOP AN 18+ ACRE PROPERTY INTO 87 SINGLE-FAMILY LOTS UTILIZING THE CITY’S PLANNED RESIDENTIAL DEVELOPMENT STANDARDS AND PRELIMINARY PLAT REQUIREMENTS, WITH ASSOCIATED ROADWAYS, UTILITIES, AND OPEN SPACES. THE PROJECT SITE IS SLOPED FROM ABOUT 30 FEET IN THE NW TO APPROXIMATELY 280 FEET IN THE SE PART OF THE SITE, INCLUDES A TYPE F STREAM BUFFER ON THE EAST SIDE, WITH MATURE FOREST AND NATIVE UNDERGROWTH COVERING MOST OF THE SITE. APPLICATIONS FOR PLANNED RESIDENTIAL DEVELOPMENT AND PRELIMINARY PLAT ARE REVIEWED UNDER APPLICABLE CITY CODES, INCLUDING WITHOUT LIMITATION CH. 18.260 PMC (FOR PLANNED RESIDENTIAL DEVELOPMENT), TITLE 17 PMC (FOR PRELIMINARY PLAT), AND ZONING PROVISIONS IN TITLE 18 PMC.

SUMMARY OF DECISION: *APPROVED*, SUBJECT TO CONDITIONS

RECORD CLOSED: AUGUST 8, 2025

DATE OF DECISION: AUGUST 13, 2025

I. CONTENTS OF RECORD

Exhibits entered into evidence as part of the record, and an audio recording of the public hearing, are maintained by the City of Poulsbo, in accord with applicable law.

Exhibits:

City of Poulsbo “Staff Report” and recommendation (of APPROVAL), issued for the Planning Commission on or about May 20, 2025, subsequently provided to the Hearing Examiner, regarding the “Sandstone Ridge Planned Residential Development & Preliminary Plat,” including an Addendum to the Staff Report, dated June 5, 2025, with attachments.

[For the reader’s convenience, the following chart, prepared by Staff, lists most, if not all, Exhibits entered into the record for this matter, including post-hearing materials authorized by the Examiner to address issues raised during the public hearing.]

| Exhibit | Description | | Staff Report Exhibit |
|---------|---|--|----------------------|
| 1 | Sandstone Ridge Planned Residential Development and Preliminary Plat Staff Report | | |
| | <i>Application Materials</i> | | A |
| 2 | Planned Residential Development and Preliminary Plat Applications | | A.1 |
| | Project Drawings | | B |
| 3 | KPFF | Project Drawing, 03/27/2025 | B.1 |
| 4 | NDLA | Preliminary Landscape Plan, March 18, 2025 | B.2 |
| 5 | ALTA | ALTA/NSPS Land Title Survey Drawing, 9/23/2021 | B.3 |
| | Reports | | C |
| 6 | ELS | Critical Area and Mitigation Plan, March 21, 2025 | C.1.a |
| 7 | Email | 2022 WDFW & Tribe, January 20, 2022 | C.1.b |
| 8 | Grette1 | Sandstone Ridge – Third Party Review, November 25, 2024 | C.1.c |
| 9 | Grette2 | Sandstone Ridge – Buffer Mitigation Plan: Third Party Review, April 2, 2025 | |
| 10 | Grette3 | Sandstone Ridge – Buffer Mitigation Plan: Third Party Review, April 28, 2025 | |
| 11 | Grette4 | Sandstone Ridge – Noll Rd. Ditch Conclusion, May 19, 2025 | |
| 12 | WCFI1 | Tree Protection Plan, April 17, 2024 | C.2 |
| 13 | WCFI2 | Inventory Tree Tracts, February 6, 2025 | |
| 14 | SUF1 | Tree Retention and Landscape Review, 11/11/2024 | |
| 15 | SUF2 | Review, 3/25/2025 | |
| 16 | HEATH | Traffic Impact Analysis, December 31, 2025 | C.3 |
| 17 | HEATH | Sight Distance, March 20, 2025 | C.4 |
| 18 | KPFF | Road K Value and Sight Distance Analysis, March 22, 2025 | |

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Sandstone Ridge PRD and Preliminary Plat Applications –
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| | | |
|----|--|--------------------------------|
| 19 | Traffic Concurrency | C.5 |
| 20 | ESNW | Geotech Report, August 9, 2024 |
| 21 | KPFF | Drainage Report |
| 22 | Home Design | D |
| | Notices | E |
| 23 | Notice of Neighborhood Meeting (applicant responsibility) | E.1 |
| 24 | Notice of Application with optional DNS, SEPA Checklist (commented) and noticing materials | E.2 |
| 25 | SEPA Threshold Determination and noticing materials | E.3 |
| | Public Comment | F |
| 26 | Applicant Summary of Neighborhood Meeting, Public Comment Letter | F.1 |
| 27 | Public Comment Letters and Applicant Response | F.2 |
| 28 | Staff Review Memos | G |
| | Staff Report Addendum 1, dated June 5, 2025 | |
| 29 | Applicants request to modify condition of approval (PC Exhibit 1-3) | H |
| 30 | Public Comment at Planning Commission Meeting | I |
| 31 | Planning Commission Minutes | J |
| 32 | Planning Commission Findings of Fact, Conclusion and Recommendation | K |
| 33 | Public Hearing Notice and notice affidavits | L |
| 34 | Sandstone Ridge PRD – Recommended Condition of Approval Revision & Clarification, June 2, 2025, | M |
| | EXHIBITS added after Staff Report Issued, and Post-Hearing items authorized by the Examiner | |
| 35 | Prior to Hearing Public Comment 35.A: Lockhart Email Comment 35.B: Weinmann Email Comment | |
| 36 | Gordon Thomas Honeywell Letter – applicant’s objection to certain conditions | |
| 37 | City Staff Hearing Presentation | |
| 38 | Engineering Memo Documenting Construction Standards | |
| 39 | Applicant Written Comment (As provided at Hearing) | |
| 40 | Applicant Engineer Supplemental Documents (As provided at Hearing) | |
| 41 | Applicant Drawing Board (As provided at Hearing) | |
| 42 | DesPeaux Written Public Comment with Photos (As provided at Hearing) | |
| 43 | A. Post Hearing letter from City Attorney, responding to legal issues raised by applicant team. B. Planning Memo for Post Hearing disagreement discussions. | |
| 44 | Post Hearing Response memo from Applicant’s Attorney. | |
| | Order Reopening Record, and responses provided following such Order. | |

| | | |
|----|---|--|
| 45 | Order Reopening Hearing Record for Limited Purpose, issued by the Hearing Examiner on August 5, 2025 | |
| 46 | City Staff Response to Order Reopening Record, with 2 pages, dated August 8, 2025, transmitted to the Examiner on same date. | |
| 47 | Applicant Response to Order Reopening Record, with 4 pages, dated August 6, 2025, transmitted to the Examiner on August 8 th . | |

Testimony/Comments:

During the duly noticed public hearing held in Council Chambers at Poulsbo City Hall on June 12, 2025, with some participants appearing via an online hearing platform coordinated by staff, all witnesses were sworn in by the Examiner and provided testimony under oath, including the following City Staff members, applicant representatives, and members of the public:

1. Edie Berghoff, Senior Planner for the City of Poulsbo, and the primary staff representative at the public hearing; summarized staff recommendation, conditions questioned by the applicant team; responded to public comments;
2. Charles Roberts, Utility Engineer, with the City's Public Works Department;
3. Craig Steepy, the applicant, questioned certain conditions proposed by staff, accepted all but a few of the proposed conditions; provided some responses to public comments during the hearing.
4. Elise Callahan, applicant's engineer, submitted Ex. 40, requesting changes to path addressed in proposed conditions on the east part of the proposed plat;
5. Bill Lynn, applicant's attorney, submitted legal arguments in Ex. 25, questioning improvements proposed on part of the Noll Road corridor;
6. Mary Yozer-Williams, local resident, lives in unincorporated Kitsap County, prefers fewer improvements along Noll Road, not in favor of pedestrian path in critical area, confirmed that she is not affiliated with the applicant or property owner;
7. Kurt Beatt, local resident, expressed concerns about prior property owner(s), generally questioned whether federal officials have any restrictions on the sale of this land based on prior owner's criminal history;
8. Cliff DesPeaux, lives off Noll Road, immediately north of the project site, opposed stub for future road connection near his property; wants privacy; requested a fence for privacy;

9. Joel Kamelik, local resident, owns land NW of project site, expressed concerns about building in any buffer area, wants privacy;

10. Jodi Kamelik, expressed concerns about maintaining path and other features, wants to protect her privacy;

11. Dana Lockhart, submitted written comment included in the record as Ex. 35A, raising questions about CCRs, concerns about air bnb/vacation rental of homes in proposed plat; concerns about construction traffic and logging required to develop project;

12. Josh Ranes, P.E., City Engineer, responded to public comments and the applicant's challenges to some conditions, requested additional time to provide more detailed responses to questions and legal arguments made on behalf of applicant team. [**NOTE: copies of post-hearing materials submitted by Staff, and responses provided by the applicant team, are now included as part of the record, as listed on the Exhibit List shown above*].

The Examiner conducted site visits to the project location and surrounding area, both before and after the hearing, including one occasion when multiple bicyclists were traveling on both segments of Noll Road that abuts the project site on the south and east side.

Throughout the review and hearing process, there was no evidence or testimony provided in this record that would serve as a basis to deny the pending applications. As the staff report, applicant and staff testimony at the public hearing explain(ed), conditions of approval and compliance with relevant development regulations are intended to allow for appropriate, well-planned urban development in the zoning district where the proposed project is located.

To clarify statements made in a post-hearing memo from City Staff, the Examiner issued an Order reopening the hearing record on August 5, 2025, to invite written responses from staff and the applicant team. Following receipt of written materials submitted in accord with the Order, the record for this matter is now closed and this Decision is in order.

Differences of opinion between the applicant team and Staff are addressed in this Decision, with Conditions of Approval clarified to resolve such disagreements. Any party of record that disagrees with this Decision or any condition is free to pursue an appeal, in accord with applicable law.

II. APPLICABLE LAW

Jurisdiction.

There is no dispute that relevant provisions of the Poulsbo Municipal Code expressly provide the hearing examiner with jurisdiction and authority to review most Type III land use

matters, which includes Preliminary Plat and Planned Residential Development applications. See PMC 19.20.010(C) and Table 19.20.020.

Criteria for Approval of the pending Preliminary Plat Application.

The City's approval criteria for a preliminary subdivision (which means the same thing as a preliminary plat) is found at PMC 17.60.040.

Findings required to approve Planned Residential Development.

The City's code mandates that in approving a Planned Residential Development (PRD), the review authority must make specific findings, as set forth in PMC 18.260.140. Several other requirements apply to obtain approval of a PRD, including without limitation both passive and active recreational amenities. *(See PMC 18.260.100 re: Amenities required).*

Burden of Proof.

The applicant bears the burden of proof to establish by a preponderance of the evidence that their preliminary plat application is consistent with state law, city codes and standards. *Rule 3.9, HEx Rules of Procedure.* Any decision to approve or deny a Preliminary Plat must be supported by evidence that is substantial when viewed in light of the whole record. *See RCW 36.70C.130(1)(c).*

III. ISSUE PRESENTED

Whether a preponderance of evidence demonstrates that the applicant has satisfied its burden of proof to satisfy the criteria for Planned Residential Development and Preliminary Plat approval?

Short Answer: Yes, subject to conditions of approval.

IV. FINDINGS OF FACT

Upon consideration of all the evidence, testimony, codes, policies, regulations, and other information contained in the file, the undersigned Examiner issues the following findings, conclusions and Decision approving the Sandstone Ridge planned residential development and preliminary plat as set forth below.

1. Any statements in previous or following sections of this document that are deemed findings of fact are hereby adopted as such and incorporated by this reference.
2. The applicant in this matter is an entity known as Entitle Fund Four, LLC, with Craig Steepy, a Vice President with JK Monarch of Sumner, Washington as the applicant's agent and hearing representative. The Property Owner is a different entity known as JKM Holdings, LLC, with Mr. Steepy signing application materials on the owner's behalf. (*Staff Report, page 5, General Information; Application materials, Ex. 2*).
3. The project site is currently identified as Kitsap County Parcel Number 132601-4-008-2004, without an assigned address. The site lies in the NE Corner of the Noll Road NE and Langaunet Lane NE intersection, a single, rectangular shaped tax parcel, sized at 18+ acres, currently vacant, sloping from about 370 feet in the NW area to about 280 feet in the SE part of the parcel. (*Staff Report, page 5; Application materials*).
4. The applicant's proposal would create 87 single-family lots. (*Staff Report, page 5; Ex. 2, Application materials and site plans*).
5. There is no dispute that the project site area is zoned RL, Residential Low density, which allows Single Family Residential uses like that proposed in the pending application, and that the proposal satisfies the City's maximum and minimum density requirements for the zone, and PRD requirements. (*See Staff Report, page 11, which provides the formula and calculations used to show that the Minimum Density for the underlying zoning district is 4 dwelling units/net acre, and that this project would achieve 7.5 units, and that the Maximum Density for the zone is 5 units/gross acre with this project satisfying the limit with just 4.8 units/gross acre. Also see Staff Report, on page 15, table showing combined development standards under standard RL zoning and PRD modifications allowed*).
6. The pending application is for approval of a Planned Residential Development (PRD) and Preliminary Plat to authorize the subdivision and development of an approximately the 18+acre site into 87 single-family residential lots, with associated improvements and amenities, including new internal roads, utility extensions/connections, stormwater facilities, recreational amenities, significant open space, significant tree retention, and sidewalks. (*Staff Report; Exhibits A (Application materials), B (Project Drawings), and C (Critical Areas and general environmental reports prepared by qualified professionals)*).
7. There is no dispute that, to obtain approval for the project as a Planned Residential Development, common open space and other appropriate beneficial features are required. (*PMC 18.260.090 and .100*). In this record, such features are referenced by Staff as an "amenity package". (*Ex. 46, City Response to Order Reopening Record, on page 1*). This application proposes an amenity package that includes a trail to be located in Tract B, with part of that trail

running along the north portion of the plat. (*Id.*). City Staff and the applicant both confirm that the applicant's proposed "Utility Corridor Walkway" within the waterline utility corridor in the Northeast portion of the property is not considered part of the required "amenity package" but is instead intended to satisfy pedestrian circulation needs in lieu of completing pedestrian improvements along the north-south segment of Noll Road that runs along the east side of the applicant's property. (*See Exs. 46 and 47, Responses to Order reopening record from Staff and the applicant*).

8. A copy of the Staff Report and a Notice of Public Meeting was issued on or about May 20, 2025, prior to a Poulsbo Planning Commission meeting that occurred on May 27, 2025. The Staff Report credibly summarizes public meetings and the review process undertaken for this matter. (*Staff Report, summary on page 24*). Exhibits in the record confirm that all notices were published, posted and mailed in accord with applicable requirements. (*Exs. 23-25, and 33, Public Notice and confirmation materials*).

9. During the Planning Commission meeting required for this matter, the applicant (Mr. Steepy) appeared and questioned proposed Condition No. E35, addressing a pedestrian path that could run through a designated critical area buffer on the east side of the plat; and challenged whether the city can require frontage improvements along Noll Road where it runs on the east side of the project site. (*See Ex. J, Planning Commission Meeting Minutes for May 27, 2025*).

10. Following their meeting, the Planning Commission voted to recommend approval of the pending PRD and Preliminary Plat project, subject to conditions of approval recommended in the Staff Report. (*See Staff Report, Addendum, dated June 5, 2025, and Exhibits 29-34*).

11. After the Planning Commission Meeting, City staff generated a memorandum, suggesting modifications to proposed condition E35, and providing copies of email communications between City and County staff on the subject to potential frontage improvements along the part of Noll Road that lies within the County's jurisdiction, just east of the project location. (*Ex. 34, aka Ex. M, Engineering Department memo dated June 2, 2025*).

12. The Engineering Department's clarification memo summarizes the reduced request for frontage improvements as follows: "Rather than requiring full frontage improvements consistent with County standards [**which could be 12-foot travel lane, 5-foot bike lane, with 6-foot sidewalk or a shore use path along the west side*¹], the City is proposing a reduced standard to help minimize or avoid impacts to critical areas [**which includes the fish stream/roadside ditch immediately west of the roadway*], an approach supported by the County. The proposed improvements would not

¹ Ex. 34, Attachment A, Email Correspondence, May 28, 2025 message from Christy DeGeus, County Traffic Manager, to Josh Ranes, City Engineer, and others.

preclude the County from implementing and constructing their road section in the future. The right of way is sufficient to accommodate the improvements.” (Ex. 34, on page 2).

13. In short, the city’s proposed frontage improvement condition on the north/south segment of Noll Road would be for just curb and gutter along the west edge of the County road (Noll Road), with curb cuts to allow water to continue in the ditch/fish stream. (Ex. 34, Attachment A, June 3, 2025 email message from Josh Ranes, City Engineer, to Kitsap County staff).

14. On June 12, 2025, the undersigned Hearing Examiner conducted a duly-noticed public hearing regarding this PRD and preliminary plat application, with the Examiner, applicant representatives, project-review staff, and interested members of the public able to participate in-person at Poulsbo City Hall in the Council chambers, or an online hearing platform coordinated by Staff. (Ex. 33, Notice and confirmation records, for public hearing before the City’s Hearing Examiner). All persons who offered testimony or comments during the hearing were placed under oath. Several additional written comments and exhibits were submitted into the record during the public hearing, now numbered and included as Exhibits 35-42.

15. The Examiner held the record open to provide Staff and the applicant team additional time to address public comments and the limited challenges that the applicant raised to proposed conditions. Those materials are now included in the record as Exhibits 43 (Staff response) and 44 (Applicant response). Portions of the post-hearing memos generated confusion for the Examiner, with references to a “northern trail segment” and other topics, that were later clarified by the parties following an Order reopening the record. (See Exs. 45, 46, and 47).

Public hearing, key issues.

16. During the public hearing, City staff, Ms. Berghoff and Mr. Roberts, summarized the project, its features, recommended conditions, focusing on those that were questioned by the applicant at the Planning Commission meeting.

17. The applicant, Craig Steepy, accepted most all of the analysis and recommendations provided in the staff report, noting that: “While we agree with 99% of the staff report and conditions of approval, we did bring up two points during the Planning Commission meeting in the hope of getting some clarity.” (Testimony of Mr. Steepy, with his written hearing notes included in the record as Ex. 39). Mr. Steepy went on to summarize his reasons for challenging the need or authority of the City to: 1) impose any frontage improvement requirements along the portion of Noll Road that lies outside the Poulsbo City limits, immediately east of the project site; and 2) he summarized reasons for asking to modify the proposed meandering pedestrian trail route through the critical area buffer on the east side of the project to a more exact route that would essentially follow a utility corridor and avoid development work within the designated buffer area. (Id.).

18. Elise Callahan, PE, the applicant's engineering consultant from the KPFF firm, provided credible testimony and illustrations summarizing problems associated with constructing a trail path through the buffer area, and reasons why she believes the designated utility corridor route is feasible and should be used. (*Testimony of Ms. Callahan, and Ex. 40, illustrations, slides used during her testimony*)

19. Several local residents submitted additional written comments and public testimony during the public hearing. All written public comments are included as part of the record. Several speakers raised concerns about privacy, and their desire to have screening from the new project. Some opposed development in designated buffer areas, tending to favor the applicant's suggested path route. Staff provided general responses to public comments in their post-hearing memo, included in the record as Ex. 43b.

20. Responding to public comments, Mr. Steepy offered to have a "privacy fence" built along the areas of concern to several neighbors. Ms. Berghoff appreciated the applicant's offer to volunteer fencing but asked that Staff have input on conditions for any perimeter fence option, including best practices to ensure that fence post-digging work avoids harm to tree roots and the like. (*Testimony of Mr. Steepy and Ms. Berghoff*). Staff's post-hearing response memo (*Ex. 43b*), summarizes the applicant's fencing suggestion and provides more information on the subject, suggesting a new proposed condition on this topic, which reads in part as follows:

[Staff comment] Consistent with prior PRD approvals, fencing is not required when a buffer of at least 25' wide is provided. In this case, the north buffer exceeds that threshold, with a 35' tree retention buffer. Adjacent property owners may also install their own fencing or landscaping to increase privacy on their side of the property line. The applicant has voluntarily offered to include 100' segment of fencing centered on the north end of Road B. City staff recommends the following condition of approval to ensure construction practices protect retained vegetation:

[Proposed Condition] A 6-foot-high, 100-foot-long sight-obscuring wooden fence shall be installed at the north end of the Road B right-of-way, extending approximately 50 feet east and west. Installation may require trimming understory vegetation and removing trees necessary for fence placement. An ISA Certified Arborist shall review the proposed fence location, design, and installation methods, including protection of adjacent tree roots. Handheld tools are preferred; large equipment shall not be used outside the right-of-way. The arborist's recommendations shall be submitted with grading and tree removal/clearing permits and reflected in civil and landscape drawings for City review and approval. Prior to final plat, certified statements from the arborist and installer confirming adherence to approved methods are required. Fence maintenance shall be the responsibility of the Homeowners' Association, as specified in the CC&Rs. This obligation shall be noted on the final plat and on all relevant plan sheets. The plat shall also state that future extension of Road B will require removal of fencing within the right-of-way. (*Ex. 43b, on page 2*).

21. None of the written public comments or those provided by local residents during the public hearing presented any preponderance of evidence or legal authority that would serve as a basis to

deny this application. There was no showing that environmental review should be reopened. The Staff review and a preponderance of evidence in this record confirms that the project has been designed *or can be conditioned* to comply with all applicable approval criteria. The Examiner has modified conditions based on evidence in this record, to include additional language on fencing, and to provide more clarity for all parties going forward.

22. Except for portions of the document that address the two issues challenged by the applicant, the Planning and Economic Development Department's Staff Report and Recommendation of Approval, shared with the Examiner in the week before the hearing, (*the "Staff Report"*), includes a number of specific findings and conditions to establish how the underlying PRD/plat application satisfies provisions of applicable law, is consistent with the city's Comprehensive Plan, and is designed or can be conditioned to comply with applicable development standards and guidelines.

Frontage improvements outside the city limits.

23. The City issued its SEPA threshold determination for this project, which was a Mitigated Determination of Non-Significance (MDNS) issued on May 13, 2025. (*Ex. 25*). The MDNS includes just 2 specific mitigation measures, which read as follows:

SANDSTONE RIDGE PLANED RESIDENTIAL DEVELOPMENT (PRD) & PRELIMINARY PLAT (PP)
PLANNING FILE P-10-01-24-01
SEPA MITIGATION

Animals.

S1. It shall be the responsibility of the applicant to take all necessary steps to prevent the incidental taking of protected species under the Endangered Species Act through habitat modification or degradation during the life of the project or development authorized by this permit or approval. The applicant shall notify the City through its Public Works Superintendent and the Federal agencies with responsibility for enforcement of the Endangered Species Act immediately, in the event of any damage or degradation to salmon habitat by or from the project or the development subject to this permit or approval. In any such case, the applicant shall, at its sole cost and expense, take all actions necessary to prevent the furtherance of the damage or degradation and to restore the salmon habitat as required by the Federal, State, and local agencies with jurisdiction.

S2. The applicant shall design and construct a publicly accessible pedestrian connection through the project site that minimizes environmental impacts and critical area buffers to the maximum extent feasible. Vegetation removal shall be limited to the minimum necessary to establish the connection, with priority given to retaining mature native vegetation. Mitigation planting shall be provided for vegetation removal in the critical area. The final alignment and design shall be reviewed and approved by the City Engineer prior to grading permit issuance.

24. Notices related to the SEPA MDNS were issued in accord with applicable law. (*Ex. 25, SEPA notice confirmation materials*). All mitigation measures imposed by the MDNS are also

included as specific Conditions of Approval for this project. *(See Condition of Approval G, added by the Examiner, as a Condition of Approval for this PRD/Preliminary Plat).*

25. The Examiner takes notice of previous preliminary plat decisions in recent years, where the City exercised its SEPA authority as a basis to mandate mitigation to address impacts on jurisdictions other than the City itself, particularly mitigation measures requiring payment of impact fees to the North Kitsap School District (including without limitation the Audrey Estates preliminary plat, MDNS mitigation measure S3; Olympic Overlook preliminary plat, MDNS mitigation measures; and mitigation measures mandating crosswalk safety improvements offsite across parts of Noll Road (See Blue Heron plat, MDNS mitigation measures; Noll Terrace plat, MDNS mitigation measures), and significant offsite traffic safety requirements imposed under SEPA for the Plateau at Liberty Bay preliminary plat.

26. In this record, the Engineering Department Memo to the City's SEPA Responsible Official omits any reference to road improvements – not even a curb or gutter – along the Noll Road segment that lies just outside the city limits, on the east side of this proposed plat. *(Ex. G, Engineering memos, specifically the May 19, 2025 memo addressed to the City's SEPA Responsible Official, re: SEPA Determination).* This is the segment of frontage improvements challenged by the applicant in this matter.

27. The applicant's counsel questions the validity of any frontage improvements on the portion of Noll Road that lies just outside the city limits, just east of the plat. Part of the applicant's argument challenging such requirement is based on the fact that they are not mentioned as a mitigation measure in the SEPA MDNS issued for this project.

28. The Examiner finds that Poulsbo staff are very familiar with their authority to impose mitigation measures for various impacts under SEPA, including examples listed in previous findings. The absence of any mention about impacts on the Kitsap County right of way segment known as Noll Road just east of the project site cannot be overlooked. It does not appear that Kitsap County staff submitted any comments that are included as part of the SEPA review record, requesting SEPA mitigation for possible impacts on county roadways.

29. The email exchanges between city and county staff regarding frontage improvements that might be required along the north-south segment of Noll Road, just east of the project site, are anything but clear, and the post-hearing emails were generated well after the SEPA review process concluded. *(See Ex. 43a, Post-hearing memorandum from City's Attorney, Attachment C).*

30. In its post-hearing memo, the City concedes that it did not assert the challenged Noll Road frontage improvements pursuant to a SEPA impact; instead, the memo explains that the requirement to construct frontage improvements on Noll Road “stems directly from the City Construction Standards Appendix B ... which the City lawfully adopted under its police powers

and in alignment with the City's municipal code, and Comprehensive [Plan] Goals and policies". (Ex. 43a, on page 2; citing Ex. 38, *Engineering Memo Documenting Construction Standards*).

31. While the City could have used its SEPA authority to address impacts outside the city limits, it appears as though Kitsap County did not provide any SEPA comments requesting such mitigation. In any event, the City concedes that SEPA was not and is not the basis upon which their request for frontage improvements along Noll Road should be included as a condition of approval for this preliminary plat.

32. Staff responded to the applicant's frontage improvement challenge with the following statement: "The parties acknowledge and agree that Noll Road is owned by the County, however, PMC 14.06.060 requires the City to coordinate with the County to ensure to the maximum extent practicable the transportation network flows seamlessly between jurisdictions in accordance with local and regional road, transit, bicycle, and pedestrian plans. With that mandate, the City coordinated with the County to ensure that the frontage improvements required for this Project were appropriate and reasonable based on both agencies' jurisdictional requirements." (*Engineering Department post-hearing memo, re: Authority for Frontage Improvements in Plans, Codes & Standards, included in the record as Ex. 38, on page 2, footnote 2*).

33. While intergovernmental cooperation is to be applauded, the record in this matter is lacking a preponderance of evidence or legal authority that would support a condition of approval requiring road improvements outside the City along a County roadway, all within County right-of-way.

34. Like many Counties with growing cities where new development can have impacts on streets and road networks located in formerly rural areas that are still part of the County's unincorporated-area jurisdiction, Kitsap County has a specific provision in its county code, encouraging the use of Interlocal Agreements to establish the types of road frontage improvements that might be imposed on development projects with impacts extending from one jurisdiction into another. *See Kitsap County Code Sec. 20.04.120, captioned "Intergovernmental coordination."*

35. Staff did not provide a copy of any Interlocal Agreement with Kitsap County, that could have addressed frontage improvements for projects in one jurisdiction with possible impacts that extend into another.

36. The record is lacking a preponderance of evidence demonstrating that the requested curb and gutter are necessary or warranted as a traffic calming or other transportation related mitigation measure. While curbs and gutters are sometimes requested as a measure to guide traffic, to keep cars and cyclists out of a ditch, and things like that, no one presented such evidence in this record. There is insufficient evidence in this record to warrant imposition of a curb and gutter frontage improvement along Noll Road to the east of the project site.

37. The City’s post-hearing argument that the curb and gutter are necessary to provide “traffic calming” is without foundation. The record does not include any preponderance of evidence to establish that traffic calming is needed along the road segment at issue, or that the requested curb or gutter would serve such calming purpose. A different record, with more specific evidence to demonstrate need for a frontage improvement and how such improvement would address the need, could result in a different result.

38. Turning to the City’s Construction Standards as a potential basis for requiring road improvements on a county road, the applicant is correct in observing that Staff has not cited to any provision in City road standards that would extend their application/jurisdiction outside the Poulsbo City limits. The road segment at issue is a Kitsap County road, not a city street. The standards cited by staff make reference to “the City’s street system”, “City streets” and the like. Going forward, an interlocal agreement, with clear standards and protocols for addressing projects with impacts across jurisdictional boundaries, could be helpful.

Route for pedestrian trail on east portion of project site.

39. As noted above, during the public hearing, the applicant, Mr. Steepy, summarized reasons for asking to modify the proposed meandering pedestrian trail route through the critical area buffer on the east side of the project to a more exact route that would essentially follow a utility corridor and avoid development work within the undisturbed buffer area. (*Testimony of Mr. Steepy, and Ex. 39, notes used by Mr. Steepy during public hearing*).

40. While Staff appears to have crafted proposed conditions to ensure a level of protection for the buffer area based on what may or may not be “feasible” – *see proposed condition E35, which appears to include a manifest error, a typo, where it makes reference to a water line easement on the NW corner of the property, instead of the NE portion* – specific language in the City’s Critical Areas Code may not have been given sufficient consideration. For instance, PMC 16.20.320 captioned “Project-specific development standards,” includes a stand-alone section that applies to Trails and Trail-Related Facilities, like the pedestrian path connection proposed in Condition E35 and other parts of the Staff Report, which read as follows:

F. Trails and Trail-Related Facilities. Construction of public and private trails and trail-related facilities, such as benches, interpretative centers, and viewing platforms, may be allowed in fish and wildlife habitat conservation areas or 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 other such previously disturbed areas outside of required buffers;**
2. **Trails and related facilities shall be planned to be located generally outside of required buffers, and minimize removal of trees, shrubs, snags and important wildlife habitat;**
3. Viewing platforms, interpretive centers, benches and access to them shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected conservation area;

4. Trails and related facilities shall generally be located outside required buffers. Where trails are permitted within buffers, after exhausting items of subsections (F)(1), (2) and (3) of this section, shall be located in the outer twenty-five percent of the buffer as feasible, except where stream crossings or viewing areas have been approved; [...] (*Emphasis added*).

41. Based on this record, particularly the credible presentation materials and testimony provided by Ms. Callahan, it appears entirely feasible to locate a pedestrian trail within the water service utility corridor on the northeast portion of the proposed plat. This would seem to be consistent with subsections F(1) and F(2) referenced above, because the trail route can be placed in a designated utility corridor that will eliminate the need to remove large trees and shrubs located in the buffer. In fact, the current proposed language from Staff seems inconsistent with F(4), as it would implement development of a trail within the buffer without first exhausting the preferred options noted in F(1) and F(2). Because F(1) is entirely feasible, i.e. the trail can be located within the water utility corridor/easement area, and because the applicant's proposed route is outside the undisturbed buffer area and would minimize tree removal, satisfying and exhausting F(2), the option to locate the trail mostly within the protected buffer area appears unjustified, and inconsistent with language in F(4) that appears to require exhaustion of other options, specifically including a utility corridor.

42. These facts weigh heavily in favor of accepting the applicant's proposed trail route, along the water service line corridor addressed by Ms. Callahan. Conditions of approval have been modified accordingly.

Clarifications made in response to Order reopening record for limited purpose.

43. Given confusion created by language used in Ex. 43b, a post-hearing memo from staff, responding to questions and issues raised during the public hearing, the Examiner issued an Order on August 5th, reopening the record for a limited purpose, so the applicant and staff could enlighten the Examiner on what some language was meant to address. (*Ex. 45, Order reopening record*).

44. The Examiner received written responses from the applicant and Staff that are now included as part of the record, and clarify that the applicant's requested modifications to the pedestrian route starting from the northeast corner of the property is not considered part of a stand-alone "Amenity Trail" proposed to be installed within Tract B; and that approval of a modified condition of approval addressing the pedestrian route in the northeast part of the property along the water line easement corridor does not require a revision to the "amenity package" required for this Planned Residential Development project. (*See Ex. 46, City Staff Response to Order; Ex. 47, Applicant Response to Order*).

As designed and conditioned in this Decision, the Sandstone Ridge PRD and Preliminary Plat application satisfies applicable approval criteria.

45. Except as modified in this Decision, the Staff Report credibly details how the project is designed or can be conditioned to comply with applicable codes, including without limitation: critical area protections, density, tree retention, access, open spaces, amenities, stormwater management, utility infrastructure, and requirements for projects in the RL zone. (*Staff Report*).

46. As noted above, the SEPA Mitigated Determination of Non-Significance (MDNS) issued for this project included just two specific mitigation measures. No one submitted an appeal challenging the SEPA threshold determination for this project, i.e. the MDNS. As a matter of law, the mitigation measures imposed in the MDNS stand unchallenged.

47. As modified to be consistent with findings and modified conditions provided in this Decision, a preponderance of evidence in the record, including without limitation the summary of relevant reports and analyses provided in the Staff Report, the Examiner's site visits to the area, and credible testimony by Staff and applicant witnesses, fully supports a finding that the proposed plat has been designed or can be conditioned to satisfy applicable approval criteria for the proposed preliminary plat, including without limitation the state subdivision statute found at RCW 58.17.110(2), and the City's approval criteria for a preliminary plat, found at PMC 17.60.040(A)(1-3)².

48. As modified to be consistent with findings and modified conditions provided in this Decision, a preponderance of evidence in the record, including without limitation the summary of relevant reports and analyses provided in the Staff Report, Engineering Memos, the Examiner's Site Visits to the area, and credible staff testimony, fully supports a finding that the proposed Planned Residential Development has been designed or can be conditioned to satisfy applicable approval criteria for the proposed PRD, including without limitation all required findings that must be made by the reviewing authority in approving such application, as provided in PMC 18.260.140(a)-(1)³.

49. Except as modified by findings and conditions provided in this Decision, the Staff Report includes a number of specific findings and proposed conditions that establish how the proposed PRD and Preliminary Plat application satisfies provisions of applicable law, is consistent with the city's Comprehensive Plan, and is designed or can be conditioned to comply with applicable development standards and guidelines.⁴

50. Based on all evidence, exhibits and testimony in the record, the undersigned Examiner specifically finds that the proposed Sandstone Ridge Planned Residential Development and Preliminary Plat, as conditioned below, makes appropriate provision for the considerations

² See Staff Report, Sec. IV, pages 8-11.

³ See Staff Report discussion and analysis on pages 21-23.

⁴ For purposes of brevity, only certain Findings from the Staff Report and recommendation of approval, and Engineering Memos, are highlighted for discussion in this Decision, and others are summarized, but any mention or omission of particular findings should not be viewed to diminish their full meaning and effect, except as modified herein.

detailed in applicable law, and that the public use and interest will be served by the preliminary plat and associated improvements.

51. The Conditions of Approval included as part of this Decision are reasonable, consistent with applicable law, supported by the evidence, and capable of accomplishment.

V. CONCLUSIONS OF LAW

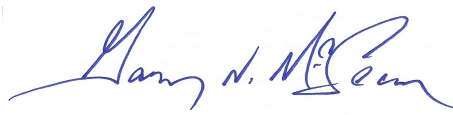
1. Based on the Findings as summarized above, the undersigned examiner concludes that the proposed Sandstone Ridge Planned Residential Development and Preliminary Plat, as conditioned below, conforms to all applicable zoning and land use requirements and appropriately mitigates potential adverse environmental impacts. Upon reaching such findings and conclusions as noted above, the application meets the standards necessary to obtain approval by the City.

2. Any Finding or other statements in previous or following sections of this document that are deemed Conclusions of Law are hereby adopted as such and incorporate herein by reference.

VI. DECISION

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing, all materials contained in the contents of the record, and site visits to the affected area, the undersigned Examiner APPROVES the Sandstone Ridge Planned Residential Development and Preliminary Plat, subject to the attached Conditions of Approval.

Decision issued: August 13, 2025.



Gary N. McLean
Hearing Examiner for the City of Poulsbo

CONDITIONS OF APPROVAL

Sandstone Ridge Planned Residential Development and Preliminary Plat

File No. P-10-01-24-01

[NOTE: For convenience of the parties, these conditions are generally organized and numbered as they were presented with the Staff Report. The use of captions, numbering, or sections has no substantive effect regarding the full scope or applicability of any condition to various aspects of the project, wherever they might be located].

General Conditions added by the Examiner.

- A. Preliminary Plat approval shall be null and void if any condition enumerated herein is not satisfied.
- B. No construction or site development activities related to the plat may be undertaken until required land-use and engineering approvals become effective, and the City and other regulatory authorities with jurisdiction issue applicable permits.
- C. The applicant shall comply with all professional report conclusions and recommendations submitted in connection with the preliminary plat and engineering reviews, as approved and or amended by the City.
- D. Applicant shall be responsible for consulting with state and federal agencies, and tribal entities with jurisdiction (if any) for applicable permit or other regulatory requirements. Approval of a preliminary plat does not limit the applicant's responsibility to obtain any required permit, license or approval from a state, federal, or other regulatory body. Any conditions of regulatory agency permits/licenses/approvals shall be considered conditions for this project.
- E. The final engineering plans and submittals necessary to obtain final approval of the plat shall conform to all applicable provisions of the Poulsbo Municipal Code and the Conditions of Approval herein.
- F. Based on the applicant's voluntary offer to include fencing in response to some public comments from adjacent property owners, a 6-foot-high, 100-foot-long sight-obscuring wooden fence shall be installed at the north end of the Road B right-of-way, extending approximately 50 feet east and west. Installation may require trimming understory vegetation and removing trees necessary for fence placement. An ISA Certified Arborist shall review the proposed fence location, design, and installation methods, including protection of adjacent tree roots. Handheld tools are preferred; large equipment shall not be used outside the right-of-way. The arborist's recommendations shall be submitted with

grading and tree removal/clearing permits and reflected in civil and landscape drawings for City review and approval. Prior to final plat, certified statements from the arborist and installer confirming adherence to approved methods are required. Fence maintenance shall be the responsibility of the Homeowners' Association, as specified in the CC&Rs. This obligation shall be noted on the final plat and on all relevant plan sheets. The plat shall also include a note explaining that future extension of Road B will require removal of fencing within the right-of-way. (*Ex. 43b, on page 2*).

- G. The two SEPA mitigation measures imposed under the MDNS issued for this project are included as a condition of approval for this preliminary plat and PRD. (*See Ex. 25, SEPA MDNS; and Findings 23 and 24 above*).
- H. Based on credible and un rebutted evidence in the hearing record, findings provided in this Decision, and to be consistent with project-specific development standards for trails found in PMC 16.20.320(F), the pedestrian connection connecting the Northeast corner of this property [adjacent to the north-south Noll Road right-of-way] with the east-west Noll Road segment to the south of this project, shall be paved, a minimum of 5-feet wide, asphalt or concrete, and shall be routed within the easement for the water line along the northeast portion of the property instead of through the undisturbed portion of the critical area buffer in Tract A, which route is entirely feasible, through a utility corridor, largely outside required buffers, and significantly minimizes removal and potential impacts on large trees located in the buffer area. (*Also see modified conditions P18 and E35*).

**Conditions based on those proposed by Staff, as modified by the Examiner
based on facts and evidence included as part of the record.**

Planning and Economic Development Departments Conditions of Approval:

General

- P1. Development of the site shall be in conformance with the plan set and associated documents identified in Exhibits B and D, stamped approved in Planning File No. P-10-01-24-01 and subject to the conditions of approval contained herein.
- P2. Development of the site shall also be in conformance with the reports and peer review documents identified in Exhibits C.
- P3. Lots cannot be created, sold, or marketed for sale until final plat approval is granted and the plat map is recorded with the Kitsap County Auditor. Final plat approval is a separate process from the preliminary subdivision approval process.
- P4. Setbacks, building lot coverage, and building height shall be reviewed at time of building permit submittal. Setbacks shall be measured from property lines. Garages are to be setback 20 feet providing driveway parking without overhang on road or access tract as identified in application documents.

- P5. Park impact fee is required with this project. Fee is determined at the time of building permit issuance according to the current code requirement.
- P6. Site lighting is to be oriented and shielded to avoid direct glare onto adjacent properties and critical area buffer, while providing adequate safety, including along off-street walking paths.
- P7. Modifications to preliminary subdivisions are reviewed under PMC 17.60.070 as currently adopted. Where significant deviation from the approved plan is proposed, the revision will be considered a major modification under the initial approval review authority.
- P8. Within 5 years following the approval of the preliminary subdivision, or as otherwise stipulated in RCW, a final plat shall be submitted to the city for review and approval, or preliminary subdivision becomes void.
- P9. Prior to issuance of any permits related to the construction of the retaining walls, appropriate property rights, including temporary construction easements and permanent wall maintenance easements on impacted adjacent properties, must be obtained authorizing the construction of the boundary walls.
- P10. While there are no known archaeological resources on this site, in the event archaeological artifacts are uncovered during construction, activity shall be halted immediately, and the State Historic Preservation Office and Tribes will be contacted.
- P11. It shall be the responsibility of the developer/property owner to coordinate with and receive any necessary permits of other agencies, including Washington State Department of Ecology, Washington State Department of Fish and Wildlife, US Army Corps of Engineers, US Environmental Protection Agency, prior to commencing work requiring said permits.

Tree Cutting and Clearing (TCC) Permit

- P12. A TCC permit application shall be submitted and reviewed concurrently with the Grading application. The application form and associated fees are available on the PED Department website.
- P13. Construction notes on TCC and Grading permits shall clearly state tree protection fencing shall be installed prior to site grading.
- P14. Construction notes on TCC and Grading permits shall clearly state tree retention areas shall have native understory vegetation maintained and invasive species may be removed using hand or small mechanical equipment following methods recommended by the project arborist. Where vegetation must be removed planting native species or 4-inches or greater depth mulching is required. Inspection by City Arborist may be required and will be at developer expense.
- P15. A detailed phasing plan shall be submitted with the TCC permit.
- P16. The TCC and grading permits shall be “closed-out” prior to submittal of the final plat application.

- P17. Amenity pathway construction shall be included with grading and tree cutting and clearing permits. Pathway segments through tree retention shall be peer reviewed by City Arborist. City Arborist review, site meeting, installation and inspection shall be at the expense of the applicant.
- P18. **Prior to issuance of the grading permit, the applicant shall submit plans demonstrating a publicly accessible pedestrian connection to link the Northeast corner of this property [adjacent to the north-south Noll Road right-of-way] with the east-west Noll Road segment to the south of this project, which shall be paved, a minimum of 5-foot wide, asphalt or concrete, and shall be routed within the easement for the water line along the northeast portion of the property instead of through the undisturbed portion of the critical area buffer in Tract A, which route is entirely feasible, through a utility corridor, largely outside required buffers, and significantly minimizes removal and potential impacts on large trees located in the buffer area. The alignment shall be designed to minimize vegetation removal, with any clearing limited to the minimum necessary to construct the minimum 5-foot paved pathway. Mature native vegetation shall be preserved to the maximum extent feasible. Final alignment and design are subject to review and approval by the City Engineer.**

Tree Retention

- P19. A final tree retention plan shall be submitted with and shown on the TCC and Grading permit and reviewed by the City Arborist, at the cost of the applicant.
- P20. Potential impacts to adjacent property trees that may be affected by site clearing and development must be reviewed at project north and west boundaries as indicated in applicant specialist report. (Exhibit C2a, WCFI1).
- P21. Trees and tree retention fencing shall be shown on tree cutting and clearing plans, construction civil plans and landscape plans.
- P22. Notes are required on Sheet C4.2 Vault Plan & Details outlining tree protection measures associated with the storm drain and dispersion trench within Tract A.
- P23. Tree protection measures noted on page 7 of the Preliminary Tree Protection Plan shall be included on grading and tree cutting and clearing permit drawings. (Exhibit C2a, WCFI1).
- P24. Tree Protective Fencing.
- A. Details on tree protection fencing shall be included in drawings submitted with the TCC and Grading permits.
 - B. No site work shall take place on the site until tree protective fencing is installed.
 - C. Tree marking and installation of protective fencing shall be under supervision of ISA certified project arborist, and inspected by City Arborist, at the cost of the applicant.
 - D. Tree protection fencing shall be installed 5 feet outside the dripline of trees to be retained.
 - E. No mechanical equipment or work shall be permitted inside protective fencing.
 - F. No storage, equipment, or vehicular traffic shall be permitted inside protective fencing.

- G. Tree protective fencing shall be shown on all submitted materials including construction and landscape drawings.
- H. Protective fencing shall not be moved or removed without consultation with the City Arborist.
- P25. All recommendations provided of Exhibit, C2 prepared by WCFI. (dated April 17, 2024 and February 6, 2025) shall be followed. This includes the peer review by SUF (dated 11/11/2024 and 3/25/2025).
- P26. The ISA certified project arborist shall be on site to observe and direct tree protection measures to ensure all recommendations of the arborist report are followed.
- P27. Tree marking and protection fencing shall be under the supervision of project arborist and when completed, the city is notified for inspection by the City Arborist, at the cost of the applicant.
- P28. Cedar posts with purpose marking shall be installed at 50 feet intervals along the north property boundary under the supervision of an ISA certified project arborist. Post interval may be adjusted to avoid damaging trees. Marker posts installation may require minor trimming of understory vegetation. Maintenance of the cedar marker posts shall be the responsibility of the HOA, addressed in CCRs and noted on the face of the plat and each page where marker posts are located. Post location, design, installation methods, and purpose marking scheme shall be included on grading and TCC permit drawings.
- P29. The project arborist and their contact information shall be identified at the preconstruction meeting.
- P30. Prior to work commencing on the site the project contractor, developers project arborist, city inspector and City Arborist are to meet on site for a preconstruction meeting to review the clearing limits and tree protection measures at the expense of the applicant. The developer may also attend the meeting.
- P31. A follow-up risk assessment of the proposed retention tree areas shall be conducted by the project arborist once the tree cutting, clearing and grading has occurred, and submitted to the city for peer review. If needed, the tree retention numbers shall be amended to reflect any necessary removals and additional plantings, and an arborist report shall be provided to the City prior to close-out of the TCC permit and shall be peer reviewed by the City Arborist. The arborist report shall verify the tree retention plan and project conditions are met. The report shall also identify maintenance recommendations for a period of 5 years or reaffirm maintenance recommendations of prior report. Additional assessment may be required if deemed necessary by the PED Director in consultation with the City Arborist. Reports and reviews are at the cost of the applicant.
- P32. The City shall be notified of any impact or pruning of significant tree roots prior to close-out of the TCC permit. The city may require peer review by the City Arborist, at the cost of the applicant.

Landscaping

- P33. The Final Landscape Plan shall be reviewed by the City Arborist.

- P34. Street trees shall be consistent with the Conceptual Landscape Plan in Exhibit B2, are required along all roadways designated arterial or collector and shall be included on the Final Landscape Plan submitted with the TCC and Grading permits. Root barriers shall be used to protect sidewalks, roadways, and infrastructure from root heave.
- P35. Street trees shall be installed along Noll Road north-south segment outside of critical area buffer.
- P36. Irrigation and maintenance of street trees shall be addressed in the Covenants, Conditions and Restrictions (CCRs). Performance and/or maintenance bonding for street trees and associated groundcover, in addition to the submittal of an as built landscape plan, is required prior to close-out of TCC permit.
- P37. Maintenance bonding for all other landscaping shall be required prior to close-out of the TCC permit. Estimates or bid for landscaping work and materials, including irrigation, shall be provided. Estimates shall match the “as-built” drawing and identify plant name, common name, size at planting, and number each that was planted. Performance bonding for installation of landscaping (except for street trees) will not be considered.
- P38. Landscaping materials shall be those which best serve the intended function and shall be appropriate for the soil and other environmental conditions of the site. Drought-tolerant, low water plant materials shall be encouraged.
- P39. The development monument sign(s) shall be shown on the Final Landscape Plan. Alternatively, a single sign at the Noll Road and Langaunet Lane corner may be proposed. A separate building permit is required for construction of the monument sign(s).
- P40. Critical area signs and fencing required installed with development shall be shown on landscape plans.
- P41. A final ‘as-built’ drawing landscaping plan and irrigation plan shall be provided to the city prior to close-out of the TCC permit. The plans shall address street trees, right-of-way landscaping, supplemental tree retention plantings, and any other areas in common ownership of the homeowners.

Open Space and Amenities

- P42. Tracts B, C, D, E and F shall be used for open space. The final plat shall indicate which tracts include recreation in addition to identifying ownership and maintenance responsibilities. Amenities include a project encircling trail; park with approximately 16,000 square feet grassy play area, a bench, 2 picnic tables (one ADA accessible), bar-b-que, solid waste bin, big toy, and ADA accessible pathway; and mid-block path link with 3 benches.
- P43. Details on recreational amenities shall be included with the TCC permit.
- P44. Landscaping plans for recreational areas, including irrigation, shall be submitted with the TCC permit.

- P45. A children's playground shall be installed that complies with CPSC (Consumer Product Safety Commission) and ADA (Americans with Disabilities Act) standards for equipment and safety surfacing. Playground equipment shall include a mix of structures suitable for different age groups.
- P46. Four parking spaces adjacent to park open space directly accessing Road B. Curbing surround and wheel stops are required with installation to maintain drainage toward Road B.
- P47. Trail surfaces and signage shall be included with the TCC permit. The trail surface shall be designed to withstand expected pedestrian and/or bicycle use with low maintenance requirements. The HOA shall be responsible for maintaining all trail surfaces in a safe and usable condition. A public access easement may be required for community access. Trail surfaces shall be gravel or better as determined by the city.
- P48. Maintenance of all recreational amenities, including playgrounds, trails, and community gathering areas, shall be the responsibility of the HOA. Maintenance responsibilities must be clearly outlined in the CC&Rs.
- P49. All recreational amenities must be completed and inspected prior to close-out of the TCC permit.

Individual Home Identity

- P50. A project wide home design packet addressing PMC 18.260.060.E is required to be with the first home building permit. The PED Department will review each building permit submitted to determine compliance with PMC 18.260.060.E and ensure substantial compliance with the architectural renderings submitted.
- P51. Side and rear facades facing public or private roadways in or adjacent to the project shall include façade treatments similar to the front facade.
- P52. The applicant shall submit a streetscape plan with the first home building permit application showing plot plans, elevations, and unit types for the adjacent properties. The plan shall ensure architectural variety is provided in accordance with PMC 18.260.060.E.2.e and E.3.
- P53. Building footprint and exterior design on adjacent lots is to be varied and will be reviewed with each building permit. Reverse building plans or left/right “flip” of the footprint are considered the same footprint.

Fences -- *NOTE: See Condition F re: additional fencing volunteered by the applicant.

- P54. Cedar posts with purpose marking shall be located on the north property boundary at maximum 50 feet interval to clearly demark tree retention responsibilities for the HOA. Installation may require trimming of understory vegetation. Spacing may be adjusted to accommodate trees on the buffer edge. Installation under supervision of an ISA certified arborist is preferred. Maintenance of the

fence shall be the responsibility of the HOA, addressed in CCRs and noted on the face of the plat and each page where fencing is located.

- P55. A 4 feet high split rail fence with critical area identification signage every 50 feet is required along the west critical area buffer boundary. Installation may require trimming of understory vegetation. Breaks in the fence by occur to accommodate trees on the buffer edge. Installation under supervision of an ISA certified arborist is preferred. Maintenance of the fence shall be the responsibility of the HOA, addressed in CCRs and noted on the face of the plat and each page where fencing is located.
- P56. Fencing details shall be provided with TCC and grading permit drawings, including landscaping plans.
- P57. The City Arborist shall review, at the cost of the applicant, the location of fencing in relation to tree retention at the time of tree cutting and clearing permit. The City Arborist will evaluate the impact of fencing on the long-term health of the proposed retention trees and provide, if necessary, recommendations for optimal success of tree retention. Recommendation may include alternative location of fencing, removal of trees, and/or supplemental plantings.

Critical Areas

- P58. The final plat shall clearly illustrate critical area tracts and easements as well as identify ownership and maintenance responsibilities.
- P59. Project proponents shall file notice to title with Kitsap County Auditor per PMC 16.20.135 for this project regarding critical areas, critical area buffers, and setback from critical area buffers on development property tracts and lots which will be encumbered by a critical area buffer or setback to buffer. Critical area requirements will be identified on the approved notice to title. The proponent shall submit proof that the required notice has been filed before close-out of the TCC permit.
- P60. Critical area buffers and setbacks from critical area buffers are required to be shown on all drawings, including construction drawings and building permit lot development plan.
- P61. Critical area buffers and setbacks are to be staked in the field prior to any site work.
- P62. Critical areas shall be protected with high visibility construction fencing. Signs identifying the critical area shall be posted. Fencing and signs shall be indicated on construction drawings.
- P63. Prior to close-out of the TCC permit, any grading or construction impacts to adjacent critical area and associated buffers must be restored. The restoration plan shall be submitted to the city for peer review, at the cost of the applicant.

Final Plat

The face of the final plat shall include the following statement(s):

- P64. The project's HOA will own, maintain, and enforce all open space, tree retention, and amenity tracts.

- P65. Trees located in tracts A, B, C, and F shall be the responsibility of the HOA to maintain. Alterations, including tree removal and pruning, shall require review and approval by the Planning and Economic Development Director and City Arborist.
- P66. Open space and/or amenity tracts A, B, C, D, E, F are for the benefit of project owners and residents. The HOA is responsible for management and maintenance of tracts.
- P67. Setbacks, building lot coverage, and building height shall be reviewed at time of building permit submittal. Setbacks shall be measured from property lines.
- P68. No rockeries/retaining walls may be constructed withing the ten-foot (10') wide utility easement fronting all lots or within any other utility easement. No permanent structures of any kind are allowed within any utility easement. If construction, maintenance, repair, or reconstruction of any utility is required, the property owner shall be responsible for the removal and relocation of any permanent structure and plantings that were removed. Such relocation shall not be in conflict with City codes.
- P69. Open space areas not proposed to be improved with recreational amenities or purposes shall remain as natural vegetation or appropriately landscaped. Removal of preserved and approved open space in natural vegetation shall only be permitted for public safety reasons and upon review and approval of the PED Director and City Arborist. Enhancement of critical area buffer vegetation shall be as allowed and prescribed in PMC 16.20, Critical Areas.

Covenants, Conditions and Restrictions (CCRs)

- P70. The CC&Rs document shall be provided with the final plat submittal. The City's review of the CC&Rs document does not mean the City will assume any responsibility for enforcing private covenants between the lot owners nor maintaining any roads or other amenities not specifically dedicated to the City on the public's behalf.
- P71. CCRs shall include provisions that the HOA will own, maintain and enforce all open space, tree retention, landscaping, and amenity tracts (Tracts A, B, C, D, E and F).
- P72. CCRs shall include provisions of how the HOA will manage street tree maintenance, including irrigation.
- P73. CCRs shall include a provision that addresses recreational vehicle parking, which shall be reviewed by the PED department and City Attorney prior to final plat approval and recording of plat documents.
- P74. The City of Poulsbo will not join the HOA as enforcers of the project's CCRs.

Engineering Department's Conditions of Approval:

GENERAL

*Findings, Conclusions and Decision Approving
Sandstone Ridge PRD and Preliminary Plat Applications –
File No. P-10-01-24-01*

- E1. All water, wastewater, and stormwater facilities and streets shall be designed by a professional civil engineer licensed in the State of Washington. The applicant is responsible for the design and installation of the facilities. In the event that there is a conflict between standards, the more restrictive standard shall apply as determined by the City Engineer.
- E2. Land use permit approval shall not waive any requirements for the applicant to (a) obtain all appropriate permits; (b) pay all required fees and deposits; and (c) provide the City with adequate construction plans for approval which conform to City codes and standards. Any utility plans, details, and drawing notes associated with the approved preliminary plat drawing are approved in concept only and are not considered approved for construction. Approval of the preliminary plat does not constitute approval of any construction drawings submitted with the preliminary plat approval documents. Civil construction drawings must be submitted directly to the Engineering Department. For site plans, it is not acceptable to submit the civil drawings with the building plans to the Building Department.
- E3. Construction plans for the following shall be reviewed and approved by the Engineering Department and Public Works Department: storm drainage and street improvements (including signage and pavement markings), sanitary sewer, water, and interim and permanent on-site erosion control systems. Prior to final plat approval the applicant shall: construct the required improvements per City standards and submit "as-built" drawings on 22x34 paper, and electronically (compatible with the AutoCAD version utilized by the City at the time of submittal), dedicate easements, convey utility ownership as determined by the City, and post a maintenance bond(s).
- E4. All plan review and project inspection and administration expenses shall be paid for at the developer's expense consistent with the fee and deposit schedule adopted by City ordinance in effect at the time of construction. Plan review fees shall apply to the original drawing submittal and one re-submittal. Subsequent submittals will require payment of hourly charges. Fees are non-refundable. Deposits are required for payment of actual expenses incurred by Engineering Department staff for project administration and inspection. 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. Deposits for Engineering Department services or outside professional services shall be paid in advance. The deposits are estimates and may require replenishment. Deposits may be required at the time of, or after, payment of any fees. Unused deposits are refundable.
- E5. At any point in the process of application approval, construction plan review, or construction, the City Engineer may hire an independent consultant to review and comment on any, or all, utilities or sitework (for example, storm sewer, sanitary sewer, water, roads/streets, retaining walls, slopes) proposed by the applicant. The applicant shall make a cash deposit which will be used to pay for any independent review required by the City Engineer. If additional funds are required, the applicant shall immediately deposit the requested amount. Any unused funds will be refunded. Acceptance of the proposal and consultant comments shall be at the discretion of the City Engineer.

- E6. The applicant shall adhere to all recommendations of the applicant's geotechnical engineer and the City's consultants as determined by the City Engineer.
- E7. City of Poulsbo Construction Standards and Specifications are published on the City website within the Public Works/Engineering Department page. Unless specified otherwise within Conditions of Approval these standards shall be followed.
- E8. The civil construction drawings shall include plans for: grading, water, sewer, storm, streets, dry utilities, street lighting, signage/stripping, and composite wet utilities. Other plans may be required depending on site-specific conditions. Profiles and details for the wet utilities shall also be provided.
- E9. Construction drawings will be rejected, without review, if the following drafting requirements are not met:
- A. Construction plan size shall not exceed 24"x36". The minimum drawing scale shall be 1:40 horizontal and 1:5 vertical. A larger scale may be required for legibility.
 - B. Utilities shall be shown on plan/profile sheets. Each sheet shall have the corresponding plan/profiles on the same sheet with aligned stationing.
 - C. Labels from the various overlapping AutoCAD layer shall be legible.
 - D. All elements on the drawings shall be legible as determined by the City Engineer.
- E10. All infrastructure must be installed before Final Plat approval. If the applicant wishes to construct the project in phases, those phases must be defined as divisions in the preliminary plat approval. At the time of Final Plat approval for each division, that division shall be "stand alone". A division shall be considered "stand alone" if it contains complete utilities and access for the future residents of that division and is not dependent on other as yet un-built divisions for this purpose. Any infrastructure outside of the plat that is necessary to serve the division or allow it to function must be completed as well.

CLEARING, GRADING, AND EROSION CONTROL

- E11. Clearing and Grading Permits are required prior to any land-disturbing activity on the site (PMC 15.35 & 15.40). The permits may include restrictions as to the limits of any area or phase that can be cleared and graded at any one time or during any construction season. Additional restrictions may be placed on the permit for seasonal weather conditions. At any time, the City Engineer may restrict activities or access to portions of the site which would be detrimental to maintaining erosion and sediment control. A final geotechnical report shall be submitted with the construction drawings to provide recommendations for site grading and compaction. The report shall include a section with recommendations for wet season construction methods.

STORMWATER

- E12. All temporary and permanent storm system and erosion control measures shall be designed, constructed, maintained, and governed in accordance with PMC Chapters 12.02, 15.40 and 13.17 as well as the requirements of the Department of Ecology's 2019 Stormwater Management Manual for Western Washington and Construction General Stormwater permit, and the following:
- A. City of Poulsbo standards and ordinances.

- B. All conditions of approval associated with any clearing and/or grading permits.
- C. Recommendations of the geo-technical engineer.

- E13. Provision shall be made for the conveyance of any upstream off-site water that naturally drains across the applicant's site.
- E14. The design of the detention system shall include appropriate access for maintenance as determined by the Public Works Department.
- E15. A final drainage report, TESC plan and final geotechnical report shall be submitted with the construction drawings to support the stormwater system design and provide guidance on construction and erosion control during construction. The final geotechnical report shall include provisions for wet weather construction. The final drainage report and TESC plan shall include provisions for erosion control and discharge turbidity compliance during wet season construction activities.
- E16. A Construction General Stormwater Permit will be required from the Washington State Department of Ecology. The permit shall be approved by the Department of Ecology and in hand prior to issuance of grading permit and commencement of site grading.
- E17. The developer shall be responsible for providing regular and adequate maintenance and supportive maintenance records for the stormwater detention system for a minimum of two-years or until 80% of the residences have been completed, whichever is longer. At the end of this time, the City will inspect the system and, if acceptable, the City will take over maintenance and operation of the system.
- E18. A spill control type oil/water separator shall be installed in the stormwater system at the most downstream point of the site. Enhanced water quality treatment must be provided for the stormwater runoff.
- E19. All secondary storm systems and easements shall be in compliance with City standards and remain privately maintained.
- E20. Storm vault tract shall be dedicated to the City on the face of the plat and fenced per Public Works Department requirements. Any fencing shall be outside of any critical area buffers consistent with Planning Department requirements. Maintenance responsibilities, agreements and liability protection for vault tracts, tree retention and amenities shall be resolved to the satisfaction of the Public Works Department and City Attorney prior to final plat application. Refer to Public Works Department conditions of approval.
- E21. Storm vault surface shall be free draining material, and a design for vault lid drainage shall be included in final construction drawings.

SANITARY SEWER

*Findings, Conclusions and Decision Approving
Sandstone Ridge PRD and Preliminary Plat Applications –
File No. P-10-01-24-01*

- E22. Refer to Public Works Department comments for sewer connection requirements and construction standards.

WATER

- E23. Refer to Public Works Department comments for water construction standards, connection and looping requirements.

ALL UTILITIES

- E24. For utilities not within City right-of-way, the Public Works Director will determine if the City will assume ownership and maintenance of the utility.
- E25. All water mains and all primary sanitary sewer and storm drainage mains shall be within public right-of-way or within easements dedicated to the City which meet the City's criteria for dimensions and access. All water, sewer, and storm service laterals and all secondary sanitary sewer and storm drainage lines located within easements or private property shall remain privately owned and maintained by the Homeowner's Association or applicable lot owners.
- E26. Easements for access and maintenance of utilities determined to be City-owned shall be legally described and dedicated to the City on the Final Plat drawings. Offsite water utility and access easement to the city on adjacent property shall be provided and recorded separately. Easements shall be fifteen feet (15') wide minimum and comply with all City requirements. Additional width is required to accommodate turning radii, more than one utility or deep utilities. The City Engineer may require an all-weather surface, conforming to City standards, to be constructed over the easement to provide vehicular access for maintenance. Ownership of the pipe and appurtenances shall be conveyed to the City on the Final Plat drawings. The easements shall be shown on the construction drawings, "as-built" drawings, and Final Plat drawings.
- E27. When private storm or sewer pipe is located in an easement that is adjacent and parallel with the property line between two lots/parcels, the easement shall be located entirely on one property and not split between the adjacent properties OR the utilities shall be off-set from the property line a minimum of 2 feet due to the high potential for fence posts to be placed on the property line.
- E28. All street ends with the possibility for extension must have utilities stubbed out of the paved area a minimum of six feet or as directed by the City Engineer. Pavement and sidewalks shall be extended to within six feet of the property line at the end of the road. Appropriate barricades in compliance with current MUTCD standards shall be constructed at the road ends. See City Construction Standards for recommendations.

STREETS

- E29. Unless otherwise approved by the City Council, street sections shall conform to adopted City standards (refer to Construction Standards - Section 2 - Street Standards).
- E30. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Road A and Langaunet Lane and at the intersection of Road B and Noll Road at construction plan submittal. Sight distance shall also be evaluated for all internal plat intersections,

and sight distance triangles shown on the construction drawings. Proposed landscape features and plantings shall be included in sight distance calculations. If sight distance triangles intrude on individual lots, they shall be shown on final plat drawings and sight distance easements protecting those triangles from intrusion shall be included. Sight distance 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 certification shall also note necessary measures to correct and maintain the minimum sight triangle. Any stop-controlled intersections with K values less than the AASHTO minimum shall provide a vertical stopping sight distance diagram to demonstrate that street lights are adequate mitigate and stopping sight distance is provided.

- E31. All intersections, crosswalks at intersections, sidewalks and driveway drops shall meet current ADA standards in place at time of construction (including 28 CFR Part 36). Construction drawings shall include sufficient intersection grade and slope details to determine ADA compliance. Individual curb ramp details for each curb ramp sufficient to show compliance and provide sufficient details for construction shall be provided.
- E32. GMA Transportation Impact Fee Ordinance (PMC 3.86) has been approved by City Council. This establishes a transportation impact fee assessment per ADT payable at time of Building permit issuance as of the date of this memo. The impact fee is due at the time of each single-family home building permit and shall be calculated using the most current ADT for a single-family home identified in the ITE manual (11th edition identifies an ADT of 9.43) and multiplying the most current traffic impact fee established by PMC 3.86.090.
- E33. Streetlights shall be installed per City of Poulsbo and Puget Sound Energy specifications. New streetlights shall be LED light fixtures, burgundy King 601 fixtures on tan concrete poles. Lighting design for the project shall be submitted with the construction drawings for the project. Lighting design shall be per the requirements of illuminating Engineering Society of North America standard RP-8. Lighting design shall consider proposed street trees and landscaping to ensure landscaping and street trees will not interfere with street lighting. Proposed street trees shall be shown on lighting design submittal.
- E34. The applicant's engineer shall obtain approval of the postmaster and the City Engineer for all mailbox installation locations prior to grading permit issuance.
- E35. **As a condition of development, a pedestrian connection to link the Northeast corner of this property [adjacent to the north-south Noll Road right-of-way] with the east-west Noll Road segment to the south of this project, is required; which pedestrian connection shall be paved, a minimum of 5-foot wide, asphalt or concrete, and shall be routed within the easement for the water line along the northeast portion of the property instead of through the undisturbed portion of the critical area buffer in Tract A, which route is entirely feasible, through a utility corridor, largely outside required buffers, and significantly minimizes removal and potential impacts on large trees located in the buffer area. The alignment shall be designed to minimize vegetation removal, with any clearing limited to the minimum necessary to construct the minimum 5-foot paved pathway. Mature native vegetation shall be preserved to the**

maximum extent feasible. The northeastern segment of this pedestrian connection is intended to serve as a future connection point for future development north along Noll Road. Final alignment and design are subject to review and approval by the City Engineer.

~~frontage improvements are required on Noll Road. Frontage improvements shall consist of curb, gutter, and sidewalk for the portion of the frontage located outside of critical area buffers and shall consist of curb and gutter for portions of the frontage located inside of the buffer area. Curb and gutter may be installed within the existing road prism. Sidewalk may be separated from the roadway/curb and gutter. A pedestrian connection located outside of the critical area buffer shall be provided connecting the north-south Noll Road to the east-west Noll Road segment. This connection shall be paved, minimum 5ft wide, asphalt or concrete and may meander to avoid impacting trees within Tract A. If this is shown to be infeasible, a paved pedestrian connection may be provided within the easement for the water line on the NW corner of the property.~~

- E36. The applicant shall be responsible for constructing a raised crosswalk at the intersection of Langaunet Lane and Road A.
- E37. The applicant shall be responsible for constructing a crosswalk and pedestrian activated Rectangular Rapid Flashing Beacon (RRFB) at the intersection of Noll Road and Road B to provide a pedestrian connection to the Poulsbo Meadows development.
- E38. Street end of proposed Road B provides future access to adjacent properties. The street end shall be marked following either MUTCD Section 3C.04 (OM4 series signs) or MUTCD Section 3F.01 (Type III Barricade). Incorporated into the MUTCD installations shall be an information sign with white background and black lettering that reads; "FUTURE STREET EXTENSION". All of the above elements shall appear as details on the site construction plans subject to Public Works Department approval.
- E39. A temporary truck route has been established in accordance with PMC 10.24. The project's construction truck traffic shall use SR305, Lincoln Road, and Noll Road.

OTHER

- E40. The project applicant shall completely close-out the grading permit prior to applying for Final Plat. Early final plat applications will not be accepted by the City.
- E41. All bonds, conveyances, and easements dedicated to the City shall be on the City's forms.
- E42. A Public Property Construction Permit is required when connecting to City-owned utilities or performing other work within the City right-of-way or other public/City-owned property (PMC 12.08). The permittee shall be responsible for repair and/or restoration of any damage to City property (such as sidewalks, curbs, gutters, pavement, and utilities) that occurs as a result of operations under this permit.

- E43. Shared driveways shall be dedicated easements or tracts benefiting the property owners served by the driveway. The face of the plat and the covenants shall state that the responsibility for maintenance of any shared driveway shall be the responsibility of the property owners served by the driveway.
- E44. No rockeries/retaining walls may be constructed within the ten-foot (10') wide utility easement fronting all lots or within any other utility easement. No permanent structures of any kind are allowed within any utility easement. If construction, maintenance, repair, or reconstruction of any utility is required, the property owner shall be responsible for the removal and relocation of any permanent structure and plantings that were removed. Such relocation shall not be in conflict with City codes. The face of the plat shall state this requirement.
- E45. Any agreements made between the applicant and another property owner related to utilities, easements, right-of-ways, or ingress and egress shall not be in conflict with City codes or ordinances. No agreements between the applicant and the property owner shall exempt either party from obtaining proper City approval for land use activities regulated under the Poulsbo Municipal Code.
- E46. The covenants and the face of the plat shall state that no fence shall be placed within two feet of the back of any sidewalk or within any sight distance triangle.
- E47. All public utilities shall be provided within the plat and shall include power, telephone, natural gas, and cable television. All utilities shall be placed underground (PMC 17.08.140). A ten-foot easement fronting all lots shall be dedicated for public utilities. The developer shall provide and install a minimum of one additional empty four-inch conduit trunk line with road crossings, in parallel with the aforementioned utilities, with appropriate termination points within junction boxes, for future telecommunications use (PMC 12.02.015). Ownership of the conduit shall be conveyed to the City on the Final Plat drawings. All existing and new utilities shall be underground. A plan sheet titled Dry Utilities shall be included with Construction Plan submittal and include all above mentioned utilities.
- E48. The applicant shall be responsible for obtaining all required offsite easements and rights- of-way. Copies of all recorded easements shall be provided to the City Engineer.

Public Works Department's Conditions of Approval:

WATER

- PW1. All lots shall be connected to city water.
- PW2. Service connection to the City water system shall be the responsibility of the property owner and shall comply with state and local design and development standards.
- PW3. Water main looping shall be in compliance with City and Department of Health water design standards. The Sandstone Ridge PRD project will be required to connect to the existing 8" water main in Langaunet Lane to the west and connect to the existing 8" water main stub to the south in

Noll Road at the Poulsbo Meadows development. An 8" water main stub to the north at the end of Road B shall be provided and an 8" water main stub to the NE corner of the plat shall be provided.

- PW4. Locate meters in a single bank when possible.
- PW5. All water systems shall be publicly owned up to and through the water meter. All water mains and fire hydrants shall be located in public right-of-way or easements dedicated to the City of Poulsbo. Dedicated water lines shall be centered in an easement of 15 feet in width minimum.
- PW6. Domestic water service and fire flow may share the same water line. The domestic service must exit the water line before the fire service.
- PW7. Meters for all lots shall be located adjacent to public right-of-way.
- PW8. Individual PRV is required on the property owner side of the meter when pressure exceeds 80 psi.
- PW9. The project's Engineer of record shall track and maintain records of water system pressure and purity testing and shall complete and submit to the Public Works Department a DOH Water System Construction Completion Form 331-146-F for the project prior to final plat application.

IRRIGATION

- PW10. Irrigation water shall come from a separate connection. Please show irrigation connection(s) on the utility drawing(s).
- PW11. A double check valve assembly shall be installed within 18-inches of the downstream side of the water meter.
- PW12. Double check valve assemblies shall be tested by a "city approved" state certified tester upon installation. A copy of the test report must be sent to the Public Works and Engineering Departments.

SEWER

- PW13. Development of the plat requires installation of gravity sewer to serve all lots. Connection shall be to the existing 8" sanitary sewer main in Noll Road NE.
- PW14. Sewer stubs for extension of the gravity system shall be provided to adjacent properties where road connections are provided.
- PW15. Sanitary sewer manholes shall not be located in roadway curb and gutter, sidewalk or landscaping strip adjacent to roadway. Sewer mains shall not be located generally parallel to and under road curb and gutter, sidewalk, or landscaping strip adjacent to the roadway.
- PW16. All side sewers shall enter public right-of-way as gravity flow.

PW17. Service connection and alterations to the City sewer system shall be the responsibility of the property owner.

SOLID WASTE

PW18. Solid waste service shall be provided by the City of Poulsbo.

PW19. Garbage and recycle cans shall be placed curbside on the 'no parking' side of the road.
The requirement shall be stated in the CC&R's prior to final plat approval.

STORMWATER

PW20. A. Stormwater vault tract ownership shall be dedicated to the City on the face of the plat. Ownership and maintenance of the amenities proposed on the stormwater vault tract shall be determined prior to final plat to the satisfaction of the Public Works Department. An agreement satisfactory to the Public Works Department, City Engineer and City Attorney's office memorializing ownership and maintenance responsibilities for the amenities and liability protection for the City shall be referenced on the face of the plat and recorded on the tracts with final plat recording. Appropriate easement(s) and agreements shall be determined to the satisfaction of the Public Works Department and City Engineer prior to final plat approval and shall be referenced in CC&R's and on the face of the plat. The surface and placement of amenities on top of the vault must be coordinated to allow for maintenance as determined by the Public Works department.

B. The interior of the vault shall be designed with sloping vee sidewalls and floor slope to the sump or other area identified to allow for ease of maintenance. In no case shall the vault floor be designed to be level.

PW21. The developer shall be responsible for providing regular and adequate maintenance and supportive maintenance records for the stormwater conveyance and detention system for a minimum of two years or until 80% of the residences have been completed, whichever is longer. At the end of this time the City will inspect the system, and if acceptable, the City will take over maintenance and operation of the system.

GENERAL CONDITIONS

PW22. Design: All water, wastewater, stormwater system facilities and streets shall be designed by a professional engineer registered in the State of Washington. Design and installation of the improvements shall be the property owner's responsibility.

PW23. Design and Development Standards. Design shall be subject to the following Standards:

- City of Poulsbo Utility Comprehensive Plans
- City of Poulsbo Design, Development and Construction Standards
- City of Poulsbo Municipal Code
- Washington State Department of Health Design Standards
- Washington State Department of Ecology's Criteria for Sewage Works Design
- American Public Works Association/Department of Transportation Standard Specifications

PW24. In the event that there is a conflict between construction standards, the more restrictive standard shall apply as determined by the City Engineer.

PW25. No walls or structures shall be permitted in utility easements unless approved at time of construction review.

PW26. Placement of landscape plantings and/or street trees shall not interfere with utilities or sight distance. Required landscape vegetation may need to be relocated in the final landscape plan. Landscape vegetation not required by city code may need to be relocated or removed from the final landscape plan.

SUBMITTAL AND APPROVAL

PW27. The applicant shall be required to submit to the City for approval the plans and specifications associated with design and construction of utility system improvements.

PW28. Utility systems include, but are not limited to, distribution and collection mains, pumping facilities, storage reservoirs, detention/retention facilities or any improvements to be dedicated to the city under a deed of conveyance.

PW29. Upon completion of the project, the developer shall supply the Public Works Department with a copy of drawings of record; these drawings shall be in hard copy form and in electronic form compatible with the most recent version of AutoCAD.

CONNECTION FEES AND ASSESSMENTS

PW30. Utility service for the noted property is subject to application and payment of the applicable fees and assessments.

PW31. Utility General Facility Charges (connection fees) are required to be paid at the time of building permit issuance and are based on the current fee schedule in effect at that time. Early payment and reservation of utility connection are not provided for in Poulsbo Municipal Code.

**End of Conditions.*

In the event of a need for clarification regarding the application or interpretation of any term or condition of approval set forth above, either the applicant or the city can invoke the jurisdiction of the Hearing Examiner to issue a written clarification of a particular term or condition, through a written request detailing the matter, and the basis for such request. Such request shall be made as a Request for Reconsideration.

NOTICE OF RIGHTS TO REQUEST RECONSIDERATION OR APPEAL THIS DECISION

Reconsideration –

As provided in PMC 19.40.040.F.5 (captioned “Request for Reconsideration”), any party of record may file a written request with the hearing examiner for reconsideration within seven calendar days of the date of the written decision. The request shall explicitly set forth alleged errors of procedure, law, or fact. No new evidence may be submitted in support of or in opposition to a request for reconsideration.

Appeal –

PMC 19.70.020 explains that the action of the hearing examiner on a Type III application is the city’s final decision and may be appealed as provided under the Land Use Petition Act, Chapter 36.70C RCW. Any such petition for review must be filed with Kitsap County superior court within twenty-one days of the date the decision is issued, as provided in RCW 36.70C.040, and the petition must meet all requirements set forth in said statute.

NOTE: The Notice provided on this page is only a short summary, and is not a complete explanation of fees, deadlines, and other filing requirements applicable reconsideration or appeals. Individuals should confer with advisors of their choosing and review all relevant codes, including without limitation the city code provisions referenced above and the Land Use Petition Act (Chapter 36.70C RCW) for additional information and details that may apply.